



# **Kilcully Pedestrian Safety Scheme**

Preliminary Examination for Environmental Impact Assessment

October 2022

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# Kilcully Pedestrian Safety Scheme

Preliminary Examination for Environmental  
Impact Assessment

October 2022

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# 1 Introduction

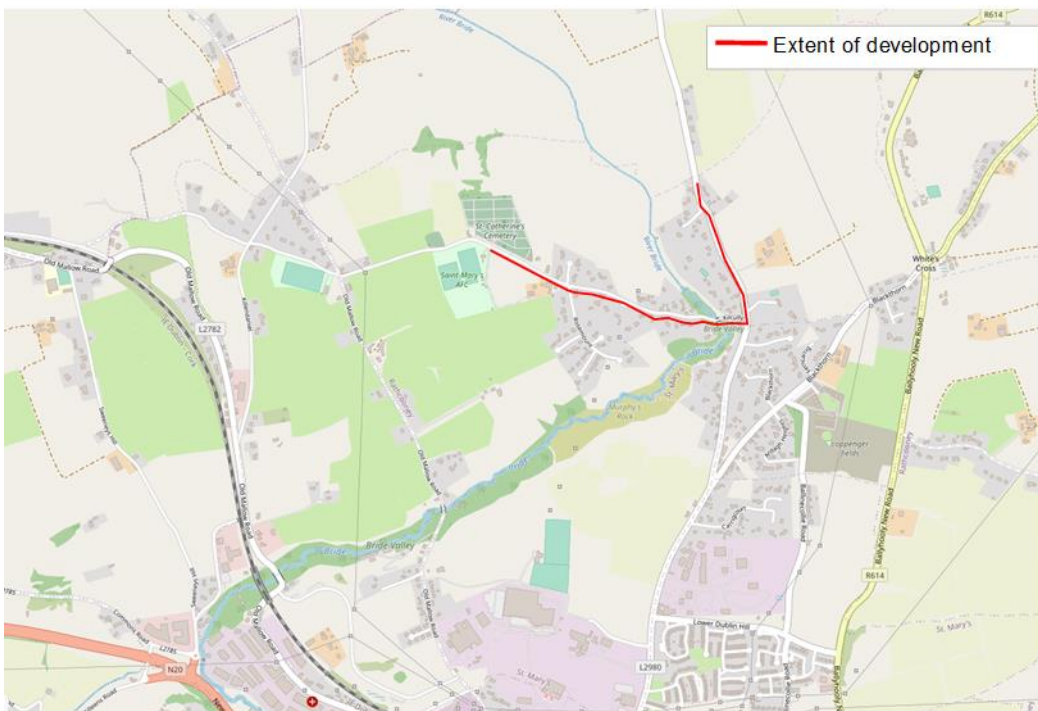
## 1.1 Overview

Mott MacDonald Ireland Limited have been appointed by Cork City Council to provide design consultancy services for the Kilcully Pedestrian Safety Scheme, Co. Cork. The proposed development is located approximately 2.2km northeast of Cork city and is located within the village of Kilcully (townlands of Kilcully, Ballincroigig (Ed St. Mary's) and Ballincroigig (Ed Rathcooney) in the administrative boundary of Cork City Council (refer to Figure 1.1).

The proposed development comprises a total approx. length of 1.64km, comprising an approx. 1.04km section of the L2962 Kilcully Road extending from St. Catherine's graveyard to the junction with the L2958 Upper Dublin Hill Road and 0.6km approx. section of the L2958 Upper Dublin Hill Road from the junction with the L2962 Kilcully Road, continuing northward toward Anname Bridge.

This Preliminary Examination for Environmental Impact Assessment accompanies a Part 8 planning application by Cork City Council (CCC) for a proposed pedestrian safety scheme.

**Figure 1.1: Location of proposed development**



Source: © OpenStreetMap contributors

## 1.2 Project Background

There are currently limited pedestrian facilities within the village of Kilcully. The primary objective of the proposed development is to improve pedestrian safety by enhancing pedestrian infrastructure for Kilcully and provide:

- Safe movement of pedestrians through the area
- Segregated of pedestrian movement from the road carriageway

- Encouraging modal shift for the local population to access to local services and amenities

The delivery of the pedestrian safety scheme will help to contribute to an increase in sustainability mobility within Kilcully and the contributing to the achievement of Government targets to increase walking journeys and provision of segregated walking facilities under the National Sustainable Mobility Policy.

### **1.3 Statement of Competency**

Mott MacDonald is a multidisciplinary consultancy with over 20 years' experience of undertaking complex and challenging EIA Screenings and of writing environmental impact assessment reports for a wide range of projects. These include some of the Ireland's largest infrastructure, engineering and development projects.

Mott MacDonald is a corporate member of the Institute of Environmental Management and Assessment and hold its EIA Quality Mark. The Quality Mark Scheme allows organisations that lead the co-ordination of statutory EIAs in the UK and Ireland to make a commitment to excellence in their EIA activities and have this commitment independently reviewed. The EIA Quality Mark is a voluntary scheme, with organisations free to choose whether they are ready to operate to its seven EIA Commitments.

## 2 Description of Development

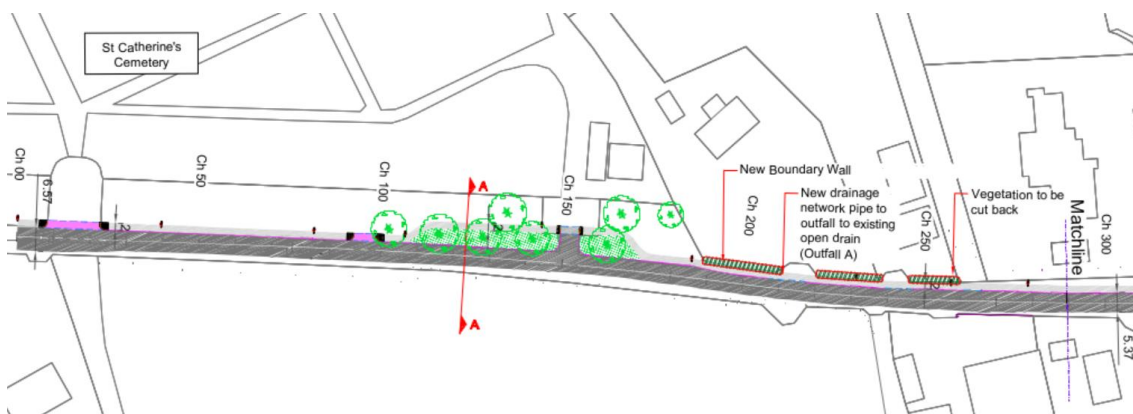
The proposed development comprises of new and upgraded footpaths totalling approx. 1.64km in length, the initial (approx.) 1.04km section begins at St. Catherine's graveyard along the L2962 Kilcully Road, this section includes a new pedestrian bridge crossing the Glennamought River adjacent to Bridge CB-L2962-B-000, the route continues to the junction with the L2958 Upper Dublin Hill Road. The final (approx.) 0.6km extends along the L2958 northward toward Anname Bridge (Bridge Ref: CB-L2958-B-000).

### 2.1 Project Description

The proposed works will comprise of the following (refer to Figure 2.1):

- New 2m wide concrete footpath, totalling a length of approximately 1,550m;
- Upgrading of existing concrete footpath to provide a width of 2m, totalling a length of approximately 50m;
- 1No. pedestrian bridge crossing the Glennamought River adjacent to Bridge CB-L2962-B-000;
- 1no. Raised Pedestrian Crossings and reduction in junction radii to 6m;
- 43no. new public lighting columns;
- Improved drainage infrastructure comprising approximately 1100m of surface water drains ranging from 225mm to 450mm diameter, a series of roadside drainage gullies adjacent to the new footway, upgrade and formalisation of 3 no. drainage outfalls (A, B1 & B2) and maintenance of 1 no. existing over-the-edge drainage outfall (C);
- Service diversions to facilitate the improvement works; and
- All associated works to facilitate the development.

**Figure 2.1: Layout of Proposed Development (chainage 0-300m)**



Source: Mott MacDonald Drawing 229101013-MMD-XX-DR-C-0009

#### 2.1.1 Drainage

The proposed development incorporates new surface water drainage within the public road boundary to ensure the efficient removal of surface water run-off from the new footway and adjacent road carriageway. The drainage design has been prepared in accordance with best practice standards listed below and within the constraints of the existing site;

- TII Publications for Drainage
- Design Manual for Urban Roads and Streets (DMURS) Government of Ireland, 2019



- CIRIA Guidance Document C753: The SuDS Manual, 2015

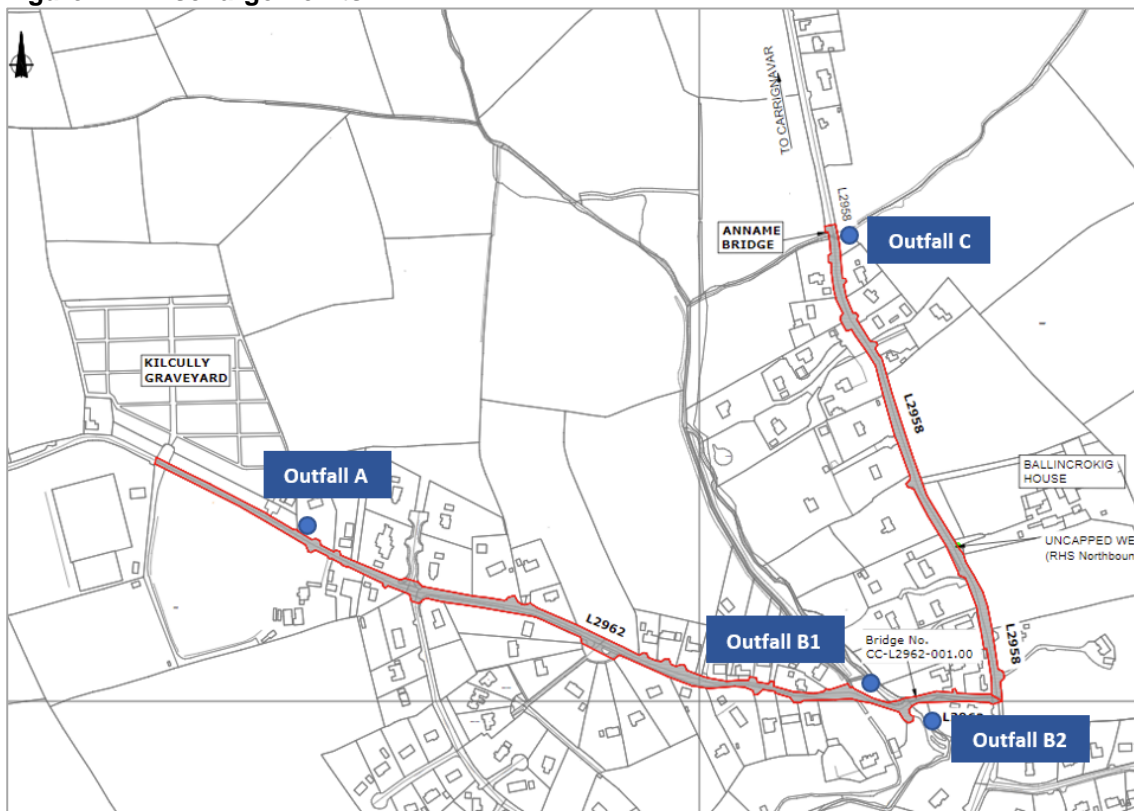
A total of approximately 1100m of surface water drains ranging from 225mm to 450mm diameter will be laid within the site extents to formalise the existing drainage system. Run-off will be conveyed to the piped network through a series of roadside gullies situated adjacent to the new footway.

The new drainage network will outfall at 4 no. locations as follows;

- Outfall A: New drainage pipe to existing open drain at approximate Chainage 0+210
- Outfall B1: New drainage pipe with precast concrete headwall to the Glennamought River (upstream of Bridge CB-L2962-B-000) via an open ditch lined with irregular stones to provide flow and erosion control at approximate Chainage 0+885 (in place of existing drainage openings within the existing bridge parapet)
- Outfall B2: Upsized drainage pipe with new precast concrete headwall to the Glennamought River (downstream of Bridge CB-L2962-B-000) at approximate Chainage 0+930
- Outfall C: Existing over-the-edge/verge outfall to be maintained at approximate Chainage 1+600

The location of the drainage outfalls associated with the works are presented in Figure 2.2. Refer to drawings 229101013-MMD-0000-XX-DR-C-0013 & 229101013-MMD-0000-XX-DR-C-0014 for further details.

**Figure 2.2: Discharge Points**



Source: Mott MacDonald

### 2.1.2 Lighting

It is proposed to upgrade the lighting along the Kilcully Pedestrian Safety scheme in accordance with TII Publication DN-LHT-03038 Design of Road Lighting for the National Road Network.

The proposed design provides 43no. lighting columns along the L2962 and L2958 at approximately 25m spacings. Lighting columns are to be 8m overground height, manufactured from steel with a tapered octagonal section, root mounted, hot dip galvanised to BS EN 1461.

### 2.1.3 Utilities

It is intended to maintain the existing services in their current location within the carriageway and/or footway. Where existing services are directly impacted by the works (i.e. new kerblines, improved pavement foundation etc.), the protection or relocation of services will be required in accordance with the relevant service provider's guidelines.

### 2.1.4 Traffic Management

Traffic management will be required during the construction phase of the works. A Traffic Management Plan (TMP) has been prepared to highlight a non-exhaustive list of potential diversion routes that may be utilised by the Contractor in the design and preparation of the TMP to be implemented during the construction phase of the works. The TMP also outlines the minimum requirements for traffic management in the execution of the works in accordance with current industry best practice.

A detailed traffic management plan will be produced by the Contractor following consultation and agreement with the Gardaí and Cork City Council in advance of construction of the proposed development. The Traffic Management Plan shall comply with the requirements of Chapter 8 of the Traffic Signs Manual August and the Temporary Traffic Management document suite published by the Department of Transport. The Contractor shall also take account of the "Guidance for the Control and Management of Traffic at Road Works" Second Edition issued by the Department of Transport (2010) in the implementation of the plan and the "Guidelines for Managing Openings in Public Roads" Second Edition issued by the Department of Transport, Tourism and Sport (2015).

## 2.2 Project Programme

The proposed works are anticipated to commence in Q1 2023 and are scheduled to take approximately six months to complete.

Due to the scale of the work to be undertaken a designated construction compound is not envisaged. It is expected that through negotiated temporary parking and storage of a small amount of materials will be agreed with a local farmer/landowner. It is expected that material will be ordered and used as required and large stock piling will not be necessary.

## 3 EIA Legislative Context

### 3.1 Requirements under the EIA Directive

The requirement for Environmental Impact Assessment (EIA) has its origins in Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment. This Directive has been amended three times and was codified by Directive 2011/92/EU in 2011. Directive 2011/92/EU was then subsequently amended by Directive 2014/52/EU in 2014 (together, the “EIA Directive”).

The primary objective of the of the EIA Directive is to ensure a high level of protection of the environment and human health, through the establishment of minimum requirements for environmental impact assessment (EIA), prior to development consent being awarded, of public and private developments that are likely to have significant effects on the environment.

Directive 2014/52/EU provides a definition of environmental impact assessment as being a process consisting of:

- The preparation of an environmental impact assessment report (EIAR);
- The carrying out of consultations required to inform the EIAR;
- The examination by the competent authority of the information presented in the EIAR and any supplementary information provided, where necessary, by the developer and relevant information received through consultations with the public, prescribed bodies and any affected Member States;
- The reasoned conclusion by the competent authority on the significant effects of the project on the environment; and
- The integration of the competent authority's reasoned conclusion into any development consent decision.

In determining the requirement for EIA, the EIA Directive differentiates between the projects that always require EIA (mandatory) and those for which an EIA may be required. These projects are listed in Annex I and Annex II of the EIA Directive, respectively.

### 3.2 Requirements under the Planning and Development Regulations 2001, as amended

As of the 1st of September 2018, the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018) transposed the requirements of the EIA Directive (Directive (2011/92/EU) as amended by Directive 2014/52/EU (together, the “EIA Directive”) into existing Irish planning consent procedures, i.e. the Planning and Development Regulations 2001, as amended.

In determining the requirement for EIA, the Directive differentiates between projects that always require EIA and those for which an EIA may be required. These projects are listed in Schedule 5, Part 1 and Part 2 of the Planning and Development Regulations 2001, as amended (hereafter the P&D Regulations).

- Part 1 projects are projects which are considered as having significant effects on the environment and require a mandatory EIA; and
- Part 2 projects are those not included in Part 1 but which may require EIA where the proposed development is of a class specified in Part 2 and equals or exceeds the relevant thresholds; or, where the proposed development would be of a class specified in Part 2, but does not

equal or exceed prescribed threshold in Part 2, yet it is concluded, determined or decided, that the proposed development is likely to have a significant effect on the environment.

### 3.2.1 Schedule 5, Part 1 Projects

The proposed development is not a type of project identified in Part 1 of Schedule 5 of the *Planning and Development Regulations 2001, as amended*. An EIA is therefore not automatically required.

### 3.2.2 Schedule 5, Part 2 Projects

The proposed development can be described as an urban development project type and therefore Paragraph 10(b)(iv) of the P&D Regulations may be applicable - the provisions of which are quoted below;

*“Paragraph 10 (b)(iv) [Infrastructure projects]: 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.”*

The proposed development cannot be considered a business district, as this is defined in Paragraph 10 as “a district within a city or town in which the predominant land use is retail or commercial use”. This is not applicable to the proposed development as it is located in an almost exclusively residential area with several recreational amenities but very limited retail or commercial uses present. It is not considered that the area relevant to the proposed development can be described as ‘built up’, as it comprises low density ribbon development along a local road. Kilcully does not conform to the definition of a “built-up area” which is defined under Article 3(3) as “a town or city (where “city” and “town” have the meanings assigned to them by the Local Government Act, 2001) or an adjoining developed area”. The proposed development is below the 20 hectare threshold for ‘elsewhere’, as it covers an area of 2 hectares.

Paragraph 10(dd) relates to “all private roads”, as a public road development this class is not applicable.

The proposed development is also subject to the considerations relevant to Paragraph 15, quoted below, as it has been identified as a type of project under Paragraph 10(b)(iv). The likely significance of effects will therefore be determined in Section 4 of this report.

*“Paragraph 15: Any project listed in this Part which does not exceed a quantity, area or other limit specified in this Part in respect of the relevant class of development but which would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.”*

## 3.3 Requirements under the Roads Act 1993 as amended

The provisions of the Roads Act 1993, as amended, (Roads Act) apply to the proposed development as a ‘public’ road development. Section 50 (1)(a) [Environmental Impact Assessment Report] of the Roads Act, requires a road development comprising any of the following road development types listed in Table 3.1 (below), to be subject to an environmental impact assessment. For clarity, Cork City Council are considered to be the ‘Road Authority’ in the subject instance for the purposes of Section 50 (1) of the Roads Act 1993, as amended.

**Table 3.1: Applicability of the Roads Act**

Section 50(1) Roads Act reference	EIA Required on this basis?
(a)(i) Construction of a motorway	No. The proposed development consists of improvements to the existing local roads.
(ii) Construction of a busway  Section 44 (1) of the Roads Act 1993 as amended provides a definition of a busway; “A busway means a public road or proposed public road specified to be a busway in a busway scheme approved by the Minister under Section 49 of the Act.”	No. The proposed development does not include the construction of a busway.
(iii) Construction of a service area	No. The proposed development does not include any service area.
(iv) Any prescribed type of proposed road development consisting of the construction of a proposed public road or the improvement of a public road  The types of road development are prescribed under Article 8 the Roads Regulations 1994 (S.I. No. 119 of 1994), as comprising;	No. The proposed road development comprises improvements to an existing public road and will not result in the widening of the road carriageway and does not require realignment.
The construction of a new road <sup>1</sup> of four lanes, or the realignment or widening of an existing road so as to provide four or more lanes, where such new, realigned or widened road would be eight kilometres or more in length on a rural area, or 500 metres or more in length an urban area	The proposed development does not require the construction of a new bridge or tunnel.
(b) Where An Bord Pleanála (ABP) considers that a proposed road development would be likely to have significant effects on the environment it shall direct the road authority to prepare an EIS	No. Determination based on the outcome of this Preliminary Examination for Environmental Impact Assessment; no determination has been requested.
(c) Where a road authority considers that a proposed road development would be likely to have significant effects on the environment it shall inform ABP in writing and where ABP concurs it shall direct the road authority to prepare an EIS	No. No mandatory requirement for EIA based on description of development and type. Significance of effects on the environment to be addressed in the preliminary examination – Section 4 - of this report.

<sup>1</sup> Section 2 of the Roads Act 1993 (as amended), provides the following definition and interpretation of a “road” – it includes (a) any street, lane, footpath, square, court, alley or passage, (b) any bridge, viaduct, underpass, subway, tunnel, overpass, overbridge, flyover, carriageway (whether single or multiple), pavement or footway, (c) any weighbridge or other facility for the weighing or inspection of vehicles, toll plaza or other facility for the collection of tolls, service area, emergency telephone, first aid post, culvert, arch, gully, railing, fence, wall, barrier, guardrail, margin, kerb, lay-by, hard shoulder, island, pedestrian refuge, median, central reserve, channeliser, roundabout, gantry, pole, ramp, bollard, pipe, wire, cable, sign, signal or lighting forming part of the road, and (d) any other structure or thing forming part of the road and— (i) necessary for the safety, convenience or amenity of road users or for the construction, maintenance, operation or management of the road or for the protection of the environment, or (ii) prescribed by the Minister;

**Section 50(1) Roads Act reference**

**EIA Required on this basis?**

(d) Where a proposed road development would be located on certain environmental sites the road authority shall decide whether the proposed road development would be likely to have significant effects on the environment. The sites concerned are:

(i) a European Site within the meaning of Regulation 2 of the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011),

(ii) land established or recognised as a nature reserve within the meaning of section 15 or 16 of the Wildlife Act 1976 (No. 39 of 1976),

(iii) land designated as a refuge for fauna or flora under section 17 of the Wildlife Act 1976 (No. 39 of 1976), or

(iv) land designated a natural heritage area under section 18 of the Wildlife (Amendment) Act 2000,

(v) A Nature Reserve within the meaning of sections 15 or 16 of the Wildlife Act, 1976

No.  
The proposed development is not within or proximate to any European Site or any site listed under the Wildlife Act. The Appropriate Assessment Screening Report prepared for this application confirms no potential for significant effects to European Sites within proximity of the proposed road development.  
Sites designated under the Wildlife Act are not adversely or significantly impacted by the proposed development.

the road authority or the Authority, as the case may be, proposing the development shall decide whether or not the proposed development would be likely to have significant effects on the environment.

(e) Where a decision is being made pursuant to this subsection on whether a road development that is proposed would or would not be likely to have significant effects on the environment, An Bord Pleanála, or the road authority or the Authority concerned (as the case may be), shall take into account the relevant selection criteria specified in Annex III.

The outcome of this preliminary examination will provide a conclusion on the likely significance of effects.

### 3.4 Guidance

In addition to the various requirements of planning legislation, the following guidance was also considered in the preparation of this Preliminary Examination for Environmental Impact Assessment:

- Guidelines on the Information to be Contained in Environmental Impact Assessment Reports, EPA, May 2022;
- Environmental Impact Screening Assessment, Practice Note 02 [PN02], Office of the Planning Regulator, June 2021;
- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment, Department of Housing, Planning and Local Government, August 2018;
- Guidance on EIA Screening (Directive 2011/92/EU as amended by 2014/52/EU), European Commission, 2017;
- Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities, Department of the Environment, Heritage and Local Government 2009; and
- EIA, Guidance for Consent Authorities regarding Sub-Threshold Development, Department of the Environment, Heritage and Local Government, 2003.

# 4 Preliminary Examination

Criteria to be assessed	Commentary
<p><b>Nature of the Development</b> Is the nature of the proposed development exceptional in the context of the existing environment?</p>	<p>No, the proposed works are not exceptional in the context of the existing environment.</p> <p>The proposed development comprises works to the existing local road network, L2962 and L2958. The addition of new footpaths will result in utilising grass verges which run parallel to one lane of the carriageway to provide the proposed 2m wide footpaths. The proposed works are of a nature and type that are common in County Cork and across Ireland.</p>
<p>Will the development result in the production of any significant waste, or result in significant emissions or pollutants?</p>	<p>No, the proposed development will not result in the production of any significant volumes of waste. The dominant waste stream will be the removal of soils to allow the laying of concrete for the proposed footpaths. All waste generated will be handled and disposed of in compliance with the Waste Management Act 1996, as amended, and associated Regulations. This will ensure that significant adverse effects in terms of waste management can be avoided.</p> <p>The proposed construction phase will result in temporary noise which will be managed through the implementation of best practice. Dust emissions will be negligible from the proposed development as soils will be containerised and removed from site, there is no requirement for excavations of existing hardstanding which would require in the use of pneumatic drills and dust generation. Any concrete batching on site will not occur due to the small scale of the works, concrete will arrive pre-mixed for direct use. Any on-site mixing of cementitious material will be undertaken away from drains or watercourses to avoid contamination/pollution. Pre-cast headwalls have been selected where existing discharge are required to be formalised, the use of pre-cast concrete reduces the use of on-site concrete batching and their reduce risks to the Glennamought River.</p> <p>These impacts are negative short term and temporary and are not considered to be significant. They can be appropriately mitigated and managed in accordance with environmental good practice e.g. CIRIA Environmental Handbook for Building and Civil Engineering Projects: Part 2 Construction, Mitigation measures will be outlined in the appointed Contractor's construction environmental management plan. The temporary noise and dust disturbance will not result in significant emissions or pollutants following the implementation of best practice measures.</p> <p>There is no waste, pollution or emissions from the operational phase.</p>
<p><b>Size of the Development</b> Is the size of the proposed development exceptional in the context of the existing environment?</p>	<p>No, the size of the proposed development is not exceptional in the context of the existing environment, as it is limited to works along the grassed verges parallel to the existing road network and at existing discharge locations. The overall area covered by the works (application boundary) covers an area totalling two hectares.</p>
<p>Are there cumulative considerations having regard to other existing and/or permitted projects?</p>	<p>No. A review of planning applications (private, local authority and strategic developments), which have been approved in and surrounding Kilcully (500m radius of the proposed development) within the last five years was undertaken. The majority of applications granted are residential in nature and relate to extensions to existing residential properties, replacement dwellings or new residential dwellings. Given the size, scale and location of the proposed development, it is not expected that the proposal will act in</p>



Criteria to be assessed	Commentary
<p><b>Location of the Development</b> Is the proposed development located on, in, adjoining or does it have the potential to impact on an ecologically sensitive site or location?</p>	<p>combination with these permitted residential projects to cause significant cumulative or in-combination impacts.</p>
<p>Does the proposed development have the potential to affect other significant environmental sensitivities in the area?</p>	<p>No. The Glennamought River and its riparian zone are considered to be ecological sensitive areas; however, works have been designed to minimise impacts. As such, the works which will be carried out in or close to the riparian zone relate to the formalisation of existing discharge points through pre-cast headwalls and the proposed pedestrian bridge. The use of pre-cast concrete reduces the need for on-site concrete batching thus reducing pollution risks. The pedestrian bridge piers will be set back from the river's edge and the structure will be clear span with no direct instream works required. It was noted that Japanese knotweed was recorded to be present on the bank of the Glennamought downstream of the works area. The appointed contractor will be obliged to prevent the spread of this invasive species through the implementation of biosecurity measures, pursuant to the requirements of the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended).</p> <p>The proposed development will be managed in accordance with best practice guidelines to minimise and mitigate impacts from the proposed development.</p> <p>There is one Protected Structures listed within CCDP Record of Protected Structures (Volume 3 Built Heritage, Part 2) with a 500m radius of the proposed development, Anname Bridge (RPS ref: PS1169), which is located approx. 5m beyond the end of the proposed development (chainage 1600m). There are no works proposed to this bridge. There are several national monuments within a 500m radius of the Kilcully pedestrian safety scheme. The closest monument, a Mill-unclassified (SMR Ref: CO063-068003) is located approximately 45m south of the proposed development, adjacent to the bridge (unnamed) which crossed the Glennamought River. Notwithstanding, the proximity to national monuments, the footprint of the proposed development does not encroach on any National Monument or its Zone of Notification. There are no Zone of Archaeological Potential noted by Cork City Council within 500m radius of the proposed development. There are no impacts to archaeological or cultural heritage features as a result of the proposed development.</p>

## 5 Conclusion

This preliminary examination fulfils Cork City Council's obligation under Article 120(1)(a) of the Planning and Development Regulations 2001, as amended to "*carry out a preliminary examination of, at the least, the nature, size or location of the development*" in relation to [EIA] sub-threshold development.

This preliminary examination represents Cork City Council's conclusion on the requirements for EIA. This report has concluded that there is no real likelihood of significant effects on the environment arising from the proposed development. There is thus no requirement for formal EIA Screening to be undertaken and an EIA is not required.

