



Appropriate Assessment (AA) Screening Determination for proposed Local Authority Development

Project Name:	Public Realm Improvements for a Pedestrianised New Street, Malahide
Ref No.	LADP/001/23

Description:

Fingal County Council intends to carry out Public Realm improvements for a pedestrianised New Street, Malahide comprising:-

- Widening of footpaths and provision of new kerb edges with existing kerbstones retained, realigned and protected within the widened footpaths and public spaces.
- Realignment and narrowing of the trafficable section of New Street (c.150m in length) and insertion of control measures and all necessary signage to provide for a pedestrianised street with associated traffic flow routes and restrictions allowing for time limited one-way access from 7am to 11am each day for deliveries and emergency vehicles from Main Street/ The Mall to New Street and a two-way access from Strand Street to Ross's Terrace via New Street.
- Upgrade of all street surfaces.
- Provision of 2no. loading bays at the southern and northern ends of New Street and an accessible parking space in front of the HSE building.
- Installation of cycle stands at 6no. locations on New Street with capacity for 23no. cycle parking spaces.
- Removal and replacement of 11no. existing trees with 37no. trees of species appropriate to the location and environment and provision of soft landscaping and green infrastructure with planting zones for seeded, planted and hedging areas and associated bioretention and tree pit areas.
- Provision of outdoor dining zones including tables and chairs and other ancillary moveable structures.
- Provision of street furniture including seating, benches and litter and recycling bins and a water feature.
- New public lighting comprising 12no. fixtures.
- Upgrade of the watermain and foul drainage networks and upgrade and relocation of the surface water drainage network including provision of sustainable urban drainage systems (SUDs) features as part of hard and soft landscaping.
- Provision of ducting for utilities and piped infrastructure.
- All associated site and development works.

Fingal County Council will be providing regulatory traffic signs (including regulatory signs which give effect to a pedestrianisation of New Street) in accordance with Section 95 of the Road Traffic Act 1961 (as amended).

Legislative Context:

This determination has considered the relevant legislative context as set out at Section 1.2 of the AA Screening Report including, but not limited to:

- The European Habitats Directive (Council Directive 92/43/EEC of 21 May 1992)
- The European Birds Directive (Council Directive 79/409/EEC as amended by Directive 2009/147/EC)
- The European Communities (Bird and Natural Habitats) Regulations 2011 (SI No 477 of 2011), as amended
- Part XAB of the Planning and Development Act 2000, as amended

Screening Report:

The Active Travel department of Fingal County Council (FCC) has commissioned Faith Wilson Ecological Consultant to prepare an AA Screening Report entitled 'Appropriate Assessment Screening Report February 2023. The Senior Planner for the local electoral area of Balbriggan and Swords, part of the Planning and Strategic Infrastructure Department of Fingal County Council, has examined and evaluated the content of the report and agrees with the conclusions set out in the screening report and the reasons therein.

The AA Screening Report concluded that following an examination, analysis and evaluation of all relevant information, on the basis of objective information and in light of best scientific knowledge and applying the precautionary principle, the proposed public realm improvements at New Street, Malahide, either individually or in combination with other plans and projects, and in the absence of mitigation, is not likely to have a significant effect on any European Site(s), in view of the sites conservation objectives, and that there is no reasonable scientific doubt in relation to this conclusion.

The main reasons for this conclusion are as follows:

- The proposed public realm improvements at New Street, Malahide are small (150m long and 0.22 ha in size)
- None of the proposed public realm improvements will take place within any European Site.
- There will be no increased loading demands on the mains water supply and provision for same is being provided within the public realm improvements.
- There are no likely significant effects arising from the construction or the operation of the proposed public realm improvements for a pedestrianised New Street, regardless of the implementation of any SUDS measures.
- In fact, the water quality of surface waters leaving the street will be improved by the public realm design as the surface waters will pass through the proposed bio-retention areas prior to discharge and the water quality within the surface water run-off will be significantly improved as a result, with positive effects on the Natura 2000 sites identified.
- There will be no likely significant effects/changes to any European Site(s) arising from disturbance to key species, habitat or species fragmentation, a reduction in species density, or changes in key indicators of conservation value such as water quality.
- Considering the nature and scale of the proposed development at New Street, the localised and insignificant nature of the environmental effects predicted to occur as a result of the proposed development, the overarching plans and policies of Fingal County Council, and the nature of existing, permitted and proposed development in its environs, it is considered that the proposed public realm improvements for a pedestrianised New Street are not likely to have a significant effect on any European Site in-combination with other plans or projects.

Determination:

Having regard to the foregoing, on the basis of objective information and in view of best scientific knowledge and applying the precautionary principle, for the reasons set out above and in the AA screening report, it has been concluded that the proposed public realm works for a pedestrianized New Street, individually or in combination with other plans or projects, without relying on any mitigation measures, will not have a significant effect on any European sites, in view of the sites' conservation objectives, and that there is no reasonable scientific doubt in relation to this conclusion. For the avoidance of doubt, SUDS measures have not been taken into account in reaching this conclusion.

It can therefore be concluded that the proposed development does not require a Stage 2 Appropriate Assessment.

This AA Screening determination in respect of New Street, Malahide has been made by Mr Malachy Bradley, the Senior Planner for the local electoral area of Balbriggan and Swords, part of the Planning and Strategic Infrastructure Department of Fingal County Council, in circumstances where the proposed development is being promoted by the Active Travel department of Fingal County Council and is located in the local electoral area of Malahide, and Fingal County Council has implemented an appropriate functional separation in the carrying out of Screening for Appropriate Assessment.

Signed:

Malachy Bradley
Senior Planner

Department/ Role:

Planning and Strategic Infrastructure

Delegation No:

8473

Date:

5/04/2023