

**COMHAIRLE CATHRACH CHORCAI**

**CORK CITY COUNCIL**

**CHIEF EXECUTIVE'S ORDER**

**ORDER NO:**

1087/21

**SUBJECT:**

Determination on requirement for Environmental Impact Assessment for Proposed Curragh Road Scheme at Curragh Road in Cork City.

**Whereas**

I have considered the document titled "Environmental Impact Assessment Screening Report" for this project. I note that the proposed development constitutes a sub-threshold development in respect of which an Environmental Impact Assessment is not mandatory. I am satisfied that the EIA Screening Report contains a comprehensive analysis of the proposed development having regard to the criteria contained in Schedule 7A of the Planning and Development Regulations 2001 (as amended), the Department of Housing, Planning and Local Government document "Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment", Section 176B of the Planning and Development Act 2000 as amended and the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018.

Therefore having considered the said reports and having had regard to the criteria set out in the aforementioned legislation, Cork City Council is satisfied that the proposed development is unlikely to have an effect on the environment including the Cork Harbour SPA (004030) and the Great Island Channel cSAC (001058), and it is therefore determined that an Environmental Impact Statement would therefore not be necessary or required.

Accordingly the proposed development shall proceed subject to the provisions of Section 179 of the Planning and Development Act 2000 as amended, and the provisions of Part 8 of the Planning and Development Regulations 2001 as amended.

**Dated**

25<sup>th</sup>

Day of

February

2021



**G.O'Beirne**

**Director of Services, Infrastructure Development**



# **Environmental Impact Assessment**

## **Screening Report**

**for the  
Proposed**

## **Curragh Road Scheme**



## **Executive Summary**

This Environmental Impact Assessment (EIA) Screening Report has been prepared to consider the requirement or otherwise of carrying out an EIA in respect of the Curragh Road Scheme, at Curragh Road, Cork City.

This screening exercise was undertaken in two stages. The first stage considered the requirement for a mandatory EIA, while the second stage considered the requirement or need for a sub-threshold EIA. As part of the sub-threshold screening exercise, the potential for impacts on environmental sensitivities was considered in addition to the interrelationship between those environmental sensitivities. Following on from this, the formal EIA Screening Exercise was completed, having regard to the criteria set out in the Roads Act, as amended and in the EIA Directive (2014/52/EU).

This report concludes that this is a sub-threshold type project which is not likely to have a significant effect on the environment, either by itself or in combination with other plans or projects.

### **Legislative context**

EIA legislation sets down the types of projects that may require an EIA. Annex I of Directive 2011/92/EU, as amended by Directive 2014/52/EU defines mandatory projects that require an EIAR / EIS and Annex II lists projects which can be subject to case by case analysis or thresholds to be determined by member states.

### **Mandatory requirements**

The proposed scheme has been assessed in terms of the mandatory requirement for an EIA based on the nature or scale of the development, as addressed in the EU Directive 2014/52/EU and also the Roads Act 1993 - 2016. It is considered that the proposed road scheme is not one which falls within the scope of this category. It should be noted that mandatory EIA requirements for non-road type development have also been considered and discounted in this instance. As part of this, infrastructure type projects listed in the Planning and Development Regulations 2001, as amended and in Annex I and II of the EIA Directive as amended were taken into account.

### **Sub-threshold requirement for an Environmental Impact Statement**

#### **Legislative context and screening methodology**

While the mandatory requirements for EIA for road schemes are straight forward, being based on type and scale, the discretionary (or sub-threshold) requirements are based on an assessment of the likely significant environmental effects of the proposed road development. 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 key issue, in the context of the possible need for EIA of sub-threshold development, is whether or not such development is likely to have significant effects on the environment.

The 2014 amending EIA Directive (2014/52/EU) contains guidance for Member States in terms of deciding whether or not a development is likely to have “significant effects on the environment”. The guidance is provided by way of criteria set out in Annex III of the Directive. The criteria are grouped under three headings and are used to help in the screening process to determine whether a development is likely to have a significant effect on the environment. The criteria for determining

whether a development would or would not be likely to have significant effects on the environment are taken from Annex III of the Directive and are grouped under the following three headings:-

1. Characteristics of proposed development
2. Location of proposed development
3. Characteristics of the potential Impacts

### Sub threshold development assessment

The aim of the following section is to address likely impacts, if any on the environment by the implementation of the proposed development having regard to the criteria set out in the EIA Directive, as amended. Criteria for determining whether the project would or would not be likely to have a significant effect on the environment as per the requirements of Article 120 of the Planning and Development Regulations 2001 and subsequent amendment 2011.

<b>1. CHARACTERISTICS OF PROPOSED DEVELOPMENT</b>	
Size of Proposed Development	<p>The proposed development consists of:</p> <ul style="list-style-type: none"> <li>• Realignment of Curragh Road, Kinsale Road, Pearse Road and Green Lawn junction.</li> <li>• Realignment of Tory Top Road, Pearse Road junction.</li> <li>• Closing off existing entrance &amp; exit, and provision of new entrance/exit, to properties to the west side of Curragh Road on north west side of the main junction.</li> <li>• Provision of improved pedestrian facilities with upgrades and buildouts of footpaths and provision of pedestrian crossings. These will provide improved pedestrian crossing facilities and reduce the road width to be traversed by pedestrians at Tory Top Road junction with Pearse Road via raised table uncontrolled pedestrian crossing, as well as safer pedestrian crossing at the junction of Curragh Road, Kinsale Road, Pearse Road and Green Lawn.</li> <li>• Provision of additional green space with low level planting at new buildouts.</li> <li>• Provision of upgraded on road cycle lanes on Curragh Road and Kinsale Road, new on road cycle lanes on Pearse Road, and new cycle facilities on the route from Pearse Road to Curragh Road.</li> <li>• Relocation of existing bus stops on Curragh Road and Pearse Road.</li> </ul> <p>The total construction area required for the proposed development is 0.95 hectares (ha). It does not equal nor exceed the 10-hectare threshold; therefore, a mandatory EIA is not required.</p>
Cumulation with other	No other cumulated developments

Proposed Development	
Use of Natural Resources	<p>The use of natural resources will be limited to the materials used in the construction works. Anticipated materials include stone, aggregate and bituminous materials which will be provided on a like for like basis with the material to be replaced.</p> <p>A report for Screening for Appropriate Assessment was prepared. It concludes that it is possible to rule out any significant effects on Natura 2000 sites.</p>
Production of Waste	<p>Standard construction materials will be used and will not be harmful to human health or the environment. The contractor will ensure that the proposed works are carried out in accordance with the Safety, Health and Welfare at Work (Construction) Regulations 2013 (S.I. No.291 of 2013). It is envisaged that the risk of accidents having regard to substances or technologies is very low and therefore will not result in significant effects.</p> <p>Waste production will be limited to the construction phase and will consist of general excavated inert material (stone, aggregate, Bituminous materials) which will be disposed of to local licensed facilities. The production of waste will be managed in accordance with the relevant waste legislation.</p>
Pollution and Nuisances	<p>This development will not result in an increase in either pollution or nuisance.</p> <p>During the construction stage, the likelihood of an accidental spillage of construction materials into the aquatic environment will be managed through the adoption of strict best practice construction management.</p> <p>Enhanced facilities for pedestrians, cyclists and public transport should ultimately reduce the quantum and nuisance associated with alternative mode namely use of private vehicles</p>
Risk of Accidents	<p>As the development involves the upgrading of services the risk of accidents should be reduced.</p> <p>A "Project Supervisor for Construction Stage" will be appointed to manage safety issues during construction.</p>
<b>2. LOCATION OF PROPOSED DEVELOPMENT</b>	
Existing Land Use	<p>The footprint of the Project is on existing roads and footpaths therefore no change in land use.</p>
Relative Abundance, Quality and Regenerative Capacity of Natural Resources in the Area	<p>The Project will have minimum impact on the quality and regenerative capacity of natural resources in the area. All construction material will be imported for the construction of the Project.</p>

<p>Absorption Capacity of the Natural Environment</p>	<p>There is not likely to be any significant impact on road users as a result of the Project. Construction will be for a short duration and will not impede traffic flow in the City.</p> <p>Preventative measures will be implemented during and post construction in order to reduce the risk of pollution to surface waters.</p> <p>The works associated with this development are minor. This, along with the fact that the development area is not of significant ecological importance means the absorption capacity of this environment is high, making it less sensitive to works of this kind.<sup>2</sup></p> <p>It has been concluded that the Project does not have the potential to impact, either directly or indirectly, the Qualifying Interests or Special Conservation Interests of any European site. Consequently, it is clear that there will be no adverse impacts on the Conservation Objectives of any European sites as a result of the Project.</p>
---	---

<b>3. CHARACTERISTICS OF POTENTIAL IMPACTS</b>	
<p>Extent of the Impact</p>	<p>The primary impact will occur during the construction phase which is short term.</p>
<p>Transfrontier nature of the Impact</p>	<p>N/A</p>
<p>Magnitude and Complexity of the Impact</p>	<p>Minimal</p> <p>Physical Changes in the Locality: This area of the city is already highly developed for infrastructure. The works proposed are minor and will not cause any physical changes to the surrounding environment.</p> <p>Air Quality &amp; Climate: The objective of the project is to enhanced facilities for all road users, with particular benefits for pedestrians, cyclists and public transport users, thus having a likely positive impact on air quality and climate. It is considered that the level of construction traffic required for a project of this scale will not have a significant impact on the local air quality or climate; neither will a construction project of this scale result in any significant generation of dust.</p> <p>Noise: At operational stage an increase in the number of pedestrians and cyclists will likely have a positive impact on noise or vibration in the local environment. It is also considered that the level of construction traffic and construction operations required for a project of this scale will be short term and will not result in the creation of any significant levels of noise or vibration. Furthermore, works will be carried out in compliance with BS5228: Part 1 and the European Communities (Noise</p>



**3. CHARACTERISTICS OF POTENTIAL IMPACTS**


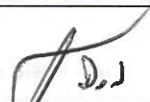
	<p>Emission by Equipment for Use Outdoors) Regulations, 2001 which will ensure a controlled level of noise during construction phase.</p> <p>Hydrology: The existing drainage will be maintained and the proposed development will not increase or alter the quantum of surface water discharging to adjoining watercourses.</p> <p>Biodiversity: Having regard to the location, nature and size of the proposed development, it is considered that there are no anticipated effects on biodiversity.</p> <p>Archaeology, architecture, cultural heritage: There are a number of recorded monuments and protected structures in Cork City. However, due to the location, nature of the construction and operation of the Project, it is considered that it will not have any significant effect on any of these monuments or structures.</p> <p>Visual Amenity: As the Project is located principally on existing roads and footpaths, it is unlikely to have a significant impact on the landscape of the area. During construction, the presence of plant and machinery will detract from certain views. However, this is considered to be a slight impact which is short-term and easily offset by the benefits accrued at the operational stage.</p> <p>Transport and Public Access Routes: A Construction Traffic Management Plan will be implemented for the duration of the construction works in order to minimise any disruption to traffic flow on the road network at and surrounding the proposed development areas.</p> <p>Local Residences and Businesses: There are many businesses residential dwelling within close proximity to the proposed development. Access to these will be maintained throughout the construction phase. Significant impacts will not arise.</p> <p>Overall: Environmental impacts associated with the proposed development will be minor and short-term and, therefore, significant environmental effects can be ruled out without the necessity for further surveys, investigations and assessments.</p>
<p>Probability of the Impact</p>	<p>Low</p> <p>During the construction stage, noise nuisances and air pollution may occur over a short duration.</p>
<p>Duration, Frequency and Reversibility of the Impact</p>	<p>Potential impacts are limited to the construction phase</p> <p>These impacts will be temporary, reversible and one-off.</p>

**SCREENING CONCLUSION STATEMENT**

The prescribed classes of development and thresholds that trigger a mandatory Environmental Impact Assessment are set out in Schedule 5 of the Planning and Development Regulations, 2001 as amended. A review of the project types listed in the aforementioned Schedule 5, as amended has been carried out.

The proposed development is a type set out in Part 2 Class 10 (b)(iv) of Schedule 5 as described previously but it does not exceed the relevant quantity, area or other limit specified in that part. Therefore, it is a sub-threshold development and has been screened for EIA.

The information provided in this EIA Screening Report prepared by Cork City Council provides details on the characteristics of the proposed development and its likely significant effects (if any) on the environment. Having regard to the contents of Article 120 of the Planning and Development (Amendment) (No. 3) Regulations 2011 and Schedule 7 of the Planning and Development Regulations 2001, it is considered that the proposed development, by reason of its nature, scale and location will have no significant effects on the environment. Accordingly, it is considered that an EIS is not required to be submitted.

	Name	Position	Signature	Date
Prepared by	K. Gallagher	Senior Executive Engineer		23/2/2021
Approved by	G. O'Beirne	Director of Services		23/2/21