

**Environmental Impact Assessment Screening Report
Proposed Mixed Use Development at
Nos. 2-4 Dublin Street,
Balbriggan**

Fingal County Council

July 2023



Doyle Kent Planning Partnership Ltd.

71 Carysfort Avenue

Blackrock, Co. Dublin

www.doylekent.com

info@doylekent.com

Table of Contents

INTRODUCTION..... 1

SITE AND LOCATION 2

DESCRIPTION OF PROPOSED DEVELOPMENT 5

ENVIRONMENTAL IMPACT ASSESSMENT..... 9

SCREENING FOR ENVIRONMENTAL IMPACT ASSESSMENT..... 10

SCHEDULE 7A INFORMATION 12

SCHEDULE 7 CRITERIA..... 12

APPLICATION OF SCHEDULE 7 CRITERIA 13

CONCLUSION..... 17

APPENDIX I : OTHER RELEVANT ASSESSMENTS 18

APPENDIX II : SCHEDULE 7 TO THE PLANNING AND DEVELOPMENT REGULATIONS, 2021 19

Introduction

This screening report in respect of Environmental Impact Assessment is compiled in relation to the proposal by Fingal County Council, under Part 8 of the Planning and Development Regulations 2001 (as amended), for development of existing premises at Nos 2-4 Dublin Street, Balbriggan. The site has an overall area of 0.057 Ha and includes a Protected Structure (RPS 0058) at No.2 Dublin Street. The overall development floor area is 483m².

The project envisages transformative changes to the existing buildings, including full refurbishment of No. 2 Dublin Street as workspaces and redevelopment of No. 4 Dublin Street (the attached retail unit), as a Creative Hub.

This EIA screening report has been compiled by Karl Kent of Doyle Kent Planning Partnership Ltd, who has many years' experience of the EIA process and has qualifications in Architecture, Planning, Urban and Building Conservation and EIA management. Relevant contributions from other members of the design team in respect of the various environmental topics have been included in compiling the report. The proposed development is lead and designed by *PKA Architects* and other members of the design team include *Hayes Higgins Partnership*, Engineering Consultants, *Nolan Construction Consultants*, Quantity Surveyors and *Altemar*, Marine and Environmental Consultancy. Project management is by *Turner and Townsend*.

This EIA screening report includes Appendix I indicating how the available results of other relevant assessments of the effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directive (Directive 2014/52/EU) have been taken into account.

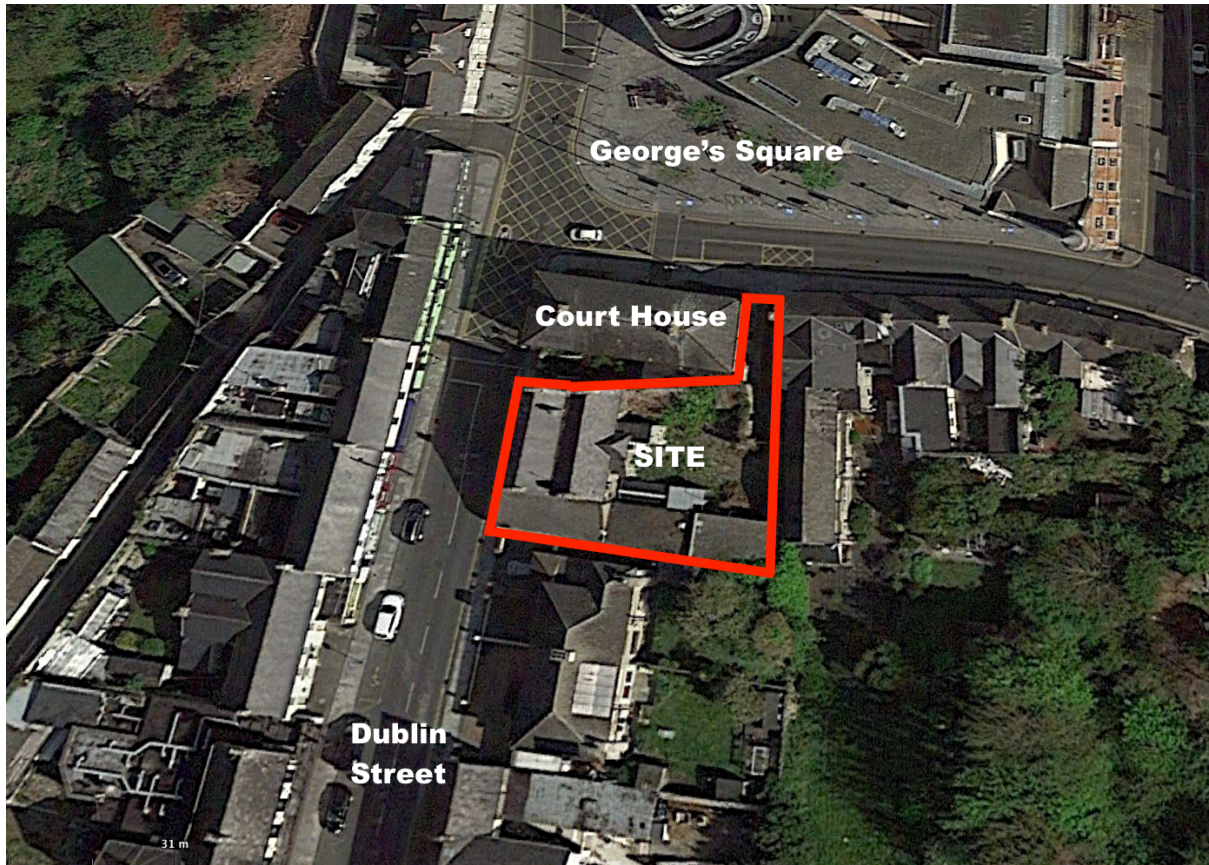


Site Location Map

Site and Location

The site of the proposed development is located immediately on the eastern side of Dublin Street (R132), to the south of the intersection of that street with George’s Square and Drogheda Street and immediately south of Balbriggan Courthouse.

No. 2 Dublin Street is a nineteenth century detached house, five-bays wide of two-storey height, with a small two storey return at the rear. The house has an M shaped slated roof with valley and gables, with plain rendered external walls. There are nineteenth century sash windows to the front, but most rear windows have been replaced in modern times. No. 2 Dublin Street is a Protected Structure (RPS 0058) and is also entered on the National Inventory of Architectural Heritage (Reg. No. 11305016). There is a neglected garden to the rear of No.2, with poor quality out offices.



Approximate Site Boundaries (Google Earth)

The interiors of No. 2 Dublin Street are relatively plain and several of the original lath and plaster ceilings have been removed in whole or in part. However, many of the simple decorative cornices remain, internal doors, architraves, skirtings and floor boards. However, the ground floor timbers have been damaged by water ingress and this floor will be replaced. The first floor joists have been damaged by woodworm in some areas, but can generally be repaired and treated. There has also been ingress of water in the central roof valley causing structural damage to timbers, necessitating replacement of roof timbers.

No.4 Dublin Street adjoins No.2 to the south of the latter and is a single storey building of modern origin. At the front, it takes the form of a lean-to structure, previously a retail unit, adjoining the southern gable of No.2. There are ancillary rooms in No.4, at the rear with flat roofs over.

To the north, No.2 Dublin Street is adjoined by the curtilage of the Balbriggan Courthouse. This Protected Structure (RPS 0042) is a three-bay two-storey over basement building, with a slated roof and rubble limestone walls, built c.1844.

A laneway runs southwards from George's Square to serve the rear of No.2 Dublin Street and Balbriggan Courthouse, as well as No.5 George's Square. The overall site of the proposed development is adjoined to the east, in part, by the said lane and in part by the generally blank wall of an older two storey dwelling, No.5 George's Square (there are two small upper level windows in this house directly looking onto the garden of No. 2 Dublin Street). To the south, No.4 Dublin Street is bounded by a modern two storey, residential property (No.6 Dublin Street).

On the western side of Dublin Street are modest scale two-storey commercial buildings, generally of nineteenth century appearance.

In relation to the availability of foul sewerage facilities, 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 per Irish Water *Annual Environmental Report 2020*.

Description of Proposed Development

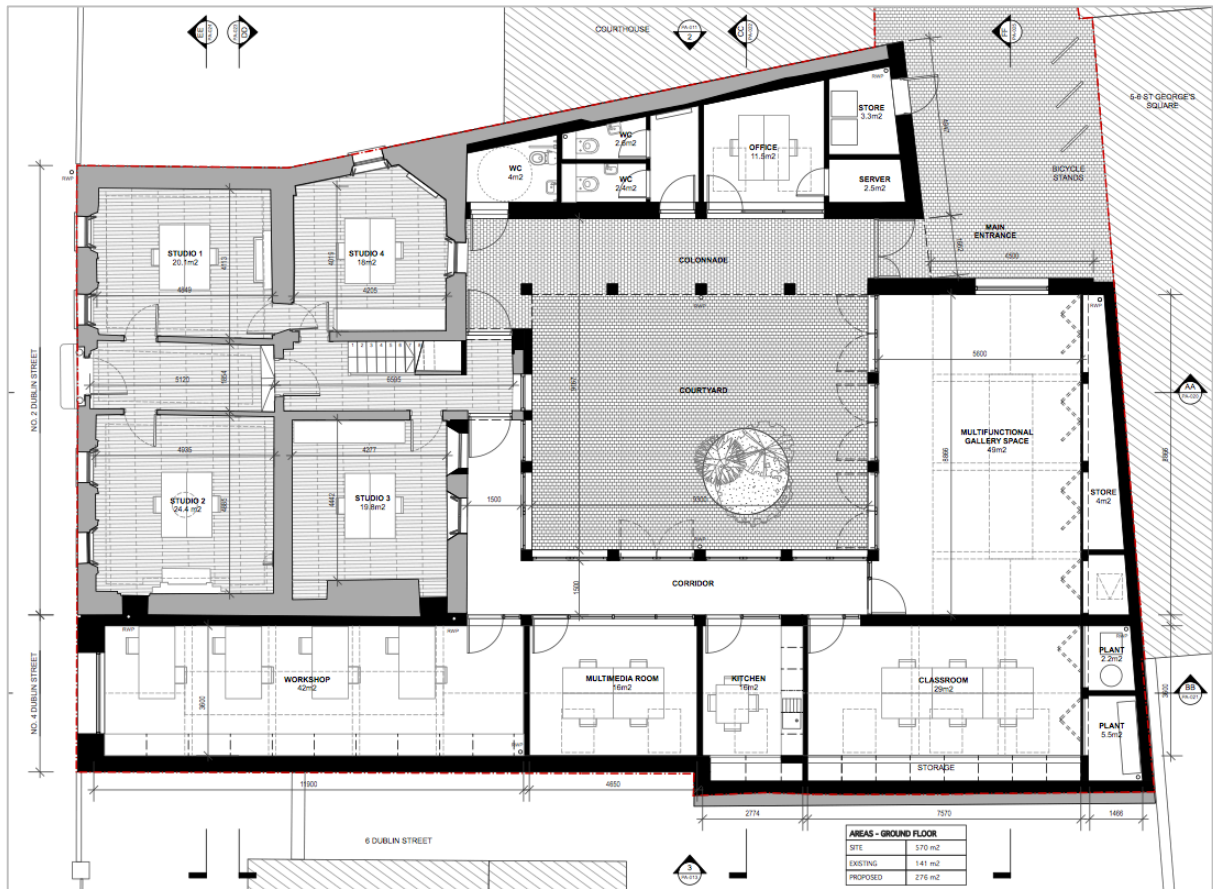
Fingal County Council propose to carry out development works at 2-4 Dublin Street, Balbriggan, Co. Dublin on a site of 570 sqm / 0.057 ha. Development includes change of use, refurbishment and extension works at No. 2 Dublin Street (Protected Structure RPS 0058) with demolition and construction works at No. 4 Dublin Street. The site also includes the laneway connecting the rear of the site to George's Square. The site sits within the Balbriggan Town Core Architectural Conservation Area.

The nature and extent of the proposed development is as follows:

- (i) Change of use of No. 2 Dublin Street from Residential to Commercial use.
- (ii) Refurbishment of No. 2 Dublin Street (Protected Structure RPS 0058) as workspaces, in line with best conservation practices.
- (iii) Demolition of the adjoining modern lean-to retail unit at No. 4 Dublin Street.
- (iv) Construction of a new single storey building (276 sqm) at No. 4 Dublin Street and to the rear of No. 2 Dublin Street for use as workspaces and Creative Hub, to include a Workshop Space, Multimedia Room, Office, Classroom Space, Toilets, Multi-functional gallery space and an external courtyard.
- (v) Upgrade of laneway surfacing to the rear of the site adjacent to Balbriggan Courthouse opening onto George's Square including provision of cycle parking.
- (vi) All associated site development works, services, piped infrastructure and ducting, changes in level, site landscaping and all associated site development and excavation works above and below ground.

Note that parking provision for the development is proposed by designation of vehicular parking spaces, licensed to Fingal County Council in the nearby Bracken Court Hotel carpark.

The proposed development is considered to be part of a the wider rejuvenation of Balbriggan town through the redevelopment of underutilised or vacant buildings and sites. The proposals are set out primarily in the architectural drawings, the *Stage 2A Report* and the *Conservation Report*, by Paul Keogh Architects (PKA).



Proposed Ground Floor Layout (PKA)

The nineteenth century house at no.2 Dublin Street, a Protected Structure, will be restored to its original condition and configuration, conserving the external envelope, with particular emphasis on the Dublin Street façade and the historic features and proportions of the rooms internally. Later additions on either side of the staircase to the rear of no. 2 Dublin Street will be removed, reinstating the original form of the building. No.2 Dublin Street will house workspaces at ground and first floor levels, retaining the existing room layout and with each existing room providing a workspace to accommodate creative, artistic and other related enterprises.

The single storey retail unit at No.4 Dublin Street will be demolished and a new single storey structure will be built on its site to contain a Creative Hub. The new single storey structure will be continued around the site to form a courtyard and incorporate a gallery/project space at the rear for both resident artists and others to exhibit their work. A glazed corridor will connect the individual

spaces and the external courtyard. Ancillary spaces, including communal kitchen, toilets and storage, will be accommodated in the northern side of the courtyard.

The proposed single storey building (276m²) will be a hybrid structure with load bearing block walls, reinforced ground bearing floor slabs, loadbearing perimeter wall with CLT columns supporting a CLT / glulam roof structure.

A gateway will open onto the laneway at the rear of the property and this will form the main entrance to the scheme and point of level access.

The existing building is serviced with pipe sizes ranging from 100mm to 150mm all flowing by gravity to a combined manhole in the rear yard with an outflow 150mm PVC combined gravity sewer discharging to the public sewer network on St Georges Square. A new drainage system will be installed and the proposed refurbishment of the building is not envisaged to increase the loading on the sewer system.

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 Pit and Rainwater Garden
- Courtyard Perimeter Drainage Channels connected to Integrated Constructed Tree Pit
- Downpipe planters



Three dimensional image of proposed development (PKA)

Environmental Impact Assessment

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* is commonly known as the EIA Directive. The EIA Directive 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 to be provided in this regard to the relevant development consent authority, by the developer, is set out at Annex IIA.

The provisions of the said Annexes to the Directive are transposed into Irish law for the purposes of planning and development primarily per the Planning and Development Regulations, 2001, as amended. Reflecting 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 the said Schedule 5, Part 2, of the Regulations, above which EIA is mandatory and below which EIA may be required (i.e. sub-threshold developments). A definition of sub-threshold development is set out at Article 92 of the said Regulations:

“ ‘sub-threshold development’ means development of a type set out in Part 2 of Schedule 5 which does not equal or exceed, as the case may be, a quantity, area or other limit specified in that Schedule in respect of the relevant class of development;”

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 planning authority to make such determination (corresponding to Annex IIA of the Directive).

This EIA screening report addresses the matters set out in Schedules 7 and 7A to the Planning and Development Regulations, 2001, as amended, and has regard to guidance contained in:

- *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.
- *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.

Screening for Environmental Impact Assessment

The Planning and Development Regulations, 2001, as amended, Schedule 5, Part 2, sets out the following classes of project, which are considered relevant to the proposed development at Nos 2-4 Dublin Street, Balbriggan, in relation to EIA:

10. Infrastructure projects –

(b) (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).'

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 development at Nos 2-4 Dublin Street, Balbriggan, is a project of a type specified at 10(b)(iv) of Schedule 5, Part 2, of the Regulations, but is greatly sub-threshold. The site is within a built-up area, but at 0.057 ha Ha is significantly below either the thresholds of 2 or 10 hectares.

In relation to sub-threshold projects coming *prima facie* within the scope of class 10(b)(iv), class 14, or class 15, the relevant consideration is whether the proposed development is likely to have significant effects on the environment, as assessed in accordance with the criteria set out at Schedule 7 of the Regulations and using the information required in accordance with Schedule 7A.

Schedule 7A Information

Schedule 7A of the Planning and Development Regulations, 2001, as amended, sets out the information to be provided by the applicant to enable the planning authority to screen sub-threshold development for EIA. This is set out both above, in the sections describing the site and the proposed development, and in the comments in the table applying the Schedule 7 criteria below.

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.*

Schedule 7 Criteria

The criteria contained in Schedule 7 of the Planning and Development Regulations, 2001, as amended, have informed this Environmental Impact Assessment Screening Report. The text of Schedule 7 is repeated in Appendix II to this report.

Application of Schedule 7 Criteria

The criteria set out at Schedule 7 fall within three main headings:

1. Characteristics of the development
2. Location of the development
3. Types and characteristics of potential impacts

These are set out in the table below with relevant comment. The application of the Schedule 7 criteria below takes account of the environmental factors set out in at Section 171A of the Planning and Development Act, 2000, as amended, and also Schedule 6(2)(d) of the Planning and Development Regulations, 2001, as amended. These environmental factors are:

(I) population and human health;

(II) biodiversity, with particular attention to species and habitats protected under the Habitats Directive and the Birds Directive;

(III) land, soil, water, air and climate;

(IV) material assets, cultural heritage and the landscape;

(V) the interaction between the factors mentioned in clauses (I) to (IV)

SCHEDULE 7 CRITERIA	Comment
<p>1. Characteristics of the Development:</p> <p>The characteristics of proposed development, in particular -</p>	
<p>a) the size and design of the whole of the proposed development</p>	<p>The proposed workspaces and Creative Hub at No.2 and No.4 Dublin Street, Balbriggan, will have a floor area of 483m² including existing two storey house (No.2 Dublin Street) and a single storey new build element of 276m². The site area is 570m².</p>
<p>b) cumulation with other existing development and/or development the subject of a consent for proposed development for the purposes of section 172(1A)(b) of the Act and/or development the subject of any development consent for the purposes of the Environmental Impact Assessment Directive by or under any other enactment</p>	<p>The site is located in an area of mixed uses, which is zoned as "Major Town Centre". "Our Balbriggan" is a series of improvements to the town environment by Fingal County Council, largely focused on public realm upgrade. The Council recently approved (Part XI / Part 8) one public realm redevelopment project at Quay St and Environs, Balbriggan. "Our Balbriggan" also includes the current small scale project at Nos 2-4 Dublin Street.</p> <p>There are no other substantial new developments of relevance in immediate vicinity of No.2-4 Dublin Street. There are several permissions granted for small scale development in the vicinity (e.g. Reg. Ref. F19A/0141 – 11/13 Dublin Street - permission for residential 3 No.</p>

	terraced 2 storey dwellings. A medium scale residential development was granted permission in 2021 for 77 apartments at the nearby Quay Street Shopping Centre per Ref. ABP 311095.
c) the nature of any associated demolition works	Demolition works are not extensive and are confined to removal of the modern single storey building at No.4 Dublin Street, small rear return, sheds and rear boundary wall of No.2 Dublin Street, as shown on PKA Drawing No. 2.129 / SV / 001 / A
d) the use of natural resources, in particular land, soil, water and biodiversity	The property is a small brownfield urban site and no significant natural resources will be used.
e) the production of waste	Waste generated during demolition and construction works will be typical of small scale urban development, as set out in the <i>Preliminary Construction Management Plan including Traffic and Waste Management</i> by Hayes Higgins Partnership, Chartered Engineers. Waste during the operational phase will be largely domestic type municipal waste of modest volume.
f) pollution and nuisances	The demolition and construction phases of the development are likely to generate localised, short term noise, vibration and dust emissions. These will not be significant and will be mitigated as set out in the <i>Preliminary Construction Management Plan</i> . During the operational phase, the development is not likely to generate any emissions of consequence.
g) the risk of major accidents, and/or disasters which are relevant to the project concerned, including those caused by climate change, in accordance with scientific knowledge	There are no significant risks of major accidents or disasters relevant to the project. The site is not in the vicinity of any establishment with a particular risk of accident or disaster (e.g. Comah/Seveso type establishment). The site is outside any area subject of flood risk as identified in the Fingal SFRA 2021 or the more recent update in connection with the <i>Draft Fingal County Development Plan, 2023-2029</i> .
h) the risks to human health (for example, due to water contamination or air pollution)	Having regard to the nature and location of the proposed development, there are no risks to human health.

2. Location of the proposed development	
The environmental sensitivity of geographical areas likely to be affected by the proposed development, with particular regard to—	
(a) the existing and approved land use	The site is located in an area, which is zoned in the <i>Fingal County Development Plan, 2017-2023</i> , as “Major Town Centre”. Existing land uses in the vicinity are mixed, with residential, retail and services.
(b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground	Having regard to the limited scale and urban location of the development, natural resources within and in the immediate environs of the site are limited.
(c) the absorption capacity of the natural environment, paying particular attention to the following areas:	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 town and discharges into Balbriggan Harbour. There

	are no significant elements of the natural environment on, or in the environs of, the Dublin Street site.
(i) wetlands, riparian areas, river mouths	Not applicable
(ii) coastal zones and the marine environment	Not applicable
(iii) mountain and forest areas	Not applicable
(iv) nature reserves and parks	Not applicable
(v) areas classified or protected under legislation, including Natura 2000 areas designated pursuant to the Habitats Directive and the Birds Directive	There are no natural heritage designations 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.
(vi) areas in which there has already been a failure to meet the environmental quality standards laid down in legislation of the European Union and relevant to the project, or in which it is considered that there is such a failure	The Front Strand Beach at Balbriggan was assessed as having poor water quality in 2021, but more recent results from September 2022 have shown the bathing water quality is now excellent.
(vii) densely populated areas	Given the nature and scale of the proposed development, it will not significantly affect population density. Preliminary Census 2022 results show Balbriggan has a population density of 3,693 persons per km ² compared with Dublin City with 5,046 per km ² .
(viii) landscapes and sites of historical, cultural or archaeological significance	The site of the proposed development is within the <i>Balbriggan Historic Town Core Architectural Conservation Area (ACA)</i> . No.2 Dublin Street is a Protected Structure (RPS 0058), as is the adjoining Courthouse. The National Inventory of Architectural Heritage (NIAH) has identified a number of other structures in the vicinity of heritage value, as shown on the Historic Environment Viewer Map. The impact of the proposed development on the cultural heritage will be positive, if limited. The site is not identified as being of archaeological heritage significance.

<p>3. Types and characteristics of potential impacts</p> <p>The likely significant effects on the environment of proposed development in relation to criteria set out under paragraphs 1 and 2, with regard to the impact of the project on the factors specified in paragraph (b)(i)(I) to (V) of the definition of 'environmental impact assessment report' in section 171A of the Act, taking into account—</p>	<p>Note: The factors cited at Section 171A of the Act are:</p> <p><i>(I) population and human health;</i> <i>(II) biodiversity, with particular attention to species and habitats protected under the Habitats Directive and the Birds Directive;</i> <i>(III) land, soil, water, air and climate;</i> <i>(IV) material assets, cultural heritage and the landscape;</i> <i>(V) the interaction between the factors mentioned in clauses (I) to (IV)</i></p>
<p>a) the magnitude and spatial extent of the impact (for example, geographical area and size of the population likely to be affected)</p>	<p>The site area is 570m² and the proposed development will have a floor area of 483m². There will be no significant effects on a wider geographical area or on the population either during the construction phase or the operational phase.</p> <p>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.</p> <p>There will be no significant impacts on land, soil, water, air and climate.</p>

b) the nature of the impact	Construction impacts will be temporary to short term, of low intensity and complexity. Impacts will not be significant, having regard to their nature and scale and to the mitigation measures set out in the <i>Preliminary Construction Management Plan including Traffic and Waste Management</i> . Operational impacts will not be significant. There will be a positive, long term impact on <i>material assets, cultural heritage and the landscape</i> , insofar as the proposed development will entail restoration of a Protected Structure, in accordance with good conservation practice, as described in the <i>Conservation Report</i> by Paul Keogh Architects, and protect the setting of the Courthouse and the streetscape of the ACA. The impact will not be significant, although positive, having regard to the scale of the proposed development.
c) the transboundary nature of the impact	There will be no transboundary effects.
d) the intensity and complexity of the impact	Construction impacts will be temporary to short term, of low intensity and complexity. Operational impacts will be positive and not significant.
e) the probability of the impact	Temporary to short term construction impacts are likely, but will not be significant.
f) the expected onset, duration, frequency and reversibility of the impact	Construction impacts will be evident from commencement of the development, will last through the construction period (one year plus), will be frequent throughout this period and will not be reversible. Upon commencement of the operational phase of the development, impacts will be long term to permanent, non reversible and not significant.
g) the cumulation of the impact with the impact of other existing and/or development the subject of a consent for proposed development for the purposes of section 172(1A)(b) of the Act and/or development the subject of any development consent for the purposes of the Environmental Impact Assessment Directive by or under any other enactment	Having regard to the nature, scale and location of the proposed development, when considered in combination with other existing or permitted development, any cumulative effects will not be significant.
h) the possibility of effectively reducing the impact	Mitigation of construction impacts is set out in the <i>Outline Construction Environmental Management Plan</i> and in the <i>Preliminary Construction Management Plan including Traffic and Waste Management</i> .

Conclusion

The examination of the proposed development against the criteria set out at Schedule 7 of the Planning and Development Regulations, 2001, as amended, is set out in the table above. Other relevant assessments of the effects on the environment of the proposed development have also been taken into account (Appendix I to this report).

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 relevant reports including, in particular, the *Conservation Report* by Paul Keogh Architects, the *Outline Construction Environmental Management Plan*, by Altemar, and the *Preliminary Construction Management Plan including Traffic and Waste Management*, that the proposed development, 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, it is considered that an Environmental Impact Assessment is not required.

Appendix I : Other Relevant Assessments

Other Relevant Assessments Taken into Account in EIA Screening Report

Directive	Assessment carried out	Conclusion
Directive 92/43/EEC, The Habitats Directive	Screening report for AA (by Altemar) Bat Fauna Survey by Altemar.	Development would not be likely to adversely affect any Natura 2000 site. The site is of only limited biodiversity interest.
Directive 2000/60/EC, EU Water Framework Directive	EPA assessed the nearby Bracken 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 Strand complies with standard in 2022
Urban Waste Water Treatment Directive 91/271/EEC, as amended	Irish Water <i>Annual Environmental Report 2020</i> on Barnageeragh WwTP	Barnageeragh WwTP performing within its capacity
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 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 <i>Preliminary Construction Management Plan</i> and the CEMP, there will be no significant impacts on air quality.
Directive 2007/60/EC on the assessment and management of flood risks	Strategic Flood Risk Assessment by Fingal County Council, as set out in the Fingal County Development Plan, 2017-2023..	The development is not located in an area at risk of flooding.
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. The <i>Preliminary Construction Management Plan</i> addresses the question of demolition and construction waste.	Waste generated during demolition and construction works will be typical of small scale urban development, as set out in the <i>Preliminary Construction Management Plan including Traffic and Waste Management</i> by Hayes Higgins Partnership, Chartered Engineers.

Schedule 7 Criteria

CRITERIA FOR DETERMINING WHETHER DEVELOPMENT LISTED IN PART 2 OF SCHEDULE 5 SHOULD BE SUBJECT TO AN ENVIRONMENTAL IMPACT ASSESSMENT

1. *Characteristics of proposed development*

The characteristics of proposed development, in particular—

- (a) the size and design of the whole of the proposed development,
- (b) cumulation with other existing development and/or development the subject of a consent for proposed development for the purposes of section 172(1A)(b) of the Act and/or development the subject of any development consent for the purposes of the Environmental Impact Assessment Directive by or under any other enactment,
- (c) the nature of any associated demolition works,
- (d) the use of natural resources, in particular land, soil, water and biodiversity,
- (e) the production of waste,
- (f) pollution and nuisances,
- (g) the risk of major accidents, and/or disasters which are relevant to the project concerned, including those caused by climate change, in accordance with scientific knowledge, and
- (h) the risks to human health (for example, due to water contamination or air pollution).

2. *Location of proposed development*

The environmental sensitivity of geographical areas likely to be affected by the proposed development, with particular regard to—

- (d) the existing and approved land use,
- (e) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground,
- (c) the absorption capacity of the natural environment, paying particular attention to the following areas:
 - (i) wetlands, riparian areas, river mouths;
 - (ii) coastal zones and the marine environment;
 - (iii) mountain and forest areas;
 - (iv) nature reserves and parks;
 - (v) areas classified or protected under legislation, including Natura 2000 areas designated pursuant to the Habitats Directive and the Birds Directive and;
 - (vi) areas in which there has already been a failure to meet the environmental quality standards laid down in legislation of the European Union and relevant to the project, or in which it is considered that there is such a failure;
 - (vii) densely populated areas;
 - (viii) landscapes and sites of historical, cultural or archaeological significance.

3. *Types and characteristics of potential impacts*

The likely significant effects on the environment of proposed development in relation to criteria set out under paragraphs 1 and 2, with regard to the impact of the project on the factors specified in paragraph (b)(i)(I) to (V) of the definition of ‘environmental impact assessment report’ in section 171A of the Act, taking into account—

- a) the magnitude and spatial extent of the impact (for example, geographical area and size of the population likely to be affected),
- b) the nature of the impact,
- c) the transboundary nature of the impact,
- d) the intensity and complexity of the impact,
- e) the probability of the impact,
- f) the expected onset, duration, frequency and reversibility of the impact,
- g) the cumulation of the impact with the impact of other existing and/or development the subject of a consent for proposed development for the purposes of section 172(1A)(b) of the Act and/or development the subject of any development consent for the purposes of the Environmental Impact Assessment Directive by or under any other enactment, and
- h) the possibility of effectively reducing the impact.