



July '22

Title

*Environmental Impact Assessment –
Preliminary Examination Report*

Development Description

Proposed Part 8 Application “for the construction of a new Fire station building, together with associated training tower, shed, signage, landscaping, parking and yard areas, revised boundary treatments, connections to existing services and all associated site development works.”

Location

St, Laurencesfields, Loughrea, Co. Galway

Applicants

Galway County Council

Prepared by:

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1.0 INTRODUCTION

This Environmental Impact Assessment Preliminary Examination Report has been prepared by Colette Casey (BSc) in partnership with James O' Donnell, Planning Consultant (BA, MRUP, Dip APM) on behalf of Galway County Council who is applying for planning permission “for the construction of a new Fire station building, together with associated training tower, shed, signage, landscaping, parking and yard areas, revised boundary treatments, connections to existing services and all associated site development works” at St. Laurencesfields, Loughrea, Co. Galway.

This application is accompanied by;

- An Appropriate Assessment Screening Report (July 2022) prepared by Planning Consultancy Services
- An Ecological Impact Assessment Report (July 2022) prepared by Planning Consultancy Services
- A Site Specific Flood Risk Assessment prepared by Flood Risk Consulting
- The “*Invasive Weed Site Inspection Report*” prepared by Connacht Weed Control
- Site Investigation Report, prepared by S.I. Ltd.
- Architect Drawings prepared by VHA
- Civil Engineering Drawings prepared by Tobin Consulting Engineers

This Preliminary Examination report has been prepared by Colette Casey (BSc (Hons)) in partnership with James O'Donnell, Planning Consultant (BA, MRUP, Dip APM). Colette Casey is an experienced and qualified ecologist. She has obtained a Bachelor's degree in Environmental Science (BSc Hons) at the National University of Ireland, Galway. She has been involved in the completion of numerous Appropriate Assessment Screening Reports (AASR's), Natura Impact statements (NIS's), Construction Environmental Management Plans (CEMP's), Otter and Bat Surveys in the Republic of Ireland. She is an active member of Birdwatch Ireland, Bat conservation Ireland and a Registered member of CIEEM.

James O' Donnell is a qualified Town Planner and Project Manager with over 22 years planning experience in both the public and private sector in the west of Ireland, including 6 year's experience as a local authority planning officer. James has extensive experience in the project management and delivery of a wide range of complex planning applications requiring environmental and ecological assessment, in accordance with the requirements of the EU Habitats Directive and EIA Directives. James has particular experience in the preparation of EIA Preliminary Examination Reports and EIA Screening Reports for a wide range of projects in the Republic of Ireland.

1.1 PURPOSE OF PRELIMINARY EXAMINATION REPORT

This report examines “*Environmental Impact Assessment Screening*” for the proposed development. The purpose of this report is to enable the Planning Authority to make a determination as to whether or not EIA is required in the first instance, and to determine as to whether not a Screening Report as per Schedule 7A of the Planning & Development Regulations 2001 (as amended) is required in this case.

1.2 METHODOLOGY

This “*Environmental Impact Assessment Screening*” has been prepared with regard to the following documents (where relevant and/or applicable):

- Planning and Development Act 2000 (as amended);
- Planning and Development Regulations 2001-2021 (as amended);
- Directive 2011/92/EU¹ as amended by 2014/52/EU²;
- EPA (2015) Advice Notes for Preparing Environmental Impact Statements – Draft September 2015
- EPA (2017) Guidelines on the information to be contained in Environmental Impact Assessment Reports – Draft August 2017;
- EPA (2021) Good Practice Guidance on Cumulative Effects Assessment in Strategic Environmental Assessment;
- European Commission (1999) Guidelines for the Assessment of Indirect and Cumulative Impacts as well as Impact Interactions;
- European Commission (2017) Environmental Impact Assessment of Projects – Guidance on Screening;
- DoEHLG (2003) Environmental Impact Assessment (EIA) - Guidance for Consent Authorities regarding Sub-Threshold Development; and
- DoHPLG (2018) Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment – August 2018.
- Office of the Planning Regulator (June, 2021) “*OPR Practice Note PN02 – Environmental impact Assessment Screening.*”

1.3 LEGISLATION

As it pertains to this application, the requirement to complete an EIA as per Directive 2014/52/EU amending Directive 2011/92/EU is transposed into Irish legislation primarily via the:

- Planning and Development Act 2000 (as amended) (the ‘Act’); and
- Planning and Development Regulations 2001 (as amended) (the ‘Regulations’).

Pursuant to Article 81(ca) of the Regulations 2001, a Planning Authority must indicate its conclusion under article 120(1)(b)(i) (a preliminary examination) or screening determination under article 120(1B)(b)(i) in the public notices that form part of a Part 8 process.

¹ 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

² 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.

Where a local authority proposes to carry out a subthreshold development, the authority shall carry out a preliminary examination of, at the least, the nature, size or location of the development.

Where the local authority concludes, based on such preliminary examination, that—

(i) there is no real likelihood of significant effects on the environment arising from the proposed development, it shall conclude that an EIA is not required,

(ii) there is significant and realistic doubt in regard to the likelihood of significant effects on the environment arising from the proposed development, it shall prepare, or cause to be prepared, the information specified in Schedule 7A for the purposes of a screening determination, or

(iii) there is a real likelihood of significant effects on the environment arising from the proposed development, it shall— (I) conclude that the development would be likely to have such effects, and (II) prepare, or cause to be prepared, an EIAR in respect of the development.

2.0 THE SUBJECT SITE

2.1 SITE LOCATION & CONTEXT

The subject site is located within the urban envelope of Loughrea town, within the townland of St. Laurencesfields, at the western edge of the settlement. The subject site (c.0.4213ha in size) is located within the 50kmph urban speed limit on the southern edge of the R380, the Athenry road. The site of the proposed development currently consists of an underutilised infill and urban greenfield site (See Figure 1). The subject site is bounded by the Athenry road to the north, with the Loughrea Hotel and Spa located further to the north. The subject lands are bounded by multiple residential development to the south-west, south and east. The topography of the area is generally flat. The site of the proposed development is bounded by a low stone wall to the north, a walkway/cycleway to the east, and post and rail fencing to the west.



Figure 1: Aerial Photo extract showing Location of subject site within the townland of Loughrea



Figure 2: Photo looking south towards subject application site within the townland of Loughrea(Source: Google Street).

2.2 ENVIRONMENTAL SENSITIVITIES OF THE SITE

2.2.1 Soils

The Soil Group is “*Grey Brown Podzolics, Brown Earths*”. Subsoils are categorised as Limestone till (Carboniferous). Based off the information provided by the Site Investigation Report prepared by Site Investigation Ltd no impacts are predicted on ground water, and soil on site was deemed suitable.

2.2.2 Hydrology

The closest major water feature in the area is the Lough Rea, which is located c.575m to the south of the site. Under the Water Framework Directive status assessments 2013 – 2018, Lough Rea (IE_WE_29_194) is of Good status, EPA Code-IE_SH_261030400.

There are there are no notable surface water features onsite and no direct hydrological pathways to offsite surface water bodies.

2.2.3 Acquifer

The GSI Bedrock Aquifer code is LI which is a Locally Important Aquifer - Bedrock which is Moderately Productive only in Local Zones

2.2.4 Air Quality

The Air Quality Index Regions indicate that Air Quality Index is 3 – Good (updated Tue 25-May-2021). The Area is listed at Small Town, Region 4

2.2.5 Natura 2000 Network

The Lough Rea SAC & SPA are c. 600 meters from the application site. There is no identifiable connector/receptor pathways between the Natura designations and the application site. Therefore, significant impact/effects are not predicted due to the proposed development. An Appropriate Assessment Screening Report accompanies this application. There is no discernible hydraulic pathway or receptor to connect the proposed development site and Lough Rea. See Figure 3 below



Figure 3: Extract from “EPA Mapviewer – Appropriate Assessment tool”, showing location of subject site relative to Lough Rea SAC & SPA c. 600m to the south and the nearest Natura 2000 site.

As per the “Appropriate Assessment Screening Report” prepared by Planning Consultancy Services , there are no pathways and no connectivity to any European Sites considered in the assessment. This report concludes, inter alia that *“It can be excluded, on the basis of objective information, that the Proposed Development, individually or in combination with other plans or projects, will have a significant effect on a European site.”*

2.2.6 Natural Heritage Areas

There are no Natural Heritage Areas (NHA’s), Lough Rea proposed Natural Heritage Areas (pNHA’s) is located c. 589 meters from the subject site. The nearest NHA to the Proposed Development is Slieve Aughty Bog NHA which is located 10.4km to the south. It should be noted that there is no ecological and/or hydrological connection between the application site and the NHA and pNHA.

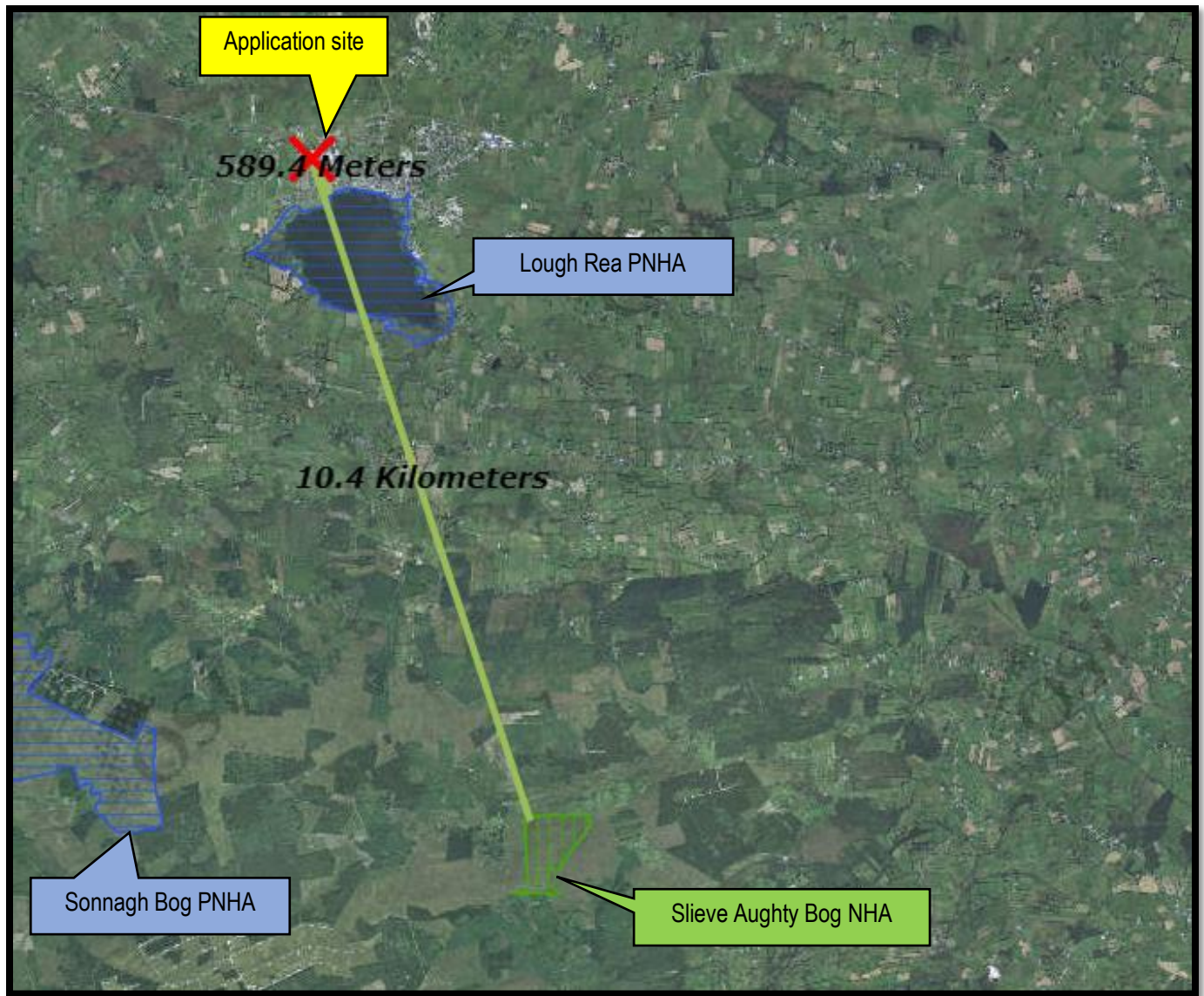


Figure 4: Extract from www.myplan.ie showing location of subject application site relative to NHA's and pNHA's in the wider area.

2.2.7 Ecology

As part of the Ecological Impact Assessment, this confirms that;

- *"The main habitats on site is Amenity GrassLand",*
- *"There are no Third Schedule Invasive species on the site."*
- *"There are no Annexed habitats on site, no rare or protected Flora on site and no signs of mammals." And that;*
- *"The site is considered of Low Local Ecological value ."*

Therefore, the subject site is not ecologically sensitive.

2.2.8 Built Heritage

No recorded archaeological monuments exist on or adjacent to the subject site. No Protected Structure (RPS) exists on site and the subject site is not located within the curtilage of a Protected Structure. There is no structure as listed under

the NIAH directory located on or in close vicinity of the subject site. In addition, the subject site is not located within an Architectural Conservation Area (ACA).

2.2.9 Development Plan Specific Objectives

The Loughrea Local Area Plan 2012-2022 (LAP), is the local statutory land use plan for the area. Under the provisions of the Plan the subject site is principally zoned “*Community Facilities*” or “CF”, with the southwestern corner of the site zoned “*Open Spaces/Recreation and Amenity*” or “OS”. The proposed “Fire Station” would normally be categorised as “*Building for the health, safety & welfare of the Public*”. In this regard it is noted that the Zoning matrix provides that such uses are “*Permitted in principle*” within the “CF” zone and “*Open for consideration*” within the “OS” zone. Therefore, it is considered that the proposed development is consistent with the LAP for the area. Currently, the Statutory Land Use Plan for the area is the Galway County Development Plan 2022-2028 (CDP).

3.0 PROPOSED DEVELOPMENT

The extent of this proposed development is best described in the public notices. The proposed development consists of; “*the construction of a new Fire station building, together with associated training tower, shed, signage, landscaping, parking and yard areas, revised boundary treatments, connections to existing services and all associated site development works.*” at St. Laurencesfields, Loughrea, Co. Galway.

4.0 PRELIMINARY EXAMINATION REVIEW

4.1 GUIDANCE ON ENVIRONMENTAL IMPACT ASSESSMENT SCREENING

Advice on this matter is set out in the recent publication prepared by the Office of the Planning Regulator (OPR) entitled “*OPR Practice Note PN02 – Environmental impact Assessment Screening*” (May 2021). This practice note provides useful information and guidance in relation to the requirement for Environmental Impact Assessment, which aids Planning Authorities as the Competent Authority (CA) in this area.

Section 3.0 of the OPR First Practice note PN02 sets out a “*Step-by-step Approach*” to EIA Screening. This includes;

- Step 1: Understanding the proposal, and,
- Step 2: Preliminary Examination and Conclusion

See Figures 5 & 6 below.



Figure 5: Extract from OPR Guidance showing Step 1 of “Step-by-step approach to EIA Screening for Development Proposals.”

As per Step 1 (a) of the OPR Guidance, the proposed application is a project for the purpose of Environmental Impact Assessment (EIA).

4.2 MANDATORY THRESHOLD ASSESSMENT

As per Step 1(b) of the OPR Guidance, an assessment as to whether a Mandatory EIA is required, needs to be carried out.

Schedule 5 of the Planning & Development Regulations 2001 (As amended) prescribes the classes and scale of development which require EIA.

There is no class set out under Part 1 of Schedule 5 in relation to the provision of “Fire Station”.

Under Part 2 of Schedule 5, Class 10 (b) (i) refers as follows:

“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 proposed development is located on a site size of 0.4213hectares, and therefore is sub- threshold in this regard. Furthermore, although the subject site is located within the statutory urban plan area for Athenry (as set out in the current Loughrea Local Area Plan 2012-2022), the subject site is not located within a business district. As such, owing to the nature of the proposed development, the site size and the location of the site outside of a business district, there is no mandatory EIA threshold met or exceeded under this class.

There is no other development already authorised, executed or in the process of being executed on the subject site, therefore Class 13 (Changes, extensions, development and testing) of Schedule 5 does not apply. Having regard to the above, there is no mandatory requirement for EIA.

Finally, it is noted that class 13 refers to;

“(a) Any change or extension of development already authorised, executed or in the process of being executed (not being a change or extension referred to in Part 1) which would: -

(i) result in the development being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of this Schedule, and

(ii) result in an increase in size greater than –

- 25 per cent, or

- an amount equal to 50 per cent of the appropriate threshold, whichever is the greater.”

In response, there is no other development already authorised, executed or in the process of being executed on the subject site, therefore Class 13 (Changes, extensions, development and testing) of Schedule 5 does not apply. Having regard to the above, there is no mandatory requirement for EIA.

Having regard to the above, the project is not of a class of development in Schedule 5, Parts 1 and 2. Accordingly, there is no mandatory requirement for EIA in this case.

4.3 IS THE PROJECT SUB-THRESHOLD?

As per Step 1(c) of the OPR Guidance, a review as to whether the project is sub-threshold is required, needs to be carried out. As none of the thresholds set out in Step 1(b) have been exceeded, the project is sub-threshold development. As such, Step 1 (c) advises to proceed to Step 2 (explained in Figure 6 below) which requires a Preliminary Examination.

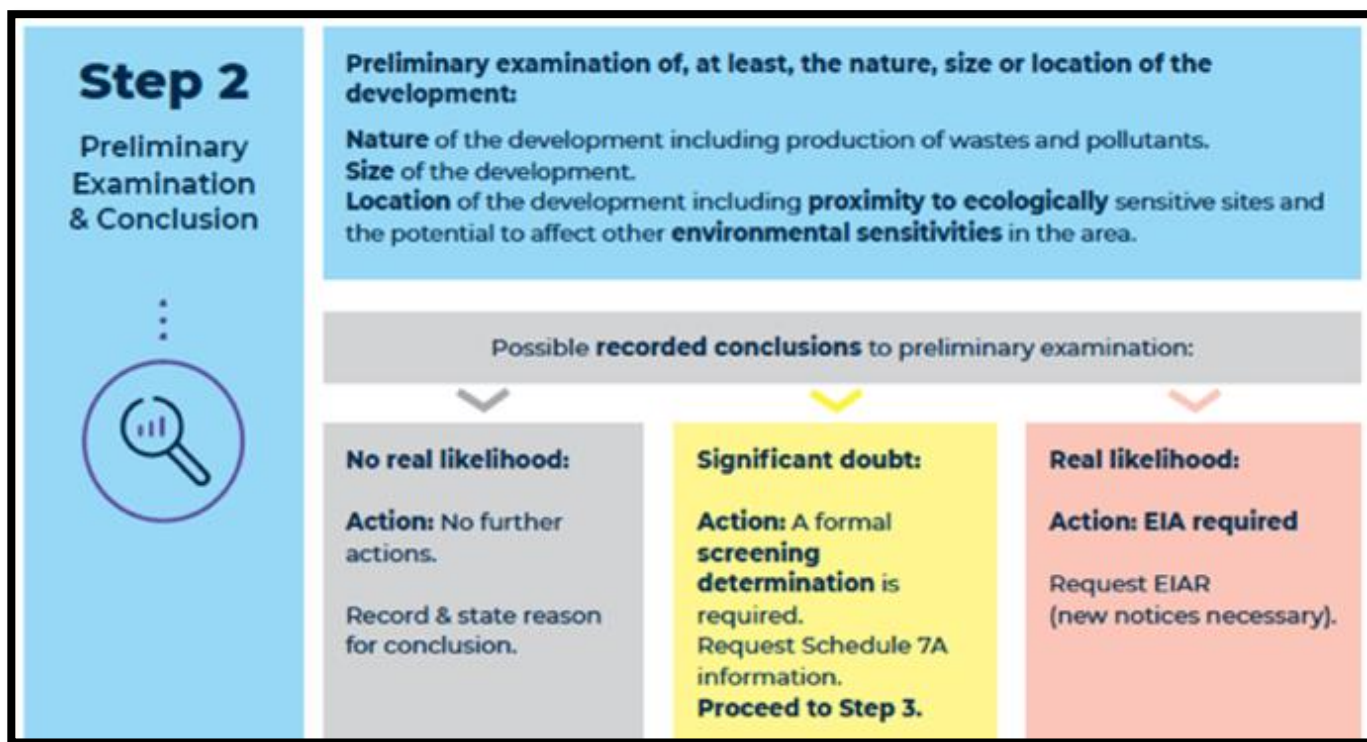


Figure 6: Extract from OPR Guidance showing Step 2 of “Step-by-step approach to EIA Screening for Development Proposals.”

4.4 PRELIMINARY EXAMINATION CONSIDERATIONS

In accordance with the legislation and OPR Guidance³, this section of the report will review at the least, the nature size and location of the development.

4.4.1 Nature of the development

The existing environment of the proposed site is an underutilised greenfield urban site. The topography of the site and the surrounding area is generally flat.

As part of the Ecological Impact Assessment, this confirms that;

- “The main habitats on site is Amenity Grassland”,
- “There are no Third Schedule Invasive species within the site.”

³ This section of the report responds to standard questions set out in Form 2 of the OPR Practice Note PN02.

- “There are no Annexed habitats on site, no rare or protected Flora on site and no signs of mammals.” And that;
- “The site is considered of Low Local Ecological value .”

Therefore, the subject site is not environmentally sensitive.

Table 1: Compliance with “Nature of the Development” criteria set out in Form 2 of the OPR Practice Note PN02, with respect to Preliminary Examination

OPR “Nature of the Development” Criteria	Comment
<p><i>“Is the nature of the proposed development exceptional in the context of the existing environment?”</i></p>	<p>The site of the proposed development is located at a vacant underutilized urban greenfield site within the settlement of Loughrea, bounded by residential buildings directly to the south and east, Loughrea Hotel and Spa to the north. As Such the area is highly developed and the proposed development will not take place in an environmentally sensitive area. Therefore, the proposed development is not considered to be exceptional in the context of the existing environment.</p>
<p><i>“Will the development result in the production of any significant waste, or result in significant emissions or pollutants?”</i></p>	<p>The proposed development seeks to connect to public main water supply, public sewer and public storm water network.</p> <p>The topography of the site is generally flat. Whilst minor levelling works and site drainage works are proposed, large scale excavation works are not required to facilitate the development.</p> <p>In the light of the foregoing, it has been demonstrated that the proposed development will not result in the production of any significant waste, or result in significant waste and pollutions, which would adversely affect the environment.</p>

Owing to the Nature of the proposed development on this site, consisting of a small scale development within the urban area of Loughrea, there is no real likelihood of significant effects on the environment arising from the proposed development.

4.4.2 Size of the development

The site size amounts to c. 0.4213 hectares, to accommodate a Fire Station development. The gross floor area of the proposed development amounts to c. 379.7 sqm

Table 2: Compliance with “Size of the Development” criteria set out in Form 2 of the OPR Practice Note PN02, with respect to Preliminary Examination

OPR “Size of the Development” Criteria	Comment
<i>“Is the size of the proposed development exceptional in the context of the existing environment?”</i>	The site of the proposed housing development located at a vacant underutilised urban greenfield site, within an overall site size of c. 0.4213 ha. The size of the development is not exceptional in the context of the existing built-up urban environment.
<i>“Are there cumulative considerations having regard to other existing and/or permitted projects?”</i>	No. The proposed project will not give rise to significant effects on the environment, and no permitted or proposed projects were identified with which the proposal would give rise to significant cumulative impacts.

Owing to the modest size of the proposed development, within the built-up area of Loughrea there is no real likelihood of significant effects on the environment arising from the proposed development.

4.4.3 Location

The application site currently consists of a serviced and underutilised urban greenfield site, within the built environment and urban envelope of Loughrea.

The subject site is located within the urban envelope of Loughrea town, within the townland of St. Laurencesfields, at the western edge of the settlement. The subject site (c.0.4213ha in size) is located within the 50kmph urban speed limit on the southern edge of the R380, the Athenry road. The site of the proposed development currently consists of an underutilised infill and urban greenfield site (See Figure 1). The subject site is bounded by the Athenry road to the north, with the Loughrea Hotel and Spa located further to the north. The subject lands are bounded by multiple residential development to the south-west, south and east. The topography of the area is generally flat. The site of the proposed development is bounded by a low stone wall to the north, a walkway/cycleway to the east, and post and rail fencing to the west. Furthermore, there are no identifiable hydraulic or ecological connections between the proposed development site and any Environmental Designations in the wider area.

Table 3: Compliance with “Location” criteria set out in Form 2 of the OPR Practice Note PN02, with respect to Preliminary Examination

OPR “Location” Criteria	Comment
<i>“Is the proposed development located on, in, adjoining or does it have the potential to impact on an ecologically sensitive site or location?”</i>	The location of the proposed development is not located on or in an ecologically sensitive location. This is a greenfield site in an urban setting within the built environment of Loughrea. Furthermore, owing to the distance between the subject site and nearest Natura 2000 site (c.600m), the intervening urban environment, and in the absence of identifiable hydraulic and ecological connections therein, it is considered that the proposed development does not have the potential to impact on the Natura 2000 Network. In addition, the subject site is located 10.4km from the nearest Natural Heritage Area, again with no hydraulic or ecological connection identified.
<i>“Does the proposed development have the potential to affect other significant environmental sensitivities in the area?”</i>	<p>The proposed development is accompanied by a Site Specific Flood Risk Assessment. This concludes that the application site is located in flood zone C, and is not at risk of flooding.</p> <p>In this regard, it can be concluded that the proposed development would not have the potential to affect any flood risk environmental sensitivities in the area.</p>

Therefore, owing to the location of the proposed development, and the absence of any identifiable pathways and/or ecological connections to watercourses and/or European sites, there is no real likelihood of significant effects on the environment arising from the proposed development.

Accordingly, a Schedule 7A EIA Screening Determination is not required in this instance.

5.0 PRELIMINARY EXAMINATION CONCLUSION

This Environmental Impact Assessment Preliminary Examination report confirms that the project is not of a class of development in Schedule 5, Parts 1 and 2. Accordingly it does not require mandatory EIA. In addition, having reviewed the nature, size and location of the proposed development, it can be concluded in this Preliminary Examination that there is no real likelihood of significant effects on the environment arising from the proposed development. In these circumstances, neither a Schedule 7A EIA Screening Determination nor an Environmental Impact Assessment Report is required in this case.

APPENDIX A – SITE LAYOUT PLAN

