

Environmental Impact Assessment Screening Report

Proposed Part 8 Residential Development at:

Boherboy Road, Cork

November 2021

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Introduction

1.1 Purpose of Statement

Environmental Impact Assessment (EIA) is a procedure under the terms of European Directives on the assessment of the impacts of certain public and private projects on the environment. In accordance with the provisions of Part X of the Planning and Development Act 2000 (as amended), an EIA shall be carried out in respect of an application for development which is specified in Schedule 5 of the Planning and Development Regulations 2001 (as amended) [the Regulations]. A mandatory EIA is required for developments which fall within the remit of Schedule 5.

In addition, a 'sub-threshold' EIA may be required, if it is determined that the development would be likely to have significant impacts on the environment. Schedule 7 of the Regulations details the criteria for determining whether a development would or would not be likely to have significant impacts on the environment considering the characteristics of the proposed development, its location and characteristics of potential impacts.

Having regard to the above, the first step in the EIA process is to undertake a screening exercise to determine whether or not EIA is required for a particular project. This report considers same relative to European best practice guidance on such matters.

Article 4(4) of the Directive 2014/52/EU introduces a new Annex IIA to be used in the case of screening determinations. Annex IIA of Directive 2014/52/EU requires that the following information be provided by a developer in respect of projects listed in Annex II:

"1. A description of the project, including in particular:

a) a description of the physical characteristics of the whole project and, where relevant, of demolition works.

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

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

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

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

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

4. The criteria of Annex III shall be taken into account, where relevant, when compiling the information in accordance with points 1 to 3."

Schedule 7 of the Regulations details the criteria the planning authority must consider in determining whether a sub-threshold EIA should be undertaken. This schedule is a direct transposition of Annex III of EU Directive 2011/92/EU. EU Directive 2014/52/EU provides a revised Annex III and its transposition into national legislation is mandatory. Accordingly, the pro-forma included with this report provides a screening statement of the proposed development against the Annex III criteria of 2014/52/EU.

Project Details

2.1 Description & Characteristics of the Proposed Development

The proposed development comprises amendments to a permitted development (Cork County Council Planning Ref: 16/7292, ABP PL 04.249376) and provides for the construction of 7 no. 2-bedroom residential dwellings, the introduction of a pedestrian / cycle entrance to Boherboy Road, a proposed boundary between the development and the existing residential dwellings fronting Boherboy Road and all ancillary site works.

The proposed works include:

- Construction of 6 no. proposed 2-bedroom single storey terraced houses at the south western corner of the development, consisting of unit no's 119,120,121,152, 153 & 154.
- Construction of 1 no. 2-bedroom single story terraced house with dormer attic at the northern boundary of the development representing unit no. 41.
- Provision of 9 no. car parking spaces to serve the proposed residential units.
- Provision of a new vehicular access to serve the 6 no. dwellings at the south western corner of the proposed development.
- Provision of a pedestrian / cycle access from Boherboy Road at the south western corner of the proposed development.
- Proposed concrete boundary wall between the southern end of the development and existing residential dwellings along Boherboy Road.
- All ancillary site works as outlined on the plans and particulars.

2.2 Description of Location of Site

The development site area is approximately 0.58 hectares. The site is located in an urban area and is located on Boherboy Road, in Mayfield, to the north east of Cork City Centre. Access to the development will be via Boherboy Road.

2.3 Environmental Sensitivities

BIODIVERSITY & EUROPEAN SITES

The subject site is not located in close proximity to any Special Protection Area (SPA), Special Area of Conservation (SAC) or Natural Heritage Areas (NHA). The site is located c. 1.3 kilometers from the Cork Harbour SPA at its closest point and c. 5.2 kilometers away from the Great Island Channel SAC at its closest point.

Article 6.3 of the Habitats Directive 92/43/EEC requires that an Appropriate Assessment (AA) should be carried out where plans or projects may have a significant effect on the conservation objectives that would ultimately affect the integrity of Natura 2000 sites. A

Stage One AA Screening Report has been prepared by Kelleher Ecology Services and concludes the following:

- As none of the Natura 2000 sites overlap the study site, direct impacts via habitat loss are not relevant.
- No indirect construction/operational stage surface-water run-off impacts on Cork Harbour SPA in relation to the south-western part of the application area via an existing public combined stormwater/foul sewer network and associated Cork City WWTP, are expected as a result of the proposed development as follows. Standard environmental controls (as summarised in Section 2.3 above) will be implemented as part of the project to ensure the appropriate management and control of surface water run-off associated with the proposed development that will be specific to the site and proposed works/operations. Such controls are not intended to address any particular risks to Natura 2000 sites and would be proposed regardless of the SPA. Ambient monitoring of transitional and coastal receiving waters indicates that discharge from Cork City WWTP does not have an observable negative impact on water quality or the WFD status of the receiving waters where current hydraulic loading at the WWTP is well below its designed peak capacity. Therefore, no measures are specifically required to address risks to any Natura 2000 site in this case.
- Indirect surface-water run-off impacts are not considered relevant to the proposed revised unit at the northern part of the application area as follows. This unit is catered for in the permitted 'parent' planning application drainage network as no additional surface-water run-off will be relevant to it from its original design in the 'parent' housing application. Its run-off contribution is effectively imperceptible in the context of the overall 'parent' housing development.
- No indirect hydrological impacts on Cork Harbour SPA via waste-water/foul effluent are expected as a result of the proposed development as follows. Prior to the site being connected into the public foul sewer, construction phase waste-water/foul effluent will be managed and controlled at the temporary site compound, where sanitary waste will be removed from site via a licenced waste disposal operator. When the site is connected to the public foul sewer network, construction/operational phase waste-water/foul effluent from the proposed development will be collected via new sewer infrastructure at site and discharged for treatment at Cork City WWTP, which has significant sufficient capacity to accept the additional operational discharge as confirmed by Irish Water's pre-connection enquiry response that the proposed foul connection can be facilitated. Ambient monitoring of transitional and coastal receiving waters indicates that discharge from the WWTP does not have an observable negative impact on water quality or WFD status in the receiving environment.
- Indirect hydrological impacts on Great Island Channel SAC through stormwater and waste-water/foul effluent discharge via Cork City WWTP are not considered relevant here as follows. Great Island Channel SAC is not downstream of the WWTP's discharge point, although its boundary is c. 550m north-east of the WWTP's discharge point. However, potential impacts on the SAC arising from tidal/wind movements from Cork City WWTP's discharge point have not been highlighted as being of significant concern in an assessment on the conservation status of the SAC, but rather the impacts from two other upstream WWTPs have been highlighted instead (see O'Neill et al. 2014).

- Disturbance/displacement impacts of fauna that are listed as qualifying interests of the Natura 2000 sites are not relevant here as (i) the site does not overlook any Natura 2000 site due to distance combined with screening from existing buildings/vegetation and topography (ii) the conservation objectives of Great Island Channel SAC relate to habitats and not fauna and (iii) the study site does not support habitats of ex-situ ecological value for qualifying interest species of Cork Harbour SPA.
- Potential impacts relating to invasive plants are not relevant in this case, due to the lack of any watercourses/other water-features at the study site that may potentially act as an impact-receptor pathway for the spread of invasive plant combined with the absence of any such relevant invasive plant species at the study site.

INVASIVE SPECIES

During the assessment of the parent planning permission, a number of stands of Himalayan Knotweed were recorded on the site. The areas of infestation for consideration were treated in both 2017 & 2018 within the optimum treatment season.

Following an inspection in November 2020, no visual evidence was noted at these locations of any Himalayan knotweed growth activity this season nor was any old plant tissue residue from a previous year noted.

These findings were submitted as compliance on planning file 16/7292 by O'Donovan Agri Environmental Services and are available on the public file. The areas of the site included in the current Part 8 proposal would have been assessed in conjunction with the above referenced treatment works.

CUMULATIVE IMPACTS

This screening assessment has also considered potential cumulative impacts that could arise from the proposed development in combination with other known projects in the area. The main cumulative impact will be from the development of the overall parent scheme as permitted under Cork County Council Planning Ref 16/7292, ABP 249376. When combined the current proposal and the permitted development would deliver 154 no. residential units on the subject lands. The environmental impact of the permitted scheme was assessed by the Planning Authorities who deemed it to be an appropriate use of the subject lands. The current proposal includes a minor addition to the permitted development, and it is not considered that it will produce any significant negative impacts.

A desktop review of other local projects in the vicinity was undertaken using Cork City planning enquiry system. The site is also a short distance from a permitted scheme (Planning Ref 18/37939) for 15 apartments at Boherboy Road and North Ring Road. Following desktop review all other recently permitted developments in the area are minor in nature and include a change of use on adjacent lands from convent residence to day care centre (Planning Ref 20/39257).

It is not considered that the development, in combination with other nearby development will result in negative environmental impacts.

2.4 Description of Aspects of the Environment likely to be affected by the project.

The most significant possible negative impacts on the environment, without appropriate mitigation measures in place, are likely to be:

- Construction traffic contributing to traffic congestion and road safety hazards on the local road network.
- Adverse health and amenity impacts arising from noise pollution during demolition and construction phase.
- Possible impacts include a risk of inadequacy or malfunction of the sewage system resulting in contamination, odour and potential human health impacts. A lack of capacity in the water or sewer network, could result in a lack of supply to residential units.
- A lack of capacity in the electricity, gas and telecommunications networks could result in shortages, outages, and disruptions in services for local residents.

These matters have been considered in full as part of the design and assessment of the subject proposal as well as the permitted parent scheme at the site (Ref 16/7292), with positive measures produced in response, including:

- Provision of an AA screening.
- Preparation of a Construction and Environmental Management Plan.
- Preparation of an Engineering Services Report.

2.5 Expected Residues / Emissions / Production of Waste

It is expected that there will be some normal residues/emissions during the construction stage. Standard dust and noise prevention mitigations measures as per the majority of planning applications of all scales will be employed and monitored. As such, pollution and nuisances are not considered likely to have the potential to cause significant impacts on the environment. Construction will be guided by a Construction and Environmental Management Plan. There will be some waste produced in the construction of the proposed scheme, but this will be subject to normal controls. It will be disposed of using licensed waste disposal facilities and contractors. The scale of the waste production in conjunction with the use of licensed waste disposal facilities and contractors does not cause concern for likely significant impacts on the environment. During the operational phase, everyday waste and recycling from residential dwellings will be disposed of by approved licensed waste disposal contractors. There are no significant mitigations measures or methods to be undertaken in order to reduce likely significant impacts on the environment in order to complete the proposed scheme. Any mitigations measures to manage noise, dust and/or pollution during the construction and operational phases are subject to standard policies and practices.

2.6 Use of Natural Resources – Soil / Land / Water / Biodiversity

There will be no significant likely impacts on the environment in relation to natural resources in the area. The main use of natural resources will be land. However, the land is in an urban context. The scale of natural resources used both in construction and operation is not such that would cause concern in terms of significant likely impacts on the environment. The development will not result in high demand for water use.

As outlined in the prepared Appropriate Assessment screening, there is no likelihood of significant impacts on the nearest European sites, namely the Great Island Channel SAC or the Cork Harbour SPA.

Assessment of EIA Requirement

3.1 Schedule 5 Criteria

Article 93 and Schedule 5 of the 2001 Planning and Development Regulations sets out the classes of development for which a planning application must be accompanied by an Environmental Impact Assessment Report (EIAR).

Part 1 and Part 2 Schedule 5 of the Planning and Development Regulations, 2001 defines the categories and thresholds of developments requiring EIA. The subject proposal does not come under any of the stipulated categories contained in Part 1.

The proposed development for residential housing and ancillary works falls within the category of an 'Infrastructure Project' under Schedule 5 (10) (b) of the Planning and Development Regulations, which provides that a mandatory EIAR must be carried out for the following projects:

"b)

(i) Construction of more than 500 dwellings

(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.

(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 proposed development does not trigger a requirement for mandatory EIA because:

- At 0.58 ha, the site area is well below the threshold that would trigger a mandatory EIA. When combined with the wider permitted development the entire area to be developed covers an area of 5.13 ha which is also below the threshold to trigger mandatory EIA.
- At 7, the number of individual residential units falls below the threshold of 500 dwellings. When combined with the overall permitted scheme a total of 154 no. units are to be constructed. Again, this is within the thresholds as defined in the Planning Regulations.

3.1 Schedule 7 Criteria

Schedule 7 of the Regulations details the criteria the planning authority must consider in determining whether a sub-threshold EIA should be undertaken. This schedule is a direct transposition of Annex III of EU Directive 2011/92/EU. EU Directive 2014/52/EU provides a revised Annex III and its transposition into national legislation is mandatory. Accordingly, the screening pro-forma at the beginning of the report assesses the scheme against the Annex III criteria of 2014/52/EU.

Appendix A

Environmental Impact Assessment Screening Report

SUB THRESHOLD EIA SCREENING REPORT

Boherboy Road

Criteria for determining whether a development would or would not be likely to have significant effects on the environment as per the requirements of Article 120 of the Planning and Development Regulations 2001 as amended

1. CHARACTERISTICS OF PROPOSED DEVELOPMENT	
Size of Proposed Development	<p>The proposed development covers an area of 0.58 ha. It forms part of a wider development site covering 5.13 ha. Construction works will be confined to the site and will be governed by a Construction and Environmental Management Plan to mitigate potential impacts.</p> <p>Once operational the development will change the use of the land from greenfield to residential which is consistent with the zoning of the site. The developed design has been tested relative to key policies and guidelines, as well as landscape and visual considerations. Collectively, the size and design of the project will deliver significant positive benefits relative to the 'do-nothing' scenario including:</p> <ul style="list-style-type: none"> • Delivery of Housing. • Improved Connectivity. <p>No significant impacts likely</p>
Cumulation with other Proposed Development	<p>The proposed development will be carried out as part of the final phase of permitted parent scheme (Planning Ref 16/7292) which will aim to deliver 154 residential dwellings in total (inclusive of the current proposal). The site is also a short distance from a permitted scheme (Planning Ref 18/37939) for 15 apartments at Boherboy Road and North Ring Road. Following desktop review all other recently permitted developments in the area are minor in nature and include a change of use on adjacent lands from convent residence to day care centre (Planning Ref 20/39257).</p> <p>No significant impacts likely</p>
The nature of any associated demolition works (* see article 8 of SI 235 of 2008)	<p>No demolition works are proposed as part of the development.</p> <p>No significant impacts likely</p>
Use of Natural Resources	<p>Energy, including electricity and fuels, will be required during construction phase. Rock and soil resources to be excavated. Construction will use various raw materials typical of the construction of residential estate developments. No out of the ordinary use of natural resources is likely during the construction process.</p> <p>No out of the ordinary use of natural resources is likely during the operational phase apart from water, consumption of electricity, energy related to the proposed residential dwellings.</p> <p>No significant negative impact likely.</p>
Production of Waste	<p>Waste streams will be generated during the construction phase and these will be typical of development of this nature. The Construction and Environmental Management Plan (prepared as part of the parent permission) includes provisions for handling waste in full accordance with statutory legislation and associated guidance.</p> <p>An Operational Waste Management Plan will put in place measures to avoid and / or mitigate pollution from operational waste. With mitigation measures in place no significant negative impacts are likely. Domestic and commercial waste will be generated from the development, the disposal of which will be informed by a waste/refuse management strategy for the site. Related practices are unlikely to cause unusual, significant or adverse impacts.</p> <p>No significant negative impact likely.</p>
Pollution and Nuisances	<p>Development of site will increase traffic in the area for the duration of the construction phase. Temporary noise, dust and vibration impacts, as well as any potential for water pollution, will be addressed as part of standard best practice controls.</p>

	<p>An Operational Waste Management Plan will be put in place prior to the occupation of the development with measures to avoid and / or mitigate pollution from operational waste.</p> <p>Surface water management proposals for the site have been designed in accordance with best practice measures including SuDS measures.</p> <p>No significant negative impact likely.</p>
Risk of Major Accidents	<p>No additional risks on the proposed development site are foreseen.</p> <p>No significant negative impact likely.</p>
Risk to Human Health	<p>Additional noise and dust from temporary construction works may be experienced by residents and other property users in the vicinity. This can be effectively managed, having regard to the nature of the project and mitigation measures proposed in the Construction and Environmental Management Plan. On completion of works, noise and dust levels will return to background levels.</p> <p>Once operational it is considered that this proposal has the potential to have a long term beneficial impact on human health as a consequence of facilitating sustainable urban development incorporating communal and private open space areas on lands zoned for residential development.</p> <p>No significant negative impact likely.</p>

2. LOCATION OF PROPOSED DEVELOPMENT	
Existing Land Use	<p>The site is presently disused and greenfield in nature, however it is zoned for residential development. The proposed development is consistent with the land use objective.</p> <p>No significant negative impact likely.</p>
Relative Abundance, Quality and regenerative Capacity of Natural Resources in the Area	<p>The site is not located within or in the immediate vicinity of any statutory designated area. However, an Appropriate Assessment (AA) Screening Report has been prepared to actively consider the potential for adverse impacts on qualifying interests, arising from the construction phase.</p> <p>There are no watercourses or other water-features at/adjoining the site to potentially convey construction stage surface-water run-off off-site. While surface-water run-off associated with the construction stage will generally percolate to ground, standard environmental controls will nonetheless be implemented as part of the project to ensure the appropriate management and control of surface water run-off potentially arising from development activities at the site.</p> <p>The proposed development, once operational, will not have any out of the ordinary impact on natural resources.</p> <p>No significant negative impact likely.</p>

2. LOCATION OF PROPOSED DEVELOPMENT	
<p>Absorption Capacity of the Natural Environment, paying attention to the following areas:</p> <p>(a) wetlands, (b) coastal zones, (c) mountain and forest areas, (d) nature reserves and parks, (e) areas classified or protected under legislation, including special protection areas designated pursuant to Directives 79/409/EEC and 92/43/EEC, (f) areas in which the environmental quality standards laid down in legislation of the EU have already been exceeded, (g) densely populated areas, (h) landscapes of historical, cultural or archaeological significance</p>	<p>The site is not located within or in the immediate vicinity of any statutory designated area. However, an Appropriate Assessment (AA) Screening Report has been prepared to actively consider the potential for adverse impacts on qualifying interests, arising from the construction phase. The findings of the report have determined that construction of the proposed development will not adversely impact on natural resources.</p> <p>The construction phase will not interfere with any of the area types listed opposite.</p> <p>There are no archaeological monuments on the subject site.</p> <p>Best practice standards, environmental guidelines and mitigation measures will be adhered to during the construction phase in order to avoid potential impacts on natural resources and likely significant impacts are not anticipated.</p> <p>Proposed use is compatible with the geographical area and zoning, as well as other policy intentions for the area.</p> <p>The proposed development will not interact with any of the types of area specified opposite.</p> <p>No significant negative impact likely.</p>

3. CHARACTERISTICS OF POTENTIAL IMPACTS	
Extent of the Impact	<p>The site is located in an existing suburban area approximately 5km north east of Cork City Centre</p> <p>With a developable area of 0.58 hectares, and is sub-threshold for the purposes of EIA [Schedule 5, Part 2, Section 10 (b)(iv) of 2001 Planning and Development Regulations]. Development will be compatible with its urban context and consistent with zoning objectives.</p> <p>The existing population likely to be impacted will be residents of existing, low density suburban developments in the immediate vicinity of the site. Land use will be compatible.</p> <p>No significant negative impact likely. .</p>
Transfrontier nature of the Impact	<p>Given the scale of the nature and scale of the proposed development and the remoteness from the nearest E.U. Member state, no transboundary impacts are expected.</p> <p>No significant negative impact likely.</p>
Magnitude and Complexity of the Impact	<p>The proposed development, by its nature will be of low intensity and complexity and the impact of the development will be moderate and will actively managed.</p> <p>No significant negative impacts are likely.</p>
Probability of the Impact	<p>The operational phase will inevitably change the local environment. Measures will be in place to avoid, reduce, or mitigate any likely negative impacts.</p> <p>No significant negative impact likely.</p>
Duration, Frequency and Reversibility of the Impact	<p>Once constructed, the proposal will be permanent and non-reversible. The development of the wider site for residential purpose has been assessed by the Planning Authorities (Planning Ref 16/7292 ABP Ref 249376) and has been deemed acceptable.</p> <p>No significant negative impact likely.</p>

SCREENING CONCLUSION STATEMENT

The Environmental Impact Assessment Screening therefore concludes that there is no real likelihood of significant effects and therefore an Environmental Impact Assessment is not required.

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