



An
Bord
Pleanála

Inspector's Report

ABP-310145-21

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| Development | R132 Connectivity Project, to carry out road alteration works along the R132 at Swords, Co. Dublin |
| Location | Along existing R132 situated between Lissenhall Interchange and Pinnockhill Junction, to the east of Swords Town Centre, Co. Dublin |
| Local Authority | Fingal County Council |
| Type of Application | Application for approval made under Section 177(AE) of the Planning and Development Act, 2000 (local authority development requiring appropriate assessment) |
| Prescribed Bodies | <ol style="list-style-type: none">1. Department of Environment, Climate and Communications2. Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media |

Observer(s)

1. Ann McNamee
2. Bovale Developments Unlimited
Company
3. Brian Conway
4. Darren Core
5. Carol McNamee
6. Daniel McManus
7. Cllr. Darragh Butler & Cllr. Brigid
Manton
8. Fiona Derivan & Ben Goggins
9. Mary Collins
10. Michael McNamee
11. Sarah Lambert
12. Victor Byrne

Date of Site Inspection

3rd September 2021

Inspector

Donal Donnelly

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1.0 Introduction

- 1.1. Fingal County Council is seeking approval from An Bord Pleanála to undertake the R132 Connectivity Project comprising road alteration works along the R132 between Lissenhall Interchange and Pinnockhill Junction to the east of Swords town centre, Co. Dublin. The proposed development site is located in proximity to Malahide Estuary SAC and Malahide Estuary SPA which are designated European sites. There are several other designated European sites (SPAs and SACs) in proximity to the proposed works (see further analysis below). A Natura Impact Statement (NIS) and application under Section 177AE was lodged by the Local Authority on the basis of the proposed development's likely significant effect on a European site.
- 1.2. Section 177AE of the Planning and Development Act, 2000 (as amended) requires that where an appropriate assessment is required in respect of development by a local authority, the authority shall prepare a NIS and the development shall not be carried out unless the Board has approved the development with or without modifications. Furthermore, Section 177V of the Planning and Development Act, 2000 (as amended) requires that the appropriate assessment shall include a determination by the Board as to whether or not the proposed development would adversely affect the integrity of a European site. The appropriate assessment shall be carried out by the Board before consent is given for the proposed development.

2.0 Proposed Development

- 2.1. The proposed R132 Connectivity Project along a 2.6km section of the R132 between Lissenhall Interchange and Pinnockhill Junction includes the following works:
 - Conversion of Estuary, Seatown and Malahide Road roundabouts to signalised intersections with 'at-grade' pedestrian and cyclist crossing points,
 - Installation of signalised toucan crossings at 3 no. points along the R132,
 - Pedestrian linkages to Chapel Lane and Ashley Avenue at the proposed Chapel Lane toucan crossing,
 - Installation of 2 no. turning areas along the R132,

- Carriageway alterations including the establishment of 3m wide bus lanes, 2m wide cycleways and 2m wide pedestrian walkways along each side,
- Reconfiguration of the Drynam Road arm of the Malahide Road Roundabout to link directly to Malahide Road as a one-way road,
- Construction of new bus stops on Malahide Road.
- Installation of a sub-surface attenuation system and landscaping and other ancillary works.

2.2. It is stated in application documentation that the proposed development is an interim transitional solution and that more extensive upgrades between the junctions along the R132 are expected following construction of MetroLink. The proposal is considered to be a stepping stone to achieving the urbanisation of the route along the MetroLink corridor.

2.3. **Accompanying documents:**

- Public notices
- Planning Application Report
- NIS
- Environmental Report
- Letters to Prescribed Bodies
- Flood Risk Assessment
- Outline Construction Environmental Management Plan
- Traffic and Transport Assessment
- Road Safety Audit
- Infrastructure Design Report
- Arborist's Report
- Landscape drawings
- Planning drawings
- Non-Statutory Public Consultation Report

3.0 Site and Location

- 3.1. The subject site comprises a 2.6km section of the R132 Regional Route that forms the eastern bypass of Swords, Co. Dublin. The R132 was formerly the N1 National Primary Route and part of the main road between Dublin and Belfast. The section of the road the subject of the proposal was originally constructed as the Swords bypass in the 1980s and became a regional route at the time of the opening of the M1 motorway in 2003. The R132 currently extends from Dorset Street in Dublin city centre to the border with Co. Armagh where it becomes the B113. The character of the road varies along its 98km length.
- 3.2. The proposed development site extends north to south from a point approximately 450m north of Estuary Roundabout to a point immediately east of the Pinnockhill Roundabout. The site includes all of the R132 dual carriageway, roundabouts and central landscaped medians between these points. Seatown Road Roundabout and Malahide Road Roundabout are located between the Estuary and Pinnock Hill roundabouts. Malahide Road Roundabout is signalised.
- 3.3. The speed limit along the proposed development corridor is 80kph slowing to 60kph at roundabout approaches. There are 24 hour bus lanes on both of the road between Pinnock Hill and Malahide Road roundabouts. To the north of Malahide Road Roundabout there are hard shoulders on both sides with bus stops.
- 3.4. Footpaths are sporadic along the road corridor and informal pathways are worn into grass verges in places. Pedestrian overpasses occur to the south of Malahide Road Roundabout, between Chapel Lane and the Asley Estate, to the north of Seatown Road Roundabout and to the north of Estuary Roundabout. Street lighting is present along the length of proposed development road corridor. There are no dedicated facilities for cyclists.
 - 3.4.1. The road corridor is aligned on both sides by a mix of land use zonings. The eastern side is adjoined mainly by “ME” – Metro Economic Corridor and “HT” – High Technology zonings, with smaller areas of open space and residential land uses. To the east, the Pavilions shopping centre is zoned “MC” – Major Town Centre and there are also residential and open space zonings. St. Colmcille’s Boys’ and Girls’ National Schools are set back from the road corridor and are zoned “CI” –

Community Infrastructure. There are few connections to lands either side of the road corridor.

4.0 Planning History

An Bord Pleanála Ref: ABP-308366-20

- 4.1. Permission granted in February 2021 for a mixed-use development to the west of Pinnock Hill Roundabout comprising 278 no. apartments, a creche and retail unit. The proposal also includes the provision of a new link road from Forest Road to provide access to the proposed development and adjoining lands. The new link road will also include a pedestrian and cycle route to the Dublin Road/R132.

Fingal County Council Reg. Ref: F19A/0526 (ABP-306575-20)

- 4.2. Permission refused at Swords Business Campus to the north-west for additional temporary car parking spaces, to be removed upon Estuary MetroLink station becoming operational, to existing office campus consisting of 113 no. car spaces and associated circulation, entrances, exits, drainage and landscaping with an overall area of 0.3 hectares.
- 4.3. The reason for refusal referred to the contravention of Objective DM113 which seeks to limit the number of car parking spaces at places of work and education so as to minimise car borne commuting.

Fingal County Council Reg. Ref: F20A/0180

- 4.4. Permission granted in August 2020 for a temporary period of five years for continued use of the existing access and exit roadway off the western carriageway of the R132 regional route, south of the existing Malahide Road roundabout. The existing access road serves internal circulation and car parking areas within Swords Pavilions Shopping Centre.

Fingal County Council Reg. Ref: F08A/1057/E1

- 4.5. An extension of duration of permission was granted in January 2016 for the construction of Pavilions Phase 3, a mixed-use town centre development amounting to c.272,637 sq.m. total Gross Floor Area and accommodated in buildings ranging in height from 3 to 10 storeys over three levels of enclosed basement car parking, with an associated network of open, sheltered and enclosed streets and spaces.

- 4.6. Ongoing pre-application consultation into the proposed MetroLink for Swords-Airport-City Centre corridor which includes connection to the existing Luas Green Line

5.0 **Legislative and Policy Context**

- 5.1. **The EU Habitats Directive (92/43/EEC):** This Directive deals with the Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union. Article 6(3) and 6(4) requires an appropriate assessment of the likely significant effects of a proposed development on its own and in combination with other plans and projects which may have an effect on a European Site (SAC or SPA).

- 5.2. **Planning and Development Acts 2000 (as amended):** Part XAB of the Planning and Development Acts 2000-2017 sets out the requirements for the appropriate assessment of developments which could have an effect on a European site or its conservation objectives.

- 177(AE) sets out the requirements for the appropriate assessment of developments carried out by or on behalf of local authorities.
- Section 177(AE) (1) requires a local authority to prepare, or cause to be prepared, a Natura Impact Statement in respect of the proposed development.
- Section 177(AE) (2) states that a proposed development in respect of which an appropriate assessment is required shall not be carried out unless the Board has approved it with or without modifications.
- Section 177(AE) (3) states that where a Natura impact assessment has been prepared pursuant to subsection (1), the local authority shall apply to the Board for approval and the provisions of Part XAB shall apply to the carrying out of the appropriate assessment.
- Section 177(V) (3) states that a competent authority shall give consent for a proposed development only after having determined that the proposed development shall not adversely affect the integrity of a European site.

- Section 177AE (6) (a) states that before making a decision in respect of a proposed development, the Board shall consider the NIS, any submissions or observations received and any other information relating to:
 - The likely effects on the environment.
 - The likely consequences for the proper planning and sustainable development of the area.
 - The likely significant effects on a European site.

5.3. **National nature conservation designations:** The Department of Culture, Heritage and the Gaeltacht and the National Parks and Wildlife Service are responsible for the designation of conservation sites throughout the country. The three main types of designation are Natural Heritage Areas (NHA), Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) and the latter two form part of the European Natura 2000 Network.

5.4. European sites located in proximity to the subject site include:

- Malahide Estuary SAC (Site code: 000205)
- Malahide Estuary SPA (Site code: 004025)

5.5. **Climate Action Plan, 2019**

5.5.1. This plan puts in place a decarbonisation pathway to 2030 consistent with reaching the EU target of net zero emissions by 2050. Transport measures that are required to deliver these targets include modal shift away from private car, conversion of public vehicles, incentives and regulation, and alternative fuels. Modal shift measures will include implementation of major sustainable-mobility projects, e.g. MetroLink and BusConnects; expansion of sustainable-travel measures (walking and cycling); promotion of compact growth; and greater land use and transportation integration.

5.6. **National Planning Framework, 2018**

5.6.1. The National Planning Framework provides policies, actions and investment to deliver 10 National Strategic Outcomes and priorities of the National Development Plan. These include compact growth, enhanced regional accessibility, sustainable

mobility and transition to a low carbon and climate resilient society. Compact growth can be delivered by improving 'liveability' and quality of life, enabling greater densities, and ensuring transition to more sustainable modes of travel.

5.6.2. Enhanced regional accessibility will be achieved by improving connectivity between centres of population of scale. In particular, more effective traffic management within and around cities and re-allocation of inner-city road space in favour of bus based public transport and walking/ cycling facilities should be enabled.

5.6.3. It is recognised with respect to sustainable mobility that Dublin and other cities and major urban areas are too heavily dependent on road and private, mainly car-based transport, with the result that our roads are becoming more and more congested. The NPF will therefore encourage the expansion of attractive public transport alternatives to car transport to reduce congestion and emissions and enable the transport sector to cater for the demands associated with longer term population and employment growth in a sustainable manner. The development of a comprehensive network of safe cycling routes in metropolitan areas will be sought to address travel needs.

5.6.4. The following national policy objectives are also of relevance to the proposed R132 Connectivity Project:

National Policy Objective 27:

Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments and integrating physical activity facilities for all ages.

National Planning Objective 54:

Reduce our carbon footprint by integrating climate action into the planning system in support of national targets for climate policy mitigation and adaptation objectives, as well as targets for greenhouse gas emissions reductions.

National Policy Objective 64:

Improve air quality and help prevent people being exposed to unacceptable levels of pollution in our urban and rural areas through integrated land use

and spatial planning that supports public transport, walking and cycling as more favourable modes of transport to the private car, the promotion of energy efficient buildings and homes, heating systems with zero local emissions, green infrastructure planning and innovative design solutions.

5.7. Eastern & Midlands Regional Spatial & Economic Strategy, 2019-2031

- 5.7.1. The RSES provides a spatial strategy, economic strategy, metropolitan plan, investment framework and climate action strategy to support the implementation of Project Ireland 2040 and the economic policies and objectives of the Government by providing a long-term strategic planning and economic framework for the development of the Region.
- 5.7.2. This strategy sets out 16 Regional Strategic Outcomes aligned to the three key principles of healthy placemaking, economic opportunity and climate action. The following Regional Policy Objectives are relevant to the proposal:
- RPO 4.28 – Support the continued development of Swords as a vibrant Key Town with a thriving economy; an integrated public transport network; an attractive and highly accessible built environment.
 - RPO 4.32 – Encourage transition towards sustainable and low carbon transport modes in Swords through the provision of high quality walking and cycling permeability offering direct routes to local destination and public transportation hubs.
 - RPO 5.2 – Support the delivery of key sustainable transport projects including MetroLink, DART and Luas expansion programmes, BusConnects and the Greater Dublin Metropolitan Cycle Network and ensure that future development maximises the efficiency and protects the strategic capacity of the metropolitan area transport network, existing and planned.
 - RPO 5.3 – Future development in the Dublin Metropolitan Area shall be planned and designed in a manner that facilitates sustainable travel patterns, with a particular focus on increasing the share of active modes (walking and cycling) and public transport use and creating a safe attractive street environment for pedestrians and cyclists.

5.8. Transport Strategy for the Greater Dublin Area 2016-2035

- 5.8.1. The purpose of this strategy is *“to contribute to the economic, social and cultural progress of the Greater Dublin Area by providing for the efficient, effective and sustainable movement of people and goods.”* The Strategy sets out the necessary transport provision for the region up to 2035 with particular emphasis on reduced car modal share.
- 5.8.2. The proposed development site is located within Corridor A - Drogheda to Dublin City Centre within the Strategy, which also forms part of the Belfast to Dublin economic corridor. Corridor A will experience significant development and associated growth in travel demand into the future. To accommodate this growth, several measures are proposed including increased capacity on the northern rail line, a new Metro North, a Bus Rapid Transit type service and a distributor road around the western side of Swords.
- 5.8.3. At a local level, the Strategy proposes significant improvements to the walking and cycling network that will include implementation of the GDA Cycle Network Plan, improvements to pedestrian crossings and footpaths, cycle parking, improved permeability in existing urban areas, and reduction in congestion through encouragement of other modes for discretionary trips. The Strategy addresses other matters relating to transport which relate to the proposed development, such as interchange optimisation, land use integration, behavioural change and environmental protection and management.
- 5.8.4. The final chapter presents a summary of the transport requirements for the GDA to meet travel demand. For Corridor A, a growth of travel demand of 27% up to 2035 is forecasted and it is recognised that the bulk of the increase in travel demand will be catered for by non-car modes. The implementation of the Strategy will reduce the proportion of car trips during the AM peak from 60% in 2011 to 51% in 2035. Overall car use will nevertheless continue to rise, albeit by a small amount. Implementation of the Strategy will also see improvements in travel times by public transport to the city centre by 2035.

5.9. Design Manual for Urban Roads and Streets

5.9.1. It is recognised in these guidelines that the highly segregated design of distributor roads presents a major barrier that creates severance between adjoining communities, enforced by continuous walls and fences put in place to prevent pedestrian access and fast moving/ free flowing traffic.

5.10. National Cycle Manual

5.10.1. This manual seeks to embrace the principles of sustainable safety by offering guidance on integrating the bicycle in the design of urban areas. The five needs of cyclists are identified as being road safety, coherence, directness, attractiveness and comfort.

5.11. Fingal Development Plan, 2017-2023

5.11.1. There are specific objectives pertaining to the proposed development site within the Development Plan. The indicative route for the new Metro North is illustrated along this section of the R132 with Metro stops shown at Fosterstown to the south; between the Pinnock Hill and Malahide Road roundabouts (Swords); and between the Malahide Road and Seatown Road Roundabouts (Seatown).

5.11.2. There are a number of Indicative Cycle/ Pedestrian Routes that transect the proposed development corridor at Estuary Roundabout, Seatown Road Roundabout, and at the location of the footbridge between Seatown Road and Malahide Road roundabouts. Indicative Cycle/ Pedestrian Routes are shown on the approaches to Pinnock Hill Roundabout from three directions. Quality Bus Corridor designations are included on the southbound approach to Estuary Roundabout, between Estuary Roundabout and Seatown Road Roundabout on both sides, and on the northern arm (Dublin Road) of the Pinnock Hill Road Roundabout.

5.11.3. The R132 is aligned on both sides by a mix of land use zonings along the length of the proposed development corridor. The eastern side is adjoined mainly by “ME” – Metro Economic Corridor, “HT” – High Technology zonings, with smaller areas of open space and residential land uses. To the east, the Pavilions shopping centre is zoned “MC” – Major Town Centre and there are also residential and open space zonings. St. Colmcille’s Boys’ and Girls’ National Schools are set back from the road corridor and are zoned “CI” – Community Infrastructure.

5.11.4. It is recognised in Chapter 7: Movement and Infrastructure that while walking, cycling and public transport are the most sustainable modes of transport, some essential travel will continue to be made by cars and goods vehicles. This chapter also highlights that walking and cycling are the most efficient modes of travel in terms of use of road-space, and the most sustainable in terms of environmental impacts. The following objectives are outlined with respect to walking and cycling:

- Objective MT13 - Promote walking and cycling as efficient, healthy, and environmentally friendly modes of transport by securing the development of a network of direct, comfortable, convenient and safe cycle routes and footpaths, particularly in urban areas.
- Objective MT15 - Investigate and avail of the opportunities provided by new Metro North and any other public transport infrastructure to provide new cycle and pedestrian links including crossings of the M50 which currently represents a major barrier to active transport modes.
- Objective MT17 - Improve pedestrian and cycle connectivity to schools and third level colleges and identify and minimise barriers to children walking and cycling to primary and secondary schools.
- Objective MT19 - Design roads and promote the design of roads, including cycle infrastructure, in line with the Principles of Sustainable Safety in a manner consistent with the National Cycle Manual and the Design Manual for Urban Roads and Streets.
- Objective MT20 - Investigate the use of demand management measures to improve the attractiveness of urban centres for cyclists (and public transport users).
- Objective MT22 - Improve pedestrian and cycle connectivity to stations and other public transport interchanges.
- Objective MT37 - Implement traffic calming on particular roads and in appropriate areas of the County, especially residential areas, to reduce vehicle speeds in the interests of road safety and residential amenity. Ensure that where appropriate, traffic calming is included as a pre-condition as part of the development of all new estates or extensions to existing estates.

- Objective MT40 - Implement a programme of road construction and improvement works closely integrated with existing and planned land uses, taking into account both car and non-car modes of transport whilst promoting road safety as a high priority. Major road construction and improvement works will include an appraisal of environmental impacts.

5.12. Swords Masterplans, 2019

5.12.1. Masterplans have been prepared for Barrysparks & Crowcastle, Fosterstown and Estuary West. Barrysparks & Crowcastle is situated immediately to the south of the proposed development site. Fosterstown is to the south-west of Pinnock Hill Roundabout and Estuary West is further to the north-west. It is noted that the Barrysparks & Crowcastle lands could support 16,000 to 17,000 jobs, with Fosterstown playing a complementary role by providing accommodation.

5.12.2. Key principles are set out for the masterplan lands as a growing place, a connected place, a green place and a place for people. The key principles for a connected place are as follows:

- Ensure that the Masterplan lands are highly accessible and contribute to the efficient movement of vehicles in the locality and the Swords area more broadly.
- Facilitate safe pedestrian/ cyclist access from and through the Masterplan lands to the proposed MetroLink stations.
- Reduce the need to undertake local car-based journeys through the provision of a high-quality walking and cycling network both within and surrounding the Masterplan lands.
- Improve opportunities for off-road movements by providing green routes through Masterplan lands.
- Support the role and function of Swords Main Street by ensuring a high level of pedestrian and cyclist connectivity from the Masterplan lands.
- Ensure that the Masterplan lands are adequately serviced by both car and cycle parking.

6.0 The Natura Impact Statement

- 6.1.1. The application was accompanied by a Natura Impact Statement for the proposed R132 Connectivity Project dated April 2021. An Appropriate Assessment Screening Report was also prepared in November 2020. Other documents that accompany the planning application include an EIA Screening Report, an Environmental Report, Flood Risk Assessment, Outline Construction Environmental Management Plan, Traffic and Transport Assessment, Infrastructure Design Report and planning and landscape drawings.
- 6.1.2. In general, I am satisfied that the NIS for the proposed road alteration works adequately describes the proposed development, the project site and the surrounding area. The Stage 1 Screening concluded that a Stage 2 Appropriate Assessment (NIS) was required. The NIS outlined the methodology used for assessing potential impacts on the habitats and species within the European Sites that have the potential to be affected by the proposed development. It predicted the potential impacts for the site and its conservation objectives, suggested mitigation measures, assessed in-combination effects with other plans and projects and identified any residual effects on the European sites and their conservation objectives.
- 6.1.3. The NIS was informed by the following studies, surveys and consultations:
- Desk review including the following:
 - NPWS Site Synopses
 - Natura 2000 Standard Data Forms
 - Conservation Objectives and supporting documents
 - Consultation with NPWS and EPA publicly available sources
 - Consultation with National Biodiversity Data Centre online database
 - Classification of habitat in accordance with Fossitt (2000)
 - Site walk over survey (January 2020)
- 6.1.4. The conclusion reached in the NIS is that the proposed project would have the potential to result in adverse effects to the integrity of the Malahide Estuary SAC and

the Malahide Estuary SPA. However, with implementation of mitigation measures, it is considered, that the project will not give rise to any effects on the ecological integrity of any European sites, alone or in combination with other plans or projects, in light of the conservation objectives of the sites.

- 6.1.5. Having regard to the nature of the proposed development and the comprehensive desk study and walkover survey carried out on site, and having reviewed the NIS and the supporting documentation, I am satisfied that it provides adequate information in respect of the baseline conditions, clearly identifies the potential impacts, and uses best scientific information and knowledge. Details of mitigation measures are provided, and they are summarised in the NIS. I am satisfied that the information is sufficient to allow for appropriate assessment of the proposed development (see further analysis below).

7.0 Consultations

- 7.1. The application was circulated to the following bodies:

- An Taise
- Córas Iompair Éireann
- Heritage Council
- Minister of Environment, Climate and Communications
- Minister of Housing, Local Government and Heritage
- National Transport Authority
- Transport Infrastructure Ireland

- 7.2. The following responses were received by the Board:

7.3. Department of Environment, Climate and Communications:

- 7.3.1. It is requested by the Waste Policy and Resource Efficiency Division of the Department that the Local Authority consult directly with the respective Regional Waste Management Planning Office regarding development of the final plans.

7.4. Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media:

7.4.1. The following archaeological observations/ recommendations of the Development Applications Unit were received:

- Condition should be attached to any grant of permission requiring the applicant to employ a qualified archaeologist to identify all groundworks that require archaeological monitoring.
- Should archaeological material be found, archaeologist may have work stopped and developer shall carry out the necessary mitigation/ recording.
- Planning Authority and Department shall be furnished with a report describing results of monitoring.

7.5. Public Submissions:

7.5.1. A total of 12 public submissions were received by the Board on the application. The main points raised in these submissions are summarised as follows:

Ann McNamee, An Sean Ti, Drynam Road

- Not in favour of closing Drynam Road – preferred option would be to turn left at new junction, which would be most efficient for residents of this road.
- Narrowing of R132 to one lane for cars is too restrictive due to the volume of traffic, which moves very well at present.
- Narrowing of lanes and reduction of speed to 50kph would destroy the route.

Bovale Developments Unlimited Company

- Generally supportive of any transport infrastructure that facilitates and promotes the orderly and sustainable development of observer's landholdings at Barrysparks.
- Observer is in ongoing and active engagement with TII on the proposed Metro scheme to ensure the development of the lands is appropriately integrated with this scheme and by extension the R132 Connectively Project.
- Proposed R132 Connectivity Project is not detailed enough to give sufficient comfort to the observer that the scheme fully accommodates the development of the Barrysparks lands.

- Board should seek additional clarification from the applicant to ensure that the proposal has appropriate regard to the development of Barrysparks lands in accordance with the approved masterplan.
- R132 Connectivity Project is not sufficiently clear that the proposed scheme can readily accommodate the proposed access points to the masterplan lands as shown within the Transport and Accessibility Strategy of the masterplan.
- Assurances sought that the proposed signalised access off the R132 to the masterplan lands has been tested and allowed for in the proposed scheme; that the proposed left in/ left out access off the R132 can be readily accommodated; and that the proposed link to Drynam Road is appropriately designed and can be accommodated without major design changes or recourse to third party lands.
- The following condition is suggested to be attached to any grant of permission: *“The applicant will ensure that the proposed R132 Connectivity Project is appropriately designed to both provide for and to facilitate the proposed accesses to Barrysparks and Crowcastle lands in accordance with the approved masterplan and to incorporate same in final designs of the overall scheme.”*

Brian Conway, Brides Glen Park

- Provision is being made for bus lanes, cycle lanes, pedestrian walkways and private vehicular traffic but no provision is being made for Metro.
- There is no logic in investing in this road layout out when it may need to be ripped up again for Metro.
- Plans show no reference to Metro and how it is going to fit into the road layout.

Darren Core, Hawthorn Park

- Proposal is a hurried, pushed-through plan based on hypothetical public transport facilities.

- Basis of proposals stems from drive towards reducing/ eliminating vehicular transport and replacing it with other means such as walking and cycling.
- Concept of full bus lane between Pinnock Hill Estuary roundabouts is absurd – 41 bus only uses one 6th of the route and Swords Express does not use its full length.
- Only logical rationale is for a bus lane during peak hours (07:30-09:30 & 16:30-18:30).
- Premise of future BusConnects and MetroLink remain aspirational, and proposal seeks to push through drastic changes as though these plans are already operational.
- Pavilions and Airside retail hubs could be considerably affected by dramatic traffic restrictions. People tend to travel to these places for heavy duty items.
- References to Barrysparks/ Crowcastle in context of masterplan are minimal.
- Malahide Road is in need of significant works to ensure safe passageway for walking and Forest Road remains pedestrian/ cyclist unfriendly. Hearse Road is also extremely cyclist unfriendly. There are too many parts around the edges that are not fit for purpose.
- Were these plans to be hastily implemented, there would be a severe knock-on effect on areas west of the R132, as traffic would inevitably spill over to R108, Forest Road, Dublin Road, etc.
- Foot traffic at R132 is predominately west-east, east-west and there would likely be very little uptake of walking in the late evening given that this area is so removed/ secluded from estates, etc.
- Cyclists should receive filter lights at junctions to enable more time to move away. At Malahide Road Roundabout, cyclists should be given a green light for 10 seconds to enable them to proceed ahead of vehicles.
- Hard shoulder operates fine as-is – as with walking, this section of road will not be overly popular from a cycling perspective.

- Location of proposed toucan crossing to north of Pinnock Hill Roundabout does not make particular sense and would be dangerous in such close proximity to the roundabout. Footbridge should be built.
- Large grass verge approaching Pinnock Hill roundabout southbound and other areas should be converted to a full concrete pavement.
- There is no indication as to how vehicles would enter the Pavilions at the left turn-off shortly before the footbridge/ bus-stop, nor how buses would pull-in just after – there would have to be a crossover with pedestrians/ cyclists.
- Treatment of Drynam exit would have a considerable negative impact on residents of this and surrounding areas. Left-only amber filter light exit could be maintained.
- Not clear why toucan is needed underneath footbridge between Malahide Roundabout and Seatown Roundabout.
- Earlier exit could be created through Council car-park towards Seatown Villas and the back of St. Column's School and a cycle track could easily be accommodated in this area.
- There is considerably greater need for inadequate, dangerous and insufficiently tended roads, footpaths and occasional cycle lanes along a number of key routes to be addressed.

Carol McNamee, Drynam Road

- No benefit to residents to close off Drynam Road – traffic has already been reduced over the years as most cars would take the parallel Malahide Road.
- 50km/h speed limit between Pinnock Hill and Lissenhall would be too slow – this is a dual carriageway road with enough space for cars. Would only serve as a speeding ticket trap.
- Roundabouts are well signposted, and observer is not aware of any routine accidents happening from speed between these.

Daniel McManus, Foxwood

- Boundary wall removal between Foxwood and roundabout - there is nothing in the plans to close the newly created gap allowing access to Foxwood.
- Object to any pedestrian access to Foxwood especially since this wasn't mentioned in the proposal.
- Concerns regarding how close the new road will be to the rear of No. 1 Foxwood.
- Most significant noise and vibrations at observer's property are from Malahide Road – noise locations surveyed are not sufficient to address concerns of residents along the R132.
- Board should consider distance of proposed road from houses in Foxwood and / or possible speed humps or other restrictions to reduce noise impact.

Cllr. Darragh Butler & Cllr. Brigid Manton, C/O Highfield Close

- Concerns regarding vehicular capacity on R132 being reduced when there is nowhere else for it to go.
- R132 is a major traffic artery that gets traffic moving around and out of Swords, it is not an urban road – dramatic reduction in capacity would have a damning impact on Swords, in particular the parts to the west of the R132.
- Proposal is looking at the R132 in isolation and not taking account of the wider role of the road.
- Observers not optimistic that the Swords Western Distributor Road will not be delivered anytime soon, certainly not in time to provide the relief required to allow these proposals to proceed.
- It must be possible to come up with solutions that whilst accommodating MetroLink, pedestrians and cyclists, must also be able to better accommodate the motorist.
- Volume of cars will not be able to reduce enough for this proposal to be successful.
- R132 operates very effectively at the moment.

- Crossing point at Pinnock Hill Roundabout is badly needed and most welcome.
- Signalising Seatown Road and Malahide Road roundabouts is where the bulk of the problems from these proposals are going to come from.
- Left hand turn slip-lanes lanes with flashing amber lights would be an improvement and a welcome compromise. Slip-off pathways would also be better and safer for pedestrians.
- 50 kph speed limit is way too slow for this road – road needs to retain two traffic lanes and speed limit should not be less than 60 kph.
- Residents from Estuary Court, Chapel Lane and Ashley have expressed concerns regarding removal of pedestrian bridge from Chapel Lane to Ashley (as part of MetroLink), which is being replaced with pedestrian lights.
- Addition of a safe crossing point between Pinnock Hill and Malahide Roundabouts is most welcome. Reducing the number of car lanes from two to one is not welcome.
- Safer footpaths around Drynam Road, Mountgorry Way and Malahide Road needs to be prioritised ahead of these proposals.
- If proposals were to proceed, traffic lights will be required at Mountgorry junction. Malahide Road from the M1 over-pass to the R132 is not up to standard and the estates along Drynam Road and Malahide Road have long been used as car parks.
- Signalised junction at the Malahide Road roundabout could work as long as there are left hand turn slip roads, in particular coming from Swords and the Pavilions. Cannot have traffic going three ways to be built up behind one or two exit lanes – need to find space to make sure that all three can be delivered.
- Introducing signals at Seatown and Estuary Roundabouts will dramatically slow down traffic around Swords and exiting Swords. Left hand slip lanes must be considered and actual necessity of bus lanes along this stretch

should also be considered. Cycle lanes would be useful along this stretch to get children safely to/ from Balheary and Fingallians.

- There will be no children cycling along the Estuary Roundabout to Lissenhall/ M1 as there is nowhere for them to go. Pedestrians and cyclists would be much safer within park walls, thereby retaining two lanes (of traffic) north of Estuary Roundabout.
- Biggest potential backlog would be at the Oldtown lands to R132 junction. At the very least, left hand slip lanes should be installed.
- To alleviate traffic volumes in Swords and the R132, extra entrance points need to be considered onto the M1 at Holywell heading north and Waterside heading south (north also if possible).
- Safe walking/ cycling routes should be prioritised to Swords Celtic F.C., together with a river crossing point next to Broadmeadow River/ Balheary Road Bridge.
- Without SWDR, action would need to be taken to prevent Balheary Road and Ennis Lane becoming a rat-run to gain access to R132 north of these proposals.

Fiona Derivan & Ben Goggins, Drynam Road

- Generally welcome proposed changes to R132, particularly the removal of Malahide Road Roundabout.
- Appears that there is a left turn only onto Malahide Road at the top of Drynam Road and this prevents traffic turning right towards Malahide.
- Traffic must cross three lanes as they pull out onto Malahide Road in order to turn right to proceed along the R132 where they must turn right at Seatown Junction and use Estuary Road to get to Malahide – this is very inconvenient for residents who work in Malahide.
- As Drynam Road would be one-way, at the Mountgorry end it would prevent access to schools and shops in Kinsealy – residents would have to travel along the R132 towards Pinnock Hill turning left at the proposed junction and travelling the R125. This would be inconvenient for residents in a busy area.

Mary Collins, Brownstown

- Proposed works will cause traffic jams from the junction of Pinnock Hill Roundabout to Seatown Roundabout.
- This section of road is extremely busy at all times during the day and reduction of a lane for cars is ludicrous.

Michael McNamee

- Objects to the closure of Drynam Road as it would create an impediment to traffic flow on this road and increase congestion on Malahide Road. Compulsory left turn at roundabout would be acceptable.
- 50kph speed limit between Pinnock Hill and Estuary Roundabout would cause severe snarl ups at busy times.

Sarah Lambert, Chapel Lane

- There is a pedestrian bridge opposite observer's house to Ashley estate and it looks as if there is going to be a pedestrian link across the main road – safety measures will need to be put in place to stop children from running directly out onto this busy road.

Victor Byrne, Drynam Road

- Objects to closure of Drynam Road at the R132 intersection as it would cause congestion on other roads and take too long to get to the Pavilions and elsewhere.
- Reduction in speed limit would cause serious traffic delays.

8.0 **Assessment**

8.1. **The likely consequences for the proper planning and sustainable development of the area:**

- 8.1.1. The proposed R132 Connectivity Project will involve the alteration and reallocation of road space along a 2.6km stretch of a regional route that originally functioned as a bypass of Swords and main road between Dublin and Belfast. The purpose of the proposal is to change the nature and character of the road from a fast-moving

distributor road to one that operates as an urban street with greater priority, connections and comfort for pedestrians and cyclists.

- 8.1.2. The main element of the R132 Connectivity Project will be the reduction of the dual carriageway in both directions to single carriageway and the installation of protected cycle lanes and footpaths within the space vacated by one of the general traffic lanes. The existing bus lane will be relocated to the traffic slow lane and the cycle and pedestrian routes will occupy the route of the existing bus lane. In addition, the existing Malahide Road Roundabout, Seatown Road Roundabout and Estuary Roundabout will be converted to signalised junctions and toucan crossings will be installed at three points along the route.

National Policy

- 8.1.3. **The National Planning Framework** outlines a set of goals expressed as ten National Strategic Outcomes to deliver shared benefits for communities across the country. Of relevance to the proposed R132 Connectivity Project are three National Strategic Outcomes relating to compact growth, sustainable mobility and transition to a low carbon and climate resilient society.
- 8.1.4. Compact growth should achieve greater density of development and improved liveability and quality of life. A transition to more sustainable modes of travel should also be facilitated through reduced dependency on road and private, mainly car based, transport, the expansion of attractive public transport alternatives and the development of safe cycle and walking routes. The net effect of compact growth and sustainable mobility will contribute towards the third relevant goal of the National Planning Framework, which is lower carbon and climate resilience.
- 8.1.5. I would be of the opinion that the proposed road alteration scheme can be interpreted as a wider integrated land use and transportation plan that will facilitate direct linkages to adjoining masterplan lands and allow opportunities for adjoining residential areas, schools, employment and retail centres to become better connected and integrated into this location. The redefinition of the road will help to address the issue of severance that has long been experienced in this area, particularly for those residing/ working to the east. The overall benefit will largely be local in nature with the added potential for greater ease of access to existing and future public transport networks to facilitate improved regional accessibility.

- 8.1.6. Having regard to the above, I consider that a change in function of this section of road will contribute towards National Policy Objective 4, which seeks to “*ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being*”; National Policy Objective 27 which aims to “*ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages*”; and National Planning Objective 54, which targets a “*reduction in carbon footprint by integrating climate action into the planning system in support of national targets for climate policy mitigation and adaptation objectives, as well as targets for greenhouse gas emissions reductions.*”
- 8.1.7. The **Eastern and Midland Regional Spatial & Economic Strategy (RSES)** sets out 16 Regional Strategic Outcomes aligned to the three key principles of healthy placemaking, economic opportunity and climate action. As part of the RSES, the Metropolitan Area Strategic Plan (MASP) provides an integrated land use and transportation strategy for the metropolitan area. It is a regional policy objective for the MASP (RPO 5.3) that “*future development in the Dublin Metropolitan Area shall be planned and designed in a manner that facilitates sustainable travel patterns, with a particular focus on increasing the share of active modes (walking and cycling) and public transport use and creating a safe attractive street environment for pedestrians and cyclists.*”
- 8.1.8. Chapter 8: Connectivity also includes a number of guiding principles on the integration of land use and transportation. It is recognised that “*the management of space in town and village centres should deliver a high level of priority and permeability for walking, cycling and public transport modes to create accessible, attractive, vibrant and safe, places to work, live, shop and engage in community life. Accessibility by car does need to be provided for, but in a manner, which complements the alternative available modes. Local traffic management and the location / management of destination car parking should be carefully provided.*”
- 8.1.9. The RSES promotes a shift in emphasis from providing road infrastructure in advance of development to a more integrated approach whereby street environments are designed as places that allow for priority and permeability for

active and sustainable transport modes. It is also noteworthy that the RSES is one of the most recently published policy documents applicable to the proposed development and it is recognised that a reduction in car dependency and electrification of the national car fleet are both required to lower energy consumption, CO₂ levels and pollutant emissions.

- 8.1.10. Any proposal to alter road infrastructure along this section of the R132 must be designed with the principle aim of reducing car dependency from the traditional suburban distributor road approach. Sustainable place-making and the creation of safe and vibrant streets can only be achieved by reducing car dominance and by providing an environment where local journeys are appealing by sustainable modes.

County Wide Policy

- 8.1.11. It is a strategic vision of the **Fingal County Development Plan, 2017-2023** to consolidate urban areas to provide vibrant, attractive environments for living and working, and for facilitating the efficient movement by sustainable modes of transport throughout the County. It is also recognised in the Development Plan that walking and cycling are the most efficient modes of travel in terms of use of road-space, and the most sustainable in terms of environmental impacts.
- 8.1.12. There are a number of objectives in the Development Plan that support the promotion of walking and cycling. Objective MT13 seeks to *“promote walking and cycling as efficient, healthy, and environmentally-friendly modes of transport by securing the development of a network of direct, comfortable, convenient and safe cycle routes and footpaths, particularly in urban areas.”* Objective MT15 looks to investigate and avail of the opportunities provided by Metro North and other public transport infrastructure to provide new cycle and pedestrian links, and Objective MT17 aims to improve pedestrian and cycle connectivity to schools. The improvement of pedestrian and cycle connectivity to public transport is encouraged under Objective MT22 and the implementation of traffic calming to reduce vehicular speeds is sought under Objective MT57.
- 8.1.13. I would be satisfied that the proposed development complies with the above objectives by providing better pedestrian and cyclist connectivity to existing bus stops, future BusConnects routes and to the proposed Metro stops at Fosterstown, Swords and Seatown. Having regard to the route that the Metro is proposed to take

at this location, I consider it critical that improved connections and linkages are created for sustainable modes in advance of the roll out of major public transport infrastructure affecting this area. I noted from my site visit the difficulties experienced by existing public transport users evidenced by worn pathways along grass verges to existing bus stops along both sides of the R132. It is also noteworthy that there are existing schools adjoining the site that will benefit from improved access and opportunities for pupils and staff to cycle and walk. Furthermore, the proposal will link with a number designated primary and secondary routes shown on the Cycle Network Plan for the Greater Dublin Area, as well as several cycle feeder routes and greenways.

- 8.1.14. It is proposed to reduce the speed limit along the proposed development corridor from 80kph to 50kph and this is in accordance with Development Plan objectives to introduce traffic calming in the interests of road safety and amenity. I would be concerned, however, that the proposed development lacks detail in this regard. This issue is addressed in more detail under Section 8.2.21 below.

Local Policy

- 8.1.15. The **Swords Masterplans, 2019** includes separate masterplans for lands adjacent to the proposed development site at Barrysparks & Crowcastle and Fosterstown. The Barrysparks & Crowcastle lands are located to the south of the R132 between the Pinnock Hill Roundabout and Malahide Road Roundabout. The site extends over an area of 34.65 hectares and includes Metro Economic (ME) and High Technology (HT) zonings.
- 8.1.16. The vision for these lands is to create a unique business campus with complementary residential development and strong connections to Metrolink and BusConnects. The frontage along the R132 is shown to include a full signalised junction, the Metro stop, a new pedestrian bridge over the R132, a civic square (set back), a left in left out access, and a hotel. It is stated that there is potential for landmark buildings along the R132 and pedestrian and cyclist connections to the Metro station and Swords Main Street. A central north-south green corridor encompassing pedestrian and cyclist infrastructure is proposed through the site. It is also stated that appropriate pedestrian and cycle crossings at ground level across the R132 should be provided as part of (a) the upgrade of the Malahide Road

roundabout to a signalised junction and (b) as part of a future shared access between the Masterplan lands and the Pavilions Centre.

- 8.1.17. The landholder at Barrysparks has submitted observations generally in support of any transport infrastructure that facilitates and promotes the orderly and sustainable development of these lands. However, it is considered that the proposed R132 Connectivity Project is not detailed enough to ensure that the proposed scheme can readily accommodate the proposed access points to the masterplan lands as shown within the Transport and Accessibility Strategy of the masterplan. It is recommended that a condition should be attached to any grant of permission stating that R132 Connectivity Project is appropriately designed to both provide for and facilitate the proposed accesses to Barrysparks and Crowcastle lands in accordance with the approved masterplan and to incorporate same in final designs of the overall scheme. I consider that an appropriately worded condition reflecting this can be attached if the Board decides to grant permission for the proposal.
- 8.1.18. The other masterplan lands affected by the proposed development site at Fosterstown to the south-west of Pinnock Hill Roundabout measures c. 13.14 hectares. The larger part of the site to the south is zoned as Residential (RA) with an area to the north zoned Major Town Centre (MC). The vision for the Fosterstown lands is to create a residential community that is mixed and balanced and forms a clear nexus with the scale of commercial development anticipated on the nearby Barrysparks & Crowcastle area. It is also noted that new connections can be utilised that will emerge via the MetroLink station and core bus corridor on the R132. A school is proposed within these lands with a “greenroute” continuing towards Pinnock Hill Roundabout. A west-east primary avenue with cycle paths (Fosterstown Link Road) will also continue towards the roundabout. It is noted that Pinnock Hill Roundabout will be upgraded to a signalised junction to accommodate existing/future traffic, the core bus corridor and pedestrian/cyclist facilities.
- 8.1.19. In general, the proposed R132 Connectivity Project will be a critical component of the masterplan development, in particular through the provision of better access to public transport and high-quality pedestrian and cycle connections between both land parcels. As noted above, there will be a degree of synergy between both land parcels, and it can be expected that there will be high interconnection. This will have the added benefit of providing increased animation and pedestrian/ cyclist activity

along the R132, thereby helping to redefine its character. A redefinition in character of this road is essential in advance of the roll out of MetroLink and BusConnects to encourage ease of access and better integration between transport modes.

8.1.20. In terms of overall compliance with the proper planning and sustainable development of the area, I would be satisfied that that the proposed development is acceptable in principle and follows the consistent message throughout all levels of policy that there must be a transition to a low carbon and climate resilient society. This requires a reduction in car dependency to contribute towards lower energy consumption, CO₂ levels and pollutant emissions. Sustainable mobility, compact growth and land use and transportation integration are essential for the creation of sustainable communities that minimise private car use, prioritise cycling, walking and public transport and promote the efficient use of land. It is also recognised that some essential travel will continue to be made by cars and goods vehicles and in this regard the proposal maintains two-way vehicular access along the R132. However, as the population grows, it is critical that walking and cycling are brought forward as the efficient modes of travel in terms of use of road-space and environmental impacts.

8.2. **The likely effects on the environment:**

8.2.1. Having regard to the nature and scale of the proposed development, I consider that the main environmental effects to be assessed, other than those covered under the Appropriate Assessment, are as follows:

- EIA Screening
- Traffic and Transport
- Population and Human Health
- Biodiversity
- Air quality
- Noise & Vibration
- Land, Soils, Geology, Hydrology and Hydrogeology
- Landscape & Visual

- Cultural Heritage

EIA Screening

- 8.2.2. The proposed development described as road alteration works along the R132 Regional Route is not of a development type for the purposes of Part 10 listed in Schedule 5 of the Planning and Development Regulations, 2001 (as amended). Furthermore, the proposal does not fall under any prescribed type of road development pursuant to Section 50 Roads Act, 1993 (as amended) that requires the preparation of an Environmental Impact Assessment Report.
- 8.2.3. Section 2.3.3 of the “Environmental Impact of National Road Schemes – Practical Guide” (National Roads Authority, 2008) in relation to the Consideration of Environmentally Sensitive Sites states that if a proposed sub-threshold road scheme would be located on an environmentally sensitive site, the road authority shall decide whether it would or would not be likely to have significant environmental impacts. In this regard, it is stated that in cases *“where the road authority concludes that significant environmental impacts are likely, it informs An Bord Pleanála, and, where the Board concurs, it issues a direction to the road authority to prepare an EIS. It is important to note that where the road authority considers that significant environmental effects are not likely, there is no requirement to inform the Board. However, in such circumstances, the grounds for the road authority’s conclusion should be recorded.”*
- 8.2.4. An EIA Screening assessment has been prepared on behalf of the Fingal County Council to determine whether an EIAR is warranted for the proposed project. This document investigates whether the project has significant negative impacts on the environment having regard to its characteristics, location and type and characteristics of the potential impact. It is considered within the screening conclusion of the report that no EIAR is required for the proposed project.
- 8.2.5. Fingal County Council has therefore been advised that significant environmental impacts are not likely, notwithstanding the fact that Appropriate Assessment Screening concluded that an NIS was necessary. I am therefore in agreement that it is not necessary to inform the Board and Fingal County Council’s conclusion is recorded within the EIAR Screening assessment of November 2020.

Traffic & Transport

- 8.2.6. Clearly, the main issue pertaining to a development of this nature relates to traffic and transport. The proposal comprises the alterations of an existing stretch of roadway that will result in the reallocation of road space more equally among different transport modes, thereby changing the travelling experiences for existing road users.
- 8.2.7. At present the R132 between Pinnock Hill Roundabout and north of Estuary Roundabout comprises dual carriageway with planted median. There are 24 hour bus lanes in both directions between Pinnock Hill Roundabout and Malahide Road Roundabout. To the north of Malahide Road, there is dual carriageway with hard shoulders and bus stops. Footpaths occur sporadically along both sides of the road and informal pathways are evident in places. Pedestrian connections to developments on both sides of the roadway are limited and overall, the experience for pedestrians is quite hostile. There is no dedicated cycle infrastructure.
- 8.2.8. The speed limit is 80 kph slowing to 60kph at the approaches to roundabouts. Typically, traffic moves at the speed limit and motorists tend to break sharply and accelerate rapidly when entering/ egressing roundabouts. I travelled stretches of road at the speed limit and there were numerous examples of overtaking vehicles. The road is dominated by traffic speed, noise and fumes.

Traffic & Transport Assessment

- 8.2.9. The planning application is accompanied by a Traffic and Transport Assessment which sets out the characteristics of the receiving environment and proposals; assesses three traffic scenarios (do-nothing, do-something, do-something + MetroLink) for different assessment years; analyses pedestrian and cyclist impacts; and carries out a network analysis.
- 8.2.10. The traffic and redistribution assessment provides for the creation of a traffic model that assesses each of the new junctions including toucan crossings. The model also incorporates the implementation of committed schemes that would impact on traffic along the R132 corridor, including MetroLink and BusConnect, the Greater Dublin Area Cycle Network, road upgrades and demand management. Junction operational analysis tools are used to simulate peak times and to determine if the degree of saturation will be reached (>90%). These tools can also predict capacities, queues,

delays and accidents at roundabouts. Overall, it has been determined that there will be a shift in travel demand towards sustainable modes in the Swords area from an anticipated change of travel behaviour and an increase in east-west movements via all modes. Average Annual Daily Traffic decreases in general at all junctions for future years due to these modal shifts to new public transport services, new cycle and pedestrian schemes, demand management initiatives and complementary upgrades and additions to the road network with traffic redistribution effects.

8.2.11. The assessment of pedestrian and cyclist impacts analyses four different indicators including desire lines, pedestrian level of service, pedestrian catchments and cyclist impacts. Existing pedestrian movements at Malahide, Seatown and Estuary junctions necessitate the use of overbridges which lengthen distance considerably and present challenges for some users. The proposed “at-gradient” crossings will reduce crossing distances and allow safe and easy access to other arms of the junction. It is expected that there will be a significant increase in pedestrian and cyclist demand due to the enhanced environment for these modes and the launch of MetroLink and BusConnects services. A high level of service will be offered at junctions, meaning that pedestrian flows will be unrestricted, and users will have sufficient space when platooning occurs.

8.2.12. Pedestrian catchment assessments illustrate the numbers of people who could potentially benefit from the R132 Connectivity Project at five different locations along the route. Overall, the assessment shows significant gains for pedestrians in accessing key destinations with the R132 Connectivity Project in place. The proposals will improve east-west and north-south connectivity and reduce the degree of community severance caused by the existing road. In particular, the R132 Connectivity Project will allow key facilities such as retail and business parks, schools, sports facilities and future public transport nodes to be reached on foot within 15 minutes by significantly greater numbers. The benefits of the proposed scheme will be more pronounced when masterplan lands develop in full.

8.2.13. The Traffic and Transport Assessment outlines that the proposed R132 Connectivity Project will have a positive impact on cyclists in general by placing stronger emphasis on sustainable forms of transport and introducing a traffic calmed, permeable and legible street environment. Cyclists will be better segregated from motorised traffic and safer routes and junctions will be in place for users. The

scheme has been designed to accommodate increases in cycle travel demand and there is potential for modal shift owing to the large catchment and nearby trip attractors. Reliability of journey times will also be attractive in encouraging modal shift to avoid traffic congestion.

8.2.14. The final section of the Traffic and Transport Assessment analyses the traffic network for the base year (2018), and for the “do-nothing”, “do-something” and “do-something+MetroLink” scenarios in 2023, 2030 and 2045. Some streams of traffic at the Estuary, Seatown Road and Malahide Road junctions are operating over capacity at base year, and for the “do-nothing” scenario, 1-2 streams at Estuary junction are oversaturated. The “do-something” and “do-something+MetroLink” scenarios present a more balanced result with lower saturation of streams on the R132. The proposed junction upgrades provide comparable performance in terms of traffic capacity but with greatly enhanced facilities for pedestrians and cyclists. Furthermore, the traffic signal plan may be adapted depending on prevailing conditions if greater priority was required for particular movements. This is the key benefit of a fully signalised junction and is particularly important as traffic patterns change with the future development of Swords. It should be noted that the assessment is for peak hour conditions only.

8.2.15. An assessment of northbound journey times along the length of the R132 Connectivity Project showed that general traffic journey times were maintained in the PM peak for all scenarios in 2030 and 2045. During the AM peak, there would be an approximate 1-minute decrease in journey times for northbound traffic. Theoretical bus journey times along the length of the scheme would be 14 minutes within a shared bus/ general traffic lane and 6 minutes within a segregated bus lane.

Consultations

8.2.16. Submissions have been received by the Board from local residents and public representatives in favour and against the proposed development or certain aspects thereof. The main objections concern the loss of the car lane and reduction of the speed limit. Other issues were raised in submissions regarding the proposed closure of Drynam Road; integration of the proposal with Metro; requirement for bus lanes; impact on shopping centres; seclusion of road from adjoining estates; advanced cycle green lights; location of toucan crossings; potential conflicts at the

Pavilions access; alternative cycle provision; boundary wall removal at Foxwood; noise impacts and speed reduction; left turn slip lanes; traffic inconvenience for residents on Drynam Road; and pedestrian safety at new crossings.

Removal of Traffic Lane

- 8.2.17. In terms of the loss of the car lane and the likely impact on traffic conditions along the proposed scheme and the wider Swords area, I would be satisfied that it has been adequately demonstrated within detailed traffic modelling exercises that future traffic capacity will be comparable to the baseline situation. Some queuing may occur within junction arms, as is the case at present. A modal shift towards sustainable modes is an essential element of any future scenario; it is critical from a climate change perspective and is backed by all level of policy. I agree that it is correct to factor in appropriate and significant levels of modal change when carrying out traffic modelling exercises.
- 8.2.18. Past experiences of traffic modelling have focused on traffic growth scenarios whereby trips are estimated primarily on the basis of car usage and the road network is designed accordingly. It is acknowledged in DMURS that various computer programs used to analyse junction design have the calculation and minimisation of vehicular queuing and delay as their primary outputs and designers have often sought to provide junctions that operate below 90% capacity as measured by the ratio of flow to capacity. The proposed development marks a notable change in the use of traffic modelling where the primary aim is to halt traffic growth and address traffic dominance.
- 8.2.19. It is acknowledged in the Traffic and Transport Assessment that the conversion of existing roundabouts to signalised junctions and reduction in the number of general traffic lanes will impact on overall junction capacity; however, the new arrangement will offer better levels of control of vehicles through the junction and better traffic management functionality. It is also important to note that under DMURS, the creation of walkable, cycleable and public transport orientated communities will require designers to re-examine the way streets are designed in order to meet the needs of all users. Pedestrians must be placed the top of the street user hierarchy, followed by cyclists and public transport. The car is placed at the bottom of the hierarchy, but it is recognised that this may be the only option for many users for

medium to longer distance journeys. It is highlighted again that the key issue is one of balance, and the needs of the car should no longer take priority over the needs of other users or the value of place. The balanced approach is to be achieved through the four key principles of integrated and connected networks, multi-functional place-based streets, a pedestrian focus and a multi-disciplinary approach.

- 8.2.20. Having regard to the above, I consider that there are no grounds for maintaining the existing traffic dominated environment along this stretch of the R132 when the road is no longer required for strategic purposes and when there is a clear and demonstrable need for the road to perform the function of an urban street with a balanced approach to movement in all directions. The proposal will present opportunities to remove the barrier effect of the road and the existing seclusion of adjoining residential estates and other land uses. The substantial reduction in traffic speed, noise and fumes is also critical for the road to function as intended.

Traffic Speed

- 8.2.21. It is submitted within a number of observations that the existing 80kph speed limit should be maintained. However, I would have more concerns regarding the ability of the altered road environment to achieve the intended speed limit of 50 kph. Chapter 4 of DMURS refers specifically to street design where it is recognised that a more integrated approach can create a 'win-win' scenario through enhancement of place value whilst calming traffic and improving pedestrian/ cyclist comfort. The issue of traffic speed is seen as a key consideration for pedestrian and cyclist safety, comfort and convenience. It is noted that motorists' tolerance of low speed is likely to increase in more intensively developed areas and therefore designers must balance speed management, the values of place and reasonable expectations of appropriate speed according to context and function.
- 8.2.22. DMURS also refers to self-regulation where the idea is that speed is controlled by place. A number of psychological and physical measures are set out that influence driver speed, enhance place and manage movement. These include a close proximity of buildings and a continuous street wall; active ground floor uses and pedestrian activity; frequent crossing points and junctions and horizontal and vertical deflections; narrow carriageways and minimisation of signage and road markings;

reduced visibility splays and on-street parking; and tighter corner radii and shared surfacing.

- 8.2.23. The proposed development puts a framework in place for this section of road to alter in character over time. However, it needs to be acknowledged that for the proposal to be successful, driver behaviour on this stretch of road must change radically. Traffic traveling at speeds of 80kph and more is totally unacceptable in an emerging urban street environment in close proximity to pedestrians and cyclists. The existing road corridor does not yet benefit from a continuous street wall, active uses, vertical deflections or narrow carriageways that might help to slow traffic. I acknowledge that as the area develops over time, more connections will be created, and a vibrant street environment will emerge. Motorists' tolerance of low speed will therefore increase in this type of environment.
- 8.2.24. In the interim, I consider that the proposed development must include detailed measures to slow traffic. The amended road will still be relatively long and straight with good forward visibility that can encourage speeding. The wide road corridor also gives motorists added confidence. Should the Board be minded to grant permission for the proposed development, I recommend that a condition is attached requiring the applicant to put in place detailed traffic calming measures commensurate with the intended 50kph speed limit along the entire length of the development.
- 8.2.25. I also consider that appropriate measures should be put in place to narrow the wide kerb radii at the junction of Balheary Road and Seatown West (R836). This would help to address speeding around the corner at this junction and improve pedestrian and cyclist safety. I recommend a condition reflecting same.

Provision for cyclists

- 8.2.26. It is submitted within observations that there is greater need to address inadequate, dangerous and insufficient provision for cyclists at alternative locations and that there are many parts around the edges of the proposed R132 Connectivity Project that are not fit for purpose for cycling.
- 8.2.27. I would be in agreement that there are many roads in the Greater Dublin Area that are unsafe for cyclists. However, I do not consider this to be sufficient reason to abandon the proposed development. Protected cycle lanes and crossing points can

be implemented with relative ease along this stretch of road without the need for significant infrastructural works. Notwithstanding the quality of cycle infrastructure in the vicinity of the proposed scheme, there are a number of points that will intersect with the proposed Greater Dublin Area Cycle Network, and as mentioned above, the proposal will provide for improved integration with existing and proposed public transport.

- 8.2.28. I would nonetheless have some concerns with certain aspects of the proposed cycle provision. Clearly, the proposed signalised junctions will provide safer conditions for cyclists compared to the existing roundabouts. However, there may be potential for conflicts at junctions between left turning motorists and cyclists wishing to travel straight ahead. Cyclists will be afforded an advanced green light but when traffic and cyclists are moving through the junction on the shared green phase, motorists may not be expecting cyclists to continue straight ahead, as the cycle lane veers to the left. Furthermore, left turning motorists may not be able to see cyclists travelling behind them.
- 8.2.29. An alternative design would have the cycle lanes encircling the junction including pedestrian crossings. This would require significant redesign when the junctions could be improved by introducing additional safety measures. This could include a dedicated flashing amber left turn light instead of green filter arrows for motorists. Motorists would then be expected to make the left turn more cautiously. Cyclist signage on the approaches to junctions may also help to reduce conflicts. As mentioned above, the traffic signal plan can be adapted depending on prevailing conditions and this could allow for an increase in pedestrian/ cyclist green time so that crossings could be made in all directions when general traffic is lighter. More time would also be afforded to cyclists making left-turn manoeuvres separate from the traffic green phase. Should the Board be minded to grant permission for the proposed development, I recommend that these safety measures shall be put in place by way of condition.
- 8.2.30. The provision for cyclists between junctions includes a 2m wide cycle lane protected by kerbs and bollards. In my opinion, kerbs and bollards are useful when a cycle lane is wide enough to allow a cyclist to overtake. Increased cycling and the introduction of scooters and e-bikes has resulted in issues of faster moving cyclists

and slower cyclists sharing narrow protected lanes with few passing opportunities. The proposed 2m width should allow for one cyclist to pass another cyclist safely.

- 8.2.31. A number of observers have questioned the proposed locations of “toucan” crossings. Toucan crossings permit pedestrians and cyclists to both cross at the same point. From a cyclist perspective, these crossings may be more appropriate when accompanied by two-way cycle lanes. The proposed toucan crossings could encourage cyclists to cross and use the cycle lane on the other side of the road in the opposite direction leading to potential conflicts. Cyclists may also use the toucan crossing to avoid a right turn manoeuvre at the new signalised junctions. It may have been beneficial to carry out a cyclist desire line exercise similar to the pedestrian desire line assessment for the proposed development. Notwithstanding this, I consider that the proposed toucan crossings will improve connectivity for cyclists and reduce journey times. It should be noted that toucan crossings have been placed at the locations of overhead bridges that are proposed to be removed as part of MetroLink works. These crossings would have been subject to Road Safety Audit.
- 8.2.32. There are issues with respect to cyclist safety at the entrance/ egress to/ from the Pavilions shopping centre. Vehicles entering the shopping centre will be required to cross the bus lane and cycle lane to make the left turn. This problem was identified within the Road Safety Audit. Consideration was given to relocating the cycle lane alongside the footway; however, it was concluded that this would result in a longer diversion for cyclists that may encourage cyclists to remain on the road. There are other situations where a diversion of cyclists around bus stops would be preferable, but this is unattainable due to space limitations. I recommend that red surfacing of the cycle lane is applied at these locations as an extra safety measure.
- 8.2.33. Motorists egressing the Pavilions will have to check for oncoming cyclists, buses accessing the adjacent bus stop and through-traffic, and there is an acute merging angle. It is noted in the Road Safety Audit that it is proposed to signalise this junction in the medium term subject to the development of the lands opposite. Bus stops will also be relocated as part of the MetroLink works. In the meantime, traffic calming would help to encourage more cautious manoeuvring into and out of the Pavillions. It should be noted that a temporary permission for this access was recently granted up to 2025.

8.2.34. Overall, I consider that the proposed development will result in significant improvements in terms of cyclist safety and convenience. There are nonetheless and number of issues with the design, most notably the arrangements for cyclists at bus stops, potential conflicts at the access to the Pavilions, and left turn conflicts at signalised junctions. These issues can be improved to a certain degree through surface treatments, warning signage and flashing amber lights. The safety of vulnerable road users can also be greatly improved through implementation of appropriate traffic calming measures.

Impact on local residents/ pedestrians

8.2.35. A number of issues have been raised in submissions pertaining to the impact of the proposed development on the levels of convenience enjoyed by residents of the area. For the most part, the issues raised relate to traffic inconvenience and the longer journeys local motorists will be expected to take. In particular, the closure of Drynam Road and the alternative arrangements are highlighted in submissions.

8.2.36. Drynam Road will be diverted at its western end onto Malahide Road and a left turn only onto this road will be installed. A right turn at this location would require traffic to cross four lanes including the bus lane. There are alternative routes for Drynam Road traffic to travel eastbound on R106 Malahide Road. Residents affected by the Drynam Road relocation submitted that the proposed works would result in boundary wall removal and increased noise impacts from Malahide Road.

8.2.37. Clearly, there would be benefits for pedestrian connectivity if the Foxwood estate was accessible from Malahide Road. It would appear that the proposed development will create a gap at the northern end of the boundary wall that may allow access into the greenspace to the east of Foxwood. I agree with the observer that this did not form part of the plans. I consider that this matter should be addressed by way of condition. Issues of traffic noise and speed on Malahide Road can be addressed under the condition relating to traffic calming.

8.2.38. Concerns were also expressed by observers that the reduction in road space would impact on accessibility to nearby shopping centres where car journeys are required for bulky goods. It should be highlighted, however, that the shopping centres will remain fully accessible by private car. Moreover, there are now increased options to have bulky goods home delivered.

8.2.39. Observers on the application recommend the installation of left turn slip lanes to improve conditions for motorists. However, as noted in DMURS, left turning slips generally offer little benefit in terms of junction capacity and increase the number of crossings pedestrians must navigate. Moreover, vehicles tend to take these corners at higher speeds, exposing pedestrians and cyclists to greater danger.

8.2.40. In general, the proposed development will result in an enhanced environment for residents with improved pedestrian connections and greater opportunity to undertake shorter journeys on foot or by bicycle. There should be an overall reduction in traffic noise, speed and fumes and greater potential for pedestrian comfort at a local level.

Provision for MetroLink

8.2.41. Finally, an observer makes the point that the proposed R132 Connectivity Project makes provision for bus lanes, cycle lanes, pedestrian walkways and private vehicular traffic but no provision is being made for Metro. It is noted, however, in the Traffic and Transport Assessment that *“more extensive upgrades between the junctions along the R132 are expected following construction of MetroLink. The R132 Connectivity Scheme is an interim transitional solution that can be easily implemented in the short term, ahead of the future upgrade of the R132 as part of the development of lands along the MetroLink Corridor and is a stepping stone to achieving the urbanisation of the route in line with the objectives of the overarching Swords Masterplans.”*

8.2.42. I would be satisfied with the interim approach as proposed. As noted in Section 8.1 above, it is important that improved connections and linkages are created for sustainable modes in advance of the roll out of MetroLink and other public transport. That way, the different sustainable modes of transport can be better integrated. It is expected that MetroLink stations will be well provided for in terms of cycle parking and this will be complemented by the roll out of cycle infrastructure under the proposed R132 Connectivity Project. Similarly, the provision of continuous bus lanes under the R132 Connectivity Project will assist with the roll out of the BusConnects project.

Population and Human Health

- 8.2.43. It is stated in the Fingal Development Plan that the population of Swords is expected to grow to 100,000 by 2035. The proposed development will facilitate population growth and employment within masterplan areas adjoining the road corridor.
- 8.2.44. Air and noise are the principal factors associated with the proposed development that could impact on human health. Overall, traffic emissions during the operational phase will be positive in the local area. Negative but insignificant noise impacts will occur at Ashley Avenue and Foxwood.
- 8.2.45. The other main benefit to human health will be the shift to active modes of transport. This will improve the quality of life, health and well-being of local residents.

Biodiversity

- 8.2.46. The subject site is of low local importance in terms of ecological value and the proposal will have little consequence for the ecological integrity of the site and surroundings. It is the intention of the landscaping plan to improve local biodiversity at intersections.
- 8.2.47. Notwithstanding the above, potential impacts on biodiversity could occur from vegetation and tree removal; construction and earthworks; drainage and additional silt/ pollutant release into drainage network; lighting during construction and operation; noise and vibration; and invasive species. Mitigation measures will be put in place to protect the ecological integrity of the site during the construction phase.
- 8.2.48. An assessment of the cumulative impacts of the proposed development with other plans and projects has been carried out in the Environmental Report accompanying the planning application. This includes the Swords Masterplans (2019), Dublin Airport Local Area Plan (2020), and the Transport Strategy for the Greater Dublin Area (2016-2035). The proposed development is consistent with objectives of these plans and therefore no significant cumulative effects are foreseen.

Air Quality

- 8.2.49. Impacts on air quality during construction are likely to occur from dust emissions. There would be a low risk of dust soiling and human health impacts, but nevertheless best practice dust mitigation measure will be implemented. During the

operational phase, the overall impact on NO₂ concentrations will be imperceptible, with negative impacts at some receptors and positive impacts at others.

- 8.2.50. CO₂ and N₂O emissions from construction vehicles and machinery will have imperceptible impacts on climate. During the operational phase, the overall magnitude of change on climate is likely to be imperceptible and positive.

Noise and Vibration

- 8.2.51. There is potential for construction noise from general road works that will include road and junction reconfiguration, resurfacing and road widening works. Breakers, excavators, dump trucks and generators are plant items that can generate high levels of noise. There is also potential for vibration during surface breaking activities.
- 8.2.52. During the operational phase, noise levels can alter from changes in vehicular volumes, a change in distance from source to receptor and amended road alignments. However, traffic flow information indicates that traffic volumes are expected to remain the same or lower comparing the “do-nothing” and “do-something” scenarios. An increase of 1.5 dB is calculated at one link which is considered to be not significant. Changes in noise levels from source/ receiver distance alterations and proposed new roads are considered to be insignificant. Measures will be implemented to mitigate construction noise and vibration. No mitigation is required during the operational phase.

Land, Soils, Geology, Hydrology & Hydrogeology

- 8.2.53. The proposed development will include new surface water drainage comprising of SuDS measures. Excess runoff will be attenuated in infiltration trenches and subsurface tanks. The proposed junctions will increase the impermeable area and will require a slight increase in road levels. Some existing services will be diverted as part of the proposed development.
- 8.2.54. Potential impacts on land, soils, geology, hydrology and hydrogeology during the construction phase could occur from excavation and filling, accidental spills and leaks, increased sediment loading in run-off and contamination of local water courses. During the operational phase, proposed infiltration trenches are expected to provide adequate interception and treatment in the event of an accidental spillage.

The increased impermeable surfacing at junctions will have a minor impact on local recharge to ground.

8.2.55. A number of design control measures will be provided as part of the Outline CEMP relating to the protection of the hydrological and hydrogeological environment.

These will include minimisation and reuse of excavated soil; submission of a Construction Waste Management Plan; storage controls for hazardous materials; installation of silt and sediment barriers around earthworks construction areas; and encouragement of vegetation growth. Overall, it is considered that the proposed development will have an imperceptible/ neutral impact on land, soils, geology, hydrology and hydrogeology.

8.2.56. It is requested by the Waste Policy and Resource Efficiency Division of the Department of Environment, Climate and Communications that the Local Authority shall consult directly with the respective Regional Waste Management Planning Office regarding development of the final plans. This can be facilitated by way of condition in the event of a grant of planning permission.

Landscape & Visual

8.2.57. The function of the road corridor means that it has relatively low levels of visual sensitivity. Visual enclosure is provided by mature trees and vegetation along the road and at junctions. The local appearance and character will mostly be altered at the proposed junctions, where grassed roundabouts will be replaced with paved through-routes. The new junction areas will be upgraded to include planting, paving and street furniture.

8.2.58. The overall landscape will be largely unaffected by the proposed development and impacts will be limited to the junctions and their immediate environs. Localised impacts will also occur where mature vegetation will be removed to accommodate toucan crossings. The whole project will require the removal of 80 trees, 57 of which are juvenile or young trees. The proposed development has otherwise been designed to avoid incursion beyond hard shoulders.

8.2.59. Mitigation by design at junctions will provide for high-quality comprehensive landscaping treatment that will improve the public realm. Hard landscaping will include a brushed concrete surface, seating walls, public art and earth mounding, and soft landscaping will comprise of trees, hedging, groundcover, seed mixes and

bulbs, and lawns. The overall appearance is likely to be perceived as an improvement on the existing roundabouts.

Cultural Heritage

8.2.60. The proposed road alignment crosses a statutory zone of archaeological potential for a recorded monument; however, no works are proposed within this area. There are other monuments in the surrounding area that demonstrate the sub-surface archaeological potential of the area.

8.2.61. Proposed groundworks could potentially impact on sub-surface archaeological features. Archaeological monitoring of all groundworks will be carried out where deemed appropriate. A condition reflecting same and as recommended by the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media will be attached to any grant of permission.

8.3. The likely significant effects on a European site (Appropriate Assessment)

8.3.1. The areas addressed in this section are as follows:

- Compliance with Articles 6(3) of the EU Habitats Directive
- Geographical Scope and Main Characteristics
- Screening the need for Appropriate Assessment
- Appropriate Assessment of implications of the proposed development on European Site

8.3.2. **Compliance with Articles 6(3) of the EU Habitats Directive:** The Habitats Directive deals with the Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union. Article 6(3) of this Directive requires that any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. The competent authority must be satisfied that the proposal will not adversely affect the integrity of the European site.

8.3.3. The proposed development comprises road alteration works at the R132 to the east of Swords, Co. Dublin. The proposal is not directly connected with or necessary to

the management of any European site and is therefore subject to the provisions of Article 6(3).

8.3.4. Geographical Scope and Main Characteristics

- 8.3.4.1. The proposed development comprises the R132 Connectivity Project, which includes road alteration works along a 2.6km section of dual carriageway and the conversion of existing roundabouts to signalised intersections. The proposed works will occur from a point immediately north of Pinnock Hill Roundabout to a point approximately 450m north of Estuary Roundabout and will also include the Seatown Roundabout and Malahide Road Roundabout. The site is bordered by residential, industrial and commercial developments and amenity/ improved agricultural grasslands. Malahide Estuary and Broadmeadow River lie to the north-west and north of the proposed development site.
- 8.3.4.2. The main purpose of the proposal is to provide a more hospitable environment for pedestrians and cyclists by reducing the space for general traffic from two lanes to one lane, reducing the speed limit to 50kph, and installing 2m wide footpaths and 2m wide cycle lanes along each side of the carriageway. The proposed development will also include installation of 3 no. toucan crossings; construction of new bus stops; installation of sub-surface attenuation system; landscaping and other ancillary works.
- 8.3.4.3. Proposed drainage measures will be contained within the existing road reservation and no additional surface water will be generated. There are existing road drainage network discharge points to the Ward/ Broadmeadow Rivers to the north and to the Greenfields River to the east. These rivers discharge to Malahide Estuary. The middle section of the proposed development site is within the Liffey and Dublin Bay catchment and both ends are within the Nanny-Delvin catchment.
- 8.3.4.4. Other ecological features in the area are treelines and hedgerows along the road corridor; however, these are considered to be of low local ecological value and not providing significant connectivity to the qualifying interest species and habitats of the nearby Malahide Estuary SAC and SPA. The construction period for the proposed works is expected to be on a phased basis over 2 years.

8.3.5. Screening the need for Appropriate Assessment

8.3.6. The first test of Article 6(3) is to establish if the proposed development could result in likely significant effects to a European site. This is considered stage 1 of the appropriate assessment process, i.e., *screening*. The screening stage is intended to be a preliminary examination. If the possibility of significant effects cannot be excluded on the basis of objective information, without extensive investigation or the application of mitigation, a plan or project should be considered to have a likely significant effect and Appropriate Assessment shall be carried out.

8.3.7. Having regard to the information and submissions available, the nature, size and location of the proposed development and its likely direct, indirect and cumulative effects, the source pathway receptor principle and sensitivities of the ecological receptors, the European Sites set out in Table 1 below are considered relevant to include for the purposes of initial screening for the requirement for Stage 2 appropriate assessment on the basis of likely significant effects. A 15km study area from the proposed development is applied for this purpose, wherein a total of 19 European Sites are included (8 SACs & 11 SPAs).

8.3.8. European sites considered for Stage 1 screening:

| European site (SAC/SPA) | Site code | Distance to subject site | Connections (source, pathway, receptor) | Considered further in Screening (Y/N) |
|-------------------------|-----------|--------------------------|---|---------------------------------------|
| Malahide Estuary SAC | 000205 | 220m | Potential connections | Y |
| Malahide Estuary SPA | 004025 | 590m | Potential connections | Y |
| Rogerstown Estuary SAC | 000208 | 3.4km | Absence of pathways | N |
| Rogerstown Estuary SPA | 004015 | 3.84km | Absence of pathways | N |
| Baldoyle Bay SPA | 004016 | 6.17km | Absence of pathways | N |
| Baldoyle Bay SAC | 000199 | 6.18km | Absence of pathways | N |
| North Dublin Bay SAC | 000206 | 8.98km | Absence of pathways | N |
| North Bull Island SPA | 004006 | 8.98km | Absence of pathways | N |

| European site (SAC/SPA) | Site code | Distance to subject site | Connections (source, pathway, receptor) | Considered further in Screening (Y/N) |
|---|-----------|--------------------------|---|---------------------------------------|
| Rockabill to Dalkey and River Tolka Estuary SPA | 004024 | 9.3km | Absence of pathways | N |
| South Dublin Bay and River Tolka Estuary SPA | 004024 | 9.75km | Absence of pathways | N |
| Ireland's Eye SPA | 004117 | 10.47km | Absence of pathways | N |
| Ireland's Eye SAC | 002193 | 10.74km | Absence of pathways | N |
| Howth Head SAC | 000202 | 11.63km | Absence of pathways | N |
| Lambay Island SPA | 004069 | 11.87km | Absence of pathways | N |
| Lambay Island SAC | 000204 | 11.88km | Absence of pathways | N |
| South Dublin Bay SAC | 000210 | 12.51km | Absence of pathways | N |
| Howth Head Coast SPA | 004113 | 12.6km | Absence of pathways | N |
| Skerries Islands SPA | 004122 | 13.71km | Absence of pathways | N |
| Rockabill SPA | 004014 | 14.74km | Absence of pathways | N |

Table 1 – Summary Table of European Sites considered in Screening for Appropriate Assessment

8.3.9. Based on my examination of the Appropriate Assessment Screening Report and NIS, together with other supporting information, the NPWS website, aerial and satellite imagery, the scale of the proposed development and likely effects, separation distances and functional relationships between the proposed works and the European sites, their conservation objectives, and taken in conjunction with my assessment of the subject site and the surrounding area, I conclude that a Stage 2 Appropriate Assessment is required for the following European Sites in view of the conservation objectives of those sites:

- Malahide Estuary SAC
- Malahide Estuary SPA

8.3.10. Table 2 below provides a screening summary matrix where there is a possibility of significant effects, or where the possibility of significant effects cannot be excluded without further detailed assessment.

| Site name Qualifying Interest feature | Is there a possibility of significant effects in view of the conservation objectives of the site? General impact categories presented | | |
|--|--|--|---|
| | <i>Habitat loss/ modification</i> | <i>Water quality and water dependent habitats (pollution)</i> | <i>Disturbance/ displacement barrier effects</i> |
| <p>Malahide Estuary SAC</p> <p>Qualifying Interests:</p> <p>Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p>Salicornia and other annuals colonising mud and sand [1310]</p> <p>Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>) [1330]</p> <p>Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410]</p> <p>Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120]</p> <p>Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]</p> | <p>Yes</p> <p>Indirect effects from the potential to introduce effects to the hydrological functioning of European Sites, via existing urban drainage system pathways.</p> | <p>Yes</p> <p>Potential for release of contaminated surface water run-off and/ or accidental spillage or pollution event during construction.</p> <p>Habitats are highly sensitive to change in siltation loads, distribution of silt loads, pollutants, and water levels.</p> | <p>Yes</p> <p>Habitats are highly sensitive to anthropogenic disturbance.</p> |
| <p>Malahide Estuary SPA</p> <p>Qualifying Interests:</p> <p>Great Crested Grebe (<i>Podiceps cristatus</i>) [A005]</p> | <p>Yes</p> <p>Indirect effects from the potential to introduce effects to the hydrological functioning of European Sites, via</p> | <p>Yes</p> <p>Habitats that support species are highly sensitive to change in siltation loads, distribution of silt loads, the</p> | <p>Yes</p> <p>Species are sensitive to anthropogenic disturbance and other disturbance effects such as noise.</p> |

| | | | |
|---|---|--|--|
| Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] | existing urban drainage system pathways. | distribution of silt loads, pollutants, and water levels. | Possibility of a construction compound site on an area of improved agricultural grassland (just outside of the development area site boundary, on Fosterstown Lands adjacent to Pinnock Hill roundabout). This is a habitat type that could be suitable for foraging/grazing by SCI species of this European site. |
| Shelduck (<i>Tadorna tadorna</i>) [A048] | Loss of potential available foraging habitat. | Hydrological connectivity between the SPA and the proposed site, even though indirect, poses a risk of potential significant effects to the ecological integrity of the site and the species it supports during the construction phase if not adequately mitigated against for the risk of excess release of siltation and pollutants into the system. | |
| Pintail (<i>Anas acuta</i>) [A054] | | | |
| Goldeneye (<i>Bucephala clangula</i>) [A067] | | | |
| Red-breasted Merganser (<i>Mergus serrator</i>) [A069] | | | |
| Oystercatcher (<i>Haematopus ostralegus</i>) [A130] | | | |
| Golden Plover (<i>Pluvialis apricaria</i>) [A140] | | | |
| Grey Plover (<i>Pluvialis squatarola</i>) [A141] | | | |
| Knot (<i>Calidris canutus</i>) [A143] | | | |
| Dunlin (<i>Calidris alpina</i>) [A149] | | | |
| Black-tailed Godwit (<i>Limosa limosa</i>) [A156] | | | |
| Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] | | | |
| Redshank (<i>Tringa totanus</i>) [A162] | | | |
| Wetland and Waterbirds [A999] | | | |

Table 2 Screening summary matrix: European Sites for which there is a possibility of significant effects (or where the possibility of significant effects cannot be excluded without further detailed assessment)

8.3.11. I am satisfied that no additional sites other than those assessed in the NIS (Malahide Estuary SAC and Malahide Estuary SPA) need to be brought forward for Appropriate Assessment. I confirm that no mitigation has been taken into account at the screening stage.

8.4. **Appropriate Assessment of implications of the proposed development on each European Site**

8.4.1. The following is an assessment of the implications of the project on the relevant conservation objectives of the European site using the best scientific knowledge in the field. All aspects of the project which could result in significant effects are identified and mitigation measures designed to avoid or reduce any adverse effects are examined and assessed.

8.4.2. I have relied on the following guidance:

- DoEHLG (2009). Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities. Department of the Environment, Heritage and Local Government, National Parks and Wildlife Service.
- EC (2002) Assessment of plans and projects significantly affecting Natura 2000 sites. Methodological guidance on the provisions of Article 6(3) and 6(4) of the Habitats Directive 92/43/EC
- EC (2018) Managing Natura 2000 sites. The provisions of Article 6 of the Habitats Directive 92/43/EEC

8.4.3. Relevant European sites: The following site is subject to appropriate assessment.

- Malahide Estuary SAC (Site code: 000205)
- Malahide Estuary SPA (Site code: 004025)

8.4.4. A description of this site and its Conservation Objectives and Qualifying Interests, including any relevant attributes and targets for these sites, are set out in the NIS and outlined in Table 3 below. I have also examined the Natura 2000 data forms as relevant and the Conservation Objectives supporting documents for these sites available through the NPWS website (www.npws.ie).

8.4.5. **Aspects of the proposed development:** The main aspects of the proposed development that could adversely affect the conservation objectives of the European sites include:

- Emissions (disposal to land, water or air)
- Excavation requirements
- Reduction of habitat area

8.4.6. **Tables 3 and 4** summarise the appropriate assessment and site integrity test. The conservation objectives, targets and attributes as relevant to the identified potential significant effects are examined and assessed in relation to the aspects of the project (alone and in combination with other plans and projects). Mitigation measures are examined, and clear, precise and definitive conclusions reached in terms of adverse effects on the integrity of European sites.

8.4.7. Supplemental to the summary tables, any key issues that arose through consultation and through my examination and assessment of the NIS are expanded upon in the text below:

Table 3

Malahide Estuary SAC (Site code: 000205)

Key Issues:

- Emissions (disposal to land, water or air)
- Excavation requirements
- Reduction of habitat area

Conservation Objectives: [ConservationObjectives.rdl \(npws.ie\)](#)

| Summary of Appropriate Assessment | | | | | |
|--|---|---|---|--|--|
| Conservation Objective: To maintain the favourable conservation condition of the following: | Targets & Attributes (as relevant) | Potential adverse effects | All Mitigation Measures | In-combination effects | Can adverse effects on site integrity be excluded? |
| Mudflats and sandflats not covered by seawater at low tide [1140] | Stable or increasing habitat area; maintenance of extent/ conservation of high quality of <i>Zostera</i> -dominated community and the <i>Mytilus edulis</i> -dominated community complex; and conservation of: Fine sand with oligochaetes, amphipods, bivalves and polychaetes community complex; Estuarine sandy mud with Chironomidae and <i>Hediste</i> | <ul style="list-style-type: none"> - Increased temporary site effects such as contamination due to dust, increased siltation or deposition in run off from locations of works or compound locations. - potential to introduce effects to the hydrological functioning of European Sites, via existing urban drainage system pathways. | <ul style="list-style-type: none"> - <i>Outline CEMP</i>: Mitigation measures devised to be incorporated into an Outline CEMP – key elements relate to soils, geology & hydrogeology; emergency spills; and environmental controls. - <i>Biodiversity</i>: Mitigation measures during construction relating to vegetation clearance | <ul style="list-style-type: none"> - Proposed development is in line with the objectives of the adopted Swords Masterplans and Transport Strategy for Greater Dublin Area – not foreseen that there will be any significant in-combination effects with these plans. - Most ongoing projects within 200m of the proposed development | <p>Yes</p> <ul style="list-style-type: none"> - Due to mitigation measures, best practice measures and implementation of monitoring scheme, no adverse effects water quality or the designated conservation interests of the European sites will occur. |

| | | | | | |
|--|---|--|---|--|---|
| | <p><i>diversicolor</i> community complex; and Sand to muddy sand with <i>Peringia ulvae</i>, <i>Tubificoides benedii</i> and <i>Cerastoderma edule</i> community complex all in a natural condition.</p> | <p>- excavation works during the construction phase will have localised effects.</p> | <p>and tree felling, invasive species, and measures to prevention of pollution of environment (construction and site management practices, silt fencing and grassed swales/ catchment ditches, handling of oils, solvents and paints, use of drainage wardens/ silt rocks, monitoring of water, segregation and management of excavated material).</p> | <p>site are small-scale. No applications as yet on adjacent zonings.</p> | <p>- Project area is a highly modified urban/ suburban area of low ecological value.</p> |
| <p>Salicornia and other annuals colonising mud and sand [1310]</p> | <p>No decline in habitat distribution; stable/ increasing habitat area; maintain/ restore natural circulation of sediments/ organic matter; maintain creek and pan structure and natural tidal regime; maintain range of coastal habitat and structural variation within sward; maintain >90% of areas outside creeks vegetated; maintain presence of listed species poor communities; and no significant expansion of common cordgrass.</p> | | <p>- <i>Soils, geology and hydrogeology:</i> Minimisation of excavation, reuse of soil where possible, submission of Construction Waste Management Plan for approval, removal of excess soil off site, procedures for dealing with hazardous waste, sourcing of materials from nearby sites, encouragement of vegetation growth after construction.</p> | <p>- Not foreseen that the proposed development will have any significant effects on European Sites in-combination with other plans and projects.</p> <p>- MetroLink has the potential for effects on European Sites – this project is not at planning stage yet and proposed development will not in itself have any significant adverse effects on European Sites.</p> | <p>- Operational phase of the proposed development will be consistent with the existing condition.</p> <p>- None of the species and/or habitat that are qualifying features of the European Sites were recorded on site and no habitat within the development area were identified as being or support for any of the qualifying species.</p> |

| | | | | | |
|---|--|--|---|--|--|
| Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410] | No decline in habitat distribution; stable/ increasing habitat area; maintain/ restore natural circulation of sediments/ organic matter; maintain creek and pan structure and natural tidal regime; maintain range of saltmarsh habitat and structural variation within sward; maintain >90% of areas outside creeks vegetated; maintain range of sub-communities with characteristic species; and no significant expansion of common cordgrass. | | <ul style="list-style-type: none"> - <i>Hydrology:</i> Procedures for control, treatment and disposal of potentially contaminated surface water, implementation of best practice pollution prevention measures to control risk of pollution to surface waters. - <i>Air quality & climate:</i> Dust monitoring and control, location of generators away from sensitive receptors, no engine idling, procedures for any asbestos contaminated material, minimisation of material wastage and travel distances. - <i>Emergencies:</i> Preparation of Emergency Response Plan; training of staff in use of spill kits; preparation of site plan showing all surface water drainage lines and discharge points, and location of all existing and proposed surface water protection measures, including | | |
| To restore the favourable conservation condition of the following: | | | | | |
| Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) [1330] | No decline in habitat distribution; stable/ increasing habitat area; maintain/ restore natural circulation of sediments/ organic matter; maintain creek and pan structure and natural tidal regime; maintain range of coastal habitat and structural variation within sward; maintain >90% of areas outside creeks vegetated; maintain range of sub- | | | | |

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| | communities with typical species; and no significant expansion of common cordgrass. | | monitoring points, sediment traps, settling basins, interceptors, etc. - <i>Environmental Controls:</i> Roads, accesses, drains and ditches to be kept free of dirt, etc., covering of lorry loads, cleaning of construction vehicles, and visual inspection of local roads. | | |
| Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120] | No decline in habitat distribution; stable/increasing habitat area; maintain/ restore natural circulation of sediments/ organic matter; maintain range of coastal habitat; 95% of marram grass and/ or lyme-grass should be healthy; and negative indicator species to represent less than 5% cover. | | | | |
| Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130] | No decline in habitat distribution; stable/increasing habitat area; maintain/ restore natural circulation of sediments/ organic matter; maintain range of coastal habitat; bare ground should not exceed 10% of fixed dune habitat; maintain structural variation within sward; maintain range of sub-communities with typical species; negative indicator species to represent less than 5% cover; and no more than | | | | |

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| | 5% shrub/ tree cover or under control. | | | | |
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Overall Conclusion: Integrity test

Following the implementation of mitigation, the construction and operation of this proposed development will not adversely affect the integrity of the Malahide Estuary SAC in view of the site's conservation objectives. No reasonable scientific doubt remains as to the absence of such effects.

Table 4

Malahide Estuary SPA (Site code: 004024)

Key Issues:

- Emissions (disposal to land, water or air)
- Excavation requirements
- Reduction of habitat area

Conservation Objectives: [ConservationObjectives.rdl \(npws.ie\)](#)

| Summary of Appropriate Assessment | | | | | |
|---|---|--|--|---|---|
| Conservation Objective: To maintain the favourable conservation condition of the following: | Targets & Attributes (as relevant) | Potential adverse effects | All Mitigation Measures | In-combination effects | Can adverse effects on site integrity be excluded? |
| A005 Great Crested Grebe Podiceps cristatus A046 Brent Goose Branta bernicla hrota A048 Shelduck Tadorna tadorna A054 Pintail Anas acuta A067 Goldeneye Bucephala clangula A069 Red-breasted Merganser Mergus serrator | Long term population trend stable or increasing; and no significant decrease in the range, timing or intensity of use of areas by all listed species other than occurring from natural patterns of variation. | <ul style="list-style-type: none"> - Increased temporary site effects such as noise or contamination due to dust, increased siltation or deposition in run off from locations of works or compound locations. - potential to introduce effects to the hydrological functioning of European Sites, via existing urban drainage system pathways. - noise and dust pollution from the construction phase could introduce | <ul style="list-style-type: none"> - <i>Outline CEMP:</i> Mitigation measures devised to be incorporated into an Outline CEMP – key elements relate to soils, geology & hydrogeology; emergency spills; and environmental controls. - <i>Biodiversity:</i> Mitigation measures during construction relating to vegetation clearance and tree felling, lighting, restoration of | <ul style="list-style-type: none"> - Proposed development is in line with the objectives of the adopted Swords Masterplans and Transport Strategy for Greater Dublin Area – not foreseen that there will be any significant in-combination effects with these plans. - Most ongoing projects within 200m of the proposed development site are small-scale. No | Yes <ul style="list-style-type: none"> - Due to mitigation measures, best practice measures and implementation of monitoring scheme, no adverse effects water quality or the designated conservation interests of the European sites will occur. - Project area is a highly modified urban/ suburban area of low ecological value. |

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|---|--|---|--|---|---|
| <p>A130 Oystercatcher Haematopus ostralegus</p> <p>A140 Golden Plover Pluvialis apricaria</p> <p>A141 Grey Plover Pluvialis squatarola</p> <p>A143 Knot Calidris canutus</p> <p>A149 Dunlin Calidris alpina alpina</p> <p>A156 Black-tailed Godwit Limosa limosa</p> <p>A157 Bar-tailed Godwit Limosa lapponica</p> <p>A162 Redshank Tringa totanus</p> | | <p>effects to the Europeans sites.</p> <ul style="list-style-type: none"> - Potential construction compound located agricultural pastureland 2.2km from European Site – species may utilise this site for foraging and there may be small scale, temporary disturbance effects through the loss of potential available foraging habitat. | <p>construction compound sites to original condition, invasive species, and measures to prevention of pollution of environment (construction and site management practices, silt fencing and grassed swales/ catchment ditches, handling of oils, solvents and paints, use of drainage wardens/ silt rocks, monitoring of water, segregation and management of excavated material).</p> <ul style="list-style-type: none"> - <i>Soils, geology and hydrogeology:</i> Minimisation of excavation, reuse of soil where possible, submission of Construction Waste Management Plan for approval, removal of excess soil off site, procedures for dealing with hazardous waste, sourcing of materials from nearby sites, encouragement of vegetation growth after construction. | <p>applications as yet on adjacent zonings.</p> <ul style="list-style-type: none"> - Not foreseen that the proposed development will have any significant effects on European Sites in-combination with other plans and projects. - MetroLink has the potential for effects on European Sites – this project is not at planning stage yet and proposed development will not in itself have any significant adverse effects on European Sites. | <ul style="list-style-type: none"> - Operational phase of the proposed development will be consistent with the existing condition. - There is available foraging habitat elsewhere in the surrounding area and this potential, short-term disturbance effect will not have a likely significant impact on the ecological integrity of the Malahide Estuary SPA. - Desk-based study did not identify this potential construction compound site as a known foraging ground for the SCI species of the Malahide Estuary SPA. - None of the species and/or habitat that are qualifying features of the European Sites were recorded on site and no habitat within the development area were identified as being or support for any of the qualifying species. |
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| | | | <ul style="list-style-type: none"> - <i>Hydrology:</i> Procedures for control, treatment and disposal of potentially contaminated surface water, implementation of best practice pollution prevention measures to control risk of pollution to surface waters. - <i>Noise & Vibration:</i> Minimisation of plant noise, compliance with noise limits. - <i>Air quality & climate:</i> Dust monitoring and control, location of generators away from sensitive receptors, no engine idling, procedures for any asbestos contaminated material, minimisation of material wastage and travel distances. - <i>Emergencies:</i> Preparation of Emergency Response Plan; training of staff in use of spill kits; preparation of site plan showing all surface water drainage lines and discharge points, and location of all existing | | |
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| | | | and proposed surface water protection measures, including monitoring points, sediment traps, settling basins, interceptors, etc. - <i>Environmental Controls:</i> Roads, accesses, drains and ditches to be kept free of dirt, etc., covering of lorry loads, cleaning of construction vehicles, and visual inspection of local roads. | | |
| A999 Wetlands | Permanent area occupied by wetland should be stable and not significantly less than the area of 765 hectares, other than that occurring from natural patterns of variation. | As above | As above | As above | As above |

Overall Conclusion: Integrity test

Following the implementation of mitigation, the construction and operation of this proposed development will not adversely affect the integrity of the Malahide Estuary SPA in view of the site's conservation objectives. No reasonable scientific doubt remains as to the absence of such effects.

Relevant European site: Malahide Estuary SAC (Site code: 000205)

- 8.4.8. The site synopsis for the Malahide Estuary SAC notes that the outer part of the estuary is almost completely cut off from the sea by a large sand spit known as ‘the island’ and this part of the estuary drains almost completely during low tide. The inner estuary does not drain in low tide apart from the extreme inner part, where patches of saltmarsh and salt meadows occur. It is also stated that the site is a fine example of an estuarine system with all the main habitats represented.

Baseline Ecological Conditions

- 8.4.9. The immediate surroundings of the proposed development site comprise a mix of residential, industrial and commercial development, with amenity lands and improved agricultural grasslands. The site itself consists mostly of built environment in the form of road carriageway which is separated by a planted median and aligned on both sides by mature trees and hedgerow.
- 8.4.10. The main watercourses in the receiving environment are the Ward River, Broadmeadow River and Greenfields River. Existing drainage along the R132 at this location discharges to Malahide Estuary via the Ward/ Broadmeadow Rivers and Greenfields River.
- 8.4.11. A walkover survey was conducted in January 2020, as well as a desktop analysis of key sources of information including the National Biodiversity Data Centre; data from Natura Standard Data Forms on the conservation status of, and threats to European sites; data including surface water features, catchments and water quality status, available from the EPA online database; data on the extent and vulnerability of local groundwater bodies; Fingal Biodiversity Action Plan 2010-2015; and documentation and datasets available from NPWS online. No Annex I habitats or supporting habitats for Annex II species were identified within the site development area boundary and no aspect of the proposal will result in a significant reduction in habitat for European Sites. In general, the site has low ecological value.
- 8.4.12. Overall, I consider that the level of surveying is appropriate having regard to the biodiversity of the area and adequate in terms of their content, duration and coverage. The baseline information is suitably up to date having regard to the lodgement dates of the planning application.

Factors that can adversely affect the achievement of conservation objectives

- 8.4.13. The conservation objectives for the Malahide Estuary SAC includes the maintenance of the favourable conservation condition of mudflats and sandflats, salicornia and other annuals and Mediterranean salt meadows. It is also the conservation objective to restore the favourable conservation objective of Atlantic salt meadows, shifting dunes and fixed coastal dunes
- 8.4.14. The favourable conservation status of a habitat is achieved when its natural range, and area it covers within that range, are stable or increasing; the specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future; and the conservation status of its typical species is favourable.
- 8.4.15. There are factors arising from the proposed development, in-combination with other plans/ projects, that can adversely affect the achievement of the conservation objectives for which the Malahide Estuary SAC is designated. In the absence of mitigation measures, the proposed development alone, and in combination with other plans/ projects, has the potential to adversely affect the maintenance or restoration of the favourable conservation condition of certain habitats for which the Malahide Estuary SAC is designated through emissions, potential impairment of water quality, excavation and reduction of habitat area.
- 8.4.16. In an unmanaged situation, impacts could occur from contamination due to dust, increased siltation or deposition in run off from locations of works or compound locations. There is potential to introduce effects to the hydrological functioning of European Sites, via existing urban drainage system pathways during the construction phase. It should be noted, however, that excavation works during the construction phase will have localised effects.
- 8.4.17. The potential for contamination during the construction phase will be mitigated by a range of measures, best practices, and monitoring. Water quality protection measures will include procedures for control, treatment and disposal of potentially contaminated surface water, management of fuels and implementation of best practice pollution prevention measures to control risk of pollution to surface waters. This will include adherence to construction and site management practices, silt fencing and grassed swales/ catchment ditches, procedures for handling of oils,

solvents and paints, use of drainage wardens/ silt rocks, monitoring of water, segregation and management of excavated material. An Emergency Response Plan will also be put in place and the site plan will show all surface water drainage lines and discharge points, and the location of all existing and proposed surface water protection measures, including monitoring points, sediment traps, settling basins, interceptors, etc.

- 8.4.18. The targets and attributes for the Special Conservation Interest species that potentially could be adversely affected by the proposed development are set out in Table 3 above. The above mitigation measures will ensure that the proposed development will not adversely impact on water quality. Measures will mitigate against any potential impact within the estuary to mudflats, sandflats, salicornia and other annuals, Mediterranean salt meadows, Atlantic salt meadows, shifting dunes and fixed coastal dunes. The proposed works are small scale and well separated from the qualifying habitat downstream. I am also satisfied that mitigation is clearly defined and appropriate in terms of the potential adverse impact on water quality. The proposed development will not interfere with the stability, long-term maintenance and conservation status of these habitats. The operational phase will be very similar to the current function and characteristics of the current site and in keeping with the current immediate and wider environment.
- 8.4.19. In conclusion, I am satisfied that with full and proper implementation of the above mitigation measures, it can be determined, beyond all reasonable and reliable scientific doubt, that the proposed development will not result in adverse effects on the integrity of the Malahide Estuary SAC. The mitigation measures will address the source of any potential impacts and are adequate, in particular, to protect against sedimentation and pollutants arising from surface water run-off to the drainage system and watercourses.

Relevant European site: Malahide Estuary SPA (Site code: 004025)

- 8.4.20. The site synopsis for the Malahide Estuary SPA notes that the site and its associated waterbirds are of special conservation interest for wetland and waterbirds. The site is of high importance for wintering waterfowl and supports a particularly good diversity of species. It is also stated that Malahide Estuary SPA is a fine example of an estuarine system, providing both feeding and roosting areas for a range of

wintering waterfowl. The lagoonal nature of the inner estuary is of particular value as it increases the diversity of birds which occur. The site is of high conservation importance, with internationally important populations of Light-bellied Brent Goose and Black-tailed Godwit, and nationally important populations of a further 12 species. Two of the species which occur regularly (Golden Plover and Bar-tailed Godwit) are listed on Annex I of the E.U. Birds Directive.

Baseline Ecological Conditions

- 8.4.21. As noted above, no Annex I habitats or supporting habitats for Annex II species were identified within the site development area boundary and no aspect of the proposal will result in a significant reduction in habitat for European Sites. Overall, the site has low ecological value. However, there is an area of improved agricultural grassland just outside the development boundary on Fosterstown lands adjacent to Pinnock Hill Roundabout where a construction compound could be located. This habitat type could be suitable for foraging by special conservation interest bird species of Malahide Estuary SPA. The SPA is approximately 2.2km from these lands.

Factors that can adversely affect the achievement of conservation objectives

- 8.4.22. The conservation objectives for the Malahide Estuary SPA includes the maintenance of the favourable conservation condition of Great Crested Grebe, Brent Goose, Shelduck, Pintail, Goldeneye, Red-breasted Merganser, Oystercatcher, Golden Plover, Grey Plover, Knot, Dunlin, Black-tailed Godwit, Bar-tailed Godwit and Redshank. It is also a conservation objective to maintain the favourable conservation condition of wetlands.
- 8.4.23. The favourable conservation status of a habitat is achieved when its natural range, and area it covers within that range, are stable or increasing; the specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future; and the conservation status of its typical species is favourable. The favourable conservation status of a species is achieved when its population dynamics data indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats; the natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable

future; and there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

- 8.4.24. There are factors arising from the proposed development, in-combination with other plans/ projects, that can adversely affect the achievement of the conservation objectives for which the Malahide Estuary SPA is designated. In the absence of mitigation measures, the proposed development alone, and in combination with other plans/ projects, has the potential to adversely affect the maintenance or restoration of the favourable conservation condition of certain species and habitats for which the Malahide Estuary SPA is designated through emission potential impairment of water quality, excavation and reduction of habitat area.
- 8.4.25. As with the Malahide Estuary SAC, impacts on the SPA could occur in an unmanaged situation from contamination due to dust, increased siltation or deposition in run off from locations of works or compound locations. There is potential to introduce effects to the hydrological functioning of European Sites, via existing urban drainage system pathways during the construction phase. There is also potential for disturbance from the possibility of locating a construction compound within agricultural pastureland at a distance of 2.2km from the SPA. Special Conservation Interest species may utilise this site for foraging and there may be small scale, temporary disturbance effects through the loss of potential available foraging habitat.
- 8.4.26. The potential for contamination during the construction phase will be mitigated by a range of measures, best practices, and monitoring. Water quality protection measures will include procedures for control, treatment and disposal of potentially contaminated surface water, management of fuels and implementation of best practice pollution prevention measures to control risk of pollution to surface waters. This will include adherence to construction and site management practices, silt fencing and grassed swales/ catchment ditches, procedures for handling of oils, solvents and paints, use of drainage wardens/ silt rocks, monitoring of water, segregation and management of excavated material. An Emergency Response Plan will also be put in place and the site plan will show all surface water drainage lines and discharge points, as well as the location of all existing and proposed surface water protection measures, including monitoring points, sediment traps, settling basins, interceptors, etc.

- 8.4.27. Mitigation measures will also be put in place during construction relating to vegetation clearance and tree felling, lighting and invasive species. The removal of scrub and suitable bird breeding habitat from the construction compound location will be minimised as far as possible and any removals will take place outside the breeding season. Following completion of works, construction compound sites will be restored to their original condition. It should be noted, however, that the desktop study did not identify the site to the south-west of Pinnock Hill Roundabout as a known foraging ground for Special Conservation Interest species of the Malahide Estuary SPA. Furthermore, any disturbance would be small scale and temporary, and there is available alternative foraging habitat in the surrounding area.
- 8.4.28. The targets and attributes for the Special Conservation Interest species that potentially could be adversely affected by the proposed development are set out in Table 4 above. The above mitigation measures will ensure that the proposed development will not adversely impact on water quality or significantly impact on the ecological integrity of the SPA through short-term disturbance. Measures will mitigate against any potential impact on estuary wetlands and bird species. The proposed works are small scale and well separated from the qualifying habitat downstream and there will continue to be a sufficiently large habitat in the wider area to maintain the Special Conservation Interest species on a long-term basis.
- 8.4.29. I am also satisfied that mitigation is clearly defined and appropriate in terms of the potential adverse impact on water quality and bird species. The proposed development will not interfere with the population dynamics and natural range of the Special Conservation Interest species, or with the stability, long-term maintenance and conservation status of qualifying interest habitats. The operational phase will be very similar to the current function and character of the current site and in keeping with the current immediate and wider environment.
- 8.4.30. In conclusion, I am satisfied that with full and proper implementation of the above mitigation measures, it can be determined, beyond all reasonable and reliable scientific doubt, that the proposed development will not result in adverse effects on the integrity of the Malahide Estuary SPA. The mitigation measures will address the source of any potential impacts and are adequate, in particular, to protect against sedimentation and pollutants arising from surface water run-off to the drainage system and watercourses. I am also satisfied that the proposed development, in-

combination with other plans and projects, would not adversely affect the maintenance of the favourable conservation condition of bird species, which are listed as special conservation interests for the Malahide Estuary SPA and therefore there can be no adverse effects on site integrity of the SPA.

8.5. In-Combination Effects

- 8.5.1. The proposed works will involve site clearance and preparation works, new surface water drainage and modifications to underground services. Conversion of roundabouts to signalised junctions will require a slight increase in road levels and excavation will be mostly limited to installation of underground services. Excess material will be reinstated and reused on site where possible. The location of construction compounds will be determined at construction stage. Surface water sewers will collect and convey all run-off from the proposed junction upgrades and crossings before connecting to the existing drainage infrastructure. Landscaping works will be carried out following construction.
- 8.5.2. There is potential for in-combination impacts with masterplans and transport proposals along the R132. Barrysparks & Crowcastle Masterplan pertains to an area to the south of the R132 and Drynam Road. This area is zoned “ME” – Metro Economic Corridor where the objective is to *“facilitate opportunities for high density mixed use employment generating activity and commercial development, and support the provision of an appropriate quantum of residential development within the Metro Economic Corridor.”* Fosterstown Masterplan 2019 relates to an area to the south-west of Pinnock Hill Roundabout which is zoned “RA” – *“provide for new residential communities subject to the provision of the necessary social and physical infrastructure.”*
- 8.5.3. In terms of transport plans, the MetroLink route will continue along the R132 with stops proposed at Barrysparks and Seatown. Proposed BusConnects Routes will also continue along and intersect with the R132 along the section of the proposed development.
- 8.5.4. The proposed development will be in accordance with the objectives of the adopted masterplans and the Transport Strategy for the Greater Dublin Area. The proposal will be contained within the existing road corridor and will generally be a continuation of the existing function and urban context. It is likely that all future development

proposals of such scale will be subject to Appropriate Assessment themselves as necessary.

8.5.5. As assessment was also carried out of development proposals within 200m of the development boundary over the last 5 years. Most proposals are small scale. There are no other planned or ongoing projects in the immediate vicinity of the proposed R132 Connectivity Project that could act in combination with the proposed development to have adverse effects on the integrity of a European Site.

8.5.6. Having regard to the above, the potential for adverse effects due to in-combination effects with other projects and activities was excluded based on the following:

- The proposed road alteration works themselves will not lead to adverse impacts on the Special Conservation Interests of the Malahide Estuary SAC and the Malahide Estuary SPA and therefore in-combination impacts will not arise.
- Masterplans and major transport proposals along the R132 corridor will themselves be subject to Appropriate Assessment as necessary.
- There are no other planned or ongoing projects in the immediate vicinity of the proposed development site that could act in combination with the proposed development to have adverse effects on the integrity of a European Site.
- The proposed development is small scale and located in an urban area where regular development and human activity occurs naturally over time.

8.6. **Appropriate Assessment Conclusions**

8.6.1. Having carried out screening for appropriate assessment of the proposed R132 Connectivity Project, it was concluded that these works would be likely to have a significant effect on the Malahide Estuary SAC and the Malahide Estuary SPA. Consequently, an appropriate assessment was required of the implications of the project on the qualifying features of this site in light of its conservation objectives.

8.6.2. Following an appropriate assessment, it has been ascertained that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of the Malahide Estuary SAC and the Malahide Estuary

SPA, or any other European site, in view of the sites' Conservation Objectives. No reasonable scientific doubt remains as to the absence of such effects.

8.6.3. This conclusion is based on:

- A full and detailed assessment of all aspects of the proposed project and proposed mitigation measures in relation to the Conservation Objectives of the Malahide Estuary SAC and the Malahide Estuary SPA.
- Detailed assessment of in combination effects with other plans and projects.
- No adverse effects to Special Conservation Interest habitat or species of the Malahide Estuary SAC and the Malahide Estuary SPA following the application of mitigation measures.
- The demonstration, beyond reasonable scientific doubt, that with full and proper implementation of mitigation measures, the proposed development will not result in adverse effects on the integrity of the Malahide Estuary SAC and the Malahide Estuary SPA.

9.0 Recommendation

On the basis of the above assessment, I recommend that the Board approve the proposed development subject to the reasons and considerations below and subject to conditions including requiring compliance with the submitted details and with the mitigation measures as set out in the NIS.

Reasons and Considerations

In coming to its decision, the Board had regard to the following:

- (a) the EU Habitats Directive (92/43/EEC),
- (b) the European Union (Birds and Natural Habitats) Regulations 2011-2015,
- (c) the Water Framework Directive (2000/60/EC),
- (d) the likely consequences for the environment and the proper planning and sustainable development of the area in which it is proposed to carry out the proposed development and the likely significant effects of the proposed development on a European Site,

- (e) the conservation objectives, qualifying interests and special conservation interests for the Malahide Estuary SAC (site code: 000205) and the Malahide Estuary SPA (site code: 004025),
- (f) the policies and objectives of the Fingal Development Plan, 2017-2023,
- (g) the nature and extent of the proposed works as set out in the application for approval,
- (h) the information submitted in relation to the potential impacts on habitats, flora and fauna, including the Natura Impact Statement,
- (i) the submissions and observations received in relation to the proposed development,
- (j) the report and recommendation of the person appointed by the Board to make a report and recommendation on the matter

Appropriate Assessment:

The Board agreed with and adopted the screening assessment and conclusion carried out in the Inspector's report that the Malahide Estuary SAC (site code: 000205) and the Malahide Estuary SPA (site code: 004025), are the only European Sites for which there is a likelihood of significant effects.

The Board considered the Natura Impact Statement and all other relevant submissions and carried out an Appropriate Assessment of the implications of the proposal for the Malahide Estuary SAC and the Malahide Estuary SPA. The Board considered that the information before it was adequate to allow the carrying out of an Appropriate Assessment.

In completing the assessment, the Board considered, in particular:

- i. the likely direct and indirect impacts arising from the proposal both individually or in combination with other plans or projects, specifically upon the Malahide Estuary SAC (site code: 000205) and the Malahide Estuary SPA (site code: 004025),
- ii. the mitigation measures which are included as part of the current proposal,
- iii. the Conservation Objectives for the European Sites,

- iv. the views set out in submissions received.

In completing the appropriate assessment, the Board accepted and adopted the appropriate assessment carried out in the Inspector's report in respect of the potential effects of the proposed development on the integrity of the aforementioned European Sites, having regard to the sites' conservation objectives.

In overall conclusion, the Board was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of the European Site, in view of the site's conservation objectives.

Proper Planning and Sustainable Development/Likely effects on the environment:

It is considered that, subject to compliance with the conditions set out below, the proposed development would not have significant negative effects on the environment or the community in the vicinity, would not give rise to a risk of pollution, would not be detrimental to the visual or landscape amenities of the area, would not seriously injure the amenities of property in the vicinity, would not adversely impact on the cultural, archaeological and built heritage of the area, would not interfere with the existing land uses in the area, and would be acceptable in terms of pedestrian and cyclist safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where any mitigation measures or any conditions of approval require further details to be prepared by or on behalf of the local authority, these details shall be placed on the file and retained as part of the public record.
Reason: In the interest of clarity and the proper planning and sustainable development of the area and to ensure the protection of the environment.
2. The proposed development shall be amended as follows:

- (a) Detailed traffic calming measures for the entire scheme appropriate for a maximum speed limit of 50kph shall be designed and implemented throughout.
- (b) Kerb radius reduction measures shall be designed and implemented for the junction of Seatown West (R836) and Balheary Road.
- (c) Cyclist caution signage shall be installed on the approach arms of all junctions.
- (d) Left turning traffic at all junctions shall only proceed on a flashing amber left turn filter arrow during the traffic light sequence.
- (e) Red surfacing of cycle lanes shall be applied at locations where left turning motoring vehicles are required to cross these cycle lanes.
- (f) Measures shall be put in place to facilitate access to adjacent lands in accordance with the approved Swords Masterplans, 2019, as appropriate.
- (g) Measures shall be put in place to ensure that no pedestrian access to Foxwood from Malahide Road is approved as part of this proposal.

Revised drawings and particulars showing compliance with these requirements shall be placed on the file and retained as part of the public record.

Reason: In the interests of pedestrian and cyclist safety and convenience.

3. Prior to commencement of development, the local authority shall prepare a traffic modelling report that reanalyses all junctions to maximise pedestrian and cyclist green time. The pedestrian/ cyclist green phase shall allow sufficient time for pedestrians/ cyclists to cross junctions in all directions within a single green phase, whenever possible. This analysis shall be placed on the file and retained as part of the public record.

Reason: In the interests of pedestrian and cyclist safety and convenience.

4. The mitigation and monitoring measures outlined in the plans and particulars relating to the proposed development, including those set out in Natura Impact Statement and Environmental Report, shall be implemented in full or as may be required in order to comply with the following conditions. Prior to the commencement of development, details of a time

schedule for implementation of mitigation measures and associated monitoring shall be prepared by the local authority and placed on file and retained as part of the public record.

Reason: In the interest of protecting the environment, the protection of European Sites and in the interest of public health.

5. Prior to the commencement of development, the local authority, or any agent acting on its behalf, shall prepare in consultation with the relevant statutory agencies, a Construction Environmental Management Plan (CEMP), incorporating all mitigation measures indicated in the Natura Impact Statement and a demonstration of proposals to adhere to best practice and protocols.

Reason: In the interest of protecting the environment, the landscape, European Sites, and sensitive receptors and in the interest of public health.

6. Prior to the commencement of development, details of measures to protect fisheries and water quality of the river systems shall be outlined and placed on file. Full regard shall be had to Inland Fisheries Ireland's published guidelines for construction works near waterways (Guidelines on Protection of Fisheries during Construction Works in and Adjacent to Waters, 2016). A programme of water quality monitoring shall be prepared in consultation with the contractor, the local authority and relevant statutory agencies and the programme shall be implemented thereafter.

Reason: In the interest of the protecting of receiving water quality, fisheries and aquatic habitats

7. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be placed on the file and retained as part of the public record. This plan shall provide details of intended construction practice for the development, including:
 - (a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
 - (b) Location of areas for construction site offices and staff facilities;

- (c) Details of site security fencing and hoardings;
- (d) Details of the timing and routing of construction traffic to and from the construction site;
- (e) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- (f) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
- (g) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- (h) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained.
- (i) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- (j) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.
- (k) Consultation with the respective Regional Waste Management Planning Office regarding development of the final plans.

A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.

Reason: In the interest of amenities, public health and safety.

8. The local authority and any agent acting on its behalf shall ensure that all plant and machinery used during the works should be thoroughly cleaned and washed before delivery to the site to prevent the spread of hazardous invasive species and pathogens.

Reason: To ensure the protection of the local environment and European sites.

9. A suitably qualified ecologist shall be retained by the local authority to oversee the site set up and construction of the proposed development and implementation of mitigation measures relating to ecology set out in Natura Impact Statement and Environmental Report. The ecologist shall be present during site construction works. Upon completion of works, an ecological report of the site works shall be prepared by the appointed ecologist to be kept on file as part of the public record.

Reason: In the interest of nature conservation and the protection of terrestrial and aquatic biodiversity.

10. The local authority and any agent acting on its behalf shall facilitate the preservation, recording, protection or removal of archaeological materials or features that may exist within the site. A suitably qualified archaeologist shall be appointed by the local authority to oversee the site set-up and construction of the proposed development and the archaeologist shall be present on site during construction works. Should archaeological material be found, the archaeologist may have work stopped and the developer shall carry out the necessary mitigation/ recording. The Planning Authority and Department shall be furnished with a report describing results of monitoring.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

Donal Donnelly
Senior Planning Inspector

24th September 2021