



**Environmental Impact Assessment (EIA) 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 Chapter 2 of the EIA Screening Report including, but not limited to:

- Directive (2011/92/EU) of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment as amended by Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014 (the "EIA Directive")
- The Planning and Development Regulations 2001, as amended (the "2001 Regulations")
- Part 1 & 2 of Schedule 5 of the 2001 Regulations.
- Schedule 7 of the 2001 Regulations and
- Article 120 of the 2001 Regulations.

### **Screening Report:**

The proposed public realm improvements for a pedestrianised New Street, Malahide, do not fall within any of the classes of projects identified in Annex I to the EIA Directive and listed in Part 1 of Schedule 5 to the 2001 Regulations, which require a mandatory EIA.

Furthermore, the proposed public realm improvements do not meet or exceed the thresholds set out in Part 2 of Schedule 5 to the 2001 Regulations for any of the classes of projects identified in Annex II to the EIA Directive (as transposed in Part 2 of Schedule 5 to the 2001 Regulations).

As such, an automatic EIA has not been triggered.

The proposed public realm improvements fall into Class 10(b)(iv) of Annex II to the EIA Directive, as transposed in Part 2 of Schedule 5 to the 2001 Regulations, and do not exceed the relevant threshold of 2 hectares. Therefore the proposed public realm improvements are considered "sub-threshold development" and in order to determine whether the development may have the potential to give rise to significant environmental effects, the Active Travel department of Fingal County Council has commissioned BMA Planning to prepare an EIA Screening Report entitled '*Environmental Impact 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 EIA screening report.

The EIA Screening Report concluded that the proposed public realm improvements are not likely to have significant effects on the environment due to the nature, scale and size of the proposed development, the location of the proposed development relative to areas of environmental sensitivity and consideration of the type of potential impacts that are likely to arise. The proposed public realm improvements will bring positive impacts in terms of enhancing the streetscape at New Street and promoting active travel modes with improved facilities for pedestrians and cyclists.

### **Determination:**

Having regard to the foregoing, the proposed public realm improvements for a pedestrianized New Street, Malahide do not trigger a mandatory EIA under the EIA Directive or the 2001 Regulations. Further, the proposed development is not likely to have significant effects on the environment due to nature, size, or location of the proposed development relevant to areas of environmental sensitivity, and the types and characteristics of potential impacts.

Therefore, it has been concluded, for the reasons set out above and in the EIA screening report, that the proposed development by itself or in combination with other projects, is not likely to have a significant effect on the environment and accordingly that an Environmental Impact Assessment is not required.

<b>A. Determination:</b>		
<b>No real likelihood of significant effects on the environment.</b>	<input checked="" type="checkbox"/>	<b>EIAR is not required.</b>
<b>Real likelihood of significant effects on the environment.</b>	<input type="checkbox"/>	<b>EIAR is required.</b>

This EIA 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 accordance with Article 9a of the EIA Directive.

**Signed:**

*Malachy Bradley*

**Department/Role:**

*Senior Planner*

*Planning and Strategic Infrastructure*

**Delegation No:**

*8473*

**Date:**

*5/04/2023*