

Environmental Impact Assessment Screening Report:
Proposed Abbeylands Urban Regeneration Project,



Report for: Cooney Architects
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1. INTRODUCTION

An architect-led project has been proposed at Abbeylands in Cavan Town. The purpose of this project is to effect the regeneration of an area of backlands in the 'Abbey Quarter' of Cavan. This will involve the demolition of some former commercial buildings, the refurbishment of other buildings and the redevelopment of public realm. This last will include a former graveyard site which is in use as parkland.

Flynn, Furney Environmental Consultants Ltd has been engaged by Cooney Architects for the provision of an environmental impact assessment screening report for the proposed works. The principal requirement for these services is to assist the relevant authorities in forming an opinion as to whether or not the proposed works should be subject to Environmental Impact Assessment (EIA) and if so whether an Environmental Impact Assessment Report (EIAR) should be prepared in respect of it.

Cavan County Council is the lead agency in the development of this project.

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

2. DESCRIPTION OF PROPOSED PROJECT

The proposed project site is located within the town of Cavan, Co. Cavan. It is a backlands site that is substantially located within lands that were once the location of a Franciscan Abbey. The site comprises a mixture of publicly and privately-owned lands and buildings over a site of approximately 0.7 hectares. The centre of the site is at approximately 641884 804783 (ITM). The site is almost entirely built lands.

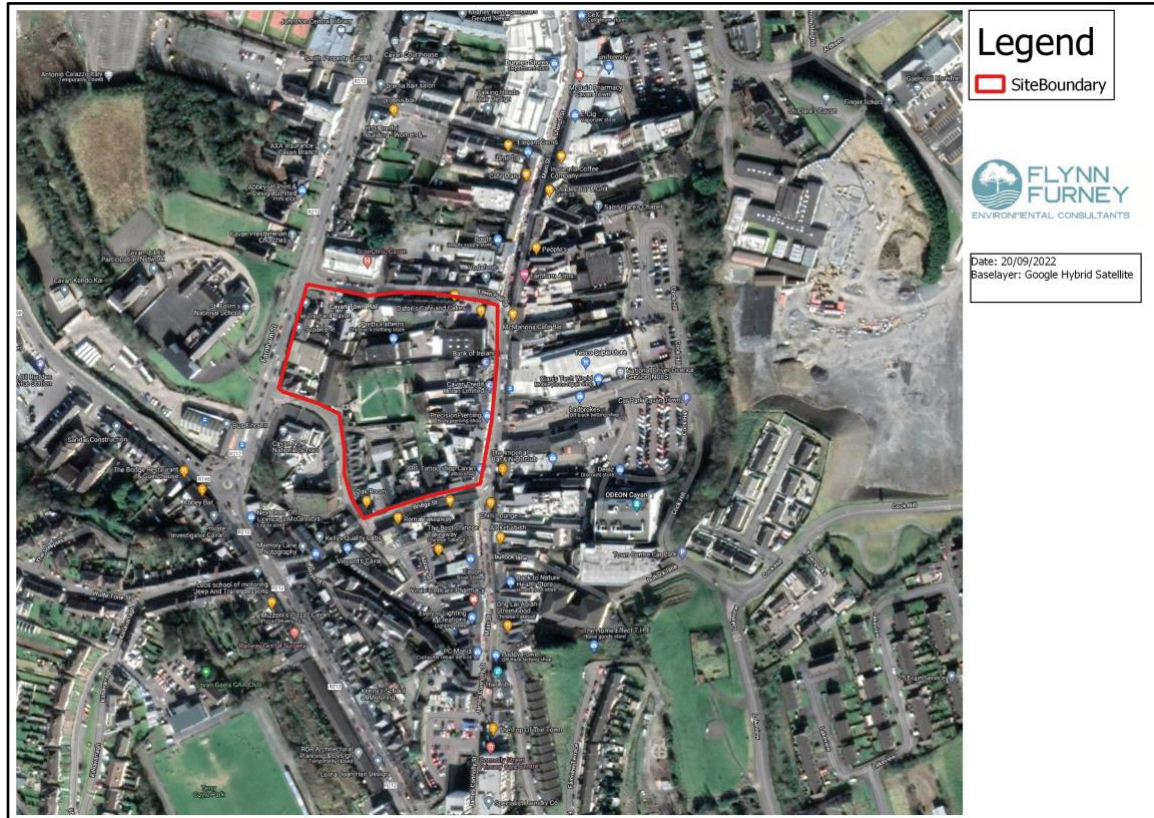


Fig. 1. Area proposed for regeneration and surrounding streets and areas.

2.1 More Detail

The project under assessment has been devised in order to regenerate the Abbeylands quarter in Cavan Town. It is proposed to develop and implement a scheme of works to create a public and civic space in the town core with the Abbeylands historic site forming an urban park centrepiece. The numerous under-utilised properties surrounding the Abbeylands urban park would in turn be developed as new streets (mostly pedestrianised) with appropriate town centre uses including the former McIntyre’s site, Donohoe’s site and a portion of the Credit Union site as part of the first phase of this project

In particular, the works will involve:

- The demolition of some of the existing structures
- The stabilising of some features to be retained
- The redevelopment of an existing structure for cultural and community use

Other works associated with the proposed regeneration project will involve:

- Redevelopment of the Abbeylands graveyard as a public space
- The creation of new pedestrian routes through the quarter
- Landscaping and associated site works

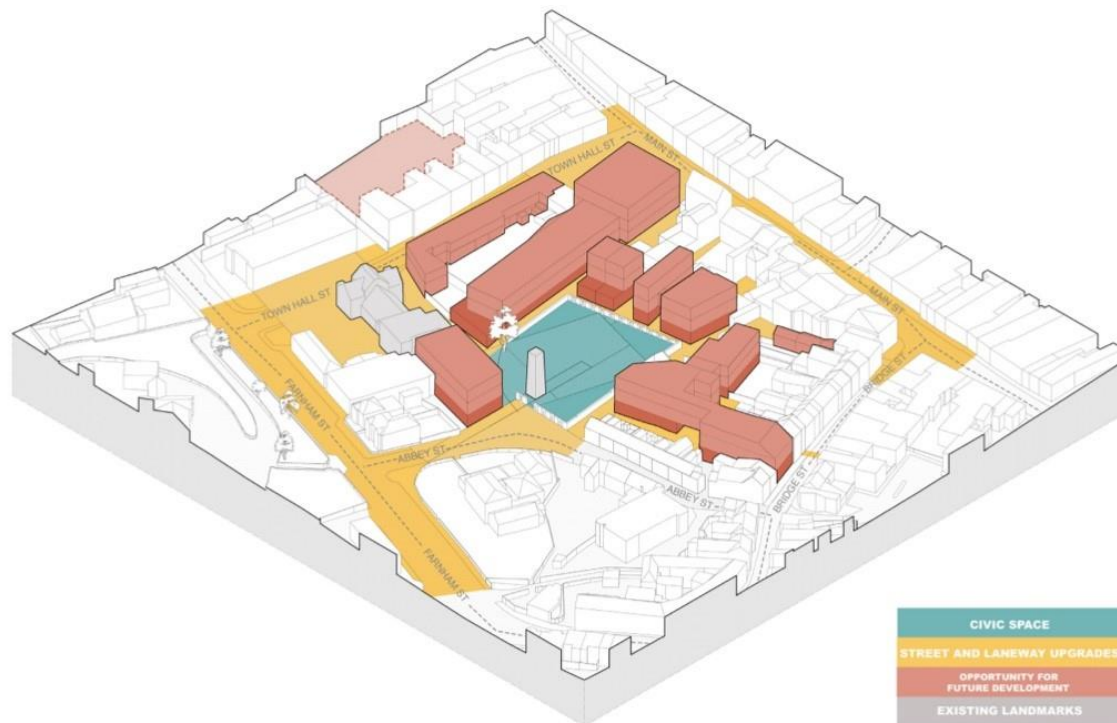


Fig. 2. Axonometric of Area showing streets and laneway upgrades as well as opportunities for future upgrades. From Cavan Abbeylands Masterplan by DBH Architects and Cooney Architects.

3. RELEVANT LEGISLATION & SCREENING METHODOLOGY

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

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

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

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

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

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

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

4. SCREENING AND ASSESSMENT

4.1 Project Class

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

4.2 Infrastructure Projects

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

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

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

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

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

The overall area of the proposed development is c.7,000m² (or 0.7 hectares). The site would be considered to be located within the Central Business District of Cavan as a number of premises close to the proposed works site are in use for retail, finance and other businesses.

Therefore the proposal would be considered to constitute a prescribed project type (urban infrastructure) but is considered significantly below the threshold of 10 hectares.

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

4.3 Sub-Threshold Development - EIA Screening

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

These criteria have been transposed fully into Irish legislation in the third schedule of the European Communities Environmental Impact Assessment (Amendment) Regulations 1999, (SI No.93 of 1999) and in Schedule 7 of the Planning & Development Regulations 2001 (SI No 600 of 2001) as amended by Planning & Development Regulations 2008. This has recently been updated by transposition of the 2014 EIA Directive (2014/52/EU) which amends Directive 2011/92/EU²). Guidance is provided by use of criteria set out in Annex III of the new Directive. These criteria as transposed in Irish legislation are grouped under three headings and are used to assist the screening process in determining whether a development is likely to have a significant effect on the environment. The three headings and criteria details as given in Annex III are given below:

Heading	Criteria
1. Characteristics of proposed development	<ul style="list-style-type: none"> • the size and design of the entire proposed development • the cumulation with other existing and/or approved development • the use of natural resources • the production of waste • pollution and nuisances • the risk of major accidents (with regard to substances or technologies used)

² Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (codification) (OJ L 26, 28.1.2012, p. 1).

	<ul style="list-style-type: none"> the risks to human health
2. Location of proposed development	<p>The environmental sensitivity of geographical areas likely to be affected by proposed development, having regard in particular to:</p> <ul style="list-style-type: none"> the existing and approved land use the relative abundance, availability, quality and regenerative capacity of natural resources in the area and its underground the absorption capacity of the natural environment in particular, wetlands, coastal zones, mountain and forest areas, nature reserves and natural parks, areas protected under the Habitats Directive / Birds Directives, other protected areas, densely populated areas, protected landscapes of historical, cultural or archaeological significance.
3. Type and characteristics of potential impacts	<p>The potential significant effects of proposed development in relation to criteria set out under paragraphs 1 and 2 above, and having regard in particular to:</p> <ul style="list-style-type: none"> the magnitude and spatial extent of the impact (geographical area and size of the affected population) the nature of the impact the transboundary nature of the impact the intensity and complexity of the impact the probability of the impact the expected onset, duration, frequency and reversibility of impact the cumulation of the impact with the impact of other existing and/or approved projects the possibility of effectively reducing the impact

The project at Abbeylands is considered under the above criteria (as set out in Schedule 7) in the tables below.

CRITERIA (Schedule 7)		RELEVANCE	RATIONALE
1. Characteristics of Proposed Development:	The size of the proposed development	No	The site to be developed is small (c. 0.7 ha). The entirety of the scheme footprint will be on lands already developed.
The characteristics of the proposed development, in particular:	The cumulation with the proposed development	No	No projects have been identified as having cumulative impacts with this present project.
	The use of natural resources	No	No significant natural resources will be required to complete the project.

	The production of waste	No	Waste produced during the construction process is anticipated to be minimal and insufficient to cause significant effects. Any materials will be brought to a construction and demolition recycling centre for reuse.
	Pollution and nuisance	No	Impacts such as noise and dust will be kept within acceptable standards and as such are anticipated to be negligible.
	The risk of accidents having regard to substances or technologies used.	No	Any potential impacts are anticipated as being negligible given the nature and scale of the proposed development. No novel techniques or materials will be employed.

CRITERIA (Schedule 7)		RELEVANCE	RATIONALE
2. Location of the Proposed Development: The environmental sensitivity of geographical areas likely to be affected by proposed development, having regard in particular to:	The existing landuse	No	As existing land-use is entirely built lands there will no material change in use.
	The relative abundance, availability, quality and regenerative capacity of natural resources in the area and its underground	No	No significant impacts are anticipated given existing nature of site (built lands). No natural areas are to be impacted upon.
	The absorption capacity of the natural environment, paying particular attention to the following areas:		
	Wetlands, riparian areas, river mouths;	No	None of these habitat types occur within area of proposed development. The Kinnypottle Stream (a 1 st order tributary of the Cavan River) is within 50m of the proposed development area but is subterranean here. As there are no significant excavations proposed as part of this development there is no likelihood

			of impacts on this waterbody from the project under screening. The Cavan River is within 50m of the boundary of the area proposed for development. However, no in-stream or water-crossing works are proposed.
	Coastal zones	No	None of these habitat types occur within area of proposed development.
	Mountain and forest areas	No	None of these habitat types occur within area of proposed development.
	Nature Reserves and National Parks	No	None of these occur within area of proposed development.
	Areas classified or protected under legislation, including special protection areas designated pursuant to Directives 79/409/EEC and 92/43/EEC	No	Area proposed for development is not under such classification or protection. Nearest Natura 2000 sites of relevance are Lough Oughter and Associated Loughs SAC [Site Code 000007] and Lough Oughter SPA [Site Code 004049]. These are located 3.3km and 3.5km from the proposed development site respectively. However, there are no works proposed either within these or within any area with connectivity to these. Works will be confined to built areas within Cavan Town. There is no potential for the development to impact on the designated sites due to the nature and scale of the development and lack of any direct connection between the site and the SAC and SPA. An Appropriate Assessment Screening exercise was carried out (September 2022) and concluded that there will no likely significant effects on any Natura 2000 site.
	Areas in which the environmental quality standards laid down in legislation of	No	N/A

	the EU have already been exceeded.		
	Densely populated areas	No	N/A
	Landscapes of historical, cultural archaeological significance	Yes	<p>Archaeological desktop study and subsequent site investigations have confirmed that the proposed development is located within an area of moderate to high archaeological potential with three existing recorded monuments located within and around the boundaries of the proposed development. Pre-design archaeological investigations have also confirmed the existing of sub-surface remains associated potentially associated with the medieval Friary graveyard extending beyond the Abbeylands public space towards within the location of the proposed new Community Services Centre. The exact nature of sub-surface archaeological remains within the existing Abbeylands public space/historic graveyard remains uncertain, while the archaeological potential within the location of the proposed Remote Working and Cultural Centre is low to moderate.</p> <p>As the potential archaeological impact of construction upon archaeological remains associated with the medieval Abbey and Graveyard remains moderate to large adverse, mitigation measures have been drawn up to address these. These are:</p> <ul style="list-style-type: none"> - Pre-construction archaeological test trenching to establish depth, nature and extent of surviving sub-surface archaeological

			<p>deposits/features as an aid to construction design.</p> <p>- Archaeological Monitoring of reduced level dig – i.e. drainage pipe and manhole excavation, permeable paving sub-base excavation.</p> <p>- Archaeological excavation and recording of identified archaeological features and deposits which cannot be preserved in situ.</p>
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CRITERIA (Schedule 7)		RELEVANCE	RATIONALE
3. Type and characteristics of potential impacts:	the magnitude and spatial extent of the impact (geographical area and size of the affected population)	No	Any potential negative impacts are considered to be insignificant, given the scale of the proposed development. However, these relate to temporary construction impacts. Long-term positive impacts may be predicted from the completed project.
	The nature of the impact	No	Short-term visual impacts may be anticipated during construction phase but long-term positive impact on civic space may be expected.
	the transboundary nature of the impact	No	Not applicable. No boundary areas will be affected.
	the intensity and complexity of the impact	No	Any impacts are considered insignificant given size and scale of development. Project may not be considered complex given nature of works.
	the probability of the impact	No	No significant negative impacts are predicted.
	the expected onset, duration, frequency and reversibility of impact	No	No significant negative impacts are predicted.

	the cumulation of the impact with the impact of other existing and/or approved projects	No	A number of other proposed and ongoing developments were reviewed. These included residential and small-scale commercial projects. No significant negative impacts are predicted.
	the possibility of effectively reducing the impact	No	No significant negative impacts are predicted.

5. CONCLUSION AND RECOMMENDATIONS

It is concluded that the **characteristics of the proposed development** would not be considered likely to have significant effects on the environment. This is based primarily on the limited size and scale of the proposed works and low potential to have significant impacts. No other projects emerged from the screening process with which the proposed works may have significant cumulative impacts.

It is concluded that there will be no significant direct or indirect impacts by virtue of the **location of the proposed development** on the receiving environment. This is based primarily upon the absence of any impacts predicted upon any protected sites such as Nature Reserves, parks or Natura 2000 Sites. The site is entirely within built lands within the town centre. While the proposed development is located within an area of moderate to high archaeological potential with three existing recorded monuments located within and around the boundaries of the proposed development, mitigation measures have been set out to address potential impacts. There are no other receptors of high sensitivity within the zone of influence of the proposed development.

It is concluded that the **type and characteristics of the potential impacts** would not be considered significant. This is based primarily upon the limited size and scale of the proposed works. The lack of other sensitive receptors is also a significant factor in this assessment. Impacts on landscape, soils and geology are not considered significant, given the previously developed location, as well as the nature and scale of works.

Given the size and scale of the proposed development and the absence of any other projects or plans known at time of writing that may give rise to impacts, no significant **cumulative impacts** are considered likely.

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

REFERENCES

DoEHLG. (2003) *'Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development'*. Department of Environment, Heritage and Local Government, Dublin.

DOECLG (2015) *Planning and Development Regulations 2001-2013 (Unofficial Consolidation)*. Unpublished Report by Department of Environment, Community and Local Government.

NRA (2008) *Environmental Impact Assessment of National Roads Schemes – a practical guide*. National Roads Authority (Now Transport Infrastructure Ireland), Dublin.