

Environmental Impact Assessment Screening Report

Public Realm Redevelopment - Quay Street and Balbriggan Harbour

Balbriggan

Fingal County Council

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Doyle Kent Planning Partnership Ltd.

71 Carysfort Avenue

Blackrock, Co. Dublin

www.doylekent.com

info@doylekent.com

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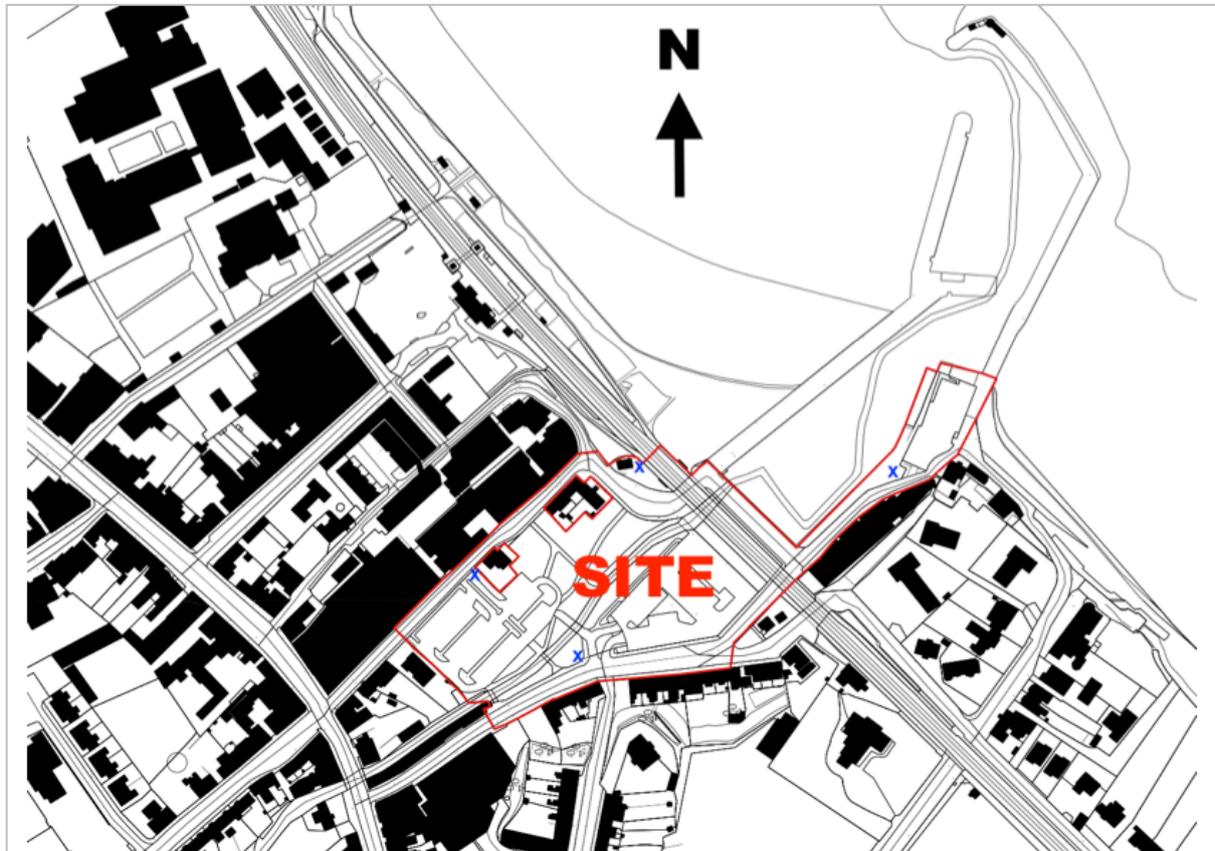
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Introduction

This screening report in respect of Environmental Impact Assessment is submitted in relation to the proposal by Fingal County Council for a redevelopment of the public realm and related development at Quay Street and Balbriggan Harbour, Balbriggan, Co. Dublin. The site is located between the centre of Balbriggan and the Harbour and is 19,300 m² / 1.93 ha approx. in extent.



Site in Local Context in Balbriggan

This Environmental Impact Assessment screening report has been compiled by Doyle Kent Planning Partnership Ltd, the directors of which have experience of the EIA process over many years. In particular, Karl Kent has qualifications in Planning, Urban and Building Conservation and EIA management and Jane Doyle has qualifications in Urban and Regional Planning and EIA management. Relevant information from other members of the design team in respect of the various environmental topics has been included in compiling the report. The members of the design team include:

- Paul Keogh Architects (PKA) Design Team Lead
- Turner and Townsend (Project Managers)
- Hayes Higgins Partnership (Civil, Structural, M&E Engineers)
- Austen Associates (Landscape Architects)

- Altemar (Ecologists)
- McCloy Consulting (Water and Environmental Consultants)
- Ground Investigations Ireland
- Courtney Deery (Archaeology and Cultural Heritage)
- Nolan Construction Consultants (Quantity Surveyors)
- Doyle Kent Ltd (Planning Consultants)

Site and Proposed Development

The site of 19,300 m² / 1.93 ha approximately includes parts of Mill Street and of Quay Street and Harbour Road to the beach and up to and encompassing the site of the demolished night club on the East Pier of Balbriggan Harbour (Protected Structure RPS 0038), and includes public footpaths, public roads, open green space, public car parks, the Bracken River, foot and road bridges over the Bracken River, lands beneath the arches of the Balbriggan Railway Viaduct (Protected Structure RPS 0036), the former RNLI boat house (Protected Structure RPS 0035), existing public toilets and playground. The site includes the area between the Railway Viaduct and the Harbour Road and includes that part of Harbour Road to the north-east of the Railway Viaduct and that part of the Harbour Road on the East Pier of Balbriggan Harbour up to and including the site of the demolished night club.

The proposed development is described as:

- (i) Redevelopment of the existing carpark areas, open space and playground to form a reordered pedestrianised public open space / market space with play space off Quay Street, focused around the arches of the Railway Viaduct.
- (ii) Upgrade of the carpark areas and green open space located between Mill Street, Quay Street and the harbour, including the Bracken River, to provide new hard landscaping and planting zones to encourage flora.
- (iii) Upgrade of street surfaces, pavements, landscaping and green infrastructure, including widening of footpaths, to improve pedestrian linkages from Main Street to Quay Street, the Railway Viaduct, the Beach and the Harbour area.
- (iv) New public lighting and street furniture.
- (v) Redesign of existing surface carparking, including closure of vehicular access point on Quay Street, and incorporating modifications to traffic flow and parking on Quay Street, Mill Street and Harbour Road (Seapoint Lane).
- (vi) Works to redirect the existing overflow (currently discharging into the Bracken River) from the Irish Water pumping station off Harbour Road to a new discharge location into the Bracken River.

- (vii) Enhancement works to the Bracken River within the existing open space between Quay Street and Mill Street, including widening of the water course to encourage biodiversity, increase planting and improve flood resilience along the riverbank (including temporary piping of the Bracken River during the construction period of the proposed development).
- (viii) Resurfacing areas under the Railway Viaduct arches with new granite paving.
- (ix) Removal of existing low level stone walls to provide a more accessible link between Quay Street and the harbour.
- (x) Provision within the vicinity of the Railway Viaduct to facilitate future potential market stalls, street food outlets and outdoor dining, to include appropriate utility connection points.
- (xi) Reduction of overall car parking on site, including removal of Quay Street carpark, reduction of on-street carparking and reduction of Town Carpark (Mill Street), resulting in a car park provision of 63 spaces (a reduction of 175 spaces).
- (xii) Provision of 152 cycle parking spaces, seating and integrated play equipment.
- (xiii) Provision of a new single storey Harbour Building (151 sqm) on site of former night club on East Pier of Balbriggan Harbour (Protected Structure) to contain:
 - (a) 1 no. commercial unit with services facing onto the harbour.
 - (b) Provision of associated storage space, office and staff toilet.
 - (c) Provision of public toilets and changing places unit.
 - (d) Provision for seating in vicinity of the harbour building and kiosks.
- (xiv) Provision of two new single storey, kiosk buildings (33 sqm each) on site of former night club on East Pier of Balbriggan Harbour (Protected Structure), to accommodate visitor information, retail, café, hot food take away, rental of leisure boats, cycles, paddleboards and other recreational equipment.
- (xv) Demolition of the existing public toilet block immediately south-west of the Railway Viaduct at the entrance to the beach and provision of temporary toilet facilities pending construction of new toilet block.
- (xvi) Construction of a new single storey building south-west of the Railway Viaduct to include toilets, changing, lockers, '*Changing Places Unit*' and a retail kiosk.
- (xvii) Proposed conservation of the Former RNLI Boathouse, (Protected Structure RPS no. 0035) at Harbour Road, Balbriggan, Co. Dublin, including change of use to commercial café/retail use with associated site development, services and internal alterations. The area of the single storey building is 63 sqm.
- (xviii) All associated site development works, landscaping, services, piped infrastructure and ducting, changes in level; site landscaping and all associated site development and excavation works above and below ground.

Environmental Impact Assessment (EIA)

The original Environmental Impact Assessment Directive (85/337/EEC) of 1985 and subsequent three amendments thereto were codified in 2011 by Directive 2011/92/EU, which was itself amended in 2014 by Directive 2014/52/EU. Together these comprise the EIA Directive - European Union Directive 2011/92/EU, as amended by Directive 2014/52/EU, *on assessment of the effects of certain public and private projects on the environment*.

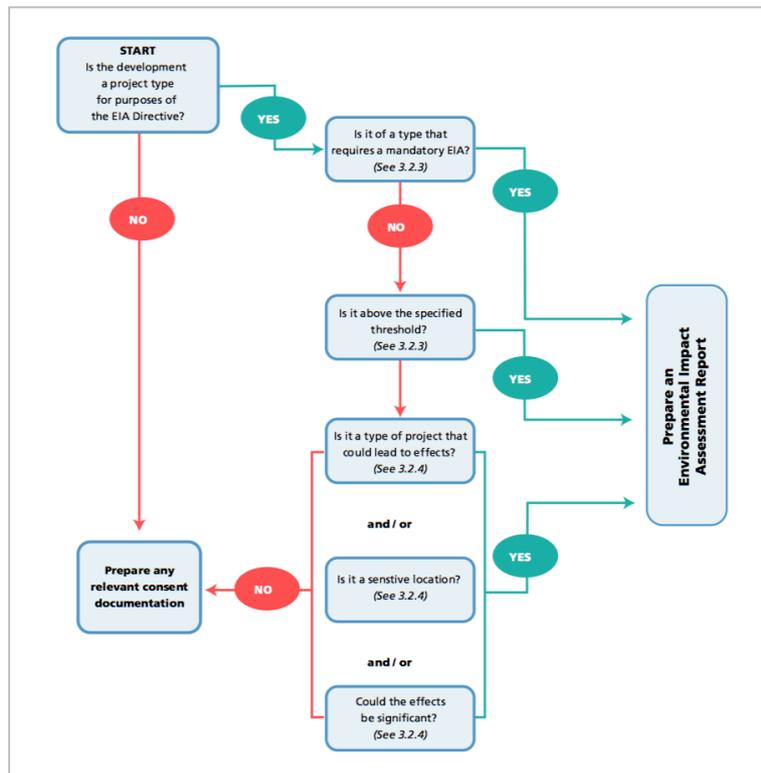
The Directive, in two Annexes, sets out classes of projects, which are likely to have significant effects on the environment and for which, therefore, Environmental Impact Assessment (EIA) is obligatory (Annex I) or for which EIA may be required (Annex II). Determination of whether a project in Annex II is likely to have significant effects on the environment, and therefore requires EIA, may be by way of application of thresholds, or on a case by case basis, or a combination of both methods. Criteria to determine, on a case by case basis, whether a project of a type listed at Annex II is likely to have significant effects on the environment and should be subject to EIA, are set out at Annex III to the Directive and the information in this regard to be provided by the developer to the relevant development consent authority is set out at Annex IIA. Essentially, whether an effect is significant will depend on factors such as the type, extent, duration, intensity, timing, probability, and cumulative effects of the potential impact, as well as the sensitivity of the environment.

The EIA Directive is transposed into Irish planning legislation by the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended). Both the EIA Directive and Irish legislation set out in detail the entire EIA process. The provisions of the above Annexes to the Directive are transposed into Irish law principally by the Planning and Development Regulations, 2001, as amended. In particular, in transposing Annex II of the Directive, the Irish Regulations, at Schedule 5, Part 2, set out the categories of development (projects) for which EIA may be required, depending on their likely significant environmental impacts. Thresholds, generally related to scale or size, are set out in Schedule 5, Part 2, of the Regulations in respect of most of the categories of development listed, above which EIA is mandatory and below which EIA may be required (i.e. sub-threshold developments).

Criteria to determine on a case by case basis whether sub-threshold development listed in Part 2, Schedule 5, of the Planning and Development Regulations, 2001, as amended, should be subject to EIA are set out in Schedule 7 of the Regulations (corresponding to Annex III of the Directive). Schedule 7A of the Regulations sets out the categories of information required in order for the relevant development consent authority to make such determination (corresponding to Annex IIA of the Directive). In making the determination, the consent authority must have regard to Schedule 7 criteria, Schedule 7A information, results of other relevant EU assessments, the location of sensitive ecological sites, or heritage or conservation designations. Mitigation measures may be considered.

Screening for Environmental Impact Assessment

The first step to establish if a project requires EIA is to *screen* it. The recently published EPA guidance document *Guidelines on the information to be contained in Environmental Impact Assessment Reports* describes in diagrammatic form the steps required in EIA Screening.



Steps in Screening for EIA (EPA)

Guidance in relation to EIA, as also in respect of EIA Screening, and which informs this report, includes:

- *Environmental Impact Assessment of Projects: Guidance on the preparation of the Environmental Impact Assessment Report (Directive 2011/92/EU as amended by 2014/52/EU)*, 2017, Commission of the European Union.
- *Environmental Impact Assessment of Projects: Guidance on Screening (Directive 2011/92/EU as amended by 2014/52/EU)*, 2017, Commission of the European Union.
- *Interpretation of definitions of project categories of Annex I and Annex II of the EIA Directive*, 2015, Commission of the European Union.
- *Guidelines on the information to be contained in Environmental Impact Assessment Reports*, EPA, 2022. (This guidance has informed the classification of environmental effects in this report).

- *Environmental Impact Assessment Screening, OPR Practice Note PN02, 2021, Office of the Planning Regulator.*
- *Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment, 2018, Department of Housing, Planning and Local Government.*

European Commission guidance recommends that an urban development project should be seen as a project that is urban in nature regardless of its location. Commonly understood urban developments, that should be considered in the context of Schedule 5 Part 2, 10(b)(iv), include public realm improvement schemes. In relation to EIA, the Planning and Development Regulations, 2001, as amended, Schedule 5, Part 2, set out the following classes of project, which, on a broad interpretation of the Regulations, are considered relevant to the proposed development at Quay Street Balbriggan and Balbriggan Harbour:

10. Infrastructure projects –

(b) (ii) Construction of a car-park providing more than 400 spaces, other than a car-park provided as part of, and incidental to the primary purpose of, a development;

(iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere;

(In this paragraph, ‘business district’ means a district within a city or town in which the predominant land use is retail or commercial use).’

(f) (ii) Canalisation and flood relief works, where the immediate contributing sub-catchment of the proposed works (i.e. the difference between the contributing catchments at the upper and lower extent of the works) would exceed 100 hectares or where more than 2 hectares of wetland would be affected or where the length of river channel on which works are proposed would be greater than 2 kilometres.

13. Changes, extensions, development and testing

(a) Any change or extension of development already authorised, executed or in the process of being executed (not being a change or extension referred to in Part 1) which would:-

(i) result in the development being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of this Schedule, and

(ii) result in an increase in size greater than –

- 25 per cent, or

- an amount equal to 50 per cent of the appropriate threshold, whichever is the greater.

(In this paragraph, an increase in size is calculated in terms of the unit of measure of the appropriate threshold.)

- (c) Any change or extension of development being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of this Schedule, which would result in the demolition of structures, the demolition of which had not previously been authorised, and where such demolition would be likely to have significant effects on the environment, having regard to the criteria set out under Schedule 7.*

14. Works of Demolition

Works of demolition carried out in order to facilitate a project listed in Part 1 or Part 2 of this Schedule where such works would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.

- 15. Any project listed in this Part which does not exceed a quantity, area or other limit specified in this Part in respect of the relevant class of development but which would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.*

The proposed public realm redevelopment is a project of a type specified at 10(b)(ii) and 10(b)(iv) of Schedule 5, Part 2, of the Regulations, but is sub-threshold for 10(b)(ii), constituting only 16% of the relevant threshold of 400 parking spaces. In relation to 10(b)(iv), the site is within a built-up area, but at 1.93 ha is below the threshold of 2 hectares for a business district¹ or the threshold of 10 hectares for other parts of a built-up area. Notwithstanding that the lands, subject of the proposed redevelopment, are zoned MC – *Major Town Centre (Protect, provide for and/or improve major town centre facilities)* under the provisions of the Fingal County Development Plan 2017-2023, the character of the area in the vicinity of the site is mixed residential and commercial.

The main part of the site of the proposed development is public realm and currently contains two car parks and an area of public open space and through which the Bracken River runs. This public realm area is bounded by Quay Street to the south and by Mill Street to the north-west. Whereas land uses at ground floor level on Mill Street are predominantly commercial, some upper levels and the lands adjoining, further to the north-west along George's Hill, are generally in residential use. The properties along Quay Street are predominantly residential, with some limited commercial use. The pattern of residential use along Quay Street will be reinforced if the planning permission recently granted by An Bord Pleanála per ABP 311095 is implemented. That permission includes demolition of a disused shopping centre, near the junction with Bridge Street, and

¹ As defined in the Planning and Development Regulations, 2001, at 10(b)(iv) of Schedule 5, Part 2, a business district is *a district within a city or town in which the predominant land use is retail or commercial use.*

the construction of 77 residential units in its place. The land in the vicinity of the East Pier of Balbriggan also contains residential use, with some harbour-side commercial activity.

The Bracken River flows through the site for a length of approximately 160m before entering Balbriggan Harbour. The river has been canalised in the past and it is now proposed to widen it for a length of approximately 90m which might be considered to constitute a form of canalisation, as described at 10(f)(ii) above. But it is clearly evident that this element of the proposed development is sub-threshold in relation to project category 10(f)(ii). Whilst the proposed changes to the river will have some beneficial impact in terms of mitigation of flooding, this will be limited in extent and the project does not itself constitute flood relief works. The various thresholds cited in the Regulations at 10(f)(ii) do not apply.

In relation to projects coming within the scope of the categories described at class 13: *Changes, extensions, development and testing*, the proposed public realm redevelopment and associated elements do not constitute a change or extension other than to public open space/car parking and access, with the exception of some minor works e.g. the conservation and change of use of the RNLI boathouse.

In respect of Class 14, *Works of demolition carried out in order to facilitate a project listed in Part 1 or Part 2 of this Schedule where such works would be likely to have significant effects on the environment*, the nature and scale of the demolitions proposed are not of significance. These consist of removal of a public toilet block, works to widen the Bracken River for a short distance with consequent demolition of some retaining walls and removal of hard surfaced areas of car parking and roadway.

Having regard to the foregoing, the proposed public realm redevelopment is sub-threshold in terms of the EIA Directive, as transposed into Irish law per Schedule 5 to the Planning and Development Regulations, 2001, as amended. The provisions set out in Class 15 above entail an examination of the environmental effects of the development against the criteria set out in the Regulations.

Schedule 7A Information

Notwithstanding the sub-threshold scale of the development, assessment as to whether the proposed development is likely to have significant effects on the environment is required to determine whether EIA is necessary. Accordingly, it is necessary to submit the information required in Schedule 7A of the Regulations to facilitate determination having regard to the criteria set out in Schedule 7.

Schedule 7A requires the following information:

1. A description of the proposed development, including in particular—
 - (a) a description of the physical characteristics of the whole proposed development and, where relevant, of demolition works, and
 - (b) a description of the location of the proposed development, with particular regard to the environmental sensitivity of geographical areas likely to be affected.

2. A description of the aspects of the environment likely to be significantly affected by the proposed development.

3. A description of any likely significant effects, to the extent of the information available on such effects, of the proposed development on the environment resulting from —
 - (a) the expected residues and emissions and the production of waste, where relevant, and
 - (b) the use of natural resources, in particular soil, land, water and biodiversity.

4. The compilation of the information at paragraphs 1 to 3 shall take into account, where relevant, the criteria set out in Schedule 7.

1. A description of the proposed development, including in particular—

(a) a description of the physical characteristics of the whole proposed development and, where relevant, of demolition works

Size and Design of the proposed development

The redevelopment will primarily reconfigure the existing public realm in the area concerned to form a more pedestrian-friendly public space in the area between Quay Street and Mill Street, making connections to the harbour side, leading to new “destination buildings” (two small kiosks and one larger building) on the site of the demolished nightclub on the East Pier. It will include an event/market space focused around the arches of the Railway Viaduct and an upgrade of the public realm in the carpark areas and open space on both sides of the Bracken River, including a reduction in the number of parking spaces from 238 spaces (both on-street and car park spaces) to 63 spaces. The implementation of the development will also entail localised changes to traffic movements.



Proposed Layout (PKA)

Existing green areas within the site measure approximately 3760m². Proposed green areas will constitute 4920m², representing an increase of c. 1000m². Landscaping is designed to encourage flora and fauna and maximise the potential of the amenity green space and the Bracken River. Existing trees will be retained where practicable, in accordance with the recommendations of the Tree Survey. Fence-less play spaces will be distributed throughout the landscaping.

The Bracken River will be widened for a short length of approximately 90m, with tiered seating stepping down to the water from a plaza on the eastern side and natural soft landscaping sloping down to water level on the western bank. The river bed will be profiled to slow the flow and improve the biodiversity environment for flora and fauna, which will also facilitate improved flood mitigation. The rising walls will vary in height at the river widening to accommodate the existing ground relative to the proposed finished level.

Hard landscaping areas will have high quality, robust paving surfaces and the public realm upgrades will include new street furniture, lighting fittings, bicycle parking and power connections for markets and other outdoor activities. The paving will be brought through the Railway Viaduct arches to form a level surface through to the harbour edge. Existing cobbles under the arches will be retained in situ, where possible, and the new surface will be laid on top of these using construction techniques which will ensure this work will be reversible. The existing low level stone walls will be removed to improve permeability and to facilitate temporary market stalls and events.

In place of a recently demolished former nightclub building on the East Pier, two new harbour-side structures are proposed. The two pitched roof volumes, clad in *Corten* steel, will follow the geometries of the harbour edge. The first structure will contain two kiosk retail units and a covered route for sheltered access. The second, larger harbour building will provide commercial space (cafe/restaurant) facing onto a new harbour side terrace, with space for outdoor seating. To the rear of the building will be ancillary areas, such as toilets, storage and office space.

The existing public toilet block, immediately south-west of the Railway Viaduct, will be demolished and a replacement structure laid out to avoid negative spaces to the rear of the building, allowing people to circulate around the building. Clad in *Corten* steel, the building will share an architectural language with the proposed harbour buildings. The finalised building type will determine the foundation type, e.g., strip footing, pad foundations or ground slab. In all cases, the anticipated live and dead loads will be low. Four structural options are being considered for the proposed kiosks, harbourside building and toilet block:

- In situ concrete columns and beams with cut timber rafters
- Steel frame portal with steel rafters
- Glulam and CJT timber structure

- Off site manufactured

The old RNLI boathouse dating from 1889, sited under the Railway Viaduct, will be conserved and brought into use as a café / retail unit. The works to the exterior will include cleaning and re-pointing the stonework, new painted hardwood timber side gates, re-slating and new insulation to the roof. Decorative features will be reinstated, including lime plaster brackets and new painted timber frames with lime plaster infill medallions on front and rear elevation to match original profile. The proposed alterations to the interior will include removal of modern 20th century interventions.

There is currently public foul drainage infrastructure on both Mill Street and Quay Street/Harbour Road. It is proposed to connect the new structures to these existing services. Surface water drainage will employ sustainable storm water drainage technology conveying water more slowly to the existing drainage system which will include the following SuDS features:

- Integrated constructed tree pits
- Plaza drainage channels connected to rainwater gardens²
- Increased extent of open green / garden areas
- Permeable paving in car parking area
- Downpipe planters
- Attenuation tanks – a surface water attenuation tank (120m³) for the plaza and a smaller (20m³) tank for the area next to the new toilet block.

The proposed public realm enhancement scheme is designed to give priority to pedestrians and cyclists. To prevent movement of vehicles across the site, from Quay Street to Mill Street, the current vehicular access link from Quay Street to the Town Car Park, via the existing bridge over the Bracken River, will be removed. This will provide unfettered pedestrian and cycling access across the site from Bridge Street to the Harbour. On-street parking will be removed from Quay Street and Mill Street to facilitate wider footpaths and designated cycling routes. Vehicular access to the Town Car Park will be via Georges Hill and Mill Street.

The Bracken River widening works will facilitate enhanced public amenity space along the river, as well as potentially improving biodiversity. The pedestrian priority zone will be extended under the railway viaduct to encompass Harbour Road and will continue along that road, parallel to the railway viaduct, to encompass the connection from the West Pier back to Mill Street. Harbour users, emergency services, refuse collection vehicles and residents will retain vehicular access. Traffic management measures will be implemented by the Council, following consultation with the public, stakeholders and An Garda Síochána. In the event that this Part

² These planting areas will take a quantum of surface water flow from the paved areas both to water the plants and also to provide filtration of the water as it seeps to groundwater levels.

8 proposal is approved by the Elected Members, the Council will carry out a non-statutory public consultation process on any adjustments to traffic flow and to include engagement with An Garda Síochána and other relevant stakeholders, which will be coordinated with Fingal County Council Operations section.

The finished development will have 8,036m² of paving, 4,352m² of roads and paths, including the reconfigured surface car park off Mill Street, and 4,920 m² of green areas.

Nature of any associated demolition works

The development includes demolition of the existing public toilet block immediately south-west of the Railway Viaduct. This is a small (34m²) modern building of no architectural interest. The reordering of a section of the Bracken River, which runs through the site, will entail demolition of some of the structures currently retaining the river, including walls. These are faced in stone but also contain concrete.

Use of Natural Resources: Land and Soil

The overall site has an area of 1.93ha and is in the majority sealed land, although it also includes existing green areas of 3760m² or just short of 20% of the total. Investigation of ground conditions has shown that most of the site consists of made up ground. Topsoil to a depth of 0.5m is present over the green areas and tarmac to 0.2m over the car park areas. Site investigations showed that made ground deposits were in place beneath the topsoil/surfacing and were present to a relatively consistent depth of between 2.00m and 2.60m below ground level. These deposits consist of generally brown/black sandy gravelly clay with many cobbles and boulders or a brown clayey gravelly fine to coarse sand. In addition, the deposits contain occasional fragments of concrete, red brick, glass, and plastic.

Much of this material will be removed from the site to a depth sufficient to facilitate the new development, as shown on the drawings, although some of the material may be reused as fill, depending on further assessment. Excavation during construction of the works to the river will result in removal of some 2,200 m³ of soil (as well as c.2,500 m³ of concrete, bitmac and other demolition waste) to a licensed waste facility.

There is some evidence of contamination of the subsoil, in the form of a hydrocarbon impacted layer, as shown in the results from one trial pit (TP05) in the existing green space, in the vicinity of the playground. This was identified primarily as creosote, with possible degraded diesel and a trace of lubricating oil. Nine samples were assessed in laboratory conditions and only sample TP-05, at 1.00m to 2.00m below ground level, was classed as *hazardous* (elevated levels of TPH). All other samples were classified as being non- hazardous, *inert* waste. At some other sample locations across the site polycyclic aromatic hydrocarbons (PAHs) were noted in

the lab results. Any contaminated soil encountered during excavation works will be exported off-site by an approved waste contractor and will be sent for appropriate treatment at a licensed waste facility.

There will likely be a need to import topsoil for parts of the site which are to be changed from hard surfaced car park to areas of soft landscaping. These additional green areas are roughly equivalent to 1,000 m² and additional topsoil to a depth of c.1m may be required, equivalent to 1,000 m³. This soil will be imported from sustainable sources and comply with B.S. 3882:2015 to ensure sustainability in respect of quality (based on sampling and analysis), source and previous use. This standard defines requirements for the classification and composition of natural and manufactured topsoils that are moved or traded for creating soil profiles intended to support plant growth.

Use of Natural resource: Water

The Bracken River (aka Matt River) flows from south-west to north-east through the proposed development site, for approximately 160m, immediately prior to entering the sea at Balbriggan Harbour. The river rises roughly 6.3km (as the crow flies) south west of Balbriggan, is approximately 9.80 km long and has a catchment of c.28 km². It is underlain by a locally important aquifer upstream of the town, which is a drinking water source, but such use does not extend to Balbriggan. The site is classed by GSI as a Locally Important Aquifer - Bedrock which is Generally Moderately Productive.

The Environmental Protection Agency (EPA) has assessed the river in relation to the Water Framework Directive (WFD) Objective of achieving *at least good status* by 2027. It has been determined that the Bracken River is *at risk* of failing to meet this objective, due to urban water runoff and suboptimal hydromorphological conditions. The river was assessed in detail in 2020 on behalf of the Balbriggan Tidy Towns Committee (*Matt River Assessment and Biodiversity Management Plan* by CDM Smith, 2020). Elevated levels of orthophosphates and ammoniacal nitrogen were found in the water course.

There is an existing storm overflow from the Irish Water pumping station on the Quay Street site, immediately adjacent to the Railway Viaduct, which discharges into the Bracken River just upstream of the railway viaduct. This will be re-laid to a location also discharging into river, but downstream of its existing location.

The coastal waters off Balbriggan are rated as not at risk by the EPA. However, Balbriggan, Front Strand Beach was assessed as having poor water quality in 2021, based on the assessment of bacteriological results for the period 2018 to 2021. Fingal County Council reported that the main sources of pollution were sewage discharges, misconnections from domestic plumbing systems, faeces from dogs, birds and other animals, and

contaminated surface streams flowing through the town. However, more recent results from May 2022 have shown the bathing water quality is now rated as excellent.

The Quay Street site is for the most part located in areas identified by the OPW and Fingal County Council as being within Flood Zone A and Flood Zone B in respect of fluvial flood risk, but is also in part at risk of coastal flooding. The proposed development has been subject of a Flood Risk Assessment by McCloy Consulting (Water and Environmental Consultants). As the proposed land uses are generally compatible with such areas and are not considered vulnerable, it is not necessary to apply a justification test.

Use of Natural resource: Biodiversity

The site of the proposed development has been assessed in terms of its biodiversity status by Altemar Marine and Environmental Consultancy. The site currently has limited significance in relation to biodiversity, as it is predominantly composed of hard surfaces i.e. sealed land. There are some areas of semi-natural habitats in the form of managed amenity grassland (3760m²) and amenity tree planting, predominantly *acer*, but also willow, as shown on the tree survey. The site is not directly affected by any areas of relevant Biodiversity designation i.e. Special Areas of Conservation, Special Protection Areas, Natural Heritage Areas, Wildlife Sites, Nature Reserves or Ramsar sites. There is a weak indirect hydrological connection to marine-based conservation sites, as described in the *Ecological Impact Assessment* by Altemar.

In terms of habitat classification³, as set out in the *Ecological Impact Assessment* by Altemar, the Bracken River running through the development site is a *lowland river* (FW2 Fossitt classification). The existing small parkland area and the strip of lands immediately adjoining the river on each side are classed as *scattered trees and parkland* (WD5 Fossitt classification). But the major part of the lands on the site are classed as *existing buildings and artificial surfaces* (BL3 Fossitt classification). There is also small strip parallel with the Railway Viaduct classed as *Refuse and Other Waste* (ED5).

The Bracken River has been heavily modified and canalised along its length upstream of and within the site, with a number of weirs. Inspection of the section of the river flowing through the site (by Altemar) showed dense matting of rocks and stones within the watercourse and indications that it is suffering heavily from eutrophication. There is a paucity of instream biodiversity and in the mid to lower section of this part of the river there is saline influence in the water. Whilst the Bracken is generally of limited biodiversity value, nevertheless, on inspection by Altemar in June 2022, three small salmonids were observed '*rising*' to catch insects within the proposed development site.

³ *A Guide to Habitats in Ireland*, J. Fossitt, The Heritage Council, 2000.

Upstream of the site, there is evidence of invasive alien plant species *Buddleja davidii* (Butterfly bush) and *Reynoutria japonica* (Japanese knotweed). There is no evidence of otters or of badger activity on the site. A bat survey of the Railway Viaduct from 2020 showed some activity and a recent survey (Altemar June 2022) showed bats foraging on the site. But no bats were noted roosting on the site and no trees of bat roosting potential were noted on site.

The Production of Waste

Details in respect of management of waste arisings associated with the construction phase are set out in the *Preliminary Construction Waste Management Plan*. Waste arisings during the operational phase of the development will be typical domestic type waste from the former RNLi boathouse café and the new harbour-side pavilion type buildings, to be managed in accordance with an operational waste management plan.

Waste arisings during construction will mostly consist of excavated material, amounting to approximately 4,700m³ of soil, concrete and other construction waste, which will be removed to a licensed waste facility. In the construction phase, existing areas of concrete slab and bitmac will be broken out and removed from site. Any areas of excavation containing contaminated soil will be isolated, segregated from other construction waste and exported off-site by an appropriately permitted waste contractor and will be sent for treatment at a licensed waste facility.

The waste material generated by construction works will be mixed construction and demolition (C&D) waste, comprising of paving slabs, concrete and blocks. Material will be sorted and separated on site into different classifications for removal off site which is standard procedure. The existing public toilets are predominantly of rendered blockwork and their demolition will give rise to a relatively small volume of waste.

Pollution and Nuisances

The main potential for pollution or nuisance arises during the construction phase of the development from noise, dust and vibration during construction. Appropriate mitigation measures will be in place, as described in the *Preliminary Construction Management Plan* and the *Construction and Environment Management Plan* (CEMP).

Site development works will be restricted to normal working hours, as set out in the *Preliminary Construction Management Plan*. In relation to control and minimisation of noise and vibration, the development will be carried out generally in accordance with the provisions of BS 5228 (2009) Parts 1 and 2 noise. Specific noise limits during construction phase will be:

Daytime (08:00 to 19:00 hrs) – 55dB

Evening (19:00 to 23:00 hrs) – 50dB

Night-time (23:00 to 08:00 hrs) – 45dB (measured one metre from the nearest noise sensitive location)

To minimise noise from construction operations, no heavy construction equipment/ machinery (to include pneumatic drills, construction vehicles, generators, etc) will be operated on or adjacent to the construction site before 08.00 or after 19.00, Monday to Friday, and before 08.00 or after 14.00 on Saturdays. No activities will take place in site on Sundays or Bank Holidays. No activity, which would reasonably be expected to cause annoyance to residents in the vicinity, will take place on site between the hours of 19.00 and 08.00. No deliveries of materials, plant or machinery will take place before 08.00 in the morning or after 19.00 in the evening.

The potential for run-off of suspended solids or for fuel or other spillages on site will be eliminated by appropriate site management and mitigation measures. A detailed construction management plan will be submitted by the contractor for agreement prior to commencement of development. This will include detailed measures to prevent pollution during construction/diversion works to the Bracken River.

A preliminary Waste Classification Report has been compiled by GII, following site investigations, which indicates the presence of some contamination, as described above. The excavation and removed of materials from the site during construction will be carried out in accordance with statutory legislative requirements. Following segregation from inert waste materials, potentially contaminated waste will be classified as hazardous or non-hazardous (EPA guidance *Waste Classification: List of Waste & Determining if Waste is Hazardous or Non-Hazardous*). Any such contaminated material will be exported off-site by an approved waste contractor and will be sent for appropriate treatment at a licensed waste facility.

Risk of Major Accidents and/or Disasters including those caused by Climate Change

McCloy Consulting Engineers have carried out a flood risk assessment of the proposed development. Most of the existing Quay Street car park and open space falls within Flood Risk Zone A or B. However, the land uses proposed for these areas are acceptable, being generally open space/recreational in nature.

The proposed development is not a Seveso/COMAH facility nor is it of a type not especially vulnerable to risk of major accidents. The site is not located proximate to any Comah/Seveso site and is not within the consultation distance of any Seveso site. The nearest Tier 1 Comah/Seveso site is in Drogheda (15km) and the nearest Tier 2 site is in Swords (16km) according to the Health and Safety Authority website.

Population and Human Health

The proposed development has some potential to affect the population of the area, including human health. The main risk to human health is during the construction phase of the development, including effects arising from construction traffic, noise, dust, vibration, spillage or leakages of fuel. But such risks will be minimised by controls and the normal Health and Safety requirements applying to building sites as well as the measures outlined in the *Draft Construction Management Plan* as also the CEMP. These controls will be further described in the detailed construction management plan to be submitted by the contractor for agreement prior to commencement of development.

During the operational phase of the development, there is potential to have an impact on the local population due to changes in traffic management. Unplanned events such as spill from traffic accidents or fire have the potential to cause sudden environmental effects.

Cumulation with other development: existing and permitted

The main part of the site of the proposed development is public realm and currently contains two car parks and an area of public open space, through which the Bracken River runs. This public realm area is bounded by Quay Street to the south and by Mill Street to the north-west. Land uses at ground floor level on Mill Street are predominantly commercial, but many upper levels and the lands adjoining further to the north-west along George's Hill, are generally in residential use. The properties along Quay Street are predominantly residential. The land uses in the vicinity of the East Pier of Balbriggan are also predominantly residential, with the exception of some harbour-side activity.

An important land use in the vicinity of the site is the marine related activity in the Harbour, which hosts commercial fishing business, particularly off the West Pier in the outer part of the Harbour. There are moorings for leisure craft in the inner Harbour. But there are no commercial structures of note in the harbour, other than some containers on the quayside, related to the fishing boats. The Harbour is particularly affected by the tides, effectively drying out at low tide and thereby limiting marine activity.

The site of the proposed development is about 100m at its nearest to Balbriggan Rail Station and car park. The station is served by relatively frequent commuter services running between Dublin and Drogheda. This service is planned to be expanded and the line electrified, initially using hybrid battery powered trains. This *DART+ coastal route* will more than double the service and passenger capacity from Drogheda to the city centre from 12,500 to 26,000 per three-hour peak period.

In respect of permitted development, there is little relevant planning history directly concerning the site. Any permissions granted in respect of the site date from several years ago and concern the night club building (since demolished) and its site overlooking the Harbour. Of more relevance in terms of cumulative impacts with the proposed Quay Street public realm enhancement project are the following:

Planning reference	Location	Development Description	Date of Permission
F13A/0422	Hamilton House, Mill Street, Balbriggan	Change of use from office space to Montessori & Naionra etc. in a premises adjoining the site	Feb 2014
ABP 311095	Shopping Centre, Quay Street, Balbriggan	Demolition of existing buildings and construction of 77 no. build-to-rent apartments (101 sought)	Nov 2021
Part XI/006/20	Bremore Regional Park, Balbriggan	Bremore Regional Park Development Project, incl. Balbriggan Sports and Recreational Hub, Central Zone Open Spaces, new Coastal Park	14 th June 2021

Relevant permitted projects in general vicinity

On the site at Quay Street, Irish Water operates an underground pumping station, in proximity to the Railway Viaduct, which is connected by a rising main to the waste water treatment works at Barnageeragh, Skerries. The control building for the Irish Water installation on the development site is located opposite the pumping station, on the south side of Quay Street. Irish Water propose to upgrade the pumping station in the near future, which will entail works on the site of the proposed Quay Street public realm improvements. It is understood that this will include a relatively small extension of the pumping station structure under ground and the installation of new pumping equipment and a new section of rising main. These works will be coordinated with the proposed public realm development works subject of this report. The Irish Water upgrade works will also include an additional control building beside the existing, on the southern side of Quay Street.

F13A/0422 refers to permission for a Montessori / Naoinra in a premises adjoining the site of the proposed public realm development at Hamilton House, Mill Street, Balbriggan. The development is now in operation and accommodates 35 children (per Tusla website). The nature and small scale of that development is not likely to give rise to any significant environmental impacts, including cumulatively with the the proposed public realm development at Quay Street.

Ref. ABP 311095-21 refers to permission granted by An Bord Pleanála, in 2021 on a nearby site on Quay Street, for a Strategic Housing Development located on the site of the former Mall Shopping Centre, Quay Street. This

includes demolition of the existing buildings and construction of 77 apartments. 101 no. build-to-rent apartments were applied for, but reduced to 77 number by the Board. That is a medium size development, considerably below the threshold for mandatory EIA.

Part XI/006/20 refers to proposed development by Fingal County Council at Bremore Regional Park, a short distance north of Balbriggan Harbour. This will include the Balbriggan Sports and Recreational Hub, Central Zone Open Spaces and a new Coastal Park on lands of 15.07ha within the larger Regional Park (43.5ha). Screening for EIA was carried out and it was determined that significant environmental effects were not likely to arise.

Objective ED68 in the Fingal County Development Plan, 2017-2023 is to promote and facilitate the development of the Fingal Coastal Way, which is a proposed greenway extending from Newbridge Demesne in Donabate to the Fingal county boundary, north of Balbriggan. The overall length of the scheme will be c.32km. The route selection process is in train for the section through Balbriggan and likely options traverse the site of the proposed public realm development.

In the Fingal County Development Plan, 2017-2023, Objective BALBRIGGAN 6 is to prepare a regeneration strategy for Balbriggan Harbour in consultation with local fishermen, businesses and community groups having regard to its historic character. It is envisaged that a plan in this regard will be developed by the Council for public consultation in the future. However, this has yet to be developed, no precise information is available at this time and no application for development consent has been made whereby potential cumulative environmental impacts might be considered.

(b) a description of the location of the proposed development, with particular regard to the environmental sensitivity of geographical areas likely to be affected.

The existing and approved land use

The site for the proposed Quay Street development in Balbriggan encompasses part of Quay Street through to the beach and includes existing public footpaths, public roads, open green space, public carparks, the Bracken River, foot and road bridges over the Bracken River, areas beneath Railway viaduct arches, public toilets and playground. The area is bounded to the north-west by the Mill Street / George's Hill area of commercial and residential uses and to the south by Quay Street, a predominantly residential area. To the north is Balbriggan Harbour, a robust if dilapidated area. The main part of the site of the proposed development is composed of filled ground and is currently given over to the public realm in the form of car parking, pathways and roads, with an area of parkland of some 3760m².

The site had a legacy of 19th century industry and infrastructure, including the Railway Viaduct, the Harbour and the RNLI boathouse. But the industrial heritage no longer exists. Today, the area subject of this Part 8 process has greatly changed due to the removal of virtually all buildings on the site and its conversion to use partly as surface car parking and partly for public open space. Also on the East Pier, the former night club (previously a salt works) has been demolished. The run-down appearance of much of Balbriggan Harbour has led to the landscape quality of that part of the site becoming particularly degraded, thereby adversely the *setting* of the Harbour and the Railway Viaduct (both Protected Structures). The existing overall public realm on the Quay Street site, south of the railway viaduct, is of better quality, but the visual appearance of the environs of the old RNLI boathouse is poor.

The relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground

The wider area in which the site is located consists of mature urban development for the most part, with lands laid out as roads, pavements, railway, car parking, amenity open space and private gardens, as well as containing business premises, houses and modern apartment blocks. The Bracken River, the waters in Balbriggan Harbour and the bathing waters off the beach are the principal natural resources in the vicinity, as well as the Irish Sea and the adjoining coastline in the wider environs.

The underlying bedrock in Balbriggan is the *Belcamp Formation*, a composite of primarily volcanic material and mudstone which is described by the Geological Survey of Ireland as basalt to andesite sheets, pillow breccias

and hyaloclastite, tuffs and mudstones. This is indicated on the GSI maps as overlain by alluvium along the course of the Bracken River, including most of the development site inland of the Railway Viaduct. However, the site of the proposed development contains made up ground overlying the natural soils. The ground under the site is classed by GSI as a Locally Important Aquifer - Bedrock which is Generally Moderately Productive.

The Bracken River is not rich in biodiversity, does not currently have a high rating in terms of water quality and constitutes an environment of limited sensitivity, notwithstanding evidence of the presence of salmonid species in small numbers (as noted in the *Ecological Impact Assessment* by Altemar). The harbour waters into which the river discharges enjoy no particular environmental designation and are not of any particular sensitivity. The waters of Balbriggan beach (Front Strand Beach), outside the Harbour, are used by bathers and are of some sensitivity in this respect.

The site is not within or adjacent to any area designated for nature conservation at a national or international level. There is a weak indirect hydrological connection to marine-based conservation sites, as described in the *Ecological Impact Assessment* by Altemar.

In summary, the overall environmental sensitivity of the site is low.

The absorption capacity of the natural environment

Wetlands, riparian areas, river mouths, mountain and forest areas, nature reserves, parks

As an urban area, Balbriggan Town is not a location of wetlands, mountain and forest areas or nature reserves. In respect of riparian areas and river mouths, the Bracken River runs through the site and discharges into Balbriggan Harbour, via a culvert. The river is not rich in terms of biodiversity.

Aquatic Biodiversity will improve after enhancement works to the Bracken River are complete, as noted in the *Ecological Impact Assessment*. As set out in the landscaping proposals, riparian planting will be used close to the river to create waterside planting that will be of high habitat value for wildlife and will also soften the river edge at its interface with the stepped approaches to the river. The planting will be set into biodegradable wraps that are held in place at the river edge with a low quantity of placed rocks.

Coastal zones and the marine environment and areas classified or protected under legislation including Natura 2000 areas and areas where there has been a failure to meet EU environmental standards

The principal coastal zone in the wider area is the Irish Sea and the adjoining coastline. The immediate environs of the development site include the waters of Balbriggan Harbour and the Front Strand Beach. The areas within the environs of the site have no particular classification of natural heritage significance. The coastline has a high absorption capacity to accommodate recreational activities by the inhabitants.

The coastal waters off Balbriggan are rated as not at risk by the EPA. However, the Front Strand Beach was assessed as having poor water quality in 2021 based on the assessment of bacteriological results for the period 2018 to 2021. Fingal County Council reported that the main sources of pollution were sewage discharges, misconnections from domestic plumbing systems, faeces from dogs, birds and other animals, and contaminated surface streams flowing through the town. But, more recent results from May 2022 have shown the bathing water quality is now rated as excellent.

The Balbriggan–Skerries agglomeration is divided into two main sewerage sub-catchments of Balbriggan and Skerries. The sewage from the two catchments is pumped to a 70,000pe Wastewater Treatment Plant that is situated on the northern outskirts of Skerries at Barnageeragh and discharges via a long (2km) sea outfall to the Irish Sea. This is performing satisfactorily. There is an overflow from the Irish Water pumping station on the site of the proposed development, which currently is connected to the Bracken River. This will remain in place, but on a new alignment, discharging into the river inland of the Railway Viaduct.

Designated Sites within 15km (approximately) of Balbriggan	
Ref. No.	Name
001957	Boyne Coast and Estuary SAC
000204	Lambay Island SAC
000208	Rogerstown Estuary SAC
003000	Rockabill to Dalkey SAC
004014	Rockabill SPA
004015	Rogerstown Estuary SPA
004080	Boyne Estuary SPA
004158	River Nanny Estuary and Shore SPA
004122	Skerries Island SPA
000207	Rockabill Island pNHA
000554	Laytown Dunes / Nanny Estuary pNHA
001203	Knock Lake pNHA
001204	Bog of the Ring pNHA
001957	Boyne Coast and Estuary pNHA
002000	Loughshinny Coast pNHA

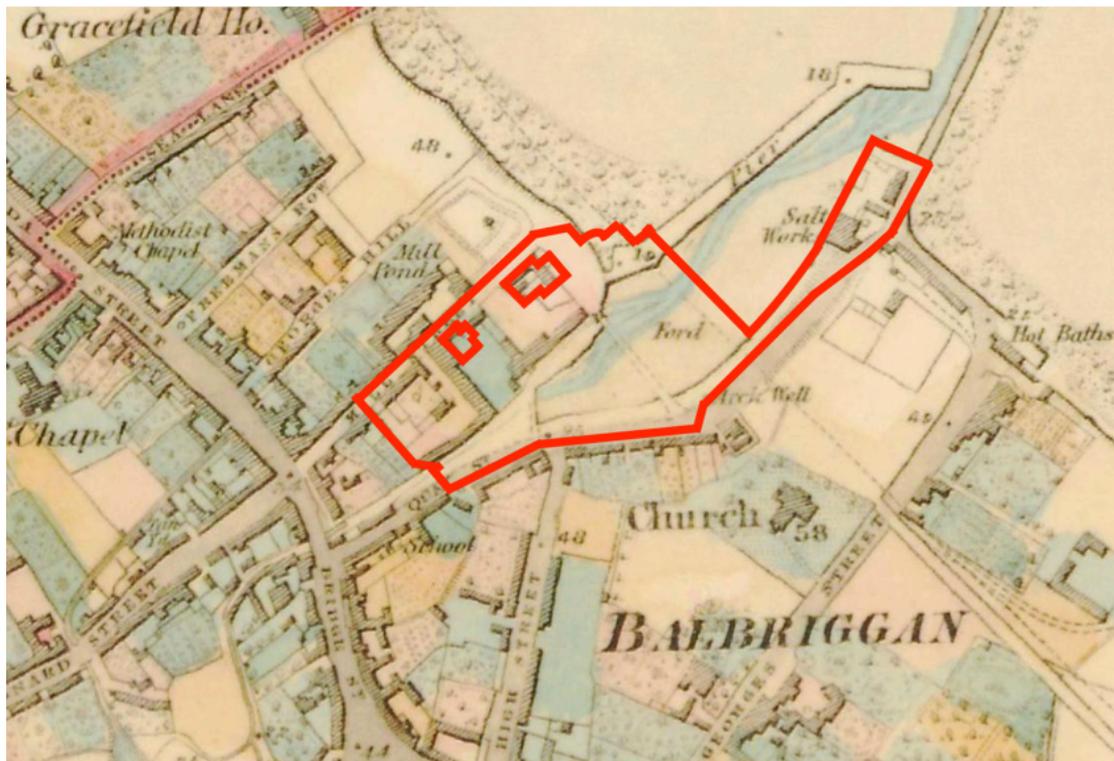
There are no natural heritage designations applying to the site and the coastline in the immediate vicinity of Balbriggan. Further away, there are several designated sites within approximately 15km, but with only a very weak hydrological connection to Balbriggan. A screening for Appropriate Assessment, under the provisions of the Habitats Directive, by Altemar Marine and Environmental Consultancy, has been completed which has identified those European / Natura 2000 sites of particular relevance. The screening has put forward information to reach a conclusion that the proposed development, individually or in combination with other plans and projects, would not be likely to have a significant effect on any Natura 2000 site.

Densely populated areas

At the last census of 2016, the Balbriggan Agglomeration had a population of 21,722 persons equal to a density of 4,514 / km². The area has absorptive capacity to accommodate more amenity open space and ancillary development of the type now proposed.

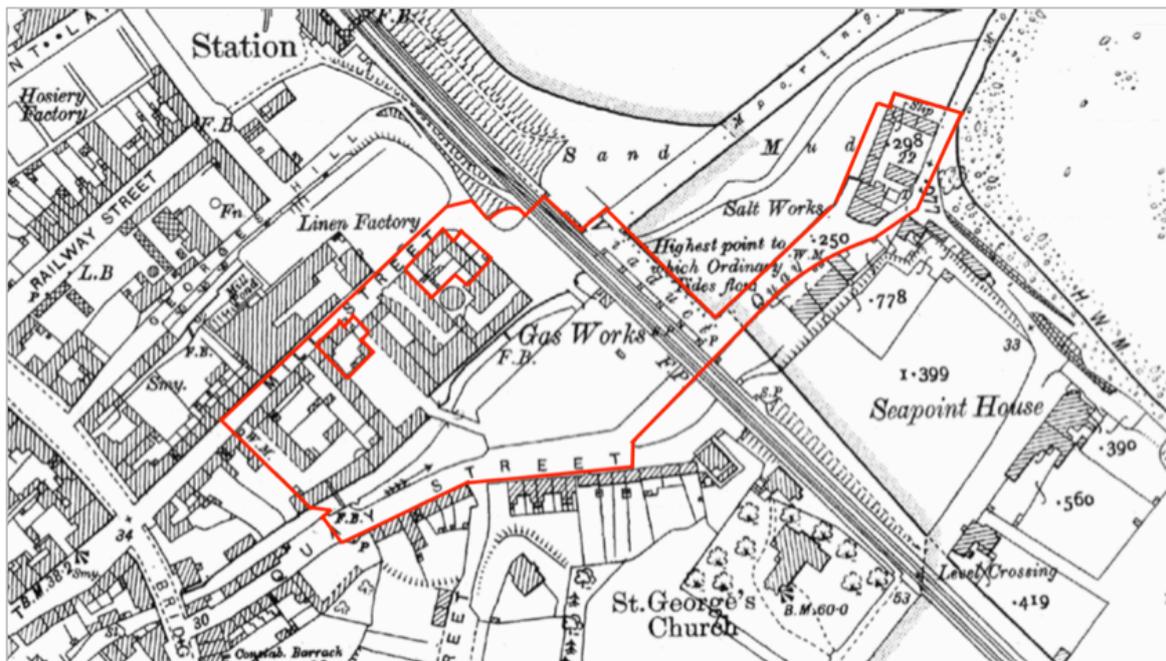
Landscapes and sites of historical, cultural or archaeological significance

Balbriggan was a settlement of little significance until the first section of the harbour, including the East Pier, was constructed by the local land owning family, the Hamiltons. This was in the mid-eighteenth century, although there is evidence of an earlier pier. By 1780 a cotton manufacturing industry had been established, which included the development of an industrial quarter on the northern bank of the Bracken River. Completion of the West Pier followed in stages later in the 19th century. From 1844 the town was the location of a station on the main Dublin-Drogheda railway (subsequently to Belfast), when the Railway Viaduct was constructed. The RNLI boathouse dates from the late 19th century. The pattern of streets and the building fabric extant today in the centre of the town predominantly date from the 19th century. The site for the proposed Quay Street development in Balbriggan encompasses part of Quay Street through to the beach and includes existing public footpaths, public roads, open green space, public carparks, the Bracken River, foot and road bridges over the Bracken River, areas beneath the Railway Viaduct arches, public toilets and playground.



First Edition Ordnance Survey (1840) with approximate site boundary

The First Edition Ordnance Survey map shows that in the early 19th century some of the site was tidal and there was a basin in part of the area between Mill Street and the Bracken River. There is evidence of industrial use at that time on part of the lands off Mill Street.

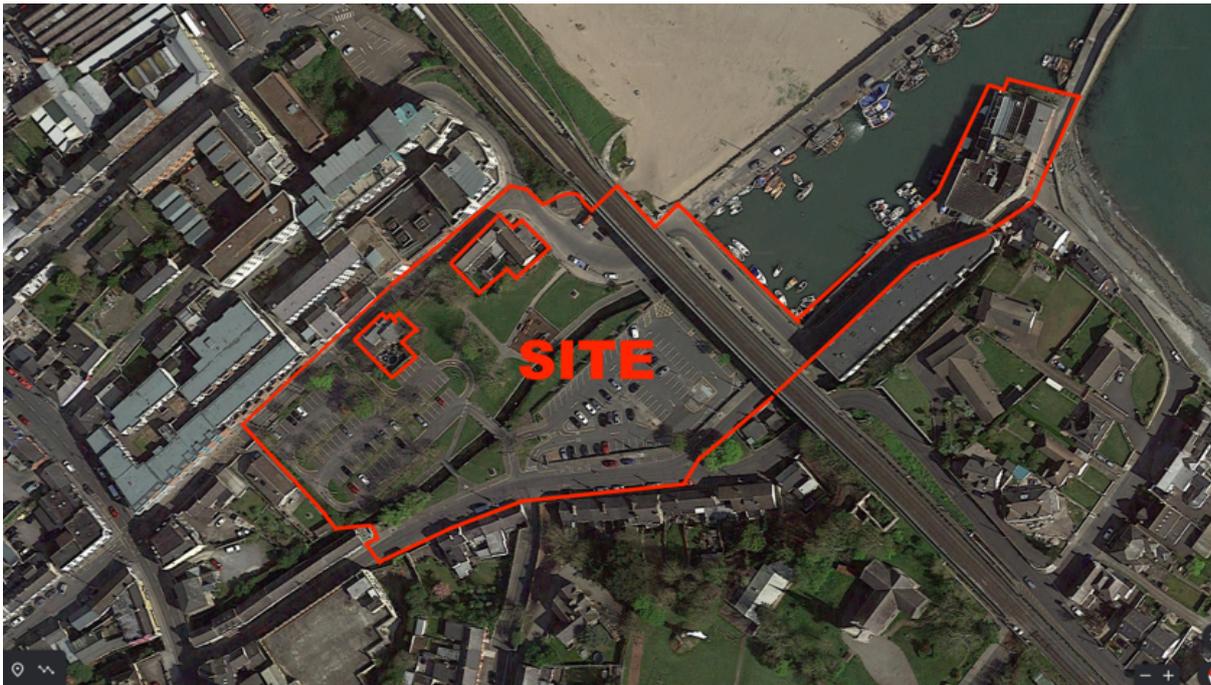


First Edition 25" Ordnance Survey early 20th century

By the early 20th century, the railway had been in existence for several decades, including the station and viaduct, the Bracken River had been confined to a narrower channel and the harbour had been completed to take the form it has today. The industrial use of the lands off Mill Street appears to have been relatively intense and a gas works had been constructed on a part of the site now proposed for public realm enhancement works. Much of the open area between the viaduct and Mill Street appears to have possibly been land filled.

Today, the original industrial heritage has largely disappeared and the area around Mill Street has been substantially redeveloped in the form of ground floor commercial or office type uses with, in some cases, residential overhead. The area subject of this Part 8 process has greatly changed due to the removal of virtually all buildings on the site and its conversion to use partly as surface car parking and partly for public open space. Also on the East Pier, the former night club (previously a salt works) has been demolished. The run-down appearance of much of Balbriggan Harbour has led to the landscape quality of that part of the site becoming particularly degraded, thereby adversely the *setting* of the Harbour and the Railway Viaduct (both Protected Structures). The existing overall public realm on the Quay Street site, south of the railway viaduct, is of better quality, but the visual appearance of the environs of the old RNLI boathouse is poor.

In brief, the area is of some amenity value to the community in its current state, but its full potential has not been realised and much of the existing public realm is quite suboptimal in terms of layout, finishes and use. Therefore, in terms of material assets and landscape /streetscape quality, the site is of limited sensitivity.



Aerial View (Google)

Remaining elements of heritage value include the three Protected Structures within the site, namely the monumental Balbriggan Railway Viaduct of 1844 (RPS 0036), the small RNLI boathouse (RPS 0035) of 1885-1895 and the impressive Balbriggan Harbour (RPS 0038), of which only a part of the 18th century East Pier is within the development site boundary. The site of the proposed development also includes a small part of the *Balbriggan Historic Town Core Architectural Conservation Area (ACA)*. The terraced houses, of one and two storey height, opposite the development site along the southern side of Quay Street, are located within the ACA. The National Inventory of Architectural Heritage (NIAH) has identified a number of other structures in the vicinity of heritage value, as shown by the blue dots on the relevant Historic Environment Viewer Map. Therefore, the site has some relevance in terms of cultural heritage and the impact of the proposed development on the setting of the Protected Structures will be positive, if limited, especially given the robustness and scale of the Railway Viaduct and the Harbour structures.

In terms of archaeology, there are no records of archaeological deposits on the site. However, given the 19th century industrial use of the lands, there is a possibility that some elements remain under ground. The report by Courtney Deery Archaeologists indicates that in-situ or truncated industrial heritage features may be identified during any earthmoving works within the subject site. Licensed archaeological monitoring of all earthmoving works will be carried out, with the provision in the programme for the archaeological recording and excavation of any features that are identified. Given the nature of any deposits that might exist, it is not likely there will be significant impacts in terms of archaeological heritage.



Historic Environment Viewer Map – NIAH structures shown with blue dot

2. A description of the aspects of the environment likely to be significantly affected by the proposed development (including any likely significant effect from residues and emissions and production of waste and the use of natural resources, soil, land, water and biodiversity.)

Consideration is given below to the likely effects on the environment arising from the proposed development, as listed by topic in Section 171A(b)(i) of the Planning and Development Act.

Population and human health

The proposed development is primarily a reordering of the public realm on a sub-threshold site in terms of EIA, with modification to the small Bracken River for a short length and some small scale new buildings. The construction phase of the project will not include any extraordinary measures. The potential likely negative effects on population and human health during the construction phase will include impacts arising from construction traffic, noise, dust, vibration, spillage or leakages of fuel. But these risks will be minimised by the measures outlined in the *Preliminary Construction Traffic Management Plan*, the *Preliminary Construction Management Plan* and the CEMP, as well as normal Health and Safety requirements applying to building sites. The mitigation measures will be further refined in the detailed construction management plan to be submitted for agreement prior to commencement of development.

The likely environmental effects will be short term and negative in relation to the site and immediate environs. Construction traffic to and from the site over a period of approximately a year and a half will be subject to a detailed construction traffic management plan to be agreed with the planning authority. The site development works, including breaking up the existing hard surfaced areas, excavation of the lands along the Bracken River and construction work, will cause some impacts in terms of emissions of noise, dust and vibration. These impacts will be confined to the site primarily and will be controlled and mitigated by the construction management measures as outlined in the *Preliminary Construction Management Plan*, to be further developed in a more detailed construction management plan after appointment of the main contractor for the works. Potentially contaminated waste will be classified as hazardous or non-hazardous (EPA guidance *Waste Classification: List of Waste & Determining if Waste is Hazardous or Non-Hazardous*). Any such contaminated material will be exported off-site by an approved waste contractor and will be sent for appropriate treatment at a licensed waste facility. There will be no likely significant risk of adverse impacts on the population or its health.

Construction phase environmental effects are likely to be negative, short-term and not significant.

The operational phase of the development will generally give rise to positive effects, as the enhanced amenity provision will somewhat strengthen the attraction of Balbriggan as a place to live, work or visit. The enhanced provision for movement across the site by pedestrians and cyclists and the potential for use of the reordered public space for events / markets etc will be positive effects for the population. The alteration to vehicular circulation patterns will also be an overall positive effect. Having regard to the nature and scale of the development and the population likely to be affected, these effects are likely to be permanent, positive and not significant.

There will also be a slight, localised negative impact associated with changes to traffic movements in respect of vehicular access to certain properties, including along Seapoint Lane. These impacts will not be significant, having regard to their nature and extent, their localised nature and their reversibility.

Unplanned events, such as spill from traffic accidents or fire, also have the potential to cause sudden environmental effects. The risk of major accidents or disasters is extremely limited, as the site is not in the vicinity of any establishment with a particular risk of accident or disaster (e.g. Comah/Seveso type establishment) as described above. Having regard to the nature, extent and location of the proposed development, the likelihood of these negative effects is low and is not significant.

The proposed works to the Bracken River will have a beneficial impact on flood management along this section of the river. A site specific flood risk assessment has shown that the proposed land uses in those areas of the site which are vulnerable to flooding are compatible with such areas. There is no significant increase in risk in this regard, but a minor positive change due to the beneficial impact on flood management.

The operational phase of the development will generate some domestic type waste, which will be managed so as to reduce waste arisings, optimise recycling and segregate into appropriate waste streams (black, brown, green bins) in the waste storage areas of the proposed structures by the Harbour for collection by a licensed waste contractor. Accordingly, there will be no significant effects on the environment, including human health, arising from waste management during the operational phase.

The site at Quay Street has been designated for redevelopment of the public realm, as supported in the Fingal County Development Plan, 2017-2023, which plan has been subject of a strategic environmental assessment. The proposed development will have a positive and permanent impact in relation to development plan policy to improve the public realm. Having regard to the nature and scale of the proposed development, the effects would not be significant in the context of Development Plan policy.

Any likely negative effects in the operational phase of the development on the population will not be significant. Overall, likely environmental effects of the operation of the development on population and human health will be positive, permanent and not significant.

Biodiversity

The site of the proposed public realm redevelopment in Balbriggan is predominantly composed of hard surfaces with some limited semi-natural habitats, including managed grassed areas and the Bracken River. The site is of only limited biodiversity status as shown in the *Ecological impact Assessment* by Altemar, as also in the *Matt River Assessment and Biodiversity Management Plan* by CDM Smith, 2020, and the bat surveys carried out in 2020 (Keeley et al) and 2022 (Altemar).

It is proposed to expand the green areas, carry out a scheme of planting on the site, widen the river for a length of c.90m and improve the biodiversity potential of the river in the design of the widened section. This entails construction works as described above. A *Preliminary Construction Management Plan* and an *Outline Construction and Environmental Management Plan* (CEMP) have been prepared and will be further supplemented by a detailed Construction Management Plan by the appointed contractor. These set out relevant mitigation measures for the construction phase of the development.

As set out in the CEMP, a project Ecologist will be appointed to oversee the development and implementation of mitigation measures, prior to the commencement of works on site. During the construction works there will be ongoing monitoring of the Matt/Bracken River for any visible signs of pollution (suspended solids, silt, hydrocarbon sheen and or other products). If any evidence of pollution is observed, then immediate corrective action will be taken to eliminate the source of the pollution. Twice daily checks of turbidity will be made on site from the commencement of site works to the completion of enabling works and the data sent to Inland Fisheries Ireland and the Council if requested.

The *Ecological impact Assessment* by Altemar has concluded that the construction and operational mitigation proposed for the development satisfactorily addresses the mitigation of potential impacts on the sensitive receptors through the application of the standard construction and operational phase controls. A screening report for Appropriate Assessment has been prepared by Altemar, which concluded that significant effects to Natura 2000 sites are not likely to arise from the proposed development, either alone or in combination with other plans and projects.

As concluded in the *Ecological impact Assessment*, the overall impact on the ecology of the proposed development will result in a long term minor beneficial not significant residual impact on the ecology of the

area and locality overall. This is primarily as a result of the creation of additional biodiversity features including sensitive landscaping and lighting strategy.

Land and Soil

The site of 1.93ha is predominantly sealed ground, composed in part of made up ground overlying. Much of this material will be removed from the site to a depth sufficient to facilitate the new development, as shown on the drawings, although some of the material may be reused as fill, depending on further assessment.

Excavation during construction of the works will result in removal of some 2,200 m³ of soil (as well as c.2,500 m³ of concrete, bitmac and other demolition waste) to a licensed waste facility. Any contaminated soil encountered during excavation works will be exported off-site by an approved waste contractor and will be sent for appropriate treatment at a licensed waste facility.

Additional green areas will be formed to an extent of 1,000 m², thereby reducing the area of sealed land by this amount and increasing the infiltration capacity of the site and reducing the rate of surface run-off, which is a positive effect. There will likely be a need to import topsoil for the parts of the site which are to be changed from hard surfaced car park to areas of soft landscaping, possibly to a depth of c.1m or equivalent to 1,000 m³. This soil will be imported from sustainable sources and comply with B.S. 3882:2015 to ensure sustainability in respect of quality (based on sampling and analysis), source and previous use.

Construction activity has potential to cause negative environmental effects from runoff of silt and polluted material. A *Preliminary Construction Management Plan* and an *Outline Construction and Environmental Management Plan* (CEMP) have been prepared and will be further supplemented by a detailed Construction Management Plan by the appointed contractor. These set out relevant mitigation measures for the construction phase of the development, including prevention of silt runoff. Having regard to the mitigation referred to above, the likely effects on land and soil from the construction phase are likely to be temporary in duration, negative in quality and not significant.

Having regard to the nature of the existing soil on the site and to its extent, the proposed increase in permeable green areas and the scale of the areas affected, the likely effects of the operational phase of the development in relation to the land or soil are neutral to positive in quality, permanent in duration and not significant.

Water

During the construction phase, there is potential for silt run off into surface water networks or ground water. Potential impacts could also arise from accidental spillage of fuels, oils, paints, cement, etc. which could adversely affect surface water if allowed to runoff into receiving watercourses (Bracken River) or groundwaters. Any potential temporary negative impacts on the Bracken River will be mitigated by standard construction management measures, as outlined in the *Preliminary Construction Management Plan* and CEMP.

As set out in the CEMP, a project Ecologist will be appointed to oversee the development and mitigation measures, prior to the commencement of works on site. The project ecologist will be consulted to oversee mitigation for the works, as also consultation with Inland Fisheries Ireland (IFI) and Fingal County Council. During the construction works there will be ongoing monitoring of the Bracken River for any visible signs of pollution (suspended solids, silt, hydrocarbon sheen and or other products). If any evidence of pollution is observed, then immediate corrective action will be taken to eliminate the source of the pollution. Twice daily checks of turbidity will be made on site from the commencement of site works to the completion of enabling works and the data will be sent to IFI if requested.

Having regard to the nature, extent and location of the development, construction phase effects on water will be temporary in duration, potentially negative but, having regard to implementation of mitigation, will not be significant.

The proposed development includes measures to enhance habitats in the Bracken River, as set out in the landscaping proposals. As assessed in the *Ecological Impact Assessment*, the impact on the biodiversity value of the site will improve as landscaping matures, and improvements are made to the Bracken River and riparian corridor. Insofar as this is likely over time to improve the biodiversity quality of the Bracken River, which is currently poor, this will be a long term, positive effect on the river. But given the modest size of the habitat and the extent of likely improvement, not a significant effect.

During the operational phase of the development, the foul effluent from the development will discharge to the public sewerage system and ultimately to the Barnageeragh WWTP, near Skerries. This plant is operating satisfactorily and discharges treated effluent via a long sea outfall. As noted above, the existing Irish Water pumping station on the Quay Street site is to be upgraded. This work includes forming a modest extension underground to the pumping station structure and upgrading of the rising main.

Surface water on the site of the proposed development will be attenuated prior to discharge. Existing surface water is currently drained from the site by a series of surface water road gullies connected to the existing drainage system, save in the area of parkland where discharge is to ground. It is proposed to provide sustainable storm water drainage infrastructure for the site conveying water more slowly to the existing drainage system, which will include the following SuDS features:

- Integrated Constructed Tree Pits
- Plaza Drainage Channels connected to Rainwater Gardens
- Schemes Increases amount of Open Green / Garden Areas
- Permeable Paving in Car Parking Area
- Downpipe planters
- Attenuation Tanks

There will be a combination of 120m³ storm water attenuation tanks under ground for the proposed Plaza area off Quay Street and a 20m³ attenuation tank under ground for the paved area next to the new toilet block. The rainwater gardens, permeable paving, integrated constructed tree pits and surface water attenuation system will reduce the total surface water discharges from the site into the sewer system. The drainage strategy adjacent to the harbour is that surface water will drain directly into the harbour. Downpipes to the new harbour buildings will be connected to downpipe planters.

There is a weak hydrological link to designated European sites, but there will be no significant effects on these, as established in the AA Screening by Altemar, which concludes that:

No significant effects on European Sites are likely as a result of the proposed development.

The proposed works to the Bracken River will have a beneficial impact on flood management along this section of the river. A site specific flood risk assessment has shown that the proposed land uses in the areas of the site vulnerable to flooding are compatible with such areas. There is no significant increase in risk in this regard and the beneficial effect is likely to be slight.

Therefore, having regard to the nature and scale of the development, including the improvements to the surface water drainage system, the operational phase of the completed development will give rise to permanent effects on water, which will be positive in nature and not significant.

Air and Climate

During the construction phase, which will last about one and a half years, the works will entail the demolition of existing walls, paving and other structures including the public toilets, breaking up existing concrete and

bitmac slabs, excavation of part of the site and construction of the proposed new elements, thereby generating noise and vibration impacts as well as dust (particularly including PM₁₀ and PM_{2.5} particles from machinery and vehicle exhausts) and gaseous emissions (CO₂ and N₂O).

To minimise noise and vibration from construction operations, a number of mitigation and control measures are set out in the *Preliminary Construction Management Plan*. These include limiting construction hours (to be conditioned in the Part 8 procedure) and preventing use of heavy machinery before 08.00 or after 19.00, Monday to Friday, and before 08.00 or after 14.00 on Saturdays etc. The contractor will be required to comply with BS 5228 “*Noise Control on Construction and Open Sites Part 1*” and to restrict noise levels to the following:

- Daytime (08:00 to 19:00 hrs) – 55dB
- Evening (19:00 to 23:00 hrs) – 50dB
- Night-time (23:00 to 08:00 hrs) – 45dB (measured from nearest noise sensitive location)

Dust impacts will be confined to the site primarily, with most such emissions generally settling within 50m of the site boundary. In any case, these emissions will be controlled and mitigated by standard construction management measures as outlined in the *Preliminary Construction Management Plan*. This will be developed further by the appointed contractor to include more detailed measures. The outline dust mitigation measures include, *inter alia*, dust suppression including of stockpiles, covering of material likely to cause dust nuisance on construction vehicles and hgv's and regular cleaning of adjoining roads.

In terms of climate impacts, construction traffic will generate emissions during the construction phase of the development. Vehicle engines and other equipment, such as generators, will cause emissions of CO₂ and N₂O. The nature of such emissions will be short term and therefore not significant in relation to climate.

In summary, in relation to the environmental topic of air and climate, the construction impacts will be temporary and negative in relation to the site and immediate environs. Having regard to the nature and scale of the construction works and to the mitigation measures set out in the *Preliminary Construction Management Plan* and the CEMP, the environmental impacts will not be significant in relation to air and climate.

In relation to the operational phase of the development, the proposed buildings are designed to meet the Building Regulations standards in respect of noise transmission and the NZEB standard of energy efficiency, thereby minimising greenhouse gas emissions.

The site is largely within Flood Zones A and B and therefore susceptible to flooding and at risk of climate change impacts, such as increased frequency of flood events. However, in the areas of the site most

susceptible to flood risk, the uses proposed are not considered vulnerable, as set out in the site specific flood risk assessment. The changes to the Bracken River will imperceptibly improve resilience in relation to flooding and, therefore, climate change.

The proposed scheme includes a reduction in the number of parking spaces for cars and introduction of measures to encourage walking and cycling, thereby tending to reduce emissions of greenhouse gases. These measures will likely cause an imperceptible, positive and long term impact on air and climate during the operational phase of the development.

In conclusion, during its operational phase, the environmental effects of the proposed development in respect of air and climate will be positive, imperceptible and permanent and not significant.

Material assets

Material assets – Transportation and Access

A *Preliminary Construction Traffic Management Plan* has been drawn up by Hayes Higgins Partnership Consulting Engineers, which sets out to minimise traffic impacts of construction on residents in the vicinity of the site and to ensure access is maintained for Harbour users. It is intended that construction traffic will enter the site from Georges Hill or Quay Street. But due to the low level of 3.82m under the Railway Viaduct on Quay Street, high vehicles or HGVs will have to exit the site via Mill Street. The construction traffic will be controlled as outlined in the *Preliminary Construction Traffic Management Plan* and subject to a more detailed *Construction Traffic Management Plan*, to be compiled upon appointment of the main contractor and to be agreed with the planning authority. The contractor will be required to agree and implement monitoring measures to confirm the effectiveness of the mitigation measures set out in the *Construction Traffic Management Plan*.

Having regard to the short term duration of the construction works, to their scale and nature and to the provisions for construction traffic management referred to above, construction traffic effects will not be significant.

Measures concerning traffic and access during the operational phase of the development, including traffic survey results, are described in the *Traffic and Access Planning Report*, by Hayes Higgins Partnership Consulting Engineers. These are designed to give priority to pedestrians and cyclists, necessitating some alterations to traffic circulation and parking arrangements. This is in keeping with the emerging trend in towns and cities in Ireland to give priority to forms of transportation other than the private car.

The current vehicular access link from Quay Street to the Town Car Park, via the existing bridge over the Bracken River, will be removed to provide unfettered pedestrian and cycling access across the site from Bridge Street to the Harbour. Vehicular access to the Town Car Park will be via Georges Hill and Mill Street. On-street parking will be removed from Quay Street and Mill Street to facilitate wider footpaths and designated cycling routes. Provision will be made for the Fingal Coastal Way, which is a proposed greenway extending from Newbridge Demesne in Donabate to the Fingal county boundary, north of Balbriggan. The pedestrian priority zone will be extended under the Railway Viaduct to encompass Harbour Road and will continue along that road, parallel to the Viaduct, to encompass the connection from the West Pier back to Mill Street. Harbour users, emergency services, refuse collection vehicles and residents will retain vehicular access to this area and to the East Pier and Seapoint Lane.

The proposed development will have a positive effect by providing an environment conducive to cycling and walking. The alteration to vehicular circulation patterns will be an overall positive effect on the public realm, although there will be some localised negative effects in terms of accessibility for motorists. These changes have potential for future modification and might be considered as medium to long term in duration.

Survey and analysis of the existing parking situation in Balbriggan, as set out in the *Traffic and Access Planning Report*, has shown that there is an existing overprovision of parking on the site of the proposed development. The removal of 175 parking spaces (on street and in the Quay Street carpark) will not be significant in this context. The provision of additional cycle parking facilities will have a positive, long term effect. Having regard to the nature and scale of these changes, there will not be significant environmental effects.

The effects in terms of transportation and accessibility will be overall positive, long term and might be considered as moderate, as defined in the *Environmental Impact Assessment Reports Guidelines* (EPA 2022)⁴. Accordingly, the effects will not be significant having regard to the foregoing considerations.

Material assets – Utilities

The existing Irish Water potable water supply is delivered via two cast iron mains (101.6 mm), one main along Quay Street/Harbour Road and the second along Mill Street. It is proposed to upgrade these water mains and provide new water connections to existing premises.

There is existing public foul drainage infrastructure on both Mill Street and Quay Street/Harbour Road and there is existing public surface water drainage infrastructure within the site. Existing surface water is currently

⁴ An effect that alters the character of the environment in a manner that is consistent with existing and emerging baseline trends.

drained by a series of surface water road gullies connected to the existing drainage system. It is proposed to provide sustainable storm water drainage infrastructure for the site conveying water more slowly to the existing drainage system. This will include a 120m³ attenuation tanks for the Plaza area and a 20m³ attenuation tank for the paved area next to the toilet block as well as other measures such as permeable paving, water gardens and integrated tree pits.

The existing Irish Water underground sewage pumping station located under Quay Street Car Park pumps effluent from the underground pumping station to the Waste Water Treatment Works at Barnageeragh near Skerries. Upgrade works are proposed by Irish Water to this installation during the period Q4 2022 to Q4 2023. The existing emergency overflow from the underground pumping station will be repositioned approximately 20m eastwards downstream into the river to avoid the amenity space of the widened river.

External Lighting will be provided as shown on the drawings of Hayes Higgins Partnership Consulting Engineers, to include a new lighting system to the car park area and new public realm lighting, including around the Bracken River. An application to the ESB to cater for the undergrounding of the ESB services will be made. A new ducting system will be provided to underground the existing network and provide future capacity for expansion.

Having regard to the nature, scale and location of the development, the predicted construction effects upon foul sewer, surface water drainage, potable water and electricity are considered to be neutral, imperceptible and short term in nature and not significant. The effects of the operational phase of the development on these utilities will also be neutral and imperceptible, but long term and not significant.

Material Assets – Waste

The site of 1.93ha is predominantly sealed ground, composed in part of made up ground overlying. Much of this material will be removed from the site to a depth sufficient to facilitate the new development, as shown on the drawings, although some of the material may be reused as fill, depending on further assessment. Excavation will result in removal of some 2,200 m³ of soil (as well as c.2,500 m³ of concrete, bitmac and other demolition waste) to a licensed waste facility. Construction activity has potential to cause negative environmental effects from runoff of silt and polluted material. During the course of the construction works, there will be some further waste materials produced which will be disposed of using licensed waste disposal facilities and contractors.

A *Preliminary Construction Waste Management Plan* has been prepared by Hayes Higgins Partnership. This sets out relevant waste management procedures, including mitigation measures, for the construction phase of

the development, including protection of water from silt runoff, minimisation of noise, vibration and dust emissions. The various waste arisings are listed by category per the European Waste Code. Potentially contaminated waste will be classified as hazardous or non-hazardous (EPA guidance *Waste Classification: List of Waste & Determining if Waste is Hazardous or Non-Hazardous*). Any such contaminated material will be exported off-site by an approved waste contractor and will be sent for appropriate treatment at a licensed waste facility.

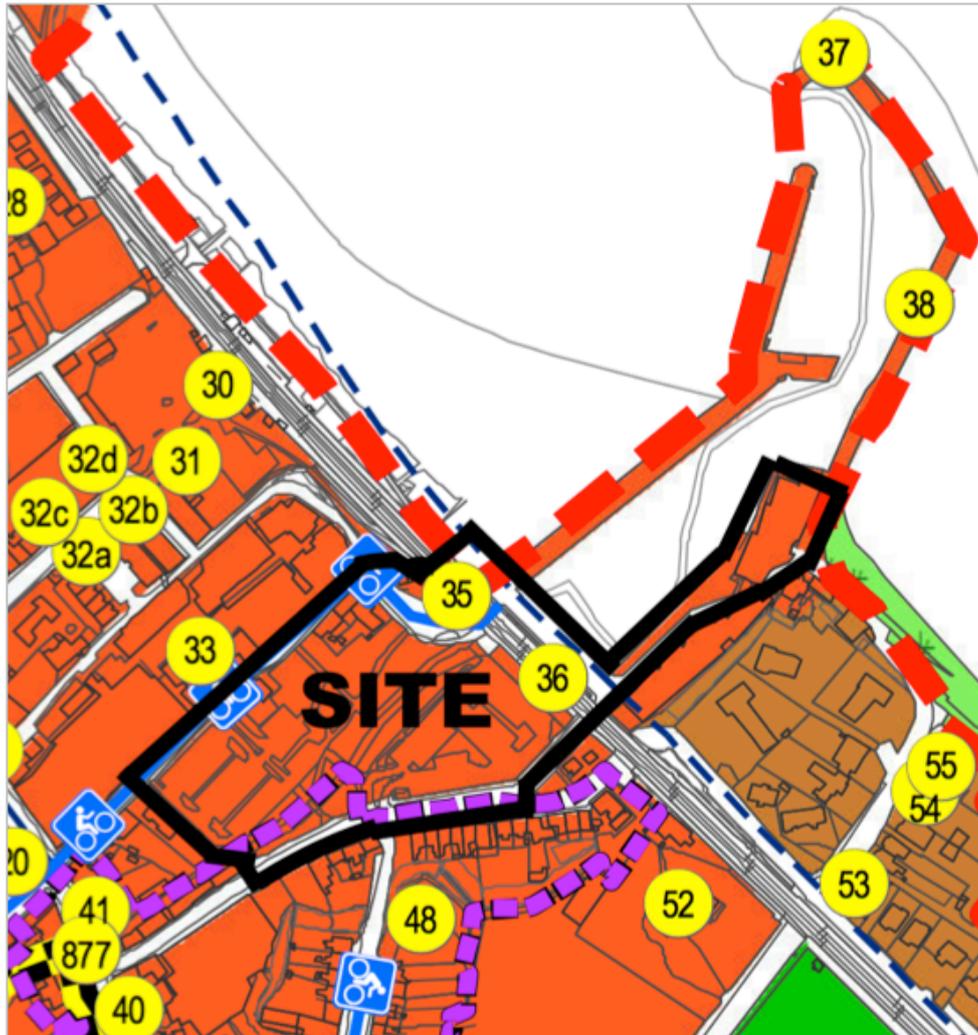
Having regard to the nature and scale of the proposed development, essentially a reordering of the public realm, the production of waste during the construction phase, in conjunction with mitigation measures and the use of licensed waste disposal facilities and contractors, the proposed development will not have any significant effects in terms of resources or waste generation and the environmental effects will be short term, neutral and imperceptible.

The operational phase of the development will generate modest volumes of domestic type waste, which will be managed so as to reduce waste arisings, optimise recycling and segregate into appropriate waste streams (black, brown, green bins) in the waste storage areas of the proposed structures by the Harbour for collection by a licensed waste contractor. Accordingly, there will be no significant effects on the environment arising from waste management during the operational phase.

Cultural heritage

The site has elements of cultural heritage value including three Protected Structures, namely the monumental Balbriggan Railway Viaduct of 1844 (RPS 0036), the small RNLI boathouse (RPS 0035) of 1885-1895 and the impressive Balbriggan Harbour (RPS 0038), of which only a part of the 18th century East Pier is within the development site boundary. The site of the proposed development also includes a small part of the *Balbriggan Historic Town Core Architectural Conservation Area (ACA)*. The terraced houses, of one and two storey height, located opposite the development site along the southern side of Quay Street, are located within the ACA. The National Inventory of Architectural Heritage (NIAH) has identified a number of other structures in the vicinity of heritage value.

Having regard to the nature, extent and short term duration of the construction works, the construction phase of the development will have a slight, short term, negative effect on the setting of Protected Structures and on the ACA. Therefore, the construction phase of the development will not have a significant effect on cultural heritage.



Fingal Development Plan 2017-2023

Protected Structures Yellow – ACA purple line broken

The public realm enhancements now proposed constitute an upgrading of the visual character of the area and include a reduction in the extent of car parking areas off Quay Street, expansion of space for pedestrians and cyclists and new paving and landscaping. The development also includes new paving and road works to the environs of the Harbour, provision of modestly scaled structures for use by the public in the Harbour area, conservation works to the RNLI boathouse and works to the ground beneath the arches of the railway viaduct, all Protected Structures.



Railway Viaduct with RNLI Boathouse – both Protected Structures – existing public toilets on l.h.s.

Accordingly, the development will have a permanent, positive effect on the setting of the Protected Structures. However, the magnitude of such effect on the setting of the Railway Viaduct will be slight, given the robustness and scale of the Viaduct in comparison with the horizontal nature of most of the proposed development. The effect on the visual setting of the Harbour will be tempered by the limited extent of the part of the East Pier within the site of the proposed development and the small scale of the structures proposed to be sited therein. The potential effect on the setting of the RNLI boathouse will be reduced by the siting of this building under the Viaduct and its limited visual presence when viewed from the public realm. The development will also have a minor, beneficial effect on the Balbriggan Historic Town Core Architectural Conservation Area, by enhancing the overall appearance of the area. Having regard to the nature, scale and location of the development, as also to the factors cited above, these positive and permanent changes will not constitute significant environmental effects. Therefore, the effects of the operational phase on cultural heritage will not be significant.

In terms of archaeology, there are no records of archaeological deposits on the site. But, there is a possibility that in-situ or truncated industrial heritage features may be identified during any earthmoving works within the subject site. Given the nature of any deposits that might exist and the mitigation measures proposed in the report on Archaeology and Cultural Heritage by Courtney Deery, it is not likely there will be significant effects in terms of archaeological heritage.

Landscape and Visual Impact

There will be short term, negative effects on the landscape of the area arising from the site development operations, encompassing the proposed demolitions, clearance and excavation of parts of the site and the works to the Bracken River, including proposed temporary diversion/piping of the watercourse in situ, together with the presence of machinery and the construction of new areas of paving, landscaping, lighting and buildings. The effects will not be significant as the nature and scale of change will constitute a negative, moderate short term effect. Therefore, the effects of the construction phase on landscape will not be significant.

The visual impact of the completed development has been considered by the architects, Paul Keogh Architects, and a number of images from locations in the general environs of the site are presented in the Design Report by PKA. The development will provide for a high-quality landscape setting and the creation of a greatly improved public realm. The landscape effects of the completed development will be positive in relation to the immediate environs of the site and will constitute a positive and permanent change in the presentation of the existing public realm. Visual impacts from further afield in the general area will be slight, having regard to the nature of the development, which is primarily a reinterpretation of existing public realm, and to the relatively secluded location within Balbriggan. In summary, the effects of the operational phase on landscape will be positive, permanent and not significant.

Interaction and Cumulative Impacts

The main potential for interaction between the environmental factors examined above arises during the construction phase of the development. There is a potential interaction between land, soil, and water through surface water run-off during site development works and construction activity. There is also potential for the construction activity to have an effect on human health by way of emissions of noise, dust, vibration, spillage or leakages of fuel.

These potential interactions during the construction phase will be short term and management and mitigation measures have been set out in the *Preliminary Construction Waste Management Plan*, *Preliminary Construction Management Plan* and the CEMP to address these issues and ensure any such interactions will not be significant. Therefore, the interaction of the foregoing effects, described above, would not be likely to give rise to any significant effects on the environment.

The most likely cumulative impact during the construction phase will be increased construction traffic volumes generated by this and other developments, but this will not be significant, given the nature and scale of the proposed development and of existing and permitted development in the vicinity. Permitted projects in the area are subject to conditions attached to the planning permissions, which include appropriate measures to minimise environmental impacts and, as a result, to prevent any significant cumulative effects. The most relevant such projects in terms of scale and proximity are set out above and, having regard to the nature, scale and location of these, it is not likely there will be significant cumulative environmental effects in combination with the proposed public realm redevelopment at Quay Street/Mill Street/Balbriggan Harbour.

The proposed development has been designed to minimise any adverse effects on the environment, including on adjoining and adjacent lands. The specialist reports submitted with this application set out a number of mitigation measures, as also outlined above, which mitigate or minimise any adverse effects on the environment. In particular, the *Preliminary Construction Management Plan* and CEMP set out the measures to minimise adverse effects during the construction phase. Therefore, it can be concluded there will be no cumulative or interactive effects of significance.

Having regard to the nature, scale and location of the proposed development, there is no likelihood of significant transboundary effects on the environment.

Conclusion

The information is set out above to meet the requirements of Schedule 7A of the Planning and Development Regulations, 2001, as amended. The criteria set out at Schedule 7 of the same Regulations have informed the compilation and analysis of the environmental information. Other relevant assessments of the effects on the environment of the proposed development have also been taken into account, including as referred to below.

The proposed development is sub-threshold in relation to the criteria and thresholds set out in Schedule 5, Part 2, of the Planning and Development Regulations, 2001, as amended. It is concluded having regard to the nature, scale and location of the subject site, as also to the mitigation measures set out in the various reports including, in particular, the *Preliminary Construction Management Plan* and CEMP, that the proposed public realm redevelopment at Quay Street/Mill Street/Balbriggan Harbour, by itself or in combination with other projects, is not likely to have significant effects on the environment (direct, indirect or cumulatively with other development). Accordingly, an Environmental Impact Assessment is not required.

Other Relevant Assessments and Reports

Other relevant assessments of the effects on the environment of the proposed development have been taken into account, including as referred to above. Directly in relation to the proposed development, these include the following documents submitted with the application under Part 8:

- Topographic & GPR Survey
- Heritage Statement
- Civil & Structural report
- Utilities & Electrical Services report
- Traffic & Access report
- Construction Management Plan
- Construction Waste Management Plan
- Construction Traffic Management Plan
- Construction and Environment Management Plan
- Tree Survey and report
- Landscape report
- Archaeology report
- Ecological Impact Assessment (EclA)
- AA screening report
- Stage 2 Flood Risk Assessment

In accordance with the provisions of Directive 2011/92/EU (amended per Directive 2014/52/EU), it is a requirement to take into account, where relevant, the available results of other relevant assessments of the effects on the environment carried out pursuant to European Union legislation other than the EIA Directive. Environmental information set out in other assessments has been taken into account as outlined below and by reference to the Fingal County Development Plan, including SEA, the open data from the EPA, the Geological Service of Ireland, National Parks and Wildlife Service, National Monuments Service, the National Inventory of Architectural Heritage and Health and Safety Authority.

Directive	Assessment carried out	Conclusion
Directive 92/43/EEC, The Habitats Directive	Screening report for AA (by Altamar) Ecological Impact Assessment Bat survey CEMP	Development would not be likely to adversely affect any Natura 2000 site. The limited biodiversity quality of the site will be mitigated by works and landscaping
Directive 2000/60/EC, EU Water Framework Directive	EPA assessed the river in relation to the Water Framework Directive (WFD) Objective of <i>at least good status by 2027</i> . Balbriggan Tidy Towns Committee - <i>Matt River Assessment and Biodiversity Management Plan</i> by CDM Smith, 2020.	Bracken River at risk of failing to meet WFD Objective <i>Matt River Assessment and Biodiversity Management Plan</i> confirmed eutrophic state of Bracken River (Matt River).
The Bathing Water Directive (2006/7/EC)	EPA monitors bathing water quality	Balbriggan complies with standard in 2022
Directive 2001/42/EC, SEA Directive	The formulation of this Part 8 proposal is in accordance with the provisions of the Fingal County Development Plan, 2017-23 and the NPF and RESS for the EMRA. These have been subject to assessment in accordance with the SEA Directive	The proposed development accords with the Development Plan which itself has been subject to assessment in accordance with the SEA Directive
Directive 2002/49/EC, Environmental Noise Directive	Nature and scale of the development are such that, in the absence of mitigation measures, construction noise is more likely to give rise to impacts rather than operational noise. BS 5228 Code of practice for noise and vibration control on construction and open sites is designed to mitigate such impacts.	Subject to mitigation, in compliance with noise limits set out in the Preliminary Construction Management Plan and the CEMP, including compliance with BS 5228 Code of practice for noise and vibration control on construction and open sites, the construction phase will not give rise to any significant impacts.
Directive 2008/50/EC on ambient air quality and cleaner air for Europe	EPA carries out monitoring The area containing Balbriggan (EPA Region 3) reported to have "good" air quality.	Subject to compliance with mitigation set out in the Preliminary Construction Management Plan and the CEMP, there will be no significant impacts on air quality.
Directive 2007/60/EC on the assessment and management of flood risks	Flood Risk Assessment carried out of site by consultant engineers McCloy Consulting.	The development is water compatible.
Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (The Waste Framework Directive) Directive 1999/31/EC of 26 April 1999 on the landfill of waste	The Waste Framework Directive sets the basic concepts and definitions related to waste management, including definitions of waste, recycling and recovery. Waste Classification Report by <i>Ground Investigations Ireland</i> .	Site is made ground for the most part, containing material classed as non-hazardous waste with one trial pit containing a layer of hazardous material. Further testing will be carried out and any hazardous material, if excavated, will be removed to an appropriate facility.