

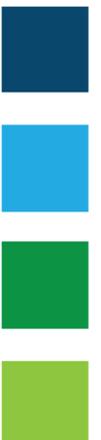


Galway County Council

Housing Development

Gort Uí Lochlainn & Coill Bhruchláin, Moycullen, Co. Galway

Environmental Impact Assessment Screening Report



Housing Development Gort Uí Lochlainn & Coill Bhruchláin, Moycullen, Co. Galway

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1.0 INTRODUCTION

TOBIN Consulting Engineers have been instructed by Galway County Council to prepare an Environmental Impact Assessment (EIA) Screening of the proposed housing development which consists of 31 no. two storey housing units against the criteria set out in Annex III of the EU Directive 2011/92/EU, as amended by Directive 2014/52/EU (EIA Directive) and as transposed into Irish law¹. EIA Screening is the stage which ascertains whether the effects of a development on the environment are expected to be significant and determines whether an EIA is required as per the EIA Directive. The screening procedure should ensure that an environmental impact assessment is only required for projects likely to have significant effects on the environment and the whole development must be considered.

The purpose of this review is to determine the applicability of the EIA Directive to the proposed development and whether the development is likely to result in significant effects, thereby requiring that an EIA is carried out.

This EIA Screening has been completed by TOBIN Consulting Engineers and takes due notice of the following regulations and guidance documents:

- Planning and Development Act 2000 (as amended);
- Planning and Development Regulations 2001 - 2018 (the 2001 Regulations, as amended);
- EU Directive 2011/92/EU, as amended by Directive 2014/52/EU (the EIA Directive);
- Department of Housing, Planning and Local Government (August 2018) Guidelines for Planning Authorities and An Bord Pleanála on Carrying out EIA (the 2018 Guidelines);
- Environmental Protection Agency (Draft - August 2017) Revised Guidelines on the Information to be contained in Environmental Impact Assessment Reports (the Draft EPA Guidelines); and
- European Commission (2017) Environmental Impact assessment of Projects, Guidance on Screening (the EC 2017 Guidance).

¹ Planning and Development Regulations 2001 as amended, Schedule 7

2.0 REGULATORY CONTEXT

The EIA Directive in Annex I, lists developments for which EIA is mandatory, while in Annex II, it lists projects which requires a determination about their likely significant effects. These annexes are broadly transposed into Irish legislation by way of the 2001 Planning and Development Regulations, as amended in Schedule 5 Part 1 and Part 2, with the addition of national thresholds to several Part 2 classes of development². EIA is mandatory for Part 1 developments where thresholds are met or exceeded, but also for Part 2 developments where the national thresholds are met or exceeded. Screening determination is required for sub-threshold developments for both Part 1, where not covered by Part 2, and for Part 2 developments.

The criteria to determine whether a sub-threshold development should be subject to an EIA are set out in Annex III of the EIA Directive and transposed into Irish law through Schedule 7 of the 2001 Planning and Development Regulations, as amended. Schedule 7A of the 2001 Regulations, as amended lists information to be provided for the purpose of the EIA Screening. Under Article 103 of the 2001 Regulations as amended, the planning authority can request the submission of an EIA Report if it is of the view the sub-threshold development would be likely to result in significant effects on the environment.

The EIA Directive states that in order to ensure a high level of protection of the environment and human health, screening procedures should take account of the impact of the whole project in question, including where relevant, its subsurface and underground, during the construction, operational and where relevant, demolition phase. When determining whether significant effects on the environment are likely to be caused by a project, the competent authorities should identify the most relevant criteria to be considered and should take into account information that could be available following other assessments required by EU legislation in order to apply the screening procedure effectively and transparently.

² Environmental Impact Assessment of Projects Guidance on Screening (Directive 2011/92/EU as amended by 2014/52/EU), European Union 2017

3.0 PROPOSED DEVELOPMENT AND EXISTING SITE

The location and layout of the proposed housing development project can be viewed in drawing no. 180901-02-101 (outlined in red). The proposed development of the overall site involves:

- the provision of 31 number two-storey housing units, new access road and all associated siteworks.



Figure 3-1 - Drawing 180901-02-102 Site Plan

4.0 SCHEDULE 5 DETERMINATION

This section considers the project site at Moycullen in relation to Schedule 5 of the 2001 Planning and Development Regulations, as amended.

The project site (1.8 ha) is located within the town of Moycullen and the proposed development is for residential development (31 units) on vacant land currently zoned for commercial and residential development in the Moycullen Local Area Plan 2013-2023. The proposed development does not meet or exceed Schedule 5 Part 1 and Part 2 thresholds and criteria, and as such, EIA is not mandatory.

A consideration of sub-threshold has been carried out and as per the ruling of the European Court³, it is recognised that the EIA Directive has a *'wide scope and a broad purpose'* when determining if EIA is required. A review of Part 1 confirms that there are no applicable Classes, hence the proposed development is not considered a Part 1 sub-threshold development. Part 2 *Class 10 Infrastructure Projects* and in particular, (b) (i) Construction of more than 500 dwelling units; and (b) (iv) Urban development, are of relevance. The proposed development consisting of 31 residential units would be a sub-threshold of Class 10 (b) (i). Class 10 (b) (iv) is applicable to urban development *"which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere."* The proposed development consisting of a 1.8 ha site zoned for residential use, located adjacent to both residential and town centre/commercial uses is considered a sub-threshold of Class 10 (b) (iv) and more specifically, the 10 ha. built-up area threshold.

Furthermore, Class 15 should be noted, as this is applicable to *"any project listed in this Part which does not exceed a quantity, area, or other limit specified in this Part in respect of the relevant class of development but which would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7."*

On review, the proposed development is for a small-scale residential development on a vacant site currently zoned for residential development. The proposal represents a redevelopment project of an existing site located within the urban environment and recognising the requirement to apply a 'wide scope', it is considered that the proposed development has the potential to be considered a sub-threshold development of Part 2 Class 10 (b) (i) and (iv). An EIA Screening determination is required for sub-threshold developments as per the 2001 Regulations, as amended and a screening assessment is provided in Section 5 below.

³ Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment, August 2018

5.0 ENVIRONMENTAL IMPACT ASSESSMENT SCREENING

This section provides an EIA Screening against the appropriate criteria as established by the EIA Directive Annex III and as transposed into Irish law by Schedule 7, 2001 Planning and Development Regulations, as amended.

It should be noted that under the EIA Directive, the EIA Screening process balances two objectives in determining if a project listed in Annex II is likely to have significant effects on the environment and therefore, must be subject to an assessment of its effects on the environment. The Screening should ensure that EIA is only carried out on those projects where it is thought that a significant impact on the environment is possible⁴.

Table 5.1 below screens the proposed development against the Schedule 7 criteria. Information pertaining to Schedule 7A of the 2001 Regulations, as amended is provided herein and is further supplemented by the AA Screening Report and Ecology Report and the associated application documents and drawings.

⁴ Environmental Impact Assessment of Projects Guidance on Screening (Directive 2011/92/EU as amended by 2014/52/EU), European Union 2017

Table 5-1 Screening against Schedule 7 Criteria

1. Characteristics of Projects	Consideration of the Proposed Development
<p>The characteristics of projects be considered, with particular, regard to:-</p> <p>a) the size and design of the whole project;</p> <p>b) cumulation with other existing and/or approved projects;</p> <p>c) the use of natural resources, in particular land, soil, water and biodiversity;</p> <p>d) the production of waste;</p> <p>e) pollution and nuisances;</p> <p>f) the risk of major accidents having regard in particular to substances or technologies used and/ or disasters which are relevant to the project concerned, including those caused by climate change, in accordance with scientific knowledge;</p> <p>g) the risks to human health (for example due to water contamination or air pollution).</p>	<p>As set out in section 3 above, the site area is approximately 1.8 ha and the proposed development consist of 31 residential units and associated works including:</p> <ul style="list-style-type: none"> • Entrance of L1320 Mountain Road; • Access roads and turning areas; • Car parking and bin stores; • Foot paths and street lighting; • Boundary walls; • Bottle bank area; • Underground and above ground services; and • Soft landscaping. <p>The scale and design of the enclave of houses generally reflects the pattern of surrounding residential development, albeit with increased density by offering terrace housing.</p> <p>No cumulative developments of relevance have been identified in the vicinity of the proposed development.</p> <p>The construction works are anticipated to last approximately 24 months and due to the scale of the development is not anticipated to be phased. However, it is anticipated that the units closest to the entrance will be constructed first.</p> <p>The existing site incorporates established mature woodland which will be predominately removed with the exception of strips along the northern and southern boundaries.</p> <p>The topography of the site varies from 43.15 m at its highest to 37 m at the site entrance. Residential units at the entrance extend to 41.5 m at the highest point. The finished floor level (FFL) of the residential units will vary from 38 m to 39.5 m, giving a staggered roof design. To achieve FFLs, site levelling will be required across the site. It is anticipated that the majority of material can be redistributed or used within the site in order to minimise offsite disposal.</p> <p>The proposed works will generate noise during construction including rock breaking and general building works. It is not clear at this stage how the site levelling will be carried out but ripping of the stone with a digger or hydraulic breaker are likely. The permissible hours of operation of a building site are Monday to Friday 07.00 – 18.00, and Saturday 08.00 – 14.00, with no noisy work permissible on Sundays or bank holidays or as otherwise prescribed by the Local Authority. The construction works will be subject to applicable standards including BS</p>

	<p>5228:2009 and A1:2014 “Code of Practice for Noise and Vibration Control on Construction and Open Sites”. Residential use is proposed within the site and the design of the houses will be subject to modern sound insulation standards.</p> <p>Construction and operational access will be via Mountain Road. Increases in traffic is anticipated during construction and will relate mainly to initial site clearance and levelling followed by the delivery of materials. There is likely to be some disruption to the site junction with Mountain Road to improve the existing entrance and connection of underground services. The construction process will be subject to a Traffic Management Plan. Operational traffic will predominately consist of residential traffic associated with the proposed 31 units. The existing site is vacant, so the proposed development represents an intensification of use.</p> <p>The construction process could result in surface water runoff and dust from breaking of rocks and earth works. However, these are matters that would be managed through the adoption of best practice construction standards. The proposed development will result in increased non-permeable surfaces and surface water retention and attenuation storage will be used in treating surface water as required as per the submitted surface water drainage proposal. See Drawing No:10578-2100 in this regard. The site is currently not serviced by any connection to public services. New wastewater pipework will be required which will connect the site into the existing wastewater pipe network, anticipated to be at Mountain Road. This will feed into the existing Moycullen Wastewater Treatment Plant (WwTP). The design loading capacity of this is 4,000 population equivalent (p.e.).</p> <p>The major accident and/or natural disaster assessment should be mainly applied to Control of Major Accident Hazards Involving Dangerous Substances (COMAH) sites or nuclear installations. The proposed development is not a COMAH or nuclear installation.</p>
<p>2. The Location of Projects</p>	<p>Consideration of the Proposed Development</p>
<p>The environmental sensitivity of geographical areas likely to be affected by development must be considered, having regard in, with particular regard to:-</p> <p>a) the existing and approved land use;</p> <p>b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground;</p>	<p>The site is currently an area of open space located within the Town of Moycullen. Existing residential areas abuts the site to the north and south whilst commercial development is located to the east along Mountain Road. There is an existing play park, bottle bank and a county council compound located at the site entrance. Areas to the west are open spaces providing a continuation of the woodland within the site and a community play pitch which appears to be of limited use. There is no formal use of the site. It is zoned for housing in the Moycullen LAP and the county council compound is zoned for commercial.</p> <p>The site is underlain by Megacrystic pink/grey monzogranite which appears close to the surface. The groundwater vulnerability with the area is categorised as Extreme reflecting the presence of rock close to the surface and limited subsoil, and increased likelihood of groundwater contamination. The groundwater in the area has status Good in the Water Framework Directive and is Not at Risk. The proposed development site is located</p>

<p>c) the absorption capacity of the natural environment, paying particular attention to the following areas:-</p> <p>(i.) wetlands, riparian areas, river mouths;</p> <p>(ii.) coastal zones and the marine environment;</p> <p>(iii.) mountain and forest areas;</p> <p>(iv.) nature reserves and parks;</p> <p>(v) areas classified or protected under Member States' national legislation; special protection Natura 2000 areas designated by Member States pursuant to Directive 92/43/EEC and Directive 2009/147/EC;</p> <p>(vi) areas in which there has already been a failure to meet the environmental quality standards, laid down in Union legislation have already been exceeded and relevant to the project, or in which it is considered that there is such a failure;</p> <p>(vii) densely populated areas;</p> <p>(viii) landscapes and sites of historical, cultural or archaeological significance.</p>	<p>within the Ballycuirke Lough Stream sub-catchment (SC_010) and the Corrib catchment (ID_31). Surface water from the site percolates into groundwater.</p> <p>The nearest European sites are the Lough Corrib SAC and SPA located approximately 1.3 km east and 2.7 km northeast of the site, respectively. Moycullen Bog NHA is located 1 km southwest of the site and Ballycuirke Lough NHA is located 1.5 km southeast. The AA Screening (October 2019) concludes that there would be no likely significant effect on the integrity of any European sites or the Qualifying Interest habitats or species for which they were designated.</p> <p>No protected flora was recorded during ecological surveys of the site. Data collected from static detectors indicate that lesser horseshoe bats use the area surrounding the proposed development infrequently as foraging-grounds and a commuting route. The species was mainly recorded using the area to the north of the proposed development boundary as a foraging ground. Only one record of this species was captured within the perimeter of the proposed site. The static detectors indicate that the proposed site is used regularly as a foraging ground and commuting route area by soprano pipistrelle, Leisler's and unidentified <i>Myotis</i> species. A single Hedgehog (<i>Erinaceus europaeus</i>) was recorded within the Proposed Planning Application Boundary on the 4th of July 2019. Hedgehogs are a protected species under the Wildlife Acts. No further protected mammals were recorded onsite.</p> <p>There are no watercourses or wetland habitat recorded within the site.</p> <p>There are no archaeological or cultural heritage features recorded within the site or adjacent to the site. There are no landscape designations within or adjacent to the site.</p>
<p>3. The Location of Projects</p>	<p>Consideration of the Proposed Development</p>
<p>The potential likely significant effects of projects on the environment must be considered in relation to criteria set out in points 1 and 2 of this Annex, and having with regard in particular to the impact of the project on the factors specified in Article 3(1), taking into account:</p> <p>a) the magnitude and special extent of the impact (for example geographical area and size of the population likely to be affected);</p>	<p>The existing land is zoned for housing in the Moycullen LAP and the county council compound is zoned for commercial. The proposed development will have a partial impact on existing land use.</p> <p>The development of the site will result in the removal of existing woodland on the majority of the proposed development site. Woodlands to be retained within the site and woodlands along the site boundaries will be protected during the construction phase.</p>

<p>b) the nature of the impact;</p> <p>c) the transfrontier nature of the impact;</p> <p>d) the magnitude intensity and complexity of the impact;</p> <p>e) the probability of the impact;</p> <p>f) the expected onset, duration, frequency and reversibility of the impact;</p> <p>g) the cumulation of the impact with the impact of other existing and/or approved projects;</p> <p>h) the possibility of effectively reducing the impact.</p>	<p>Waste generated during the construction process will be controlled through measures adopted in a waste management plan. Bin stores are proposed for the generation of operational waste, which be domestic waste from the residential units. All domestic waste will be disposed of by a licensed waste operator.</p> <p>The construction works is anticipated to have a permanent effect on the existing on-site use, however the project when complete will lead to a positive long term effect on by providing additional housing for the surrounding community. The impact on the urban environment will be positive and long term due to the availability of increased housing within the area.</p> <p>Nuisance impacts are anticipated to be limited and controlled by applicable standards where appropriate. In regard to construction noise, standard construction activities are proposed, and these will be governed by appropriate standards and permissible hours. It is anticipated that the works will lead to an intensification of use of the site. Residential use is proposed within the site and the design of the houses will be subject to modern sound insulation standards. The noise generated from use of the houses is not one considered to be out of character with the surrounding area. External lighting proposals, if required, should be sensitively designed to reduce light pollution beyond the site boundaries.</p> <p>Construction traffic levels will inevitably result in some disruption to the existing area; however, a traffic management plan will be applicable. Operational traffic will predominately consist of residential traffic associated with the proposed 31 units. The existing site is vacant, so the proposed development represents an intensification of use.</p> <p>Drainage arrangements during construction works will be subject to best practice standards in order to prevent water (both surface water and groundwater) pollution. As noted above, the proposed development will consist of all new waste water pipework which will run to the existing foul sewer network which runs on the public roads adjacent to the proposed development This will feed into the existing Irish Water waste water network which is treated at the Moycullen WwTP. Surface water run-off will be attenuated on site and controlled flow will discharge to the proposed soakway located on the south east boundary. Storm water will also be directed to the soakaway.</p> <p>The proposed development site is not located within or adjacent to any designated European site (SAC or SPA). The AA Screening (October 2019) concluded no likely significant effects on the integrity of any European sites or the Qualifying Interest habitats or species for which they were designated.</p>
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6.0 CONCLUSION

The proposed development does not meet or exceed Schedule 5 Part 1 or Part 2 thresholds and criteria, and as such, EIA is not a mandatory requirement. The proposed development can be considered a sub-threshold project under Part 2 Class 10 Infrastructure Projects (b) (i) dwelling units; and (iv) urban development, as the proposed development is for 31 residential unit on a site located within the built-up area of Moycullen. A screening determination is required for a sub-threshold development.

An EIA screening has been carried out considering the nature of the proposed development, its size and location having due regard to the criteria listed in Schedule 7 and the relevant information listed in Schedule 7A. It is concluded that the proposed development is unlikely to result in significant effects on the environment, and that the consideration of appropriate mitigation measures reduces the potential effects further.

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