

ENVIRONMENTAL IMPACT ASSESSMENT REPORT (EIAR) SCREENING

PROPOSED DEVELOPMENT AT THE INTERSECTION OF
TOWNHALL STREET AND FARNHAM STREET, CAVAN, CO. CAVAN



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1.0 INTRODUCTION

1.1 Purpose of Report

This EIA Screening Report is prepared on behalf of Cavan County Council in the context of an application for public realm improvement works at Townhall Street and Farnham Street, Cavan, co. Cavan

The Report is prepared in the context of a Part VIII application by Cavan County Council for development as described in Section 2.0 below.

The purpose of the Report is to determine if EIA is required for the proposed development as set out in the mandatory and discretionary provisions of the Planning and Development Act, 2000, as amended (the Act), and Schedules 5 and 7A of the *Planning and Development Regulations, 2001*, as amended (the Regulations).

The requirement for a 'sub-threshold' development to be subject to EIA is determined by the likelihood that the development would result in significant environmental effects which may arise due to the location of the development or the characteristics of the development.

The EIA screening exercise outlined below has examined the project with reference to the relevant thresholds and criteria and provides the information required in accordance with Schedule 7 of the *Planning and Development Regulations 2001*, (As Amended).

An *Appropriate Assessment Screening Report* (by Traynor Environmental Ltd), which assesses the potential of the proposed development to adversely affect the integrity of Natura 2000 sites (i.e., SPAs and SACs), has been prepared and will also be submitted to the competent authority as part of the Part VIII application.

2.0 PROJECT DESCRIPTION

2.1 The Site

The subject site is shown in Figure 1 below. Cavan County Council propose to undertake upgrade and improvement works at the intersection of Town Hall Street and Farnham Street, Cavan Town.

The proposal is for the following:

1. Upgrade the existing pedestrian and vehicular surface of the public realm.
2. Form a new Integrated pedestrian crossing point directly adjacent to the existing Town Hall.
3. Careful demolition of the existing public toilet block to facilitate additional area in the existing carpark adjacent to the Town Hall.
4. Upgrade the surface and layout of the existing carpark to allow for the area to be closed off and become an outdoor performance space – 18 Car parking spaces provided when facilitating car parking.
5. Repositioning of existing railings on site to form integrated elements of Public Realm design
6. Increase in the overall area of paved areas to promote pedestrian access and use.
7. Inclusion of new urban furniture and fittings
8. Inclusion of new wayfinding signage and lighting
9. Inclusion of new public mural addressing the public realm.

Figure 1 – Site Layout Plan



3.0 RELEVANT EIA LEGISLATION

The EIA Directive, Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment is designed to ensure that projects likely to have significant effects on the environment are subject to a comprehensive assessment of environmental effects prior to development consent being given. This Directive was amended by the following Directives:- Directive 97/11/EC of 3 March 1997, Directive 2003/35/EC of 26 May 2003, Directive 2009/31/EC of 23 April 2009, (codified in Directive 2011/92/EU of 13 December 2011) and most recently by Directive 2014/52/EU of 16 April 2014.

3.1 National EIA Legislation

EIA provisions in relation to planning permissions are contained in the Part X of the *Planning and Development Act, 2000*, As Amended (hereafter referred to as "the Planning Act"), and in Part 10 of the *Planning and Development Regulations, 2001*, As Amended. The 2014 EIA Directive has been transposed into national planning law by the *European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018* (S.I. No. 296 of 2018), with effect from 1 September 2018, and the *European Union (Planning and Development) (Environmental Impact Assessment) (No.2) Regulations 2018*, with effect from 8th October 2018.

3.2 EIA Guidance

The Department of Housing, Planning and Local Government (DHPLG) revised the *Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment*, in August 2018. These updated Guidelines deal with the new legislative provisions resulting from the 2014 EIA Directive and the *European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018* (S.I. No. 296 of 2018) and how they are to be addressed in practice. The Environmental Protection Agency (EPA) prepared revised (draft) guidance to respond to the 2014 EIA Directive, including *Draft Guidelines on the Information to be contained in Environmental Impact Assessment Reports* (2017) and *Draft Advice Notes for Preparing Environmental Impact Statements* (2015). With the transposition complete, The EPA are due to finalise these Guidelines and Advice Notes.

Since the adoption of the 2014 EIA Directive, The European Commission has also prepared a suite of Guidance documents including "*Environmental Impact Assessment of Projects, Guidance on Screening (Directive 2011/92/EU as amended by 2014/52/EU)*" (2017).

4 EIA SCREENING EXERCISE

4.1 Methodology

To determine if an EIA is required, the first step is to determine whether the Project is a class set out in Annex I or II of the Directive. These classes have been broadly transposed into Schedule 5 (Part 1 and 2) of the Planning and Development Regulations 2001, As Amended, with national thresholds included for many of the Annex II classes.

If the project is not subject to a mandatory EIA, EIA may still be required to determine the likelihood of a sub-threshold project having significant effects on the environment. Criteria are included in Annex III of the EIA Directive (transposed into Irish Law in Schedule 7 of the *Planning and Development Regulations 2001, As Amended*) to determine whether a sub-threshold development should be subject to an Environmental Impact Assessment.

4.2 Mandatory EIA Thresholds

Section 172 of the *Planning & Development Act 2000*, as amended, provides the legislative basis for mandatory EIA. It states:

"An environmental impact assessment shall be carried out by a planning authority or the Board, as the case may be, in respect of an application for consent for proposed development where either:

(a) the proposed development would be of a class specified in –

- (i) Part 1 of Schedule 5 of the Planning and Development Regulations 2001, and either – I. such development would exceed any relevant quantity, area or other limit specified in that Part, or II. no quantity, area or other limit is specified in that Part in respect of the development concerned,*
or
- (ii) Part 2 of Schedule 5 of the Planning and Development Regulations 2001 and either – I. such development would exceed any relevant quantity, area or other limit specified in that Part, or II. no quantity, area or other limit is specified in that Part in respect of the development concerned, or*
b (i) the proposed development would be of a class specified in Part 2 of Schedule 5 of the Planning and Development Regulations 2001 but does not exceed the relevant quantity, area or other limit specified in that Part, and (ii) the planning authority or the Board, as the case may be, determines that the proposed development would be likely to have significant effects on the environment."

Further to the above, Schedule 5 of the *Planning & Development Regulations 2001*, as amended sets out a number of classes and scales of development that require EIA.

Under Part 2 of Schedule 5, in relation to Infrastructure projects, Class 10(b)(iv) of Part 2 refers to urban development as follows:

10. Infrastructure projects

(a)

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

(ii) Construction of car-parks 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 shopping centres 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 subject site is less than 2ha and as such an EIA is therefore not mandatory for the proposed development. The requirement for "sub-threshold" EIA is addressed below.

4.3 Sub -Threshold Screening

To determine whether the project described in Section 2 above should be subject to an EIA, the following assessment is completed on the basis of the Criteria in Schedule 7 of the *Planning and Development Regulations 2001, As Amended*, and utilising the Screening Checklist provided in the '*Environmental Impact Assessment of Projects, Guidance on Screening (Directive 2011/92/EU as amended by 2014/52/EU)*' (EC, 2017).

The criteria are grouped under the following three headings in Table 4.1 below:

1. Characteristics of the Proposed Development
2. Location of Proposed Development
3. Characteristics of Potential Impacts

The assessment of the likelihood of significant environmental effects requires professional judgement. The DoEHLG Guidance Document '*Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development*' states that it is not intended that special studies or technical evaluations will be necessary for the purpose of making a decision. In this context, this screening exercise has relied on available information.

In addition to the above reference criteria, a further screening exercise was completed to assess the most significant potential impacts and Table 4.2 presents the sections that would be covered in any EIA as specified in the Directive and includes the aspects of the environment with the potential to be significantly affected by the project.

Table 4.1: Screening Criteria

Screening Questions	Comment
Characteristics of the Proposed Development	
Is the scale of the project considered to be significant?	No. The scale of the proposed development is in keeping with the scale of the receiving environment in the Cavan Town Centre area and is therefore not considered significant in terms of size.
Is the size of the project considered significant when considered cumulatively with other adjacent developments?	No. The scale of the proposed development and other adjacent developments is as prescribed in planning policy guidance contained in the <i>Cavan County Development Plan</i> . The scope of this assessment on significant impacts on the environment focuses on the effects at project level and does not re-assess the effects on the environment already considered at the higher strategic level. This is in accordance with Section 3.3.5 of the 2017 EPA Draft <i>Guidelines</i> :- " <i>The extent to which higher level considerations have already been assessed and so do not need to be assessed again should inform and be referred to in the EIA scoping process.</i> "
Will the project utilise a significant quantity of natural resources, in particular land, soil, water or biodiversity?	No. The proposed development will be located within an existing built-up urban environment.
Will the project produce a significant quantity of waste?	No. Excavated material from excavation and land re-shaping will be modest. During the construction phase, normal construction waste will be collected by a suitably licensed contractor and sent to appropriately permitted waste or materials recovery facilities. The waste management hierarchy will be implemented onsite, which prioritises prevention and minimisation of waste, followed by re-use and recycling. During the operational phase, waste will be sorted and collected by a suitably licensed contractor and sent to appropriately permitted waste or materials recovery facilities.
Will the project create a significant amount or type of pollution?	No. No significant water or air-borne pollution are envisaged as a result of the proposed development. The proposed development relates to improvements to the public realm and is not considered a project type that will give rise to significant emissions or pollution.
Will the project create a significant amount of nuisance?	No. Limited disruption to local receptors may arise during the construction phase but this will be short-term in duration. The proposed works will take

	place within the site of the proposed development.
Will there be a risk of major accidents?	No. The proposed development is not of a type that poses a risk of major accidents, having regard to substances or technologies used. The proposed construction works will employ best practice methodologies and be subject to the contractor's safety statements and risk assessments.
Will there be a risk of natural disasters, including those caused by climate change?	The potential natural disasters that may occur are limited to flooding and fire. Based on available data from the OPW's Catchment Flood Risk Assessment and Management (CFRAM), the proposed development site is not at risk of flooding. In terms of fire risk, the proposed development will comply with all relevant health & safety legislation. It is considered that the risk of significant fire occurring, affecting the proposed development, and causing it to have significant environmental effects, is limited.
Will there be a risk to human health (for example due to water contamination or air pollution)?	No. There is the limited potential for negative effects on human health during the construction phase as a result of potential emissions to air of dust, or potential emissions to land and water of hydrocarbons. Best construction site practices will prevent any risk of pollution running off the site. The proposed development comprising of improvements to the public realm within an established urban setting is not a recognised source of pollution and is not an activity that falls within any thresholds requiring Environmental Protection Agency licensing. On this basis, the potential for negative health effects associated with the proposed development is negligible.
Is the combination of the above factors likely to have significant effects on the environment?	No. There are no factors above which when combined would result in the proposed development, due to its characteristics, have a significant effect on the environment
Location of the Proposed Development	
Has the proposed development the potential to impact directly or indirectly on any site designated for conservation interest (e.g., SAC, SPA, pNHA)?	An <i>Appropriate Assessment Screening Report</i> for the site has been undertaken by Traynor Environmental Ltd and concludes that there is no potential for likely significant effects on any European sites.
Has the proposed development the potential to impact directly or indirectly on any habitats listed as	No. The site is not within or adjacent to any Natura 2000 site and that there is no pathway for loss or disturbance of important habitats or important species associated with any features of interest.

Annex I in the EU Habitats Directive?	
Has the proposed development the potential to impact directly or indirectly on any habitats listed as Priority Annex I in the EU Habitats Directive?	See response above.
Has the proposed development the potential to impact directly or indirectly on any species listed as Annex II in the EU Habitats Directive?	No.
Has the proposed development the potential to impact directly or indirectly on any species listed as Annex IV in the EU Habitats Directive?	No.
Has the proposed development the potential to impact directly or indirectly on any species listed as Annex I of the EU Birds Directive?	No.
Has the proposed development the potential to impact directly or indirectly on the breeding places of any species protected under the Wildlife Act?	No.
Has the proposed development the potential to impact directly or	From a land use planning perspective, the proposed development involving improvement works to the public realm and the creation of corridors of green infrastructure, is in accordance with the Town Centre Zoning
indirectly on the existing or approved land use?	Objectives for the site. The development can be assimilated into the receiving environment without any significant negative impacts. The existing adjacent land users will continue to operate for the duration of the construction with minimal or no disruption.

<p><i>Has the proposed development the potential to significantly impact directly or indirectly the relative abundance, availability, quality, or regenerative capacity of natural resources (including soil, land, water, and biodiversity) in the area and its underground?</i></p>	<p>No. The site is already in use for parking and public toilets and therefore the proposed development can be accommodated on this site with no significant negative effects on the abundance, availability, quality, or regenerative capacity of the receiving natural environment.</p>
<p><i>Has the proposed development the potential to impact directly or indirectly on any protected structures or Recorded Monuments and Places of Archaeological Interest?</i></p>	<p>Refer to Architectural Impact Assessment</p>
<p><i>Has the proposed development the potential to impact directly or indirectly on listed or scenic views or protected landscapes as outlined in the County Development Plan?</i></p>	<p>No. The proposed development does not affect any listed or scenic views or protected landscapes</p>
<p>Type and Characteristics of Potential Impacts</p>	
<p><i>Would a large geographical area be impacted as a result of the proposed development?</i></p>	<p>No. The geographic extent of the proposed works is confined to the proposed development site.</p>
<p><i>Would a large population of people be affected as a result of the proposed development?</i></p>	<p>No. The proposed development site is within a developing urban area and is consistent with the existing and planned land use pattern in the general area.</p>
<p><i>Are any transboundary impacts likely to arise as a result of the proposed development?</i></p>	<p>No.</p>
<p><i>Would the magnitude of impacts associated with the proposed development be considered significant?</i></p>	<p>No. Having regard to the characteristics of the proposed development and the location of the proposed development site, there are no significant negative impacts associated with the proposed project. The proposed development will provide improvements to the public realm within Cavan Town Centre which is considered a social positive for people and the locality.</p>

<p><i>In considering the various aspects of the environment, would the impacts of the proposed development be considered complex?</i></p>	<p>No. The development relates to improvements to the public realm and is atypical development found in urban centres.</p>
<p><i>Is there a high probability that the effects will occur?</i></p>	<p>Whilst temporary impacts relating to construction activities are likely to occur, they are not significant.</p>
<p><i>Will the effects continue for a long time?</i></p>	<p>No likely significant negative effects on the environment have been identified as a result of the proposed development. The project will have a long-term positive impact on Human Beings, with regard to improvements to the public realm.</p>
<p><i>Will the effects be permanent rather than temporary?</i></p>	<p>The potential effects during construction are temporary. No significant permanent negative impacts are expected to result from the operational phase.</p>
<p><i>Will the impacts be irreversible?</i></p>	<p>No. No likely significant effects on the environment have been identified as a result of the proposed development.</p>
<p><i>Will there be significant cumulative impacts with other existing and/or approved projects?</i></p>	<p>No. The proposed project will not give rise to significant effects on the environment, and no permitted or proposed projects are anticipated that have not already been anticipated in the LAP.</p>
<p><i>Will it be difficult to avoid, or reduce or repair or compensate for the effects?</i></p>	<p>The construction process will avoid any significant effects of the proposed development through the implementation of standard best practice construction methodologies.</p>

Table 4.2: Potential Impacts by EIA Topic

EIA Topic	Comment on Potential Impacts
<p>Population and Human Health</p>	<p>The sensitive receptors include the permitted Developments located in close proximity to the application site.</p> <p>Possible effects include negative impacts on residential amenity during the construction stage of the development.</p> <p>The potential impacts of the construction phase on human beings are not considered to be significant. During construction, there is the potential for temporary minor impacts related to traffic inconvenience, dust, and noise to occur. However, the works will be short-term in duration. Standard best practice construction methodologies will limit disturbance to people in the area.</p> <p>Once completed, the proposed development will provide improvements to the public realm which is considered a significant positive impact.</p>
<p>Biodiversity / Species and Habitats</p>	<p>The application site relates to a built up urban area with little biodiversity. There are no Natura 2000 sites within or directly adjacent to the project site. The lack of any sensitive habitats and/or species means that the proposed development will not have any significant effect on flora and fauna.</p> <p>Enhancement of biodiversity is part of the landscape strategy for the development and will be a positive effect of the development.</p>
<p>Land and Soils</p>	<p>No significant impact on land and soils. The development will be constructed in accordance with best practice environmentally sensitive methods and environmental management systems</p>

<p>Water</p>	<p>Good construction site practices will be in place to prevent any risk of pollution, e.g., from earthmoving works or chemicals used in construction such as hydrocarbons and cement-based products, running off the site. With best practice incorporated into the design and the construction works, the potential for significant run-off of pollutants is either eliminated or greatly reduced, and no significant residual impacts on water are anticipated.</p> <p>The proposed development includes a comprehensive surface water drainage infrastructure through which the rate of discharge of surface water will be carefully controlled.</p>
<p>Air & Climate</p>	<p>During construction, there is the potential for short-term minor negative impacts related to dust to occur, however this will be short term in duration and limited to the works area. Best practice construction site management will minimise emissions.</p>
<p>Noise & Vibration</p>	<p>Potential short-term noise impact may arise during construction activities however this will be managed through best practice measures. No significant impact anticipated.</p>
<p>Material Assets: Built Environment</p>	<p>The proposed development relates to improvements to the public realm within an established urban setting and so no adverse impacts to the built environment are envisaged.</p> <p>There is no requirement for foul water drainage, as no foul water will be produced on site. A proposed surface water drainage system will run into dedicated surface water infrastructure before connecting to the existing surface water drainage network.</p> <p>Possible effects include short term interruption to existing services, damage to existing systems during construction and possible pollution.</p> <p>No significant effects arising.</p>
<p>Material Assets: Transportation</p>	<p>There will be no significant long-term impact on local traffic movements due to the scale of the proposed development. During the construction phase, appropriate traffic management and signage will be in place to ensure safe access and egress from the site, and the safety of other road users.</p>

Waste Management	The development will involve limited excavation and land re-shaping. Possible effects include the re-use / recycle / disposal of excavated material as well as other waste generated on site i.e., construction and demolition waste, domestic waste once occupied. Any effects will be mitigated by the implementation of best practice.
Cultural Heritage	The application site relates to an existing Town Centre urban environment and there are no Sites or Monuments or Protected Structures within the site. The proposed development will not give rise to any significant impacts on cultural heritage.
Landscape	The proposed development will result in improvements to the existing landscape and public realm which is in line with the objectives of the <i>Cavan County Council Development Plan</i> and will represent a direct positive effect. There are no protected views or designated scenic routes pertaining to the site, and there will be no significant change in terms of site visibility.
Interactions	No Impact

4.4 Conclusions of Screening Exercise

It is concluded that the nature of the proposed development is not considered to have likely significant effects on the environment (direct or indirect).

The scale of the proposed development, when viewed individually and cumulatively, is small in the context of both the EIA threshold criteria and types of projects listed in the regulations which require EIA.

The proposed development will involve improvements to the public realm and is less than the EIA threshold for urban development involving an area greater than 2 hectares in the case of a Business District. Therefore, the characteristics of the proposed development are not of a nature and scale that will give rise to significant effects on the environment by way of its size or design.

In terms of other environmental sensitivities, e.g., landscapes/sites of historical, cultural, or archaeological significance, the proposed development will not give rise to any significant effects, given its location.

From a land use planning perspective, the proposed development is on lands that are zoned for Town Centre use. The development will be consistent with the relevant policy provisions of the LAP and consistent with the existing /emerging pattern of development in the general area. The proposed development is considered to represent a long-term and permanent positive impact in terms of the improvements to the public realm within Cavan Town Centre.

The type of characteristics of the potential impacts are not considered likely to have significant effects on the environment during construction phase. Good construction site practices will be in place to prevent any risk of pollution to the receiving environment. Temporary disturbance in relation to noise levels, dust and traffic disturbance are typical of any construction phase, the proposed works will be confined to within the site of the proposed development and any potential impact on nearby sensitive receptors will be short-term and effectively managed through best practice measures.

The proposed development site can therefore accommodate the development without significant impact and a detailed EIAR is not required in this instance.

The Appropriate Assessment Screening Report prepared by Traynor Environmental Ltd confirms that there will be no significant effect to Natura 2000 sites as a result of the proposed development, alone or in combination with any other permitted or proposed project.

5 Conclusion

The proposed project is not a development for which an EIA is mandatory.

An EIA Screening exercise was carried out to determine the potential for the proposed development to have significant environmental effects or not. This exercise has been informed by a desk study of the site based on the best available information. No significant negative effects on the environment have been identified during the construction operational phase of the proposed development and the overall conclusion and recommendation of this screening exercise is therefore that there is no requirement for Environmental Impact Assessment of the proposed project.

Should you require any further information, do not hesitate to contact me.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Nevin Traynor', is shown within a light blue rectangular box.

Nevin Traynor

Qualifications BSc. Env, H.Dip I.T, Cert SHWW, EPA/FAS Cert.

For **Traynor Environmental Ltd**