

EIA Screening

Part 8 proposal: Kildare Market Square, Kildare Town.

8 December 2023



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1. INTRODUCTION

1.1 Background

This report has been prepared by MacCabe Durney Barnes on behalf of Kildare County Council (KCC), to support it in undertaking a screening determination for Environmental Impact Assessment (EIA) in respect of a Part 8 application at Market Square, Kildare, Co. Kildare. This report has been prepared in respect of proposed public realm improvement works to Kildare Market Square which comprises an area of c. 6540m² and incorporates the public areas both North and South of Bride Street (R415), Church Lane (known as Firecastle Lane) extending Westward to Heffernan's Lane and the pedestrian laneway to Nugent Street carpark (rear of Top Nolans). The proposed works comprise the following:

- Adjustments to the road network and parking arrangements.
- Re-grading Market Square, North of Bride Street, Bride Street and the Eastern roadway whereby kerbs are removed to bring the surface of the public realm to top of existing kerb levels.
- Re-grading the entrance area to Market House to provide level access.
- Upgrading footpath surfaces throughout site area using high quality natural stone.
- Widening and revision of the footpath layouts along Dublin Street.
- Introduction of bollards to manage vehicular access at Church Lane (Firecastle Lane) and Market Square East.
- Repositioning of the Bus Shelter on the North side of Dublin Street to improve pedestrian movement and access around Market House.
- Consolidation of wayfinding and signage throughout the site area.
- Introduction of hard and soft landscaping (including 8no. additional street trees) throughout Market Square.
- Introduction of bespoke street furniture, seating, lighting and bicycle parking.
- Provision of 6no. Pedestrian crossings (1no. controlled and 5no. uncontrolled) and widening of existing 3no. controlled crossings.
- Removal of overhead cables and services and relocation underground.
- Upgrading of carriageways, signage, road markings and drainage works including implementation of Sustainable Urban Drainage Systems.
- Provision of all utilities, necessary services and associated site works.

During the COVID-19 Pandemic, the Council carried out works, known as Accelerated Measures in response to COVID-19 Pandemic, which provided for increased space for outdoor social and commercial activities. This was an intervention that enabled the Council to trial measures to facilitate the greater use of public space by the local community. The Council is now seeking to formalise the interventions that were deemed successful during the trial period.

The proposed design of the Market Square redresses the balance from what was previously a vehicular dominated location to a civic space that puts people and pedestrians first, creating a flexible area capable of accommodating a range of community and commercial events and activities that will significantly improve the public realm of this historic town centre and will focus on pedestrian connectivity and enhanced experience within the Market Square.

1.2 Legislation and Guidance

The EIA Screening Report has had regard to the following:

- Planning and Development Act 2000 as amended
- Planning and Development Regulations 2001 as amended
- Directive 2014/52/EU of 16 April 2014 amending Directive 2011/92/EU
- The European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018)
- Guidelines on the information to be contained in Environmental Impact Assessment Reports, Environmental Protection Agency, 2022
- Environmental Impact Assessment of Projects: Guidance on Screening, European Commission, 2017
- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment August 2018
- Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development 2003
- Circular Letter: PL 05/2018 27th August 2018 Transposition into Planning Law of Directive 2014/52/EU amending Directive 2011/92/EU on the effects of certain public and private projects on the environment (the EIA Directive) and Revised Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment.
- Circular Letter: PL 10/2018 22 November 2018 Public notification of timeframe for application to An Bord Pleanála for screening determination in respect of local authority or State authority development
- Office of the Planning Regulator (May 2021) Environmental Impact Assessment Screening- Practice Note

1.3 Methodology

The EIA screening assesses the proposed scheme with reference to the relevant EIA legislation including the EIA Directive, and Planning and Development Regulations. The methodology has particular regard to the '3-Step' assessment process set out in the Office of the Planning Regulator (OPR) Environmental Impact Assessment Screening Practice Note PN02 (June 2021). Regard is also had to European and National guidance documents.

Where the local authority concludes, based on such preliminary examination, that—

- I. there is no real likelihood of significant effects on the environment arising from the proposed development, it shall conclude that an EIA is not required,
- II. there is significant and realistic doubt in regard to the likelihood of significant effects on the environment arising from the proposed development, it shall prepare, or cause to be prepared, the information specified in Schedule 7A for the purposes of a screening determination, or
- III. there is a real likelihood of significant effects on the environment arising from the proposed development, it shall— (I) conclude that the development would be likely to have such effects, and (II) prepare, or cause to be prepared, an EIAR in respect of the development.

1.4 Data Sources

The information is obtained from review of several online databases and public sources including:

- Flood Maps - <https://www.floodinfo.ie/map/floodmaps/>
- Geological Survey of Ireland (GSI) online dataset - <https://www.gsi.ie>
- Historic Environmental Viewer – <https://heritagedata.maps.arcgis.com/>
- Kildare County Council Development Plan (CDP) 2023-2029
- Kildare Town Local Area Plan (LAP) 2023-2029
- Kildare County Council Planning Application Portal
- An Bord Pleanála Planning Applications
- EPA - <https://gis.epa.ie/EPAMaps/>
- GeoHive – <http://map.geohive.ie/mapviewer.html>.
- Office of Public Works (OPW) - <http://www.floodinfo.ie/map/floodmaps>

In addition to the above, the following documents, prepared to accompany the Part 8 documentation, were referred to as part of the assessment:

- Appropriate Assessment Screening by NM Ecology .
- Arboricultural Assessment & Impact Report by CMK Arb & Urban Forestry.
- Architectural Heritage Impact Assessment by JCA Architects.
- Archaeological Impact Assessment Report by CourtneyDeery Archaeology & Cultural Heritage.
- Traffic and Transport Assessment by AECOM.
- Infrastructure Report by AECOM and accompanying drawings.
- Landscape drawings by AECOM.
- Public lighting plans and report by AECOM.
- Architectural Drawings and Design Report by Metropolitan Workshop.
- Planning report by MacCabe Durney Barnes.

2. THE SITE AND SURROUNDINGS

2.1 Site Context

The site is located at Market Square in the town centre of Kildare. Kildare Town has its origins as a monastic settlement, dating back to the 5th century and evolved from its medieval past into a market town owing to its location and trade routes. The population of the Kildare was 10,302 according to the latest 2022 census of population. Kildare is situated 52 kilometres southwest of Dublin and is located adjacent to the north of the M7 motorway halfway between Monasterevin and Newbridge (*An Droichead Nua*) and is located at the fringe of The Curragh. Other neighbouring towns include Athy (19km away) and Naas (18km away). The town also has connections by rail to Cork, Dublin, Limerick and Waterford lines.

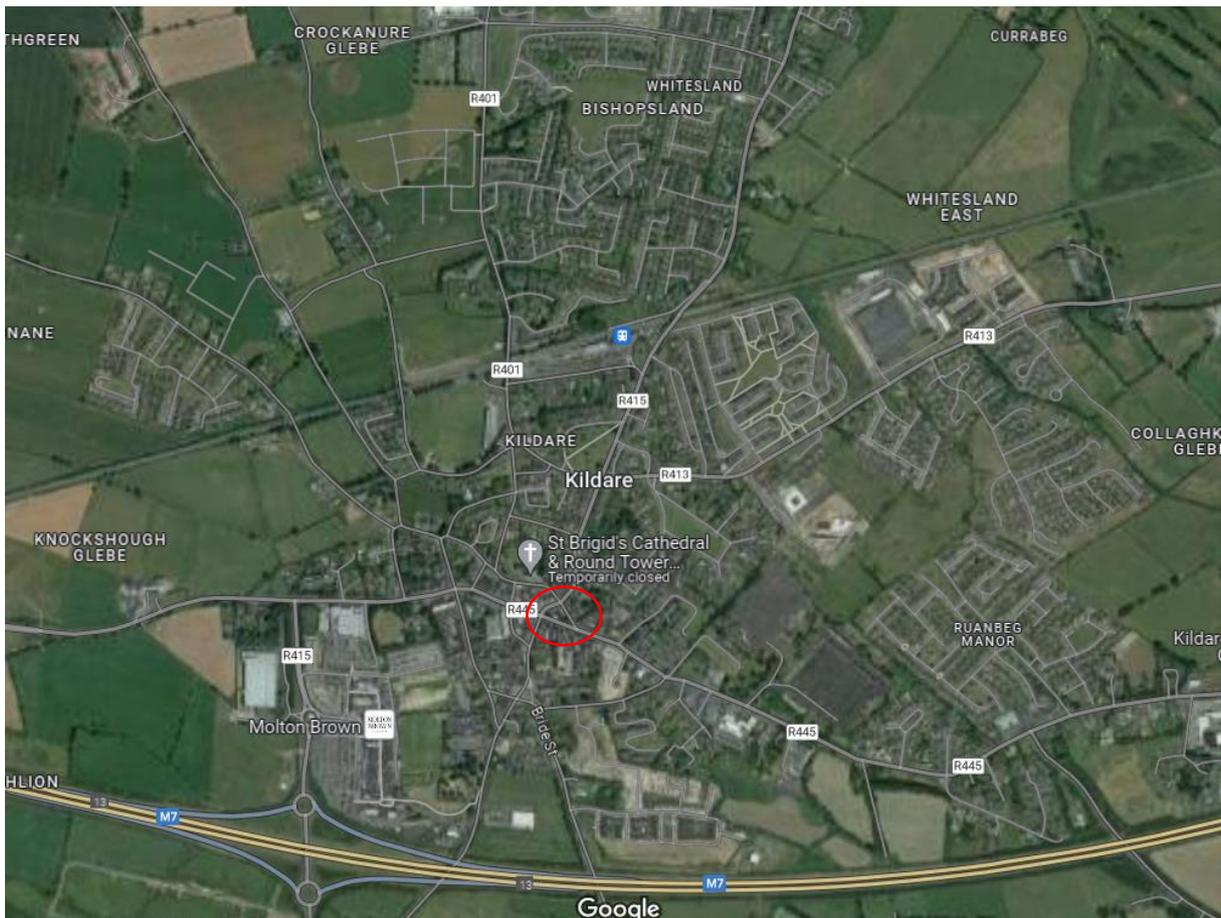


Figure 1: Site Context (Source : Google Maps)

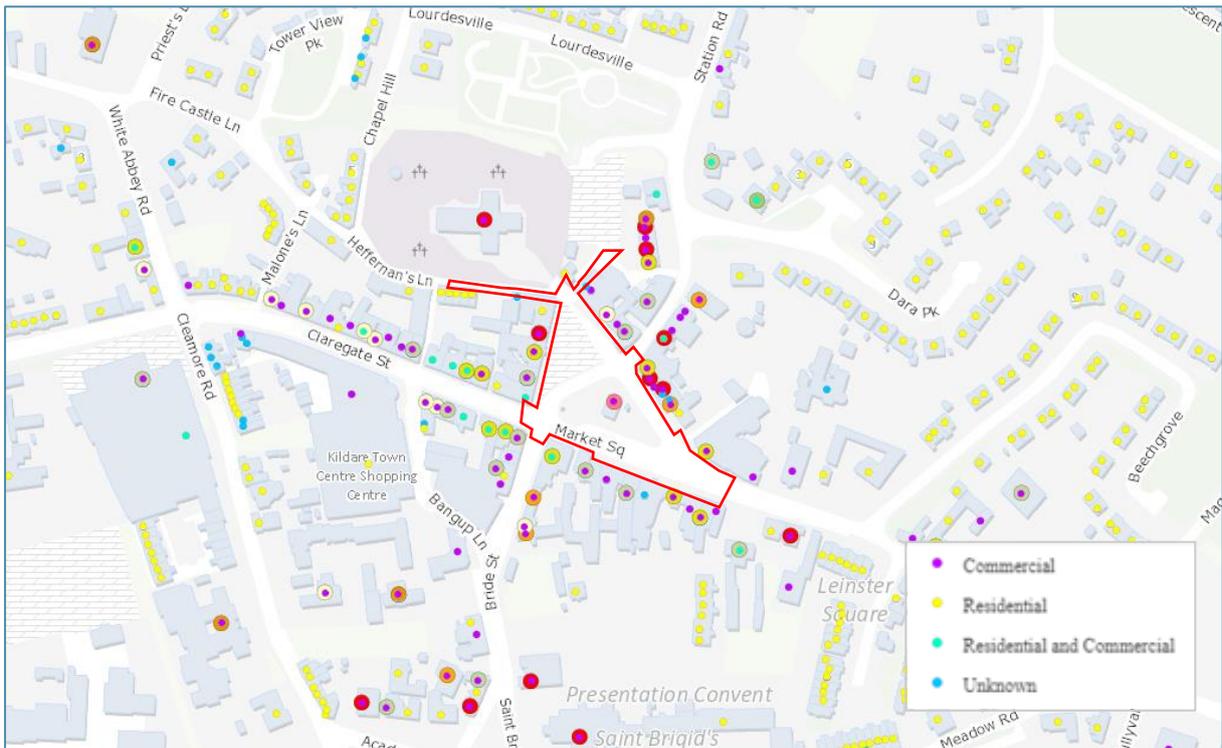


Figure 2: Land Use Surrounding the Site – parameters of subject site outlined in red (Source: myplan.ie)

The town centre core has a variety of uses which include residential and commercial uses. These uses occupy mostly terraced buildings which face onto the Market Square. This is also the case for the buildings occupied on Claregate Street and Bride Street.

2.2 Site Description

Market Square is located in the town centre of Kildare Town, Co. Kildare. It is crossed diagonally by Bride Street in an east / southwest manner and bound by the Dublin Road (R446) to the south. St Brigid's Cathedral is located immediately to the northwest of the site.

The location of the Square is central to the town, with the Square acting as its historic and present day focal point for a range of community and commercial activities and events. Surrounding uses are typical of town centres, with commercial services, the Heritage Centre and Tourist Office, comparison and convenience shops, restaurants, cafés and pubs, takeaways. Some buildings have different upper floor uses with limited residential accommodation and professional services such as solicitors. The Kildare train station is located around 650m north of the Square and Kildare Tourist Outlet Village is located around 1.5 km south of the subject site.

The Dublin Road (R445) which bounds the Square to the south, links the town to Newbridge, the Curragh and the M7 to the east and to Monasterevin to the west. Prior to the opening of the M7, this road was a major axis between Dublin and Portlaoise.

Bride Street (R415) splits the Square into two parts. It links Kildare town to the Rathbride townland to the north and to Nurney village to the south.

Most the buildings around the square itself date from the second half of the 18th century and the 19th century, meaning Market Square has retained much of its character.

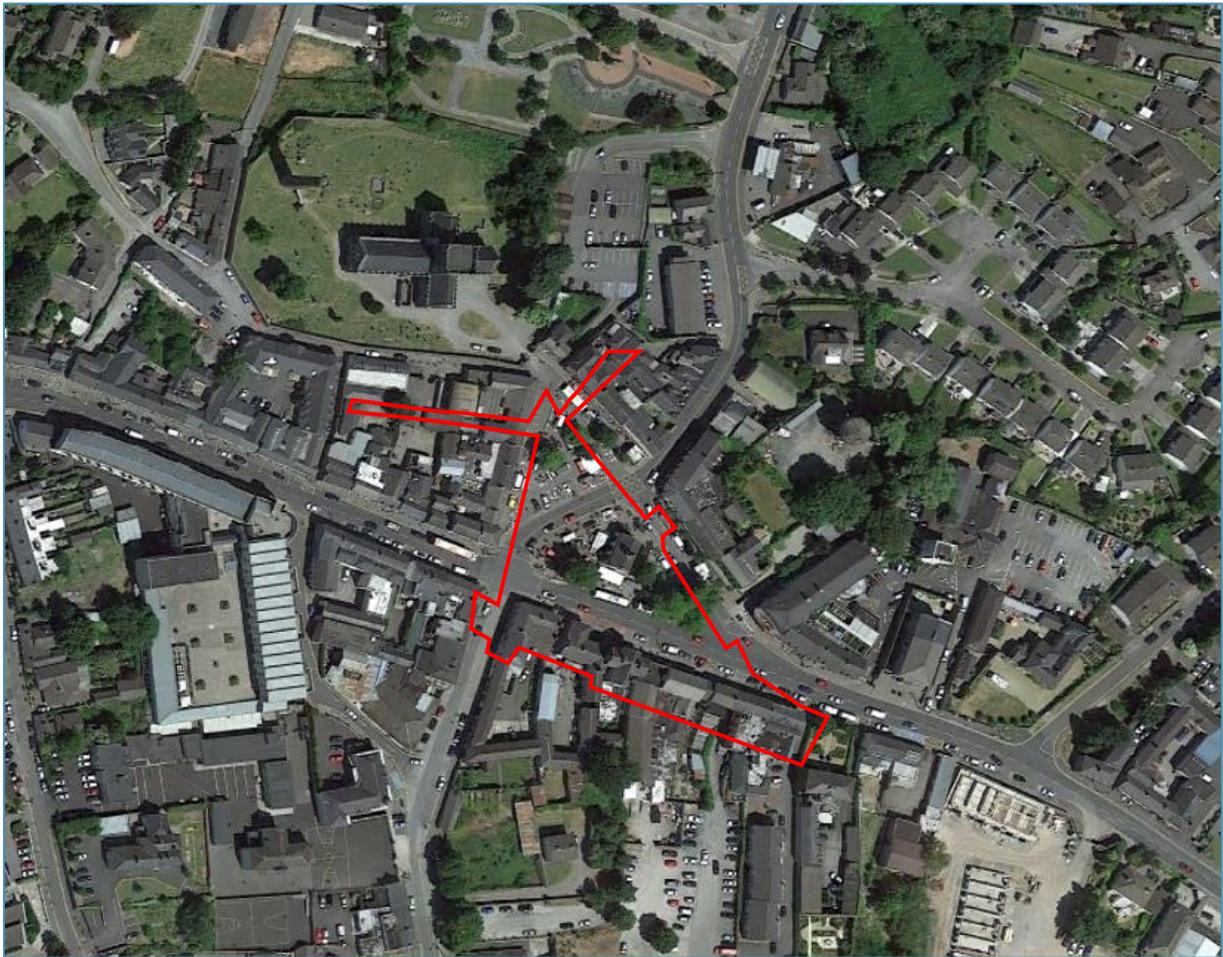


Figure 3: Site Location (Part 8 project area in red)

Market square hosts the weekly town market. The streetscape remains traditional broadly around Market Square. Buildings around the Square are usually of traditional design and generally well maintained. The square is broadly split into two parts. Overall, St Brigid's Cathedral and Round Tower is located at the highest point, the lowest being located at the intersection of the Dublin Road and Bride Street. There is a slight dip in level at the point where Bride Street crosses the Square.

Generally building height around the square is two-storey with some exceptions, notably the Bank of Ireland building, located on the Dublin Road and the Silken Thomas Restaurant, located at the corner of Market Square and the Dublin Road are both three-storey high.

There are two formal pedestrian crossings in and around the Square, both of which are located close to each other at the junction between the Dublin Road and Bride Street. This junction is signalled, whereas the others (Bride Street / Market Square and Market Square / Dublin Road) are marked with stop lines.

2.3 Environmental Sensitivities of the Site

The information set out below was derived from the data available within the Environmental Protection Agency (EPA) Mapping Tool, the KCC Planning Application Portal, and the relevant local statutory planning documentation, including the adopted Kildare County Development Plan 2023-2029 and Kildare Town LAP 2023-2029.

2.3.1 Bedrock

According to an examination of the information available on GeoHive, the site is part of the Boston Hill formation with nodular & muddy limestone & shale.

2.3.2 Soils and Hydrogeology

The subsoils are sand and gravels category. According to the EPA, the subsoils present are made ground (manmade).

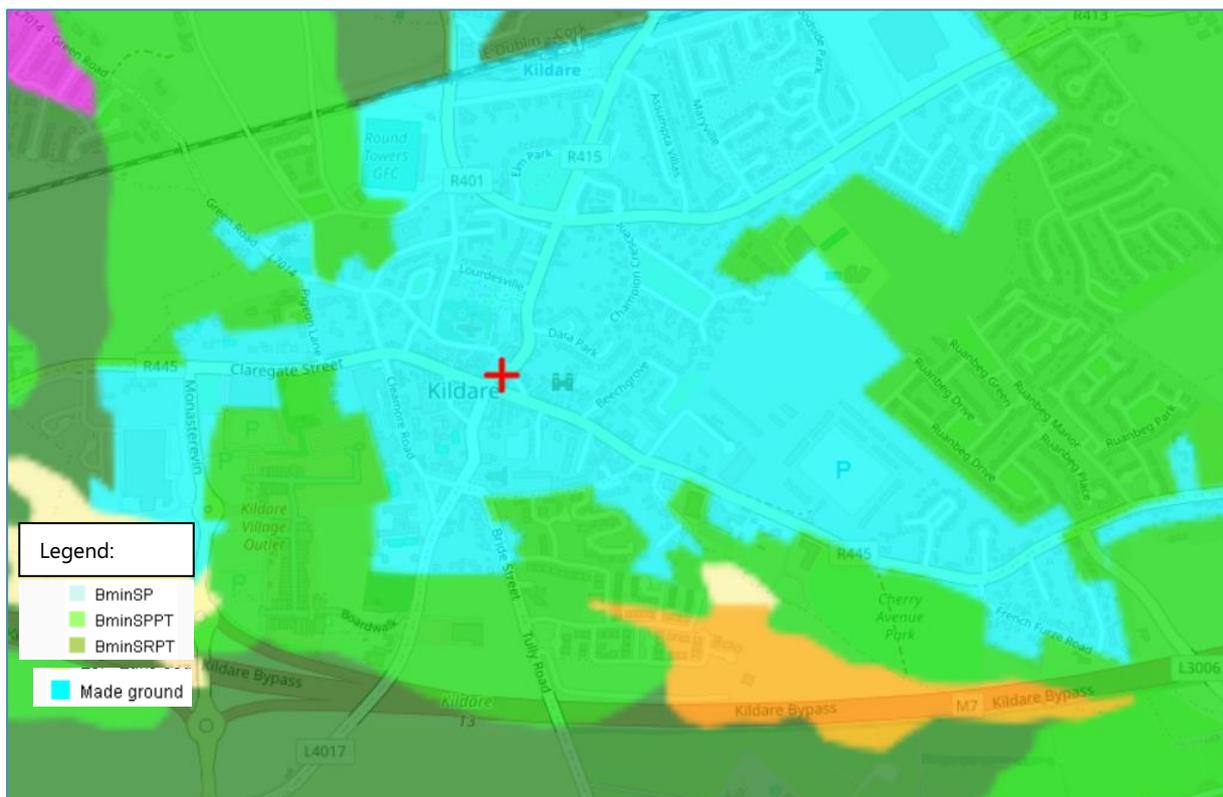


Figure 4: Subsoils in the context of the Subject site (Source: EPA Mapping)

2.3.3 Hydrology

Kildare Town does not have any rivers flowing through the town. The River Liffey is located approximately 8km east and flows through the edge of Newbridge. The current status of the River Liffey at Newbridge is currently 'Good'.

The Tully stream is located 1.5km southeast of the subject site and feeds into the Japanese Gardens and is a tributary of the River Barrow. It has no connection to the site.

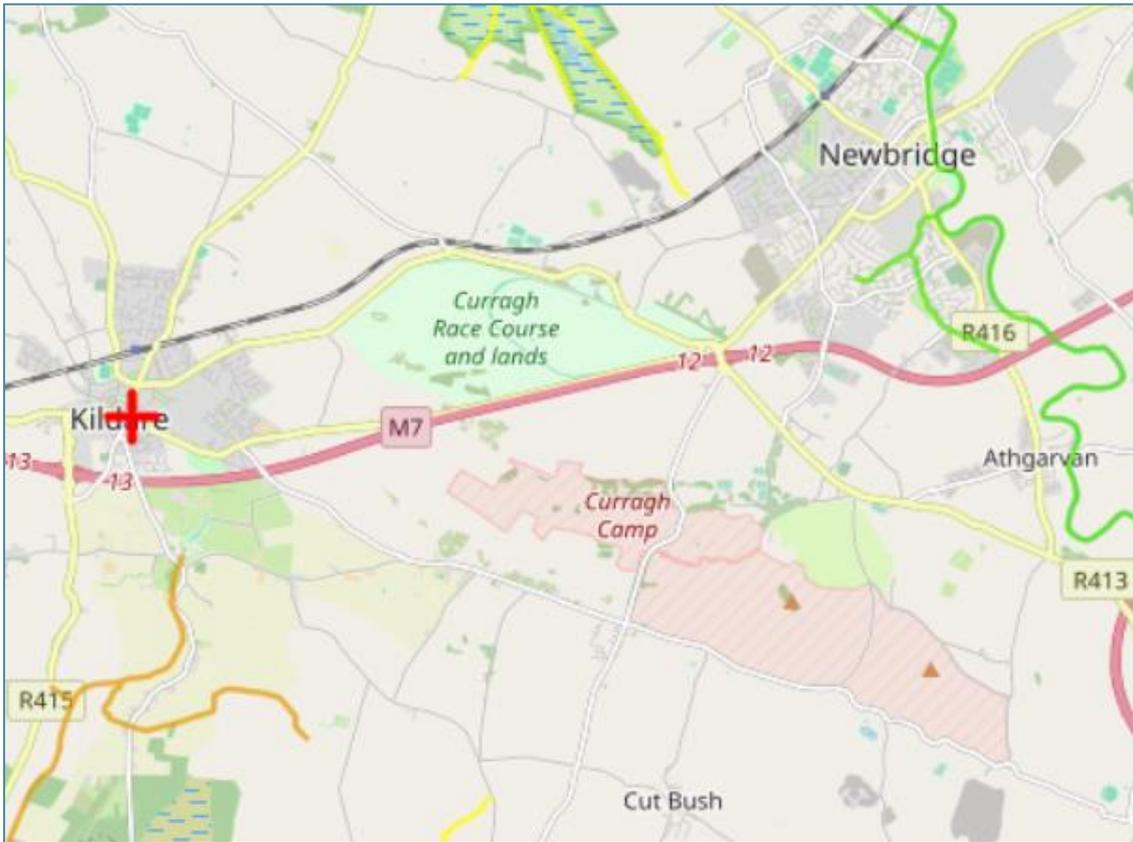


Figure 5: Water Framework Directive WFD Status 2016-2021 in relation to the subject site (Source: EPA Maps)

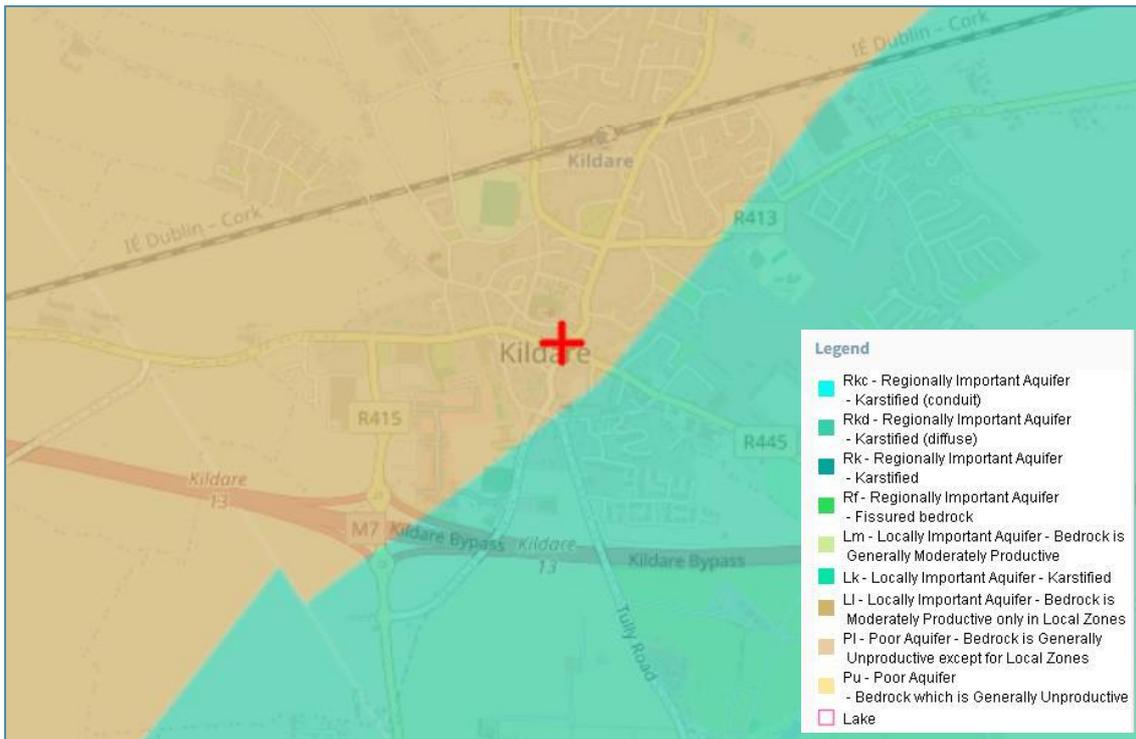


Figure 6: Aquifers in the vicinity of the Site (Source: EPA Mapping Tool)

2.3.4 Aquifer and Groundwater

The subject site is underlain by an aquifer, which is identified as a “Locally Important” (in dark yellow in Figure 4). The bedrock is categorised moderately productive. It is near a regionally important aquifer (in green in Figure 4)

2.3.5 Ground Water Vulnerability

The EPA Mapping Tool shows that the groundwater vulnerability at the subject site is considered ‘High vulnerability’.

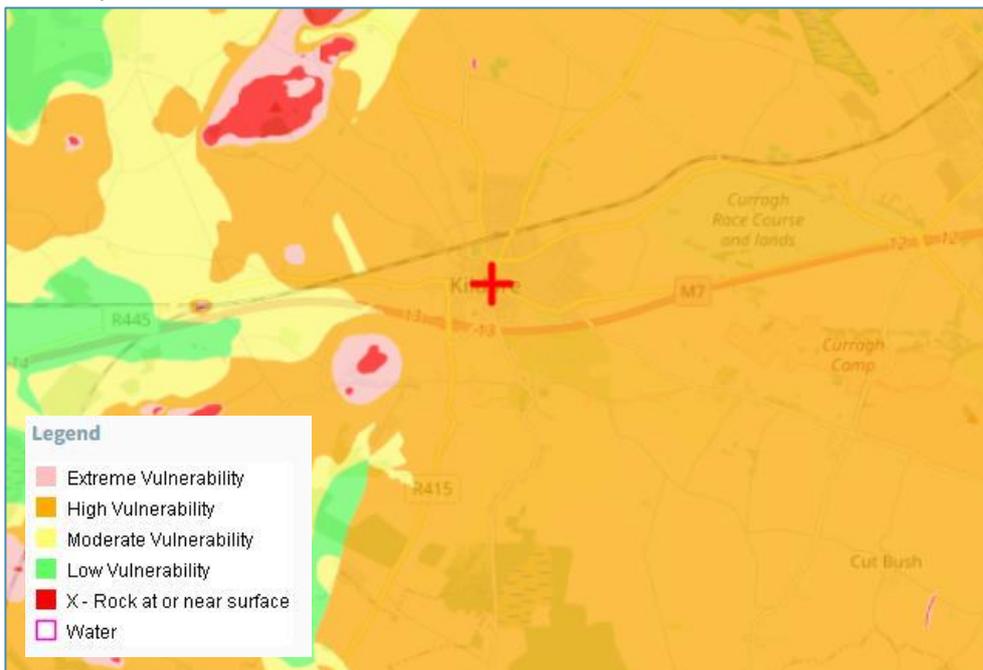


Figure 7: Ground Water Vulnerability (Source: EPA Maps)

2.3.6 Radon

The subject site is positioned in an area where between ‘one in ten homes is likely to have high radon levels’ according to the EPA map resource.

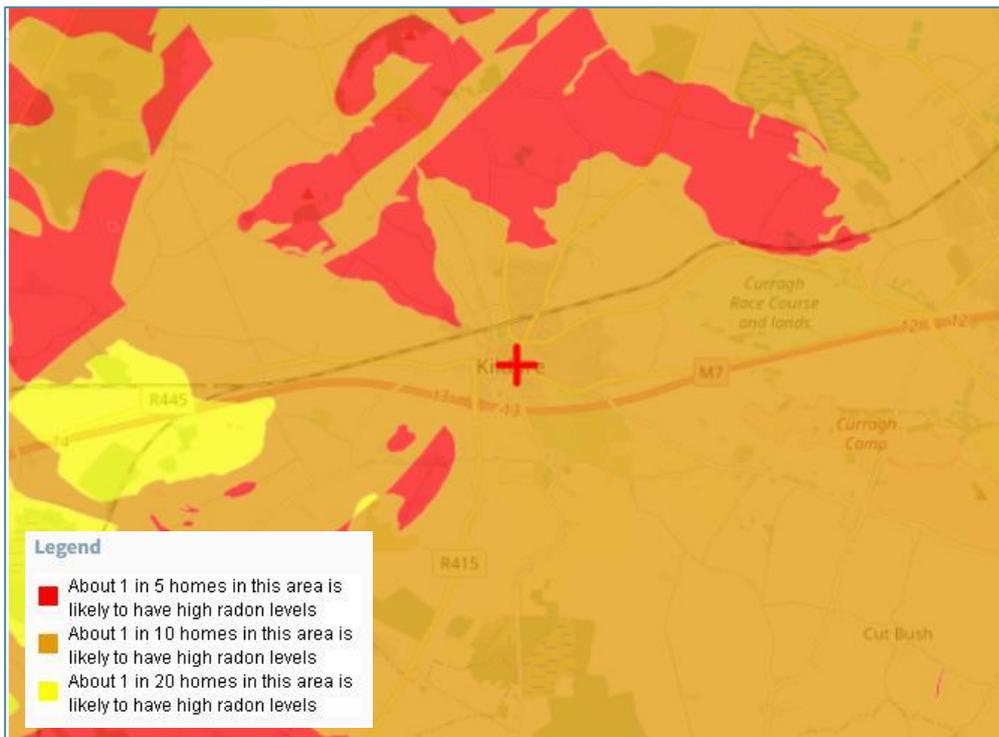


Figure 8: Radon Levels in the Context of the Subject Site (Source: EPA Maps)

2.3.7 Air quality

The site falls within Air Quality Index Region where the Index indicates air quality as 'Good'. According to EPA Maps, the site is situated in Zone D Rural Ireland.

2.3.8 Designated sites

There are no designated sites within the subject site or directly adjoining the subject site. The AA Screening report prepared to accompany this application reviewed potential impacts using the source-pathway-receptor model, in relation to two Special Areas of Conservation (SACs): Pollardstown Fen SAC (4.7km northeast) and Mouds Bog SAC (7.4km northeast).

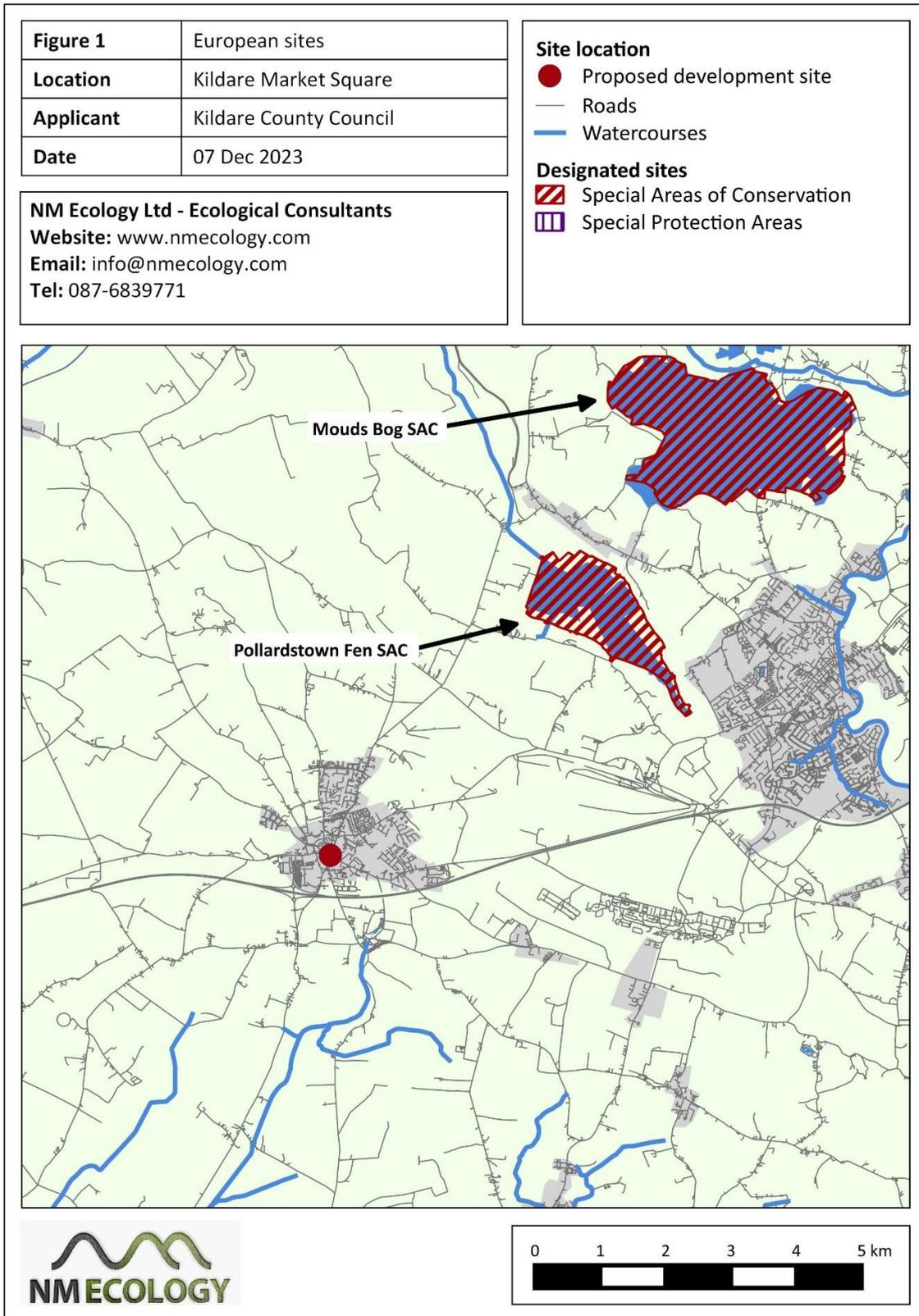


Figure 9: Location of Special Protection Areas (SPAs) and Special Areas of Conservation (SACs) (Source: Appropriate Assessment Report - NM Ecology)

Table 1: European Sites in the Context of the Subject Site

European Site	Distance	Reason for Designation
Special Area of Conservation		
Pollardstown Fen SAC (site code 396)	4.8 km north-east	<p>Annex I habitats: alkaline fens, calcareous fens with <i>Cladium mariscus</i> and species of the Caricion davallianae, petrifying springs with tufa formation</p> <p>Annex II species: Narrow-mouthed Whorl Snail <i>Vertigo angustior</i>, Desmoulin's Whorl Snail <i>Vertigo moulinsiana</i>, Geyer's Whorl Snail (<i>Vertigo geyeri</i>)</p>
Mouds Bog SAC (2331)	7.4 km north-east	<p>Annex I habitats: active raised bogs, degraded raised bogs still capable of natural regeneration, depressions on peat substrates of the Rhynchosporion</p> <p>Annex II species: N.A.</p>

2.3.9 Proposed Natural Heritage Areas (pNHA)

The Curragh pNHA (Code: 000392) (2.3km northeast) and Pollardstown Fen nNHA (Code: 000396) (5km northeast) are the nearest proposed Natural Heritage Areas to the subject site, as shown on the map below.

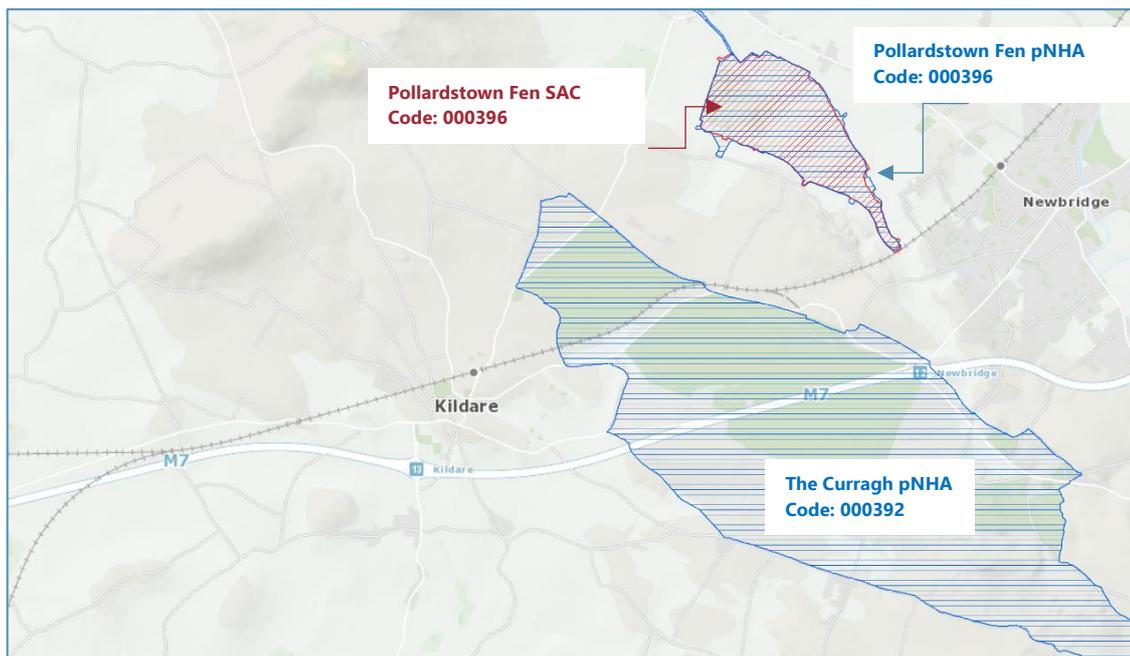


Figure 10: Proposed Natural Heritage Areas (Source: Myplan.ie)

2.3.10 Archaeology and Heritage

As can be seen on the National Monuments Service's (NMS) Historic Environment Viewer, there is a large number of national monuments falling within the subject site and its immediate vicinity. In addition, a significant number of protected structures can be found on the Square and in the vicinity. Please refer to **Error! Reference source not found.** and Figure 12 which illustrate the frequency of these sites and structures.

National monuments identified solely within the boundary of the subject site are tabulated below.

Table 2: Record of National Monuments within the boundary of the subject site

RMP No.	Townland	Classification	Distance from Site (KM)
KD02127	Kildare	Moated site	Located within subject area
KD02128	Kildare	Burial ground	Located within subject area
KD00672	Greyabbey, Kildare	House - medieval	Located within subject area
KD00680	Kildare	House - medieval	Located within subject area
KD02129	Kildare	Enclosure	Located within subject area

National monuments identified solely within the immediate vicinity of subject site (outside of the site boundary) are tabulated below.

Table 3: Record of National Monuments in vicinity of the subject area

RMP No.	Townland	Classification	Distance from Site (KM)
KD00696	Kildare	Castle - motte	0.02km
KD02100	Kildare	Cross-slab	0.03km
KD02110	Kildare	Graveslab	0.03km
KD02126	Kildare	Architectural feature	0.03km
KD02095	Kildare	Tomb - table tomb	0.03km
KD00675	Kildare	Castle - Anglo-Norman masonry castle	0.04km
KD02101	Kildare	Inscribed stone	0.05km
KD02117	Kildare	Architectural fragment	0.05km
KD02102	Kildare	Inscribed stone	0.05km
KD02103	Kildare	Armorial plaque	0.05km
KD02104	Kildare	Inscribed slab	0.05km
KD02105	Kildare	Graveslab	0.05km
KD02106	Kildare	Graveslab	0.05km
KD02107	Kildare	Graveslab	0.05km
KD02108	Kildare	Graveslab	0.05km
KD02109	Kildare	Wall monument	0.05km

RMP No.	Townland	Classification	Distance from Site (KM)
KD02111	Kildare	Graveslab	0.05km
KD02112	Kildare	Wall monument	0.05km
KD00692	Kildare	Cross - High cross	0.05km
KD00693	Kildare	Cross	0.05km
KD00673	Kildare	Ecclesiastical site	0.05km
KD00674	Kildare	Graveyard	0.05km
KD00676	Kildare	Cathedral	0.05km
KD00694	Kildare	Graveslab	0.05km
KD02114	Kildare	Cross-inscribed stone	0.05km
KD02115	Kildare	Ecclesiastical enclosure	0.05km
KD02116	Kildare	Building	0.05km
KD02098	Kildare	Graveslab	0.05km
KD02099	Kildare	Cross-slab	0.05km
KD02113	Kildare	Armorial plaque	0.05km
KD02096	Kildare	Tomb - chest tomb	0.05km
KD02097	Kildare	Tomb - chest tomb	0.05km
KD02084	Kildare	Cross-slab	0.05km
KD02085	Kildare	Cross-slab	0.05km
KD02086	Kildare	Cross-slab	0.05km
KD02087	Kildare	Tomb - effigial	0.05km
KD02088	Kildare	Cross-slab	0.05km
KD02089	Kildare	Tomb - effigial	0.05km
KD02090	Kildare	Cross-slab	0.05km
KD02091	Kildare	Tomb - effigial (present location)	0.05km
KD02092	Kildare	Tomb - effigial	0.05km
KD02093	Kildare	Tomb - chest tomb	0.05km
KD02094	Kildare	Tomb - chest tomb	0.05km
KD02083	Kildare	Building	0.06km
KD00691	Kildare	Round tower	0.1km
KD02690	Kildare	Burial	0.1km
KD00696	Kildare	Castle - motte	0.02km

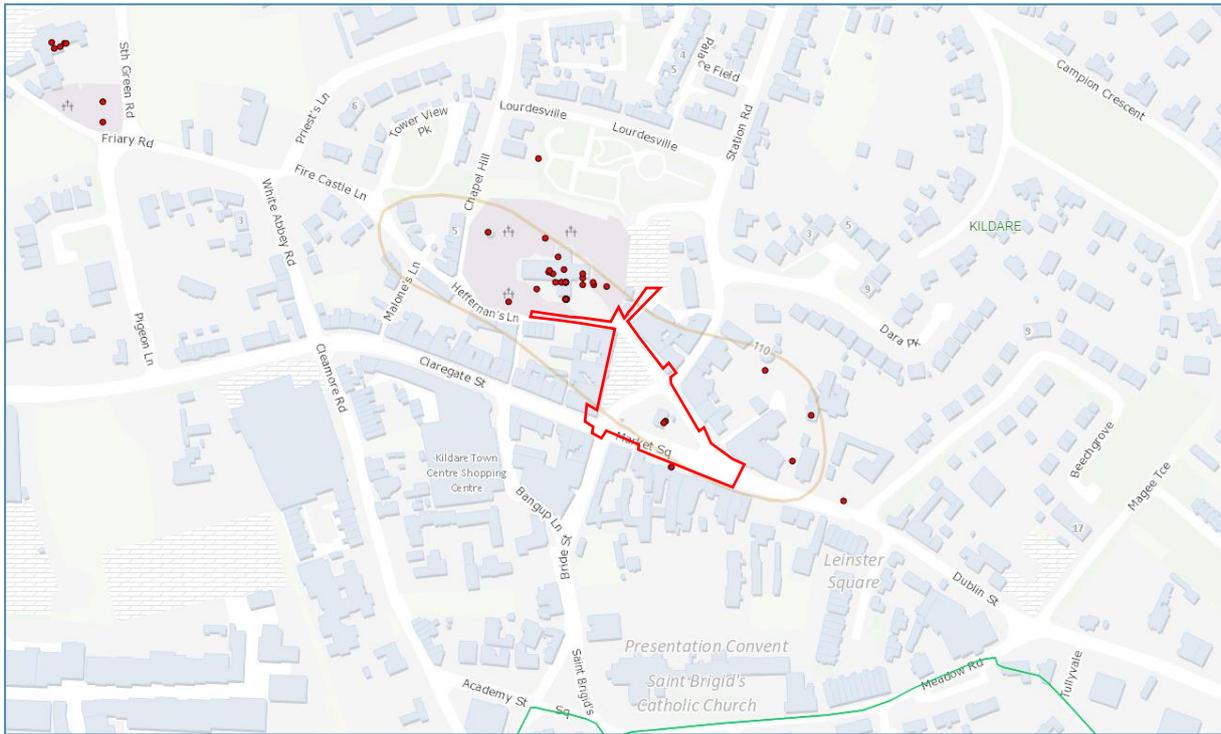


Figure 11: National Monuments in the context of the subject site (subject site location at red star)
 (Source: Myplan.ie)

A number of structures are also on the National Inventory of Architectural Heritage (NIAH). These are identified within the boundaries of subject site and are tabulated below.

Table 4: NIAH sites at or within the boundary of the subject site

Reg No.	Street	Name	In Use As	Distance from Site (KM)
11817001	Market Square		Monument	Located within subject area
11817002	Market Square	1798 Monument	Monument	Located within subject area
11817003	Market Square	Kildare Market House	Office	Located within subject area
11817004	Market Square		Lamp standard	Located within subject area
11817005	Market Square		Public house	Located within subject area
11817006	Market Square	Verger's House	House	Located within subject area

Reg No.	Street	Name	In Use As	Distance from Site (KM)
11817014	Market Square	Fitzpatrick	Office	Located within subject area
11817015	Market Square			Located within subject area
11817016	Market Square		House	Located within subject area
11817017	Market Square	Southwells	House	Located within subject area
11817045	Market Square		House	Located within subject area
11817046	Market Square		House	Located within subject area
11817047	Market Square	Bank of Ireland	Bank/financial institution	Located within subject area
11817048	Market Square	Barrett House	House	Located within subject area
11817051	Market Square	Round Tower House	House	Located within subject area
11817100	Market Square	Virginia Lodge	House	Located within subject area
11817101	Market Square		Public house	Located within subject area

There are other structures on the NIAH located in the vicinity of the part 8 site. These are tabulated below.

Table 5: NIAH sites in the vicinity of the subject site

Reg No.	Street	Name	In Use As	Distance from Site (KM)
11817018	Market Square	Chalk House		0.02km
11817052	Market Square	Lislee House	House	0.02km
11817055	Market Square	Kildare Courthouse		0.02km
11817053	Market Square	The Post Master's House	House	0.03km

Reg No.	Street	Name	In Use As	Distance from Site (KM)
11817054	Market Square	Kildare Post Office	Post office	0.03km
11817007	Market Square	Saint Brigid's Cathedral	Cathedral	0.04km
11817056	Market Square	Beechgrove House	Gates/railings/walls	0.04km
11817019	Market Square	House	House	0.05km
11817043	Market Square	Kildare Chilling Company	Factory	0.05km
11817099	Market Square		Water tower	0.05km
11817102	Market Square	Leinster Lodge	Hotel	0.05km
11817109	Market Square		Shop/retail outlet	0.05km
11817044	Market Square		Shop/retail outlet	0.06km
11817057	Market Square	Beechgrove House	Outbuilding	0.08km
11817058	Market Square	Beechgrove House	Gates/railings/walls	0.08km
11817059	Market Square	Beechgrove House	House	0.08km

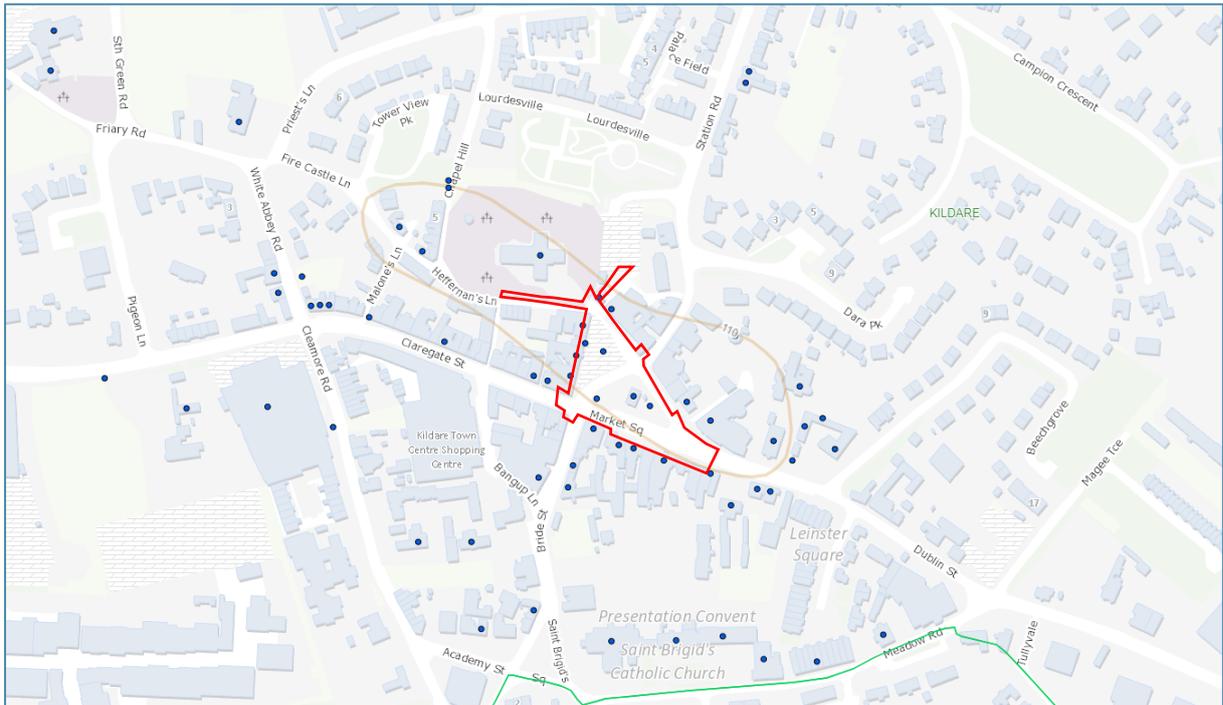


Figure 12: National Inventory of Architectural Heritage (NIAH) Regional Sites

2.3.11 Zoning at the subject site

Under the Kildare Town Local Area Plan 2023-2029 the site is zoned as ‘A’ – Town Centre. The zoning objective’s aims to ‘protect, improve and provide for the future development of the town centre’.

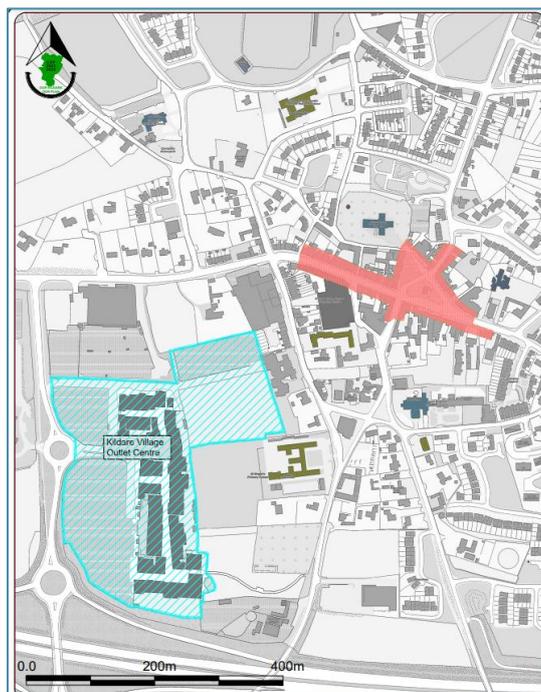


Figure 13: Displaying the core retail area of Kildare (including Kildare Village Outlet for context)
Source: Kildare CDP (2023-2029)

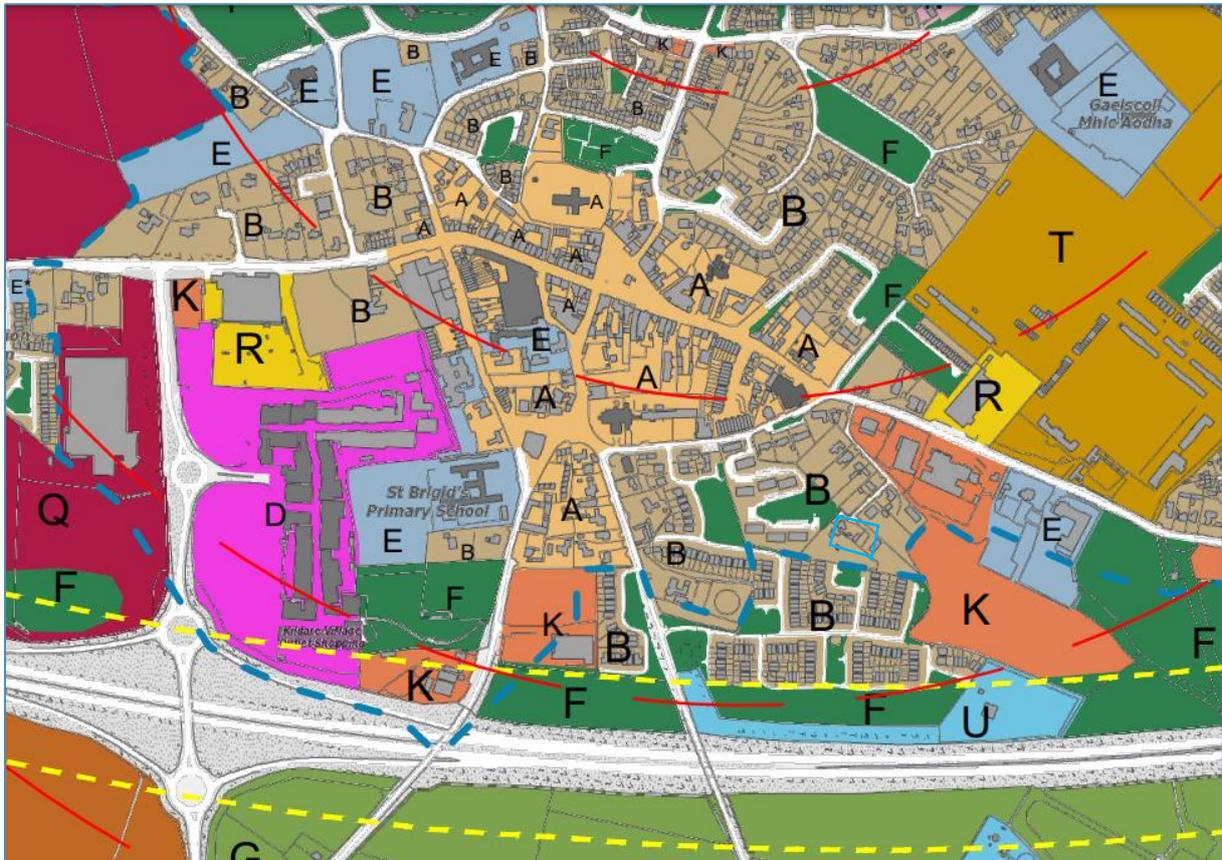


Figure 14: Land Use Zoning Objectives Map (source: Kildare LAP 2023-2029)

The proposed site falls completely within the Kildare Town Architectural Conservation Area (ACA) and the Zone of Archaeological Potential (ZAP).

The proposed development seeks to create a flexible civic space which involves public realm improvements, road network adjustment, surface re-grading and footpath revision and re-surfacing and the introduction of seating, lighting, street furniture and landscaping. . The proposal includes use of 39 former car parking spaces as a public space for community and commercial activities.

Provided these works comply with the architectural and heritage policies and objective and the zoning objective for the area, the works would be considered compatible with the permissible uses stipulated in the Kildare County Development 2023-2029 and the Kildare Town LAP 2023-2029.

2.3.12 Ecological nature of site

There are no identified habitats or species of ecological note within the site. The appropriate assessment report states the site is currently "*there are a small number of lime trees Tilia sp. and some ornamental / non-native plants in containers*". It consists entirely of artificial surfaces.

2.3.13 Other Site Environmental Sensitivities

The proposed development includes the creation of a flexible civic space capable of accommodating a range of community events and activities as required. It includes inter alia public realm improvements, road network adjustment, the permanent removal of parking spaces, and related footpath, surface and landscaping works. All works should be undertaken in accordance with best practice protocols, particularly having regard to the architectural and archaeological sensitivities associated with the site and its immediate vicinity.

It should be noted that the sites and structures listed in Section 2.3.10 as National Monuments and under the National Inventory of Architectural Heritage (NIAH) are classified as being of regional significance.

3. PROPOSED DEVELOPMENT

3.1 Summary of Proposed Development

This proposed public realm improvement works to Kildare Market Square comprises an area of c. 6540m² and incorporates the public areas both North and South of Bride Street (R415), Church Lane (known as Firecastle Lane) extending Westward to Heffernan's Lane and the pedestrian laneway to Nugent Street carpark (rear of Top Nolans). The proposed works comprise the following:

- Adjustments to the road network and parking arrangements.
- Re-grading Market Square, North of Bride Street, Bride Street and the Eastern roadway whereby kerbs are removed to bring the surface of the public realm to top of existing kerb levels.
- Re-grading the entrance area to Market House to provide level access.
- Upgrading footpath surfaces throughout site area using high quality natural stone.
- Widening and revision of the footpath layouts along Dublin Street.
- Introduction of bollards to manage vehicular access at Church Lane (Firecastle Lane) and Market Square East.
- Repositioning of the Bus Shelter on the North side of Dublin Street to improve pedestrian movement and access around Market House.
- Consolidation of wayfinding and signage throughout the site area.
- Introduction of hard and soft landscaping (including 8no. additional street trees) throughout Market Square.
- Introduction of bespoke street furniture, seating, lighting and bicycle parking.
- Provision of 6no. Pedestrian crossings (1no. controlled and 5no. uncontrolled) and widening of existing 3no. controlled crossings.
- Removal of overhead cables and services and relocation underground.
- Upgrading of carriageways, signage, road markings and drainage works including implementation of Sustainable Urban Drainage Systems.
- Provision of all utilities, necessary services and associated site works.



Figure 15: Site Layout Plan (Source: JCA Architects)

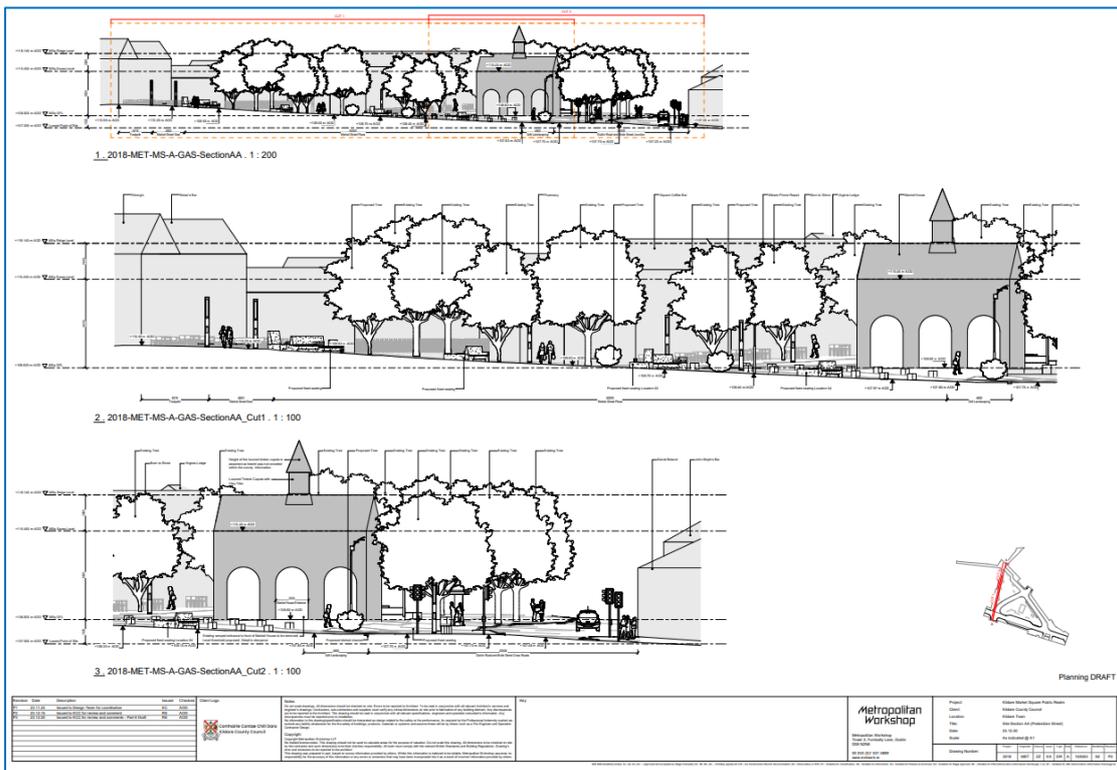


Figure 16: Site Section Plan (Source: Metropolitan Workshop)

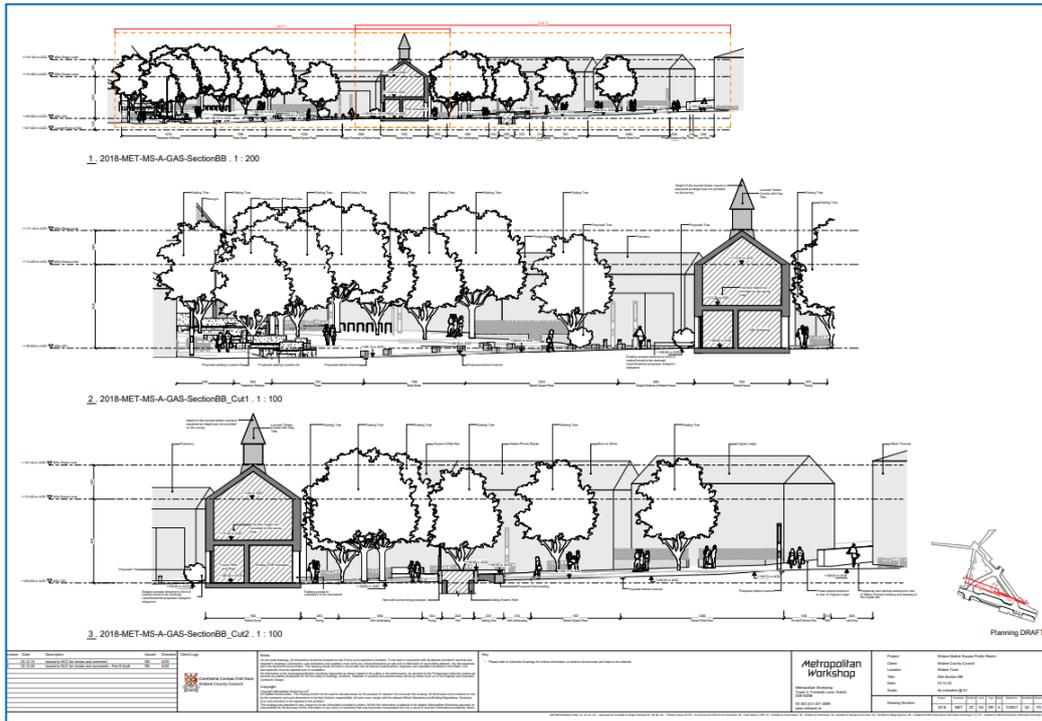


Figure 17: Site Section Plan (Source: Metropolitan Workshop)



Figure 18: Site Section Plan (Source: Metropolitan Workshop)

4. PRELIMINARY EXAMINATION

4.1 Guidance on Environmental Impact Assessment Screening

The Office of the Planning Regulator (OPR) has issued guidance on EIA screening in the form of the Environmental Impact Assessment Screening- Practice Note, May 2021 which aids planning authorities as the Competent Authority (CA) in this area.

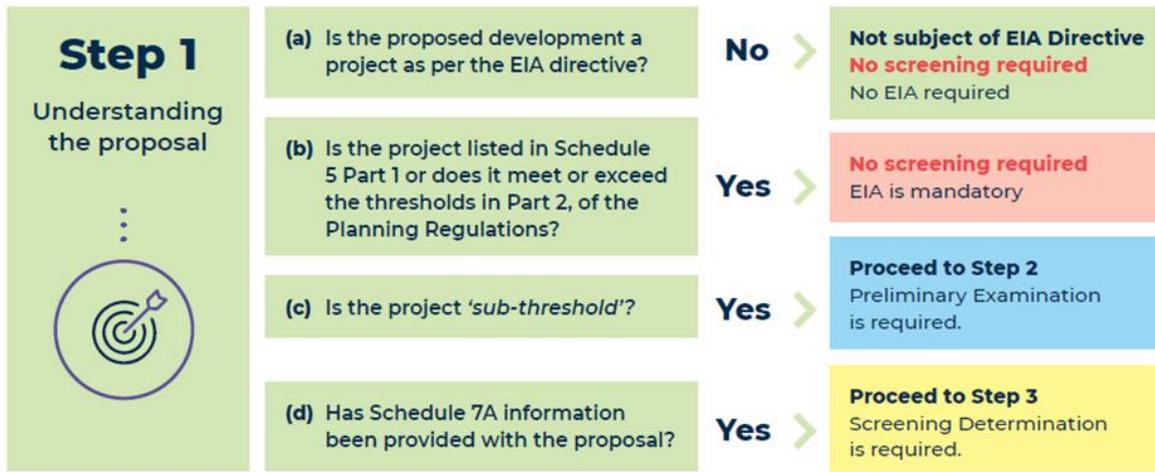


Figure 19: Extract from OPR EIA Screening Guidance Note

This report has had regard to the OPR guidance and methodology.

The proposed application is a project for the purpose of Environmental Impact Assessment (EIA) under Stage1 stage (a) of the OPR guidance.

4.2 Sub-threshold Development

A list of the types or classes of development that require EIA or screening for EIA is provided in Part 1 and Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended. 'Sub-threshold development' comprises development of a type that is included in Part 2 of Schedule 5, but which does not equal or exceed a quantity, area or other limit (the threshold).

In Part 2 of schedule 5, the following is the relevant to assessment of sub-threshold development.

10. Infrastructure projects

(b) (i) Construction of more than 500 dwelling units.

(ii) Construction of a car-park providing more than 400 spaces, other than a car-park provided as part of, and incidental to the primary purpose of, a development.

(iii) Construction of a shopping centre with a gross floor space exceeding 10,000 square metres.

*(iv) **Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.***

("business district" means a district within a city or town in which the predominant land use is retail or commercial use.)

In relation to proposed development none of the thresholds above are exceeded, but those highlighted in bold indicate the thresholds of relevance to the subject proposal.

Accordingly, the project is sub-threshold development with reference to the above thresholds and under Step 1(c) of the OPR guidance a preliminary examination is required under Step 2.

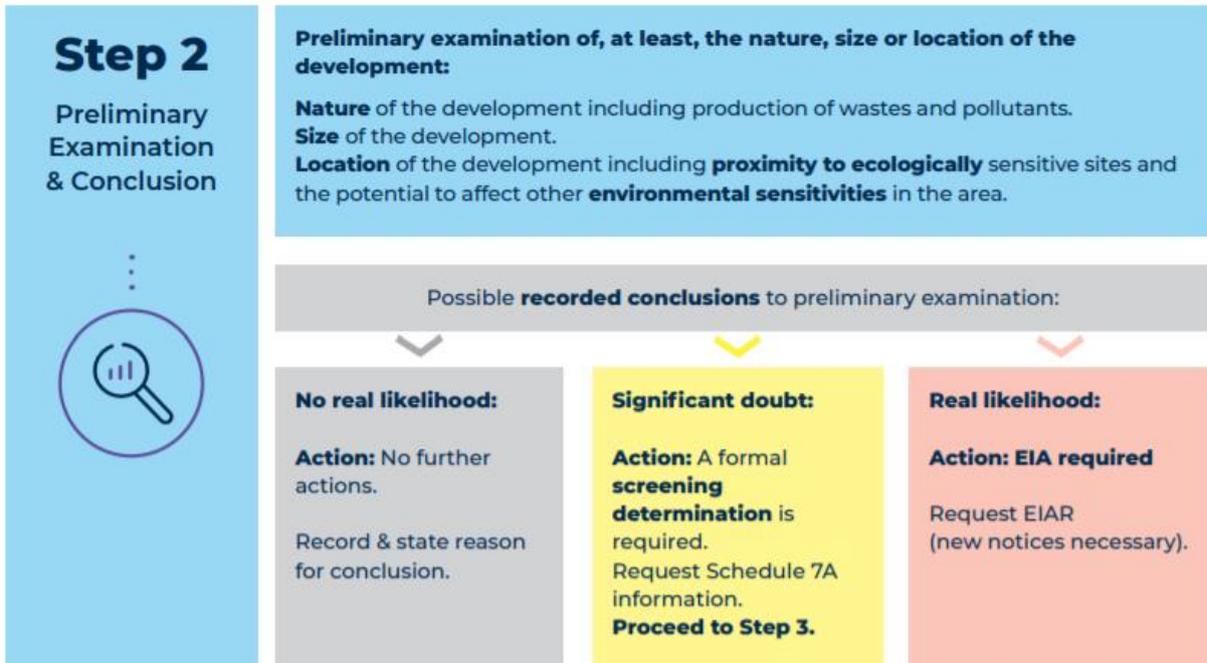


Figure 20: Extract from OPR EIA Screening Guidance Note

4.3 Preliminary Examination considerations

Preliminary examinations must consider at least the following:

- The nature of the development including the production of wastes and pollutants;
- The size of the development; or
- The location of the development including the potential to impact on certain ecologically sensitive sites and the potential to affect other environmentally sensitive sites in the area.

The OPR guidance states a number of questions to assist the preliminary examination.

This overlaps with the submitted Appropriate Assessment (AA) screening report and consideration of hydrological and other connections to European sites.

4.4 Nature of the development:

i) *Is the nature of the proposed development exceptional in the context of the existing environment?*

The nature of the development is consistent with and does not detract from the objectives of Kildare County Council's Development Plan 2023-2029 and of the Kildare Town LAP 2023-2029. The site is zoned as 'A' – Town Centre – which objective is to '*protect, improve and provide for the future development of the town centre*'. Therefore, the proposed development is consistent with the zoning objectives on site. The proposed works consist of environmental and public realm improvements of Market Square to create a flexible area to accommodate community events and activities and the reallocation of road space to pedestrian activity. This consists, inter alia, of the following:

- Adjustments to the road network and parking arrangements.
- Re-grading Market Square, North of Bride Street, Bride Street and the Eastern roadway whereby kerbs are removed to bring the surface of the public realm to top of existing kerb levels.
- Re-grading the entrance area to Market House to provide level access.
- Upgrading footpath surfaces throughout site area using high quality natural stone.
- Widening and revision of the footpath layouts along Dublin Street.
- Introduction of bollards to manage vehicular access at Church Lane (Firecastle Lane) and Market Square East.
- Repositioning of the Bus Shelter on the North side of Dublin Street to improve pedestrian movement and access around Market House.
- Consolidation of wayfinding and signage throughout the site area.
- Introduction of hard and soft landscaping (including 8no. additional street trees) throughout Market Square.
- Introduction of bespoke street furniture, seating, lighting and bicycle parking.
- Provision of 6no. Pedestrian crossings (1no. controlled and 5no. uncontrolled) and widening of existing 3no. controlled crossings.
- Removal of overhead cables and services and relocation underground.
- Upgrading of carriageways, signage, road markings and drainage works including implementation of Sustainable Urban Drainage Systems.
- Provision of all utilities, necessary services, and associated site works.

ii) *Will the development result in the production of any significant waste, or result in significant emissions or pollutants?*

The proposed development will involve the partial clearance and re-grading of the site, which will give rise to waste during clearance works. During the construction phase, any waste generated from the proposed development will be dealt with in the appropriate manner in accordance with the appropriate

standards and best practice methodology The proposed works by its nature will not cause any significant waste, emissions, or pollutants during operation.

iii) *Is the size of the proposed development exceptional in the context of the existing environment?*

The size of the development is not exceptional in the context of the existing environment. The development involves the general upgrading of the public realm and alteration to the road networks and reduction of the carriageway to accommodate the creation of a flexible outdoor community space.

iv) *Are there cumulative considerations having regard to other existing and/or permitted projects?*

There are a number of recent planning applications/permissions at, or in the immediate vicinity of, the subject site. It is noted, cumulative effects have the potential to negatively impact the environment. Relevant planning applications in the immediate vicinity of the subject site are included in the table below:

Table 6: Applications in the Vicinity of the Subject Site

Planning Ref.	Year	Planning Status	Description	Development Address
42349	2023	New application	the construction of a detached three storey apartment development (second floor in attic roof space), consisting of 4 No. one bedroom apartments (1 No. at ground floor, 1 No. at first floor and 2 No. duplex apartments at first and second floor), detached bike/bin store, connection to public foul sewer and all associated site works	Church Lane (Firecastle Lane), Kildare Town, Co. Kildare.
43107	2023	Further information	1) the renovation & rear extension of an existing ground floor retail unit & 2) a first floor & second floor (roof space) extension comprising of 2 no. 1 bedroom duplex apartments, associated alterations to all elevations, foul & surface water to existing foul & surface water mains sewers and all associated site works	Station Road, Kildare, Co Kildare
43263	2023	New application	for (a)Installation of new external ATM and illuminated surround panel adjacent to existing ATM, (b)Relocation of existing ATM to accommodate new ATM. And all associated site works. This building is a protected structure (NIAH ref no. 11817047) and is within an architectural conservation area.	Bank of Ireland, Market Square, Kildare, Co. Kildare
41012	2022	Grant	1. The construction of a 3 storey apartment building comprising 6 no. 2 bedroom apartment units over 3 floors, connection to existing services, access via existing entrance from Market Square, associated landscaping design, and all ancillary site works. 2. Removal and reconstruction of existing rear boundary wall to correct boundary position. Revised by Significant Further Information which consists of: (1) the reduction in height, scale, mass and bulk of proposed development including the omission of the second floor and the reduction of units from 6 no. apartments to 4 no. apartments. (2) The addition of the property, Barrett House (previously Grace's Public House) to the RPS of the Kildare County Development Plan 2023-2029 under RPS Ref. No. B22-63	Barrett House (Previously, Market Square, Kildare Town, Co. Kild

Planning Ref.	Year	Planning Status	Description	Development Address
40736	2021	Grant	works to first floor and second floor of existing property including: 1. Change of use to part-of property which faces onto Claregate Street, from residential accommodation to commercial office use 2. Minor alterations to existing floor layouts to accommodate new office layouts over entire first and second floors of the property 3. Alterations, renovations and repairs to existing overall property including ground floor access area/main entrance door facing onto Market Square, and 4. All ancillary site works	Market Square, Claregate Street, Kildare
38113	2020	Grant	change of use of existing vacant ground floor retail unit to one bedroom apartment, amendment of front façade and all associated site works	2 Nugent Street, Station Road, Kildare Town
36001	2019	Grant	alterations to protected structure including demolition of existing conservatory type projection to rear elevation, change of use from existing residential dwelling (Protected Register Number B22-19/NIAH Reg. 11817100) to guest house accommodation, plaque advertising signage to main entrance, associated minor internal alterations to accommodate bedrooms to ground and first floor levels and all ancillary works	Virginia Lodge, Market Square, Kildare Town
34364	2018	Grant	Change of use of the first floor of this Protected Structure (RPS No. B22-47) from abandoned dwelling to use as a guesthouse with 5 no. en-suite bedrooms, to include associated minor internal alterations and refurbishment works	Hartes of Kildare, Market Square, Kildare Town
34829	2018	Grant	various minor revisions and omissions to the previously granted development - Ref. 15/1105. the revisions and omissions will comprise the following: (1) omission of roof level double pitched roof plant room. (2) first floor layout alterations to provide 2 no. additional en-suite bedrooms, with associated increase of first floor area and external wall to south elevation. (3) omission of rooflight to landscaped roof terrace and provision of new external access door to terrace on south elevation. (4) ground floor layout alterations to	Fitzpatricks, Market Square, Church Lane (Firecastle Lane), Kildare

Planning Ref.	Year	Planning Status	Description	Development Address
			kitchen, stores, WC facilities and covered yard. (5) omission of 2 no. windows and reposition of 1 no. window to north elevation. (6) omission of various rooflights to pitched roof slopes of south & west elevations. (7) minor alterations to east and north elevations	
34872	2018	Grant	of an existing telecommunication installation consisting of 3 No. panel antennae located within a stealth chimney, 1 No. 0.3m radio link dish attached to the south easterly elevation and 2 No. equipment cabinets at Silken Thomas and all associated site works. The development forms part of Vodafone Ireland Limited's existing GSM, 3G and 4G Broadband Network (Previous Ref. No. 12/104)	Silken Thomas, Market Square, Kildare Town
33599	2017	Grant	retention permission for No. 1 Single storey commercial extension to the rear, comprising of preparation area, wc, office and store. No. 2 Slated pitched roof to the rear at first floor level, which has replaced a flat roof. No. 3 Hardwood shop front to facade, with all facilitating and associated site works	Macari's Take Away, Claregate Street, Kildare Town
30286	2015	Grant	The demolition of an existing two storey derelict building including rear annex and rear agricultural shed and the erection of a new two and a half storey building on the corner of Market Square and Firecastle Lane. The new building will provide retail space, ancillary dining accommodation, commercial kitchen, external service yard with 6 no. cycle spaces at ground floor level; a 9 no. bedroom guesthouse with en-suite bathrooms, roof lights, ancillary accommodation and roof terrace at first floor level; a slate clad plant room at roof level to the rear of the site; and associated site and drainage works	Fitzpatricks, Market Square, Church Lane (Firecastle Lane)
28657	2013	Grant	Change of use at first floor level from offices to residential	Market Square, Kildare Town, Co. Kildare
26726	2012	Grant	Retain an existing telecommunications installation consisting of 3 no. panel antennae located within a stealth	Silken Thomas, Market Square, Kildare Town

Planning Ref.	Year	Planning Status	Description	Development Address
			chimney, 1 no. 0.3 m radio link dish attached to the South Easterly elevation and 2 no. equipment cabinets at the Silken Thomas and all associated site works	
27176	2012	Grant	The development consists of : 1) 'Change of Use' for 17.8sq.m of ground floor from 'shop' to 'takeaway' creating a total ground floor takeaway area of 51.4sq.m. 2) 'Change of Use' for 13.7sq.m of first floor from 'domestic toilet' to 'takeaway' toilets & store'. 3) 'Change of Use' for 34 sq.m of second floor of from 'apartment ' to 'takeaway store' 4) 'Change of Use' for 36 sq.m of first floor from 'store & bathroom' to 'Taxi office, waiting area & toilet' 5) Alterations to front elevation including signage, advertisements and associated lighting. 6) Alterations to front elevation including relocation of doorway to takeaway. 7) Alterations to internal layout of shop & takeaway creating one single unit. 8) All ancillary foul and surface water drainage works. 9) and all associated site works	Five Star Kebab Pizza & K, Market Square, Kildare Town

4.5 Location

i) Is the proposed development located on, in, adjoining or does it have the potential to impact on an ecologically sensitive site or location?

The site is not within or adjacent to any European sites and therefore it is considered that there is no risk of direct effects. There are no surface water (or other) pathways linking the Site to any European sites, so there is no risk of indirect effects either. There are no Special Protection Areas in the vicinity of the site.

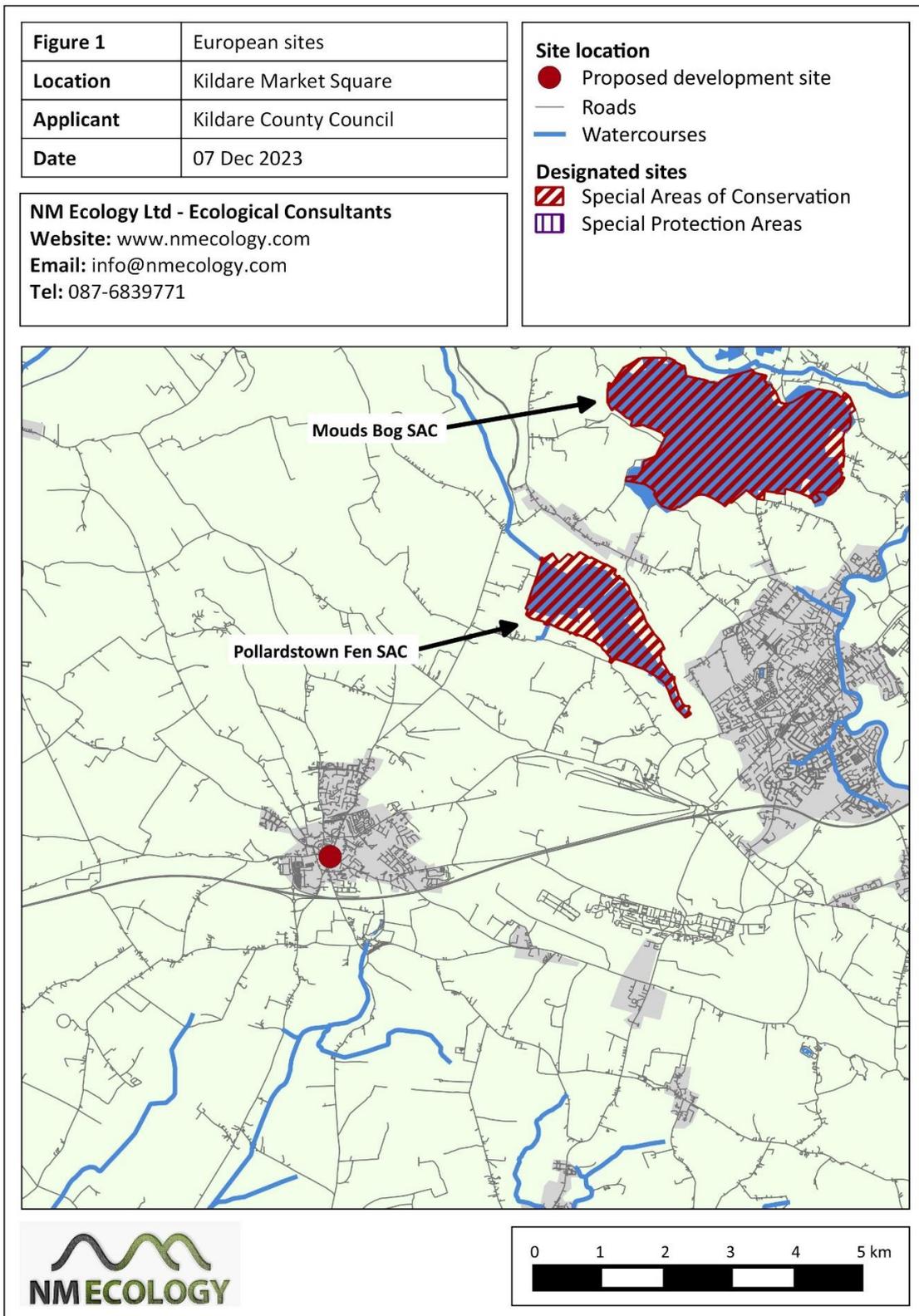


Figure 21: European Sites located in the context of the site (Source: Figure 1 of AA Screening Report, NM Ecology Ltd)

ii) Does the proposed development have the potential to affect other significant environmental sensitivities in the area?

The works carried out as part of the proposed development poses no significant environmental affect in the area.

4.6 Preliminary Examination Conclusion

Following the preliminary examination, it is concluded that, having regard to cumulative effects with other developments and the potential impact upon archaeological and architectural heritage sensitivities of the area, there may be doubts regarding the likelihood of significant effects on the environment arising from the proposed development and to proceed to a Step 3 assessment as per the OPR Guidelines.

5. SCREENING DETERMINATION - SCHEDULE 7 ASSESSMENT AND SCHEDULE 7A INFORMATION

Where the requirement to carry out EIA is not excluded at preliminary examination stage, because there is significant and realistic doubt in regard to the likelihood of significant effects on the environment arising from the proposed development, the planning authority must carry out a screening determination.

In making its screening determination, the competent authority must have regard to:

- Schedule 7 criteria,
- Schedule 7A information,
- Any further relevant information on the characteristics of the development and its likely significant effects on the environment submitted by the applicant,
- Any mitigation measures proposed by the applicant,
- The available results, where relevant, of preliminary verifications or assessments carried out under other relevant EU environmental legislation, including information submitted by the applicant on how the results of such assessments have been taken into account, and
- The likely significant effects on certain sensitive ecological sites

Step 3
Formal
Screening
Determination

Screening Exercise:
Is the proposal likely to have significant effects on the environment?

In making the determination, the planning authority must have regard to Schedule 7 criteria, Schedule 7A information, results of other relevant EU assessments, the location of sensitive ecological sites, or heritage or conservation designations. Mitigation measures may be considered.

Screening Determination: Recorded outcomes to screening determination must state main reasons and considerations, with reference to the relevant criteria listed in Schedule 7 of the Regulations and mitigation if relevant.

Figure 22: Extract from OPR EIA Screening Guidance Note

5.1 Schedule 7 criteria for determining whether development should be subject to an environmental impact assessment

The 'Environmental Impact Assessment (EIA) Guidance for Consent Authorities Regarding Sub-Threshold Development', groups criteria for deciding whether or not a proposed development would be likely to have significant effects on the environment under three headings which correspond to the updated Schedule 7.

Schedule 7 criteria for determining whether development listed in part 2 of Schedule 5 should be subject to an environmental impact assessment.

- Characteristics of the proposed development.
- Location of the proposed development.
- Characteristics of potential impacts.

5.1.1 Characteristics of proposed development

OPR guidance –“If relevant, briefly describe the characteristics of the development (i.e. the nature and extent):

(a) Size of the proposed development

The proposed works to Market Square comprising c. 6540m², will support the creation of a flexible civic space capable of accommodating a range of community and commercial events and activities. This will involve an adjustment to the road network and parking arrangements. As such, footpath widening and footpath surface upgrade is proposed, using high quality natural stone that will significantly improve the public realm of this historic town centre and will focus on pedestrian connectivity and enhanced experience within the Market Square. The land use zoning objective states to ‘*protect, improve and provide for the future development of the town centre*’. The size and design of the proposed works are not likely to cause significant effects on the environment and have been cognisant of the surrounding environment and existing buildings.

(b) Cumulation with other existing development and/or development the subject of a consent for proposed development for the purposes of section 172(1A)(b) of the Act and/or development the subject of any development consent for the purposes of the Environmental Impact Assessment Directive by or under any other enactment,

Section 4.4 (iv) of this report identifies relevant applications for the assessment of cumulative effects. Together, with the proposed development at the subject site and the other permitted development in the vicinity of the site are not likely to give rise to significant effects. The works themselves are modest. In arriving to this conclusion, other permitted development has been taken into account.

(c) Nature of any associated demolition works,

The proposed development includes the upgrade of the public realm comprising natural stone paving, tree planting, bespoke street furniture and street lighting in the vicinity of structures which are either National Monuments, protected structure and/or listed structures on the NIAH. There is, in effect, no demolition works proposed as part of this part 8 application. The historic, social and architectural significance of the structures have been noted and are particularly detailed in the Architectural Heritage Impact Assessment and the Archaeological Impact Assessment. All works should be undertaken in accordance with best practice protocols to ensure no impacts on the environment as a result of the proposed development.

(d) the use of natural resources, in particular land, soil, water and biodiversity

Given the works proposed and their scale, they development would not result in a significant use of natural resources. The proposed development makes efficient use of lands and is aligned with

development patterns in the vicinity. There will be no use of natural resources at the site given the nature of works proposed.

The scale and quantity of construction materials used will not be such that would impose significant effects on the environment. The development will generate water demands during the construction and operational phases of the development.

During construction, the contractor will be required to implement standard measures during the construction phase.

The operation of the scheme would not use such a quantity of water to cause concern in relation to significant effects on the environment. Storm water from hard surfaces collected in roadside drains and discharged to a combined sewer along with Sustainable Drainage Systems throughout the Square, which includes tree pits as set out in the Infrastructure Report. The proposed development will not generate foul water.

The use of natural resources in relation to the proposed development is not likely to cause significant effects on the environment. The overall environmental impact under these headings is considered to be low. In addition, the AA Screening report accompanying this application concludes that there clearly no likelihood of direct or indirect impacts of any European sites.

(e) the production of waste,

All inert material and non-hazardous waste will be disposed of from the site in accordance with the categorisation of waste and in accordance with the relevant licencing and regulatory requirements.

Normal builders waste (rubble, excess building materials) will be generated during the construction phase. Rainwater runoff will be collected in roadside drains and discharged to a combined sewer; this is the same as the existing scenario. The proposed development will not generate foul water.

(f) pollution and nuisances,

The proposed public realm improvement works would give rise to pollution and nuisances. Noise, vibration, lighting, and dust arising from construction activities and construction traffic have the potential for pollution or nuisance. Any risk of surface water pollution can be avoided by adherence to best practice construction and environmental management during the construction phase which will ensure that the development would not result in pollution of groundwater or surface water. Dust nuisance during the works can be controlled by a dust minimisation plan.

No operational impacts in this regard are anticipated. The works effectively have already been tested during the COVID-19 temporary works and were successful. Those requiring local access are still facilitated as required. Accordingly, there are no significant expected residues or emissions. Significant negative effects on the environment are not likely to arise due to pollution or nuisance.

(g) the risk of major accidents, and/or disasters which are relevant to the project concerned, including those caused by climate change, in accordance with scientific knowledge, and

Standard construction practices will be employed throughout the construction phase. The subject lands are not proximate to any Seveso site. There are no technologies or substances to be used in the

development which may cause concern for having likely significant effects on the environment. There is no significant risk of accidents or disasters.

The site is not located near a flood risk zone according to the Strategic Flood Risk Assessment prepared in respect of the County Development Plan.

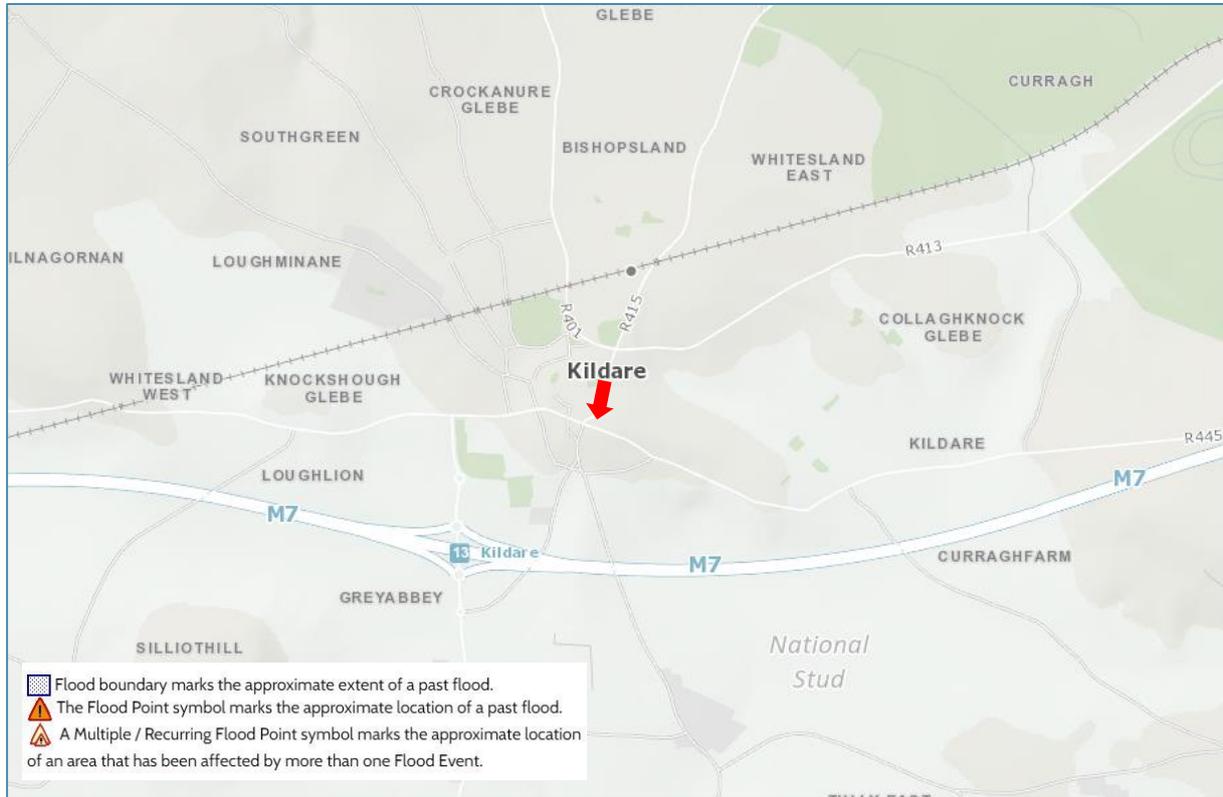


Figure 23: Extract from floodinfo.ie showing extent of river and fluvial risks (source: OPW), a red arrow shows the site location.

A site-specific flood risk assessment is not required in relation to the site.

h) the risks to human health (for example, due to water contamination or air pollution).

The nature of the proposed development and the engineering provisions will not lead to the likelihood of any risk to human health. Any risk arising from construction will be localised and temporary in nature. The proposed development is of standard construction method and of appropriate scale and does not require the use of particular substances or use of technologies which of themselves are likely to give rise to significant environmental effects. There are no Seveso / COMAH sites in the vicinity of this location. There will be no foul water discharge as a result of the works. Rainwater runoff will be collected in roadside drains and discharged to a combined sewer; this is the same as the existing scenario. With appropriate mitigation during construction there will be no risk of contamination of any watercourses or groundwater. There is no risk to human health within the meaning of the Directive. Flood risk on the site will be addressed through mitigation.

5.1.2 Location of Proposed Development

(a) the existing and approved land use,

The land use surrounding the site according to myplan.ie (Figure 2 in Section 2.1 Site Context) is a mix of commercial and residential town centre uses. Under the Kildare Local Area Plan 2023-2029 the site is zoned as 'A'–Town Centre on the land use zoning objectives map.

In determining the zoning of the subject site, the Planning Authority will have thoroughly assessed the nature of the site as part of the Strategic Environmental Assessment, Strategic Flood Risk Assessment and Appropriate Assessment for Kildare Town to ascertain its capacity to accommodate such development and merit a zoning as designated.

There are no apparent characteristics or elements of the design of the scheme that are likely to cause significant effects on the environment. The addition of this development is not considered to have a significant impact on the environmental sensitivities of the area.

(b) the relative abundance, availability, quality, and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground,

The nature of the proposed development is such that the natural resources used in its development are limited and there would be minimal ongoing use of natural resources from the proposed use of the site. The proposed development site contains no features of any ecological significance.

As previously mentioned, there are no significant watercourses within the proposed development site.

The underlying bedrock is limestone and described as “nodular & muddy limestone & shale” on the GSI database, which is considered a locally important aquifer. Subsoils are limestone gravel, and soils are made-ground.

In addition, during construction all appropriate best practice construction methods and measures are being employed at the subject site. The construction of the project will be managed and carried out by a suitably qualified and experienced nominated contractor who will ensure that best practice measures are used in terms of the subject site and its environs to ensure the safeguarding of natural resources (such as soil, land and water).

c) the absorption capacity of the natural environment, paying particular attention to the following areas:

(i) wetlands, riparian areas, river mouths;

The closest watercourse is the Tully Stream (a tributary of the River Barrow), which is approx. 1.5 km south of the Site at the closest point. The proposed development is not likely to give rise to significant effects on wetlands, riparian areas, and river mouth.

(ii) coastal zones and the marine environment;

The site is located c. 55 km from the coast. The proposed development is not likely to give rise to significant effects on coastal zones and the marine environment.

(iii) mountain and forest areas;

This site is not located proximate to mountains or forested areas.

(iv) nature reserves and parks;

The site is approximately located 4.8km from the Pollardstown Fen SAC (000396) and Mouds Bog SAC (002331) and would not have a feasible pathway to the site.

(v) areas classified or protected under legislation, including Natura 2000 areas designated pursuant to the Habitats Directive and the Birds Directive and;

The subject site is not used by any protected species for feeding purposes. Direct and indirect pathways to the Natura 2000 sites are examined in the AA screening prepared by NM Ecology Ltd. The AA screening concludes that:

"Therefore, with regard to Article 42 (7) of the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended), it can be excluded on the basis of objective scientific information following screening, that the plan or project, individually or in combination with other plans or projects, will have a significant effect on a European site. On this basis, the assessment can conclude at Stage 1 of the Appropriate Assessment process, and it is not necessary to proceed to Stage 2.

In accordance with the OPR 2021 guidance, we note that no mitigation measures have been considered when reaching this conclusion. "

(vi) in which there has already been a failure to meet the environmental quality standards laid down in legislation of the European Union and relevant to the project, or in which it is considered that there is such a failure;

The subject site has no feasible pathway to either a SAC or SPA.

(vii) densely populated areas;

The development is located in the town centre of Kildare Town.

The subject site shared its northern and eastern boundary with agricultural lands and there is some residential uses to its east and west but no other sensitive land uses. In 2022, Kildare Town consisted of a population on 10,302 persons. The total population of Kildare in 2022 was 24,774 persons. The proposed development is considered at scale in the context of the surrounding environment.

(viii) landscapes and sites of historical, cultural or archaeological significance

There are a number of sites identified on the list of NIAH and protected structures as well as a number of National Monuments within the subject site. Please refer to Table 2, Table 3, Table 4 and Table 5 for reference to each. The proposed site is located with both a Zone of Archaeological Potential.

Having regard to the proposed development, mitigation measures have been recommended to mitigate any potentially significant effect occurring due to the proposed development. The Archaeological Impact

Assessment (AIA) prepared by CourtneyDeery – submitted as part of the Part 8 application – recommends archaeological monitoring as an appropriate mitigation measure whereby a *“suitably qualified archaeologist be present to monitor all ground disturbance works associated with the project.”* The report also advises that *“if any archaeological material be encountered, works will cease and a strategy will be devised for further investigation, in discussion with the National Monuments Service of the DHLGH. Based on these discussions and the results of any investigations that take place, additional consultation with the DHLGH will determine if further resolution is required.”*

The proposed site is also located within the Kildare Town Architectural Conservation Area. Mitigation measures have also been advised as part of the Architecture and Heritage Assessment (AHIA) – prepared by JCA Architects and also submitted as part of the Part 8 application. The AHIA recommends measures to protect existing masonry during construction such as hoarding around the structure; a lightweight mesh should be installed in window reveals without fixing to the stonework – these measures should be detailed in the contractor's Construction Management Plan. Additionally, it recommends worker inductions and workshops with the to emphasise care during construction.

5.1.3 Types and characteristics of Potential Impacts

The likely significant effects on the environment of proposed development relate to those criteria set out in paragraph (b)(i)(l) to (v) of section 171A of the Act, taking into account—

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

The OPR's Practice Note on EIA Screening considers what are **likely significant effects**. Refer to Box 1 below.

Box 1: Likely Significant Effects

1. Are the effects identified likely to occur?

This refers to the effects that are expected to occur, those that can be reasonably foreseen as normal consequences of project construction and operation, including where relevant associated demolition, remediation and/or restoration.

2. Are the effects, which are likely to occur, significant?

EPA draft guidelines define a '*significant effect*' as an effect, which, by its character, magnitude, duration or intensity alters a sensitive aspect of the environment. The same draft guidelines provide useful definitions in relation to quality of effects, significance of effects, context of effects, probability of effects and duration and frequency of effects.

3. Will identified likely significant effects impact the environment?

Likely significant effects should cover the direct and indirect, cumulative, transboundary, short-term, medium-term and long-term, permanent and temporary, positive and negative effects of the project.

The factors of the environment to be described and assessed are:

- **population and human health;**
- **biodiversity, with particular attention to protected species and habitats;**
- **land, soil, water, air and climate;**
- **material assets, cultural heritage and the landscape; and**
- **the interaction between the factors.**

The following table summarises the likelihood of effects on the environmental factors listed in the box above, having regard to the analysis set out in sections 2 and 4 of this assessment.

Screening Considerations

Aspect	Phase	Potential Effect	Extent	Probability	Significance of Effect	Quality of Effect	Duration
Landscape	C	Improvement works to include removal and upgrading of public realm materials, revision of footpaths, alteration of parking and adjustment of road network.	Local	Certain	Moderate	Neutral	Permanent
	O	Provision of natural stone paving, tree planting, seating, street furniture, street lighting	Local	Certain	Moderate	Positive	Permanent
Visual	C	Perceived negative changes due to emergence of plant and machinery and site clearance works	Local	Likely	Moderate	Negative	Short Term
	O	Changes to visual aspect of Market Square; street lighting, seating, surfaces, re-grading	Local	Likely	Moderate	Positive	Permanent
Biodiversity	O	Planting of additional trees and in ground planting to enhance public realm	Local	Likely	Minor	Positive	Permanent
Land & Soil	C	Loss of subsoil from site Potential contamination due to accidental spillage.	Local Local	Not Likely Not Likely	Minor Imperceptible	Negative Neutral	Permanent Brief
	O	Public realm materials including footpath and paving upgrade consisting of natural stone paving	Local	Certain	Moderate	Positive	Permanent
Human Health	C	None Predicted	-	-	-	-	-
	O	None predicted	-	-	-	-	-
Water	C	Accidental pollution events occurring to nearby stream or the groundwater table	Local	Not Likely	Imperceptible	Neutral	Brief - Temporary
	O	Discharge of treated attenuated surface water to existing surface water network and introduction of SuDS	Local	Not Likely	Imperceptible	Neutral	Permanent

Screening Considerations

Aspect	Phase	Potential Effect	Extent	Probability	Significance of Effect	Quality of Effect	Duration
Air Quality & Climate	C	Reduction of air quality as a result of construction traffic and HGVs, and emissions from construction and plant machinery	Local	Likely	Not significant	Neutral	Temporary
	O	Localised improvement in air quality	Local	Likely	Not significant	Positive	Permanent
Noise	C	Increase in noise as a result of construction activity, and operation of plant and machinery.	Local	Likely	Moderate	Negative	Temporary
	O	Increase in footfall as a result of pedestrianisation and street furniture	Local	Likely	Moderate	Positive	Permanent
Cultural Heritage: Built Heritage	C	Impact on a number of national monuments and protected structures listed on NIAH within the boundary of the subject site and its vicinity	Regional	Likely	Moderate	Neutral	Permanent
	O	Impact on the built heritage or related structures	Regional	Not Likely	Moderate	Neutral	Permanent
Cultural Heritage: Archaeology	C	Impact on a number of national monuments and protected structures listed on NIAH within the boundary of the subject site and its vicinity	Regional	Likely	Moderate	Neutral	Permanent
	O	Impact on the archaeological sensitivities	Regional	Not Likely	Moderate	Neutral	Permanent

I. Interaction of Effects

There is potential for interaction of effects during the construction phase in relation to soil, water and biodiversity, built heritage. The negative impacts arise from potential risk of pollution, dust and noise. However, best practice construction measures will be put in place during the construction phase and these measures will continue to be employed in the completion and construction of the remaining elements of the proposed development which will ensure that there are no significant effects on the environment. Section 5.4 of this report outlines mitigation measures in respect of the proposed development.

II. Cumulative effects

It is considered that cumulative impacts with other existing and/or approved projects are not likely to cause significant effects on the environment.

No significant adverse effects have been identified, no measures are recommended to avoid or prevent such impacts.

III. Transboundary effects

Owing to the scale, nature, and location of the development there will be no transboundary effects. No mitigating measures are required.

IV. Residual Effects

Having regard to the nature and scale of the proposed development, it is considered that there are no residual effects, as a result of the works at the subject site.

5.2 Schedule 7A information

1 A description of the proposed development, including in particular—

(a) a description of the physical characteristics of the whole proposed development and, where relevant, of demolition works, and

Response

Refer to Section 5.1.1 of this report.

(b) a description of the location of the proposed development, with particular regard to the environmental sensitivity of geographical areas likely to be affected.

Response

Refer to Section 5.1.2 of this report.

2. A description of the aspects of the environment likely to be significantly affected by the proposed development.

Response

Refer to Section 5.1.3 of this report.

3. A description of any likely significant effects, to the extent of the information available on such effects, of the proposed development on the environment resulting from—

(a) the expected residues and emissions and the production of waste, where relevant,

Response

The development will include mitigation measures that will ensure there is no likely significant effects on the environment. Waste and emissions arising during the operational phase are not considered to be significant within the meaning of the Directive.

(a) the use of natural resources, in particular soil, land, water and biodiversity.

Response

Refer to 5.1.1. of this report.

4. The compilation of the information at paragraphs 1 to 3 shall take into account, where relevant, the criteria set out in Schedule 7.

Response

Please refer to section 5.1 of this report.

5.3 Any further relevant information

Response:

The Planning Authority are referred to the information submitted with this report to support the conclusions included in it, this comprises:

- Screening for Appropriate Assessment – prepared by NM Ecology

5.4 Any mitigation measures

Given the nature and location of the proposed development to structures and sites of historical and cultural significance, the following mitigation measures are proposed:

- An Architectural Heritage Impact Assessment Report should be undertaken to assess the condition of the listed NIAH feature on the site.
- A construction and environmental waste management plan (CEMP) to mitigate any potential environmental effects during the construction phase.
- An archaeological monitoring to be carried out during the construction phase by a suitably qualified archaeologist to monitor ground disturbances.
- A construction management plan which addresses protection of built heritage, including hoarding to protect existing masonry, lightweight mesh for protection of windows, and any other inductions for workers relating to care of built environment (with design team present).

5.5 Available Results under other EU Environmental Legislation

Other relevant EU environmental legislation may include:

- SEA Directive [2001/42/EC]
- Birds and Habitats Directives [79/409/EEC, 2009/147/EC & 92/43/EEC]

- Water Framework Directive [2000/60/EC]
- Marine Strategy Framework Directive
- Ambient Air Quality Directive and Heavy Metals in the Ambient Air Directive
- Industrial Emissions Directive
- Seveso Directive
- Trans-European Networks in Transport, Energy and Telecommunication
- EU Floods Directive 2007/60/EC

Table 7: EU Legislation

Directive	Results
SEA Directive [2001/42/EC]	The proposed development is compatible with the zoning under the Kildare County Development Plan 2023-2029 and the Kildare Local Area Plan 2023-2029. This has been subject to Strategic Environmental Assessment.
Birds and Habitats Directives [79/409/EEC, 2009/147/EC & 92/43/EEC]	An appropriate assessment (AA) screening report prepared by NM Ecology Ltd. accompanies this Part 8 application – it states: <i>'Therefore, with regard to Article 42 (7) of the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended), it can be excluded on the basis of objective scientific information following screening, that the plan or project, individually or in combination with other plans or projects, will have a significant effect on a European site. On this basis, the assessment can conclude at Stage 1 of the Appropriate Assessment process, and it is not necessary to proceed to Stage 2.'</i>
Water Framework Directive [2000/60/EC]	As per the existing case, rainfall runoff will be gathered in roadside drains and released into a combined sewer. There won't be any dirty water produced by the planned construction. An appropriate assessment (AA) screening report prepared by NM Ecology Ltd. accompanies this Part 8 application – it states: <i>"Rainwater runoff will be collected in roadside drains and discharged to a combined sewer; this is the same as the existing scenario. The proposed development will not generate foul water."</i>
Marine Strategy Framework Directive	The site is located inland, away from the coast, there is no likely impact given the distance.
Ambient Air Quality Directive and Heavy Metals in the Ambient Air Directive	n/a to proposed development
Industrial Emissions Directive	n/a to proposed development
Seveso Directive	There are no Seveso sites in the vicinity

Directive	Results
Trans-European Networks in Transport, Energy and Telecommunication	n/a to proposed development
EU Floods Directive 2007/60/EC	n/a to proposed development

5.6 Likely significant effects on certain sensitive ecological sites

Sensitive areas include:

i) a European site,

Response

An appropriate assessment (AA) screening report accompanies this application. The AA screening concludes:

'Having considered the particulars of the proposed development, we conclude that this application meets the first conclusion, because there is no likelihood of significant impacts on any European sites. This is based on three key conclusions:

The Site is not within or adjacent to any European sites, so there is no risk of direct effects

There are no surface water (or other) pathways linking the Site to any European sites, so there is no risk of indirect effects

There are no SPAs in the vicinity of the Site

Appropriate Assessment Screening must consider the potential implications of a project both in isolation and in combination with other plans and projects in the surrounding area. An 'in-combination effect' can occur when a project will have a perceptible but non-significant residual effect on a European site (when considered in isolation), that subsequently becomes significant when the additive effects of other plans and projects are considered. However, as the proposed development poses no risk of impacts on European sites in isolation, the risk of in-combination effects can also be ruled out.

Therefore, with regard to Article 42 (7) of the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended), it can be excluded on the basis of objective scientific information following screening, that the plan or project, individually or in combination with other plans or projects, will have a significant effect on a European site. On this basis, the assessment can conclude at Stage 1 of the Appropriate Assessment process, and it is not necessary to proceed to Stage 2.'

ii) an area which is the subject of a notice under Section 16(2)(b) of the Wildlife (Amendment) Act 2000 (No. 38 of 2000),

Response

It is not subject to a notice under Section 16(2)b of the Wildlife Act 2000.

iii) an area designated as a Natural Heritage Area (NHA) under Section 18 of the Wildlife (Amendment) Act 2000),

Response

No likely significant effects on a Natural Heritage Areas have been identified.

iv) 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),

Response

No likely significant effects on a nature reserve have been identified.

v) land designated as a refuge for flora or as a refuge for fauna under Section 17 of the Wildlife Act 1976,

Response

No likely significant effects on a refuge for flora or a refuge for fauna have been identified.

vi) a place, site or feature of ecological interest, the preservation, conservation or protection of which is an objective of a development plan or local area plan, draft development plan or draft local area plan, or proposed variation of a development plan, for the area in which the development is proposed,

Response

The AA Screening document has not identified any likely significant effect on a place, site or feature of ecological interest.

vii) a proposed Natural Heritage Area (pNHA).

The AA Screening document has not identified any likely significant effect on any pNHA.

6. SCREENING CONCLUSION

Having regard to the nature and scale of the proposed development which is below the thresholds set out in Class 10 of Part 2 of Schedule 5, the criteria in Schedule 7, the information provided in accordance with Schedule 7A of the Planning and Development Regulations 2001, as amended, and the following:

- The scale, nature and location of the proposed impacts
- The potential impacts and proposed mitigation measures
- The results of the any other relevant assessments of the effects on the environment

It is considered that the proposed development would not be likely to have significant effects on the environment and it is concluded that an environmental impact assessment report is not required.



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