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Project: Traffic Calming Measures at Drynam, Swords, Co. Dublin
Project no.: 7079_Drynam
Subject: Review of Requirements for Environmental Impact Assessment and Appropriate Assessment
Report date: 26 February 2025

This review has been prepared by Sadye Goldfarb, Ecologist, and technically reviewed by Matthew Hague CEnv MCIEEM (BSc, MSc, Ad Dip Planning and Environmental Law), Associate and Senior Ecologist, of Brady Shipman Martin.

Introduction and Proposed Development

The Environment, Climate Action, Active Travel & Sports Department of Fingal County Council proposes to carry out modifications and upgrading work at a site at Drynam, Swords, Co. Dublin to facilitate traffic calming measures to enhance safety for pedestrians and cyclists.

The Site (see **Figure 1**) is located in the southeast of Swords, in the Drynam Hall neighbourhood, at the intersection of Drynam Heath and Feltrim Road. The areas directly surrounding the site are zoned as a mosaic of *Residential*, *Open Space*, and *Green Belt*, with a few areas of *Local Centre*, *General Employment*, and *Community Infrastructure* further afield.¹

The proposed development will exist entirely within the existing built intersection of Drynam Heath and Feltrim Road and will consist of the installation of bollards and planters to functionally turn Drynam Heath into a cul-de-sac which only permits cyclists and pedestrians access from the bottom end.

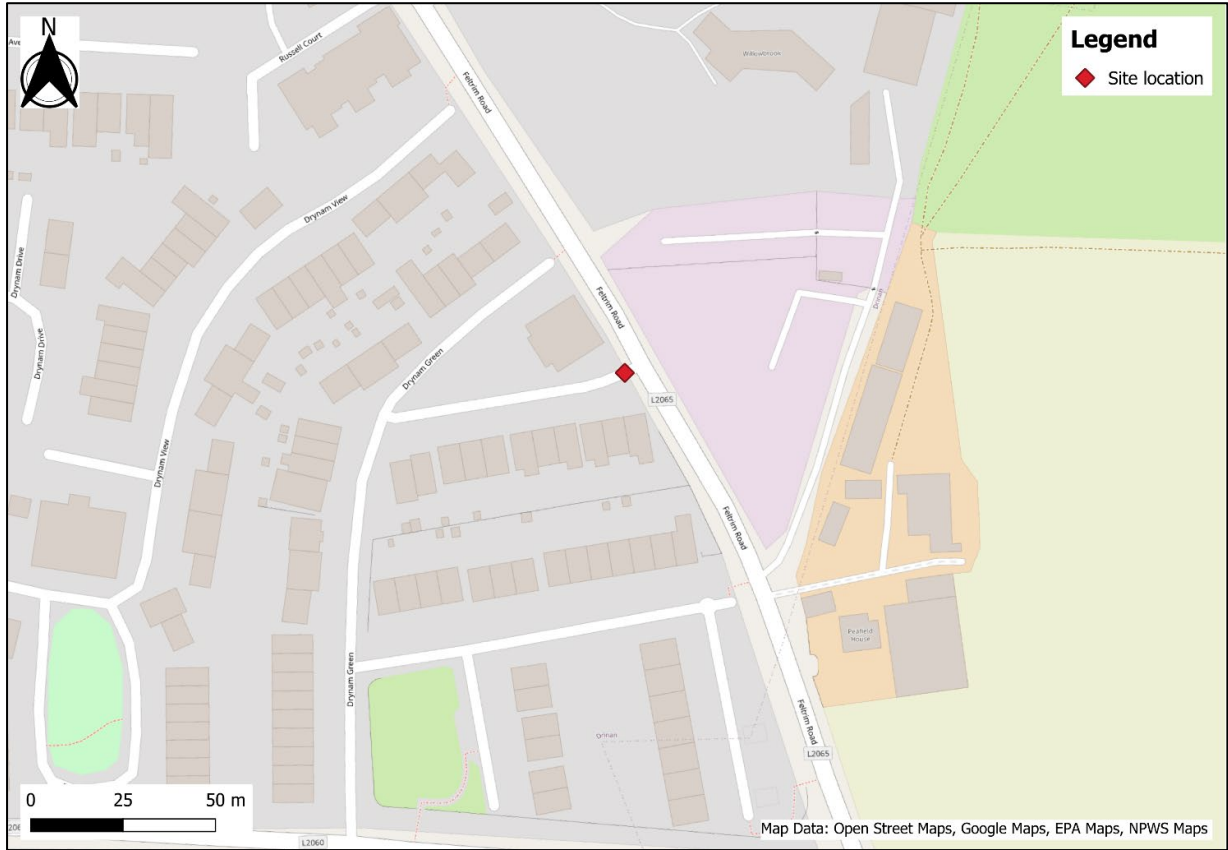
Brady Shipman Martin has been commissioned by Fingal County Council to review the potential requirements for Environmental Impact Assessment [EIA] and Appropriate Assessment [AA] arising as a result of the proposed development.

¹ Fingal Development Plan 2023-2029



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Figure 1 - Traffic Calming Measures at Drynam, Swords, Co. Dublin site location.





EIA Screening

The EIA Directive is transposed into Irish legislation through the Planning and Development Act 2000 (the PDA), as amended and the Planning and Development Regulations 2001, as amended (the PDR). Part 1 of Schedule 5 of the PDR lists the classes of development for which EIA is a mandatory requirement. Part 2 of Schedule 5 sets out specific thresholds for classes of development, at or above which, EIA is also a mandatory requirement. ‘Sub-threshold development’ refers to developments of a class listed in Part 2 of Schedule 5, which do not meet or exceed the stated threshold, and these developments are subject to screening for the requirement for ‘sub-threshold EIA’.

Schedule 7 of the PDR sets out the criteria that must be considered in determining whether a sub-threshold project should be subject to EIA. Schedule 7A lists the information that the applicant must submit to the competent authority for the purposes of an EIA screening determination, i.e. the information that must be contained in the EIA Screening Report. This is a step-by-step process known as ‘screening for EIA’.

For road developments, including traffic calming measures, the legislative process of ascertaining whether a project requires an EIA is determined by reference to provisions set out in the EIA Directive, the PDA and the PDR. Furthermore, the requirements for EIA for road projects are set out in Part IV (sections 50 and 51) of the Roads Act, 1993, as amended, and Part V of the Roads Regulations, 1994, as amended. Section 50 of the Roads Act specifies the types of roads projects that automatically require EIA and sets out criteria for determining whether or not other roads projects should be subject to EIA.

The proposed development does not conform to any of the classes of development and therefore is not a ‘project’ as set out in Part 1 of Schedule 5 of PDR 2001. Therefore, there is no requirement for mandatory EIA under this provision.

With reference to Part 2 of Schedule 5 of the PDR 2001 and Section 50 of the Roads Act 1993, the proposal can be considered a ‘project’ within a class / type of development as set out in **Table 1**.

Table 1 Applicable Classes of Development for the purposes of Screening for the requirement for EIA

Road Projects where an EIA is Mandatory	Proposed Development	Pre-screening Assessment
Roads Act 1993		
S. 50(1)(a) of the Roads Act 1993: A road development that is proposed that comprises any of the following shall be subject to an environmental impact assessment:	The proposed developments include modifications to a road intersection to enable traffic calming measures. It will consist of the installation of bollards and planters to functionally turn Drynam Heath into a cul-de-sac which only permits cyclists and pedestrians access from the bottom end.	The proposed development is not of a type listed in this provision. Therefore, EIA is not a mandatory requirement and also the development is not considered to be a ‘sub-threshold’ development under these classes of development.
<i>(i) Construction of a motorway.</i>		
<i>(ii) Construction of a busway.</i>		
<i>(iii) Construction of a service area.</i>		
<i>(iv) Any prescribed type of road development consisting of the construction of a proposed public road or the improvement of an existing public road .</i>	The proposed development does not include construction, realignment or widening of a road to provide for four or	The proposed development is not of a type listed in this provision. Therefore, EIA is not a mandatory requirement and also the development is not



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Road Projects where an EIA is Mandatory	Proposed Development	Pre-screening Assessment
<p>Article 8 of the Roads Regulations, 1994 (Part V Environmental Impact Assessment) states:</p> <p><i>The prescribed types of proposed road development for the purpose of subsection (1)(a)(iii) of section 50 of the Act shall be—</i></p> <p>(a) <i>The construction of a new road of four or more lanes, or the realignment or widening of an existing road so as to provide four or more lanes, where such new, realigned or widened road would be eight kilometres or more in length in a rural area, or 500 metres or more in length in an urban area;</i></p> <p>(b) <i>The construction of a new bridge or tunnel which would be 100 metres or more in length.</i></p>	<p>more lanes or construction of a bridge or tunnel.</p>	<p>considered to be a 'sub-threshold' development under these classes of development.</p>
<p>S. 50(1)(b) of the Roads Act 1993:</p> <p><i>If An Bord Pleanála considers that any road development proposed (other than development to which paragraph (a) applies) consisting of the construction of a proposed public road or the improvement of an existing public road would be likely to have significant effects on the environment it shall direct that the development be subject to an environmental impact assessment.</i></p>	<p>The proposed developments include modifications to a road intersection to enable traffic calming measures. It will consist of the installation of bollards and planters to functionally turn Drynam Heath into a cul-de-sac which only permits cyclists and pedestrians access from the bottom end.</p>	<p>The extent and scale of works proposed are very minor and EIA is not a mandatory requirement. Given the nature, size and scale of the proposed development it will be subject to Preliminary Examination, below.</p>
<p>S. 50(1)(c) of the Roads Act 1993:</p> <p><i>Where a road authority or, as the case may be, the Authority considers that a road development that it proposes (other than development to which paragraph (a) applies) consisting of the construction of a proposed public road or the improvement of an existing public road would be likely to have significant effects on the environment, it shall inform An Bord Pleanála in writing prior to making any application to the Bord for an approval referred to in section 51(1) in respect of the development.</i></p>	<p>It is considered unlikely to have significant effects on the environment, within the meaning of the EIA Directive.</p>	
<p>S. 50(1)(d) of the Roads Act 1993:</p> <p><i>In particular, where a proposed development (other than development to which paragraph (a) applies) consisting of the construction of a proposed public road or the improvement of an existing public road would be located on—</i></p> <p>(i) <i>a European Site within the meaning of Regulation 2 of the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011),</i></p>	<p>The proposed development site is not directly connected with any European (Natura 2000) site. The nearest such sites, Malahide Estuary SAC and SPA (site codes 000205 and 004025) are c. 1.7 km to the northeast and there is no pathway between the proposed development site and this European site.</p>	<p>The extent and scale of works proposed are small in context of the city centre location and therefore EIA is not a mandatory requirement. Given the nature, size and scale of the proposed development it will be subject to Preliminary Examination, below.</p>



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Road Projects where an EIA is Mandatory	Proposed Development	Pre-screening Assessment
<p><i>(ii) land established or recognised as a nature reserve within the meaning of section 15 or 16 of the Wildlife Act 1976 (No. 39 of 1976),</i></p> <p><i>(iii) land designated as a refuge for fauna or flora under section 17 of the Wildlife Act 1976 (No. 39 of 1976), or</i></p> <p><i>(iv) land designated a natural heritage area under section 18 of the Wildlife (Amendment) Act 2000,</i></p> <p><i>the road authority or the Authority, as the case may be, proposing the development shall decide whether or not the proposed development would be likely to have significant effects on the environment.</i></p>	<p>The potential for effects on the SAC and SPA, which are both European (Natura 2000) sites, is considered in detail in sections addressing Appropriate Assessment (AA) screening in this report. That report finds that the scheme is unlikely to have significant effects on any European sites or on any other nature conservation receptors – including nature reserves, refuges for flora and fauna, or natural heritage areas.</p>	
PDR 2001		
<p>Schedule 5, Part 2, paragraph 10(b)(iv):</p> <p><i>“Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.”</i></p> <p><i>“(In this paragraph, “business district” means a district within a city or town in which the predominant land use is retail or commercial use.)”</i></p>	<p>Significantly under the thresholds, at c.300m².</p>	<p>The proposed development does not meet or exceed the stated threshold. Therefore, EIA is not a mandatory requirement.</p> <p>The proposed development is of a class / type listed in this provision but is significantly below the stated threshold. Given the nature, size and scale of the proposed development it will be subject to Preliminary Examination, below..</p>
<p>Schedule 5, Part 2, paragraph 13(a):</p> <p><i>Any change or extension of development already authorised, executed or in the process of being executed (not being a change or extension referred in Part 1) which would:</i></p> <p><i>(i) Result in the development being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of this schedule, and</i></p> <p><i>(ii) result in an increase in size greater than-</i></p> <ul style="list-style-type: none"> - 25 per cent, or - An amount equal to 50 per cent of the appropriate threshold, <p><i>whichever is greater.</i></p>	<p>The changes proposed by the development will not result in the affected area being of a listed class. Also, no new hard surface area will be created.</p>	<p>The proposed development does not meet the criteria listed under paragraph 13. Therefore, EIA is not a mandatory requirement and also the development is not considered to be a ‘sub-threshold’ development in this context.</p>



The proposed development is not considered to have a mandatory requirement for an EIA as it does not satisfy the criteria described in Table 1 above.

Given the wide ranging requirement of S.50 (1) (b) to (d) of the Roads Act that any road development or road improvement project which would be likely to have significant effects on the environment should be subject to EIA, under the precautionary principle the proposed project is subject to screening (Preliminary Examination). See **Table 2**.

Table 2 - Traffic Calming Measures at Drynam, Swords, Co. Dublin: EIA Preliminary Examination, Stage 1

DETAILS OF PROPOSED DEVELOPMENT		
Location:	Drynam, Swords, Co. Dublin	
Land use zoning:	<p>As per the Fingal County Development Plan 2023 – 2029 the site is located within <i>Zoning Objective RS – Residential – Provide for residential development and protect and improve residential amenity.</i></p> <p>The site is also subject to an Objective in the Development Plan (Objective CMO46 - Speed Limits and Traffic Calmed Areas: Expand the 30kph speed limits and traffic calmed areas at appropriate locations throughout the County including in towns and village areas where appropriate and to all residential developments and at schools.).</p>	
PRELIMINARY EXAMINATION		
Aspect	Description	Significant Env. Effects Yes / No/ Uncertain
Nature of proposed development	The proposed developments include modifications to a road intersection to enable traffic calming measures. It will consist of the installation of bollards and planters to functionally turn Drynam Heath into a cul-de-sac which only permits cyclists and pedestrians access from the bottom end.	No
Size of proposed development	The proposal is located at the intersection of Drynam Heath and Feltrim Road and does not cover more than c. 300 m ² .	No
Location of proposed development	<p>The proposed development site comprises one small area at the intersection of Drynam Heath and Feltrim Road (see Figure 1), which is located to the southeast of the town of Swords, on the eastern side of the M1 Motorway.</p> <p>In the Fingal Development Plan 2023 – 2029 the site is located within Zoning Objective RS – Residential – Provide for residential development and protect and improve residential amenity.</p> <p>The site is also subject to an Objective in the Development Plan, Objective CMO46 - Speed Limits and Traffic Calmed Areas: Expand the 30kph speed limits and traffic calmed areas at appropriate locations throughout the County including in towns and village areas where appropriate and to all residential developments and at schools.</p>	No
CONCLUSION		



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Finding	Position	Decision
(i) There is no real likelihood of significant effects on the environment.	EIA / EIAR not required.	Accepted
(ii) There is a significant and realistic doubt in regard to the likelihood of significant effects on environment.	Stage 2 screening required. Schedule 7 information to be prepared.	Not Applicable
(iii) There is a real likelihood of significant effects on the environment.	EIA/EIAR is required.	Not Applicable



AA Screening

A review of the proposed development has been prepared in respect of the likelihood of a requirement [Screening] for AA as set out under Article 6 of the EU Habitats Directive (92/34/EEC), transposed into Irish law through the European Communities (Birds and Natural Habitats) Regulations 2011 as amended and the Planning and Development Act 2000 as amended. See **Table 3**.

Table 3 - Traffic Calming Measures at Drynam, Swords, Co. Dublin: AA SCREENING

DETAILS OF PROPOSED DEVELOPMENT	
Location:	Drynam, Swords, Co. Dublin
Land use zoning:	<p>As per the Fingal County Development Plan 2023 – 2029 the site is located within Zoning Objective RS – Residential – <i>Provide for residential development and protect and improve residential amenity.</i></p> <p>The site is also subject to an Objective in the Development Plan (Objective CMO46 - Speed Limits and Traffic Calmed Areas: Expand the 30kph speed limits and traffic calmed areas at appropriate locations throughout the County including in towns and village areas where appropriate and to all residential developments and at schools.).</p>
<p>The proposed development site at Drynam, Swords, Co. Dublin is not under any wildlife or conservation designation. Furthermore, no rare, threatened or legally protected plant species, as listed in the <i>Irish Red Data Book 1 – Vascular Plants (Curtis & McGough, 1988)</i>, the <i>Flora Protection Order, 2022</i> or the <i>EU Habitats Directive</i>, occur within the site.</p> <p>The site has no key ecological receptors as defined by the ecological resource valuations presented in the National Roads Authority/Transport Infrastructure Ireland <i>Guidelines for Assessment of Ecological Impacts of National Road Schemes (NRA/TII, 2009 (Rev. 2))</i>. No habitats or species with links to European sites, and no ‘reservoir’ type habitats, are present on the site. There will be no loss of any habitat or species listed as a Qualifying Interest or Special Conservation Interest of any designated site as a consequence of the project. There will be no impacts on European Protected species, such as bats, as a result of the proposed development.</p> <p>The proposed development site is not directly connected with any European (Natura 2000) site. The nearest such sites, Malahide Estuary SAC and SPA (site codes 000205 and 004025) and Baldoyle Bay SAC and SPA (site codes 000199 and 004016) are c. 1.7 km to the north east and 4.5km to the south east respectively and there is no pathway between the proposed development site and this European site, including via water (the nearest watercourses, as mapped on the EPA database, are the Gaybrook Stream, c.500m to the north, draining into Malahide Estuary and the Hazelbrook Stream, c.600m to the south, draining into Baldoyle Bay. There is no possible pathway between the subject site and these European sites. See Figure 2.</p> <p>Any minor construction-related impacts will be restricted to the construction site itself. The site is already developed as a residential area and is located within appropriately zoned land. Once operational the traffic calming measures will not impact any of the existing drainage infrastructure on the site.</p> <p>There will be no loss of habitat or species, fragmentation or disturbance to the qualifying interests of this site as a result of the proposed development.</p>	



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There is no possibility of any significant construction- or operational-phase related effects on any European site as a result of the proposed development.

IN-COMBINATION EFFECTS

Having regard to the nature, scale and location of the proposed development it is considered that there is no likelihood of significant effects on any European sites during construction or operation, and it is further considered that there are no other plans or projects that will act in combination with the proposed development to have a significant effect on European sites.

The Fingal County Development Plan 2023 – 2029 has a series of objectives intended to protect and enhance the natural environment. The proposed development is in compliance with all of the relevant Plan objectives, including **Objective CMO46 - *Speed Limits and Traffic Calmed Areas: Expand the 30kph speed limits and traffic calmed areas at appropriate locations throughout the County including in towns and village areas where appropriate and to all residential developments and at schools***

CONCLUSION

In view of best scientific knowledge, it can be concluded that the proposed development, individually or in combination with another plan or project, **will not have a significant effect on any European sites**. This assessment was reached without considering or taking into account mitigation measures or measures intended to avoid or reduce any impact on European sites.

Figure 1 - European sites within the potential Zone of Influence of the site. 15 km radius shown for scale.

