

COMHAIRLE CONTAE CHILL DARA

KILDARE COUNTY COUNCIL

Record of Executive Business and Chief Executive's Orders

Planning and Development Act 2000 (as amended) – Part XI
Planning and Development Regulations 2001 (as amended) – Part 8

Rathangan Town Centre Environmental Improvement Works

Environmental Impact Assessment (EIA) Screening Determination

Pursuant to the requirements of the above, Kildare County Council is proposing to carry out environmental improvement works in the town centre of Rathangan comprising footpath widening and resurfacing, upgrade of street furniture and street lighting, replacement of existing trees with new trees and planting of additional trees, formalisation of car parking spaces and resurfacing, sensitive restoration of water pump, re-design of William A Byrne Memorial Garden, Welcome sign and gateway feature artworks on approach to town, new street lighting columns and pedestrian feature lighting to replace existing. A detailed description of the proposed development has been provided in the Section 1.2 of the Environmental Impact Assessment Screening Report with drawings provided with the Part 8 application.

Having regard to EIA Directive 2011/92/EU as amended by Directive 2014/52/EU (the EIA Directive), the guidance contained in: "*Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-Threshold Development*" (published by the Department of Environment, Heritage and Local Government in 2003); "*Environmental Impact - Assessment of Projects - Guidance on Screening*" (published by the European Commission in 2017); "*Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment*" (published by the Department of Housing, Planning and Local Government in 2018); and on the basis of the objective information provided in the Part 8 drawings and details including the and the screening opinion dated 25th June 2020, which concluded that the proposed development is a sub-threshold development that is unlikely to have significant environmental effects in the relevant areas, Kildare County Council, as the Competent Authority, must determine whether this project, individually, or in combination with other plans and projects, requires an Environmental Impact Assessment.

In making a determination, consideration must be given to the EIA Directive and in particular to Annex I, II and III of that Directive, which set out requirements for mandatory and sub-threshold EIA.

As the proposed environmental improvement works are sub-threshold, it has, therefore, been assessed on a case-by-case basis in accordance with the criteria for determining whether or not a development would or would not be likely to have significant effects on the environment as outlined within Annex III of the EIA Directive.

With respect to the likelihood of significant effects of the proposed project on the environment, regard must be had to the following in particular:

- The size and design of the whole project;
- Cumulation with other existing and/or proposed projects;
- The use of natural resources, in particular land, soil, water and biodiversity;
- The production of waste;
- Pollution and nuisance;

- The risk of major accidents and/or disasters which are relevant to the project concerned, including those caused by climate change, in accordance with scientific knowledge; and
- The risk to human health (for example due to water contamination or air pollution).

Under each of these headings, having regard to the scale and the nature of the proposed development, it is considered that the environmental effects arising from the proposed project will generally be localised and minor in nature. The proposed development is not likely to give rise to significant environmental impacts and does not require an Environmental Impact Assessment Report to be prepared or an Environmental Impact Assessment to be conducted.



Date 13.01.2021.

ORDER: That Kildare County Council as the Competent Authority hereby makes a determination that the proposed Rathangan Town Centre Environmental Improvement Works would not be likely to have significant effects on the environment and that the proposed project does not require an Environmental Impact Assessment.

Date: _____



Chief Executive