



EIA Screening Report

Christ the King Convent
Redevelopment, Evergreen Road
Cork City

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1 Introduction

Flynn Furney Environmental Consultants have been commissioned by Cotter and Naessens Architects to carry out a Screening for Environmental Impact Assessment for the proposed works at Christ the King Presentation Convent, Turners Cross, Co. Cork.

The screening process includes an assessment of the details of the proposed works with reference to the relevant EIA legislation including the Planning & Development Regulations 2001 (as amended by Planning and Development Regulations 2015), the EIA Directive 2011/92/EU (as amended by Directive 2014/52/EU) and relevant EU Guidance including Interpretation of definitions of project categories of annex I and II of the EIA Directive, EU, 2015 and Environmental Impact Assessment of Projects Guidance on Screening, EU, 2017. The report provides a conclusion of the process and finally a recommendation.

2 Description of the Proposed Project

The project comprises:

1. The renovation of the old Christ the King Convent at Turners Cross, Evergreen Road, Cork City
2. The demolition of the chapel adjoined to the convent building, as well as minor ancillary buildings
3. The construction of accommodation on an open area that was previously utilised for recreation and is bordered by a mature hedgerow/treeline of mostly ornamental, non-native plants.

The works will take place off Evergreen Road, Cork City, an urban area with residential and commercial premises running along the southern side of the site, a primary school to the east and industrial/commercial warehouses along the northern border of the site (Fig. 1). Flynn Furney Environmental Consultants Ltd has been engaged for the provision of an environmental impact assessment screening report for the proposed works. The principal requirement for these services is to assist the relevant client in forming an opinion as to whether or not the proposed works should be subject to Environmental Impact Assessment (EIA) and if so whether an Environmental Impact Assessment Report (EIAR) should be prepared in respect of it.

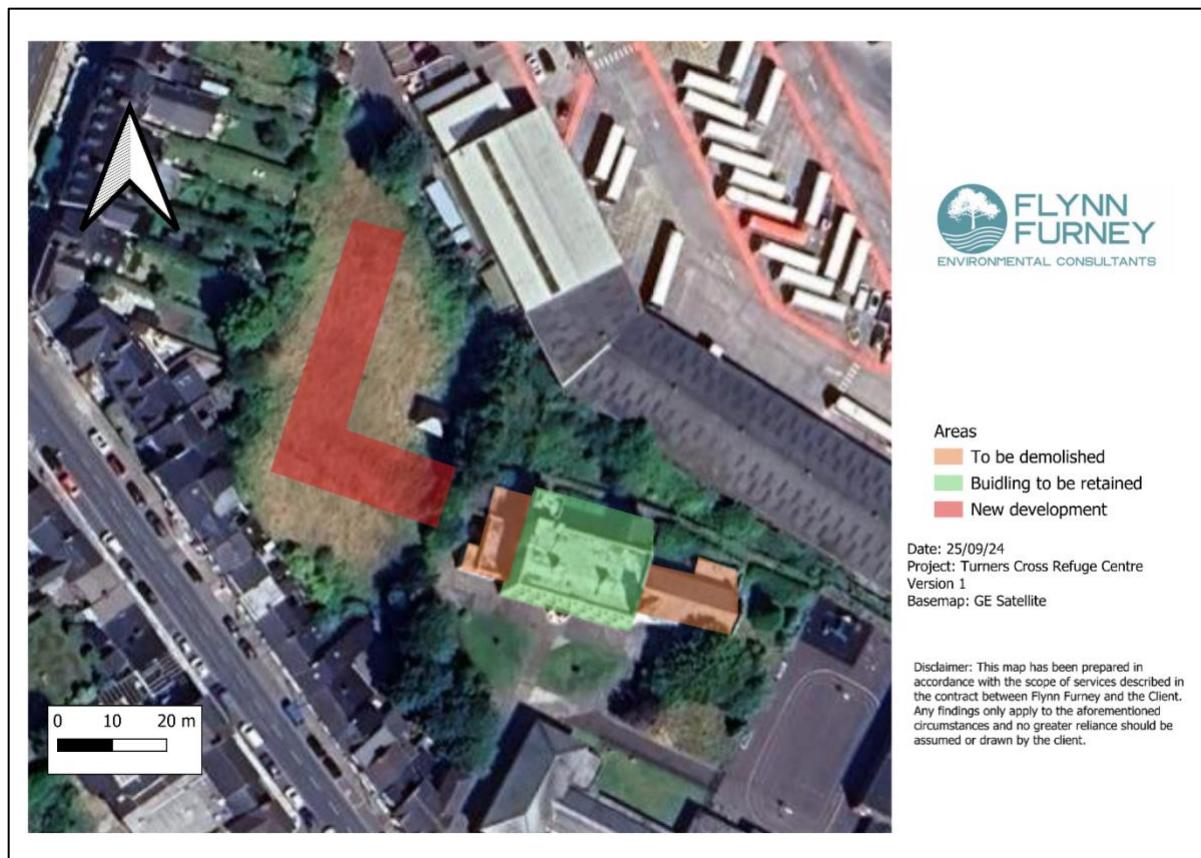


Figure 1 Site location and proposed works including the convent (Green, to be retained and developed), the attached buildings to be demolished and the field area to the west of the convent buildings which is to be developed for housing.

3 Relevant Legislation

Screening is the first stage in the EIA process, whereby a decision is made on whether or not EIA is required. This Screening Assessment was undertaken with regard to the following legislation and guidance:

- Roads Act 1993, the Roads Regulations 1994 and the EIA (Amendment) Regulations 1999;
- The Planning & Development Act 2000, the Planning & Development (Strategic infrastructure) Act 2006 and the Roads Act 2007;
- Guidance on EIA, Screening, European Commission, 2001
- EIA, Guidance for Consent Authorities regarding Sub-threshold Development, DoEHLG, 2003
- Environmental Impact Assessment of National Road Schemes – A Practical Guide (NRA, 2008).
- Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, 2009.
- Guidelines on the Information to be Contained in an Environmental Impact Assessment Report (Draft) - EPA 2017
- European Directive EIA 2014/52/EU¹
- Transposition of 2014 EIA Directive (2014/52/EU) in the Land Use Planning and EPA Licencing Systems. Key Issues Consultation Paper by Department of Housing, Planning, Community and Local Government (DOHPCLG, 2017).

EIA requirements derive from the EIA Directive (Directive 2011/92/EU as amended by Directive 2014/52/EU). The amended Directive came into force on 16th May 2017 and regulations transposing it into national legislation have been enacted. No changes to the prescribed project types or thresholds are required under the amended Directive so the types and thresholds set out in the 2001-2010 Regulations remain in effect.

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¹ Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (OJ L 124, 25.4.2015, p. 1).

into national legislation have been enacted. No changes to the prescribed project types or thresholds are required under the amended Directive so the types and thresholds set out in the 2001-2010 Regulations remain in effect.

EIA legislation as it relates to the planning process has been largely brought together in Part X of the Planning and Development Acts 2000-2018 and Part 10 and Schedules 5, 6 and 7 of the Planning and Development Regulations 2001-2018. Part 1 of Schedule 5 to the Planning and Development Regulations lists project types included in Annex I of the Directive which automatically require EIA. Part 2 of the same Schedule, lists project types included in Annex II. Corresponding developments automatically require EIA if no threshold is given or if they exceed a given threshold. Developments which correspond to Part 2 project types by are below the given threshold must be screening to determine whether they require EIA or not. This is done by consideration of criteria set out in Schedule 7.

EIA legislation sets down the types of projects that may require an EIAR. Annex I defines mandatory projects that require an EIAR and Annex II defines projects that are assessed on the basis of set mandatory thresholds for each of the project classes.

The EIA screening exercise initially assesses the development for Mandatory EIA using classifications defined in the appropriate legislation. Where no mandatory requirement is concluded, screening advances to sub-threshold development assessment, where the competent authority evaluates whether the project is likely to have a significant effect on the environment, with reference to its scale, nature, location and context.

4 Screening and Assessment

4.1 Project Class

EIA legislation defines the types of projects that may require an EIAR. Annex I defines mandatory projects that require an EIAR and Annex II defines projects that are assessed on the basis of set mandatory thresholds for each of the project classes.

4.2 Infrastructure Projects

Schedule 5, Part 2 of the Planning and Development Regulations, 2001 includes this project type:

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

(In this paragraph, “business district” means a district within a city or town in which the predominant land use is retail or commercial use.)

The EU Guidance on ‘Interpretation of definitions of project categories of Annex I and II of the EIA Directive’ (2015) interprets ‘urban development’ as taking ‘account of, *inter alia*, the following:

- i. Projects with similar characteristics to car parks and shopping centres could be considered to fall under Annex II (10)(b). This could be the case, for example, of bus garages or train depots, which are not explicitly mentioned in the EIA Directive, but have similar characteristics to car parks.
- ii. Construction projects such as housing developments, hospitals, universities, sports stadiums, cinemas, theatres, concert halls and other cultural centres could also be assumed to fall within this category. The underlying principle is that all these project categories are of an urban nature and that they may cause similar types of environmental impact.
- iii. Projects to which the terms ‘urban’ and ‘infrastructure’ can relate, such as the construction of sewerage and water supply networks, could also be included in this category.

4.3 Conclusion:

The proposed scheme does not fall within the mandatory requirement for an EIA as addressed in EU Directive 85/337/EEC (as amended by Directive 97/11/EC). These proposed works are thus assessed as a sub-threshold development.

4.4 Reasoning

There are no sites designated for conservation of wildlife within the area proposed for works.

The nearest designated site to the proposed site of work of European significance is the Cork Harbour SPA. This site however is not hydrologically linked to the SPA and the adjacent land between the proposed work area and the SPA is already heavily built. Therefore there will be little impact on the SPA.

The area of the site to be developed is approximately 7130m², 0.713 ha which is less than 1 ha. The proposal would be considered to constitute a prescribed project type but is considered significantly below the threshold of 10 to 20 hectares.

5 Sub-threshold Development EIA Screening

A key determinant of the necessity for Environmental Impact Assessment of sub-threshold projects is whether or not such works are likely to have significant effects on the environment. The 1997 amending Directive (97/11/EC) introduced guidance for Member States in terms of deciding whether or not a development is likely to have a “significant effect on the environment”.

These criteria have been transposed fully into Irish legislation in the third schedule of the European Communities Environmental Impact Assessment (Amendment) Regulations 1999, (SI No.93 of 1999) and in Schedule 7 of the Planning & Development Regulations 2001 (SI No 600 of 2001) as amended by Planning & Development Regulations 2008. This has been updated by transposition of the 2014 EIA Directive (2014/52/EU) which amends Directive 2011/92/EU1). Guidance is provided by use of criteria set out in Annex III of the new Directive. These criteria as transposed in Irish legislation are grouped under three headings and are used to assist the screening process in determining whether a development is likely to have a significant effect on the environment. The three headings and criteria details as given in Annex III are given below:

Heading	Criteria
1. Characteristics of proposed development	<ul style="list-style-type: none"> the size and design of the entire proposed development the cumulation with other existing and/or approved development the use of natural resources the production of waste pollution and nuisances the risk of major accidents (with regard to substances or technologies used) the risks to human health
2. Location of proposed development	<p>The environmental sensitivity of geographical areas likely to be affected by proposed development, having regard in particular to:</p> <ul style="list-style-type: none"> the existing and approved land use the relative abundance, availability, quality and regenerative capacity of natural resources in the area and its underground the absorption capacity of the natural environment in particular, wetlands, coastal zones, mountain and forest areas, nature reserves and natural parks, areas protected under the Habitats Directive / Birds Directives, other protected areas, densely populated areas, protected landscapes of historical, cultural or archaeological significance.
3. Type and characteristics of potential impacts	The potential significant effects of proposed development in relation to criteria set out under

	<p>paragraphs 1 and 2 above, and having regard in particular to:</p> <ul style="list-style-type: none"> • the magnitude and spatial extent of the impact (geographical area and size of the affected population) • the nature of the impact • the transboundary nature of the impact • the intensity and complexity of the impact • the probability of the impact • the expected onset, duration, frequency and reversibility of impact • the cumulation of the impact with the impact of other existing and/or approved projects • the possibility of effectively reducing the impact
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Schedule 7		Relevance	Rationale
1. Characteristics of proposed development	The size of the proposed development	No	The proposed work area below 1ha.. Far below the threshold.
	The cumulation with the proposed development	No	It is considered the project being assessed in this report is of a small scale and will not have a cumulative impact when impacts with other projects are considered.
	The use of natural resources	No	No significant natural resources will be used to complete the project. Pea gravel or sand used for backfilling around the pipe with a layer of top soil that was taken returned. No water will be abstracted from a watercourse during the construction or operation of this development. No rare, threatened, or protected species of plants as per the Red Data List found within any habitat within the survey area.
	The production of waste	No	Normal construction waste will be produced, segregated where possible and sent to an appropriately permitted waste or materials recovery facility. Concrete and material from excavation of road, rootpath and decommissioned piping which will be broken up and removed.
	Pollution and nuisance	No	No other emissions to air or water other than those associated with small scale construction works are likely. No significant water or air-borne pollution

			is envisaged. Small scale inconveniences may be expected when work occurs on road or footpath.
	The risk of accidents having regard to substances or technologies used.	No	Fencing will be erected around the specified compounds and work areas to protect the public. The proposed work does not use chemicals that pose a risk when good building practices are used.
2. Location of the Proposed Development: The environmental sensitivity of geographical areas likely to be affected by proposed development, having regard in particular to:	The existing landuse	No	The landuse of the proposed work area is build infrastructure, amenity garden areas and amenity grassland with some non-native ornamental treelines and small stands of trees. The removal of mature trees to facilitate construction is expected to be minimal. With the exception of a few specimens of mature native trees, any removal of trees is likely to have negligible ecological impact.
	The relative landuse availability, quality and regenerative capacity of natural resources in the area and its underground.	No	While some green areas removed for the construction of housing, there are opportunities to enhance the ecological health of the remaining green spaces. No additional water resources will be required. There are no watercourses within the project area. The ecological surveys carried out during the Appropriate Assessment Screening process did not identify any significant natural resources within the area proposed for works.
	The absorption capacity of the natural environment, paying particular attention to the following areas:		
	Wetlands, riparian areas, river mouths;	No	None of these habitat types occur within area of proposed development.
	Coastal zones	No	None of these habitat types occur within area of proposed development.
	Mountain and forest areas	No	None of these habitat types occur within area of proposed

			development.
	Nature Reserves and National Parks	No	None of these habitat types occur within area of proposed development.
	Areas classified or protected under legislation, including special protection areas designated pursuant to Directives 79/409/EEC and 92/43/EEC	No	The Cork Harbour SPA or Great Island SAC are not hydrologically linked. A screening for Appropriate Assessment was carried out as part of the planning process. This determined that there was no potential for the development to impact on the SPA and SAC due to the nature and scale of the development and the consequent small zone of influence. There is also a lack of any direct connection between the site
	Areas in which the environmental quality standards laid down in legislation of the EU have already been exceeded.		N/A
	Densely populated areas	No	The works will occur with largely residential Turners Cross area. This is expected to cause minimal impact to the population as the work zones are enclosed on all sides. Some disturbance may be anticipated in the areas close to the primary school to the east and the terrace to the west of the site. Appropriate anti-dust and anti-noise barriers are recommended.
	Landscapes of historical, cultural archaeological significance	No	None of these habitat types occur within area of proposed development.
3. Type and characteristics of potential impacts:	the magnitude and spatial extent of the impact (geographical area and size of the affected population)	No	Potential impacts are considered to be insignificant due to the scale and location of the proposed work,
	The nature of the impact	No	Short term impact to the population by way of noise, road use and footpath loss, as well as temporary habitat loss

			in the amenity grassland while works occur.
	the transboundary nature of the impact		N/A
	the intensity and complexity of the impact	No	Impacts are expected to be insignificant based on scale, nature of work and time period.
	the probability of the impact	No	No significant negative impacts are predicted.
	the expected onset, duration, frequency and reversibility of impact	No	No significant negative impacts are predicted. Impacts are expected to be reversed.
	the cumulation of the impact with the impact of other existing and/or approved projects	No	The works are confined to the redevelopment of the convent site for housing.
	the possibility of effectively reducing the impact	No	The project is expected to have minimal lasting impacts on the environment.

6 Conclusion

It is concluded that the **characteristics of the proposed development** would not be considered likely to have significant effects on the environment. This is based primarily on the size and scale of the proposed works and low potential to have significant impacts as there are not any threatened habitats or species that would constitute a considerable loss should they be impacted.

It is concluded that there would most likely be no impact on any Natura 2000 sites as they are not found within the work site of naturally linked through environmental systems like waterways.

It is concluded that the **type and characteristics of the potential impacts** would not be considered significant. This is due to the lack of significant areas of high ecological value in the vicinity and due to the potential for improvements to the ecological health of the area to be made through ecologist-guided landscaping following the construction period.

Given the size and scale of the proposed development and the absence of other projects or plans that could interact with the present proposal known at time of writing, no significant **cumulative impacts** are considered likely.

The assessment has been carried out on the proposed works as a **sub threshold development**. The overall conclusion of this screening exercise is that there should be no specific requirement for a full Environmental Impact Assessment of the proposed development.

7 References

Department of the Environment, Community & Local Government(2013).Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment.

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European Commission (2015).Environmental Impact Assessment –EIA, Overview, Legal Context. European Council Directive (EU) 2014/52/EU of 16 April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment.

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