

# **Environmental Impact Assessment Screening Document**

N17 Milltown to  
Gortnagunned Road  
Realignment





## DOCUMENT DETAILS

Client: **Galway County Council**

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Realignment**

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Screening Document**

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# 1. INTRODUCTION

MKO has been instructed by Galway County Council (GCC) to complete an Environmental Impact Assessment (EIA) screening exercise to accompany a planning application under Part 8 of the Planning and Development Regulations 2001 (as amended) for the proposed road realignment works on the N17 between Milltown and Gortnagunned, Co. Galway.

This EIA Screening exercise was undertaken 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 in Schedule 5 of the Planning and Development Regulations, 2001 as amended (the Regulations). Certain projects, listed in Schedule 5 of the regulations, due to their always having the potential for significant environmental effects, require mandatory EIA. Others, also listed in the Schedule 5 of the regulations, contain threshold levels and for projects that fall below these thresholds it is the decision of the competent authority to decide if an EIA (and the associated Environmental Impact Assessment Report (EIAR) is required.

Whether a 'sub threshold' development should be subject to EIA is determined by the likelihood that the development would result in significant environmental effects. Significant effects may arise due to the nature of the development, its scale or extent and its location in relation to the characteristics of the receiving area, particularly sensitive environments.

This report documents the methodology employed to complete the screening exercise, having regard to relevant legislation and guidance documents. It also sets out a clear rationale for each decision made in the process.

The application is also accompanied by an Ecological Impact Assessment Report (EcIA), Article 6(3) Appropriate Assessment Screening Report (AASR) and a Natura Impact Statement (NIS) all of which has also been prepared by MKO along with various other reports prepared by the project team. This EIA Screening Report is cognisant of the findings of all relevant site and desk studies and are referenced where appropriate in this report.

## 1.1 Statement of Authority

The EIA Screening exercise has been compiled by Owen Cahill (BSc. MSc.) who has over seven years' experience in the environmental consultancy sector. Owen completed an MSc. in Environmental Engineering at Queens University, Belfast in 2010. Owen is full member of IEMA (MIEMA) as well as a Chartered Environmentalist (CEnv). The report was reviewed by Michael Watson (MA, PGeo, CEnv) who has over seventeen years' experience in the environmental consultancy sector. Michael completed an MA in Environmental Management at NUI, Maynooth in 1999. Michael is a professional geologist (PGeo) and full member of IEMA (MIEMA) as well as a Chartered Environmentalist (CEnv).

## 2. DESCRIPTION OF THE PROPOSED DEVELOPMENT

### 2.1 Site Location

Galway County Council is currently planning a 3km (approx.) upgrade of the N17 National Primary Route, between the townlands of Milltown and Gortnagunned, located immediately north-west of Milltown, Co. Galway (grid reference: M 40235 63265).

The project is located along N17 from Milltown to Gortnagunned and consists of both online and offline realignment of the existing road. The scheme commences north at Gortnagunned and extends approximately 3.0km south where it ties in at Milltown.

The realignment will take place in the townlands of Milltown, Cartron, Gortnaloura, Cloonnacross, Drum and Grotnagunned. The project will remove a number of substantially deficient bends on this section of the route and in so doing, will improve aspects such as safety, sight distance, cross sectional width and drainage.

The proposed scheme will tie-in on the Northern end with an existing section of the N17 that has already been upgraded and is of a higher standard and on the Southern end will tie in with the town of Milltown.

The site location of the proposed road works is shown in Figure 2-1.

### 2.2 Development Description

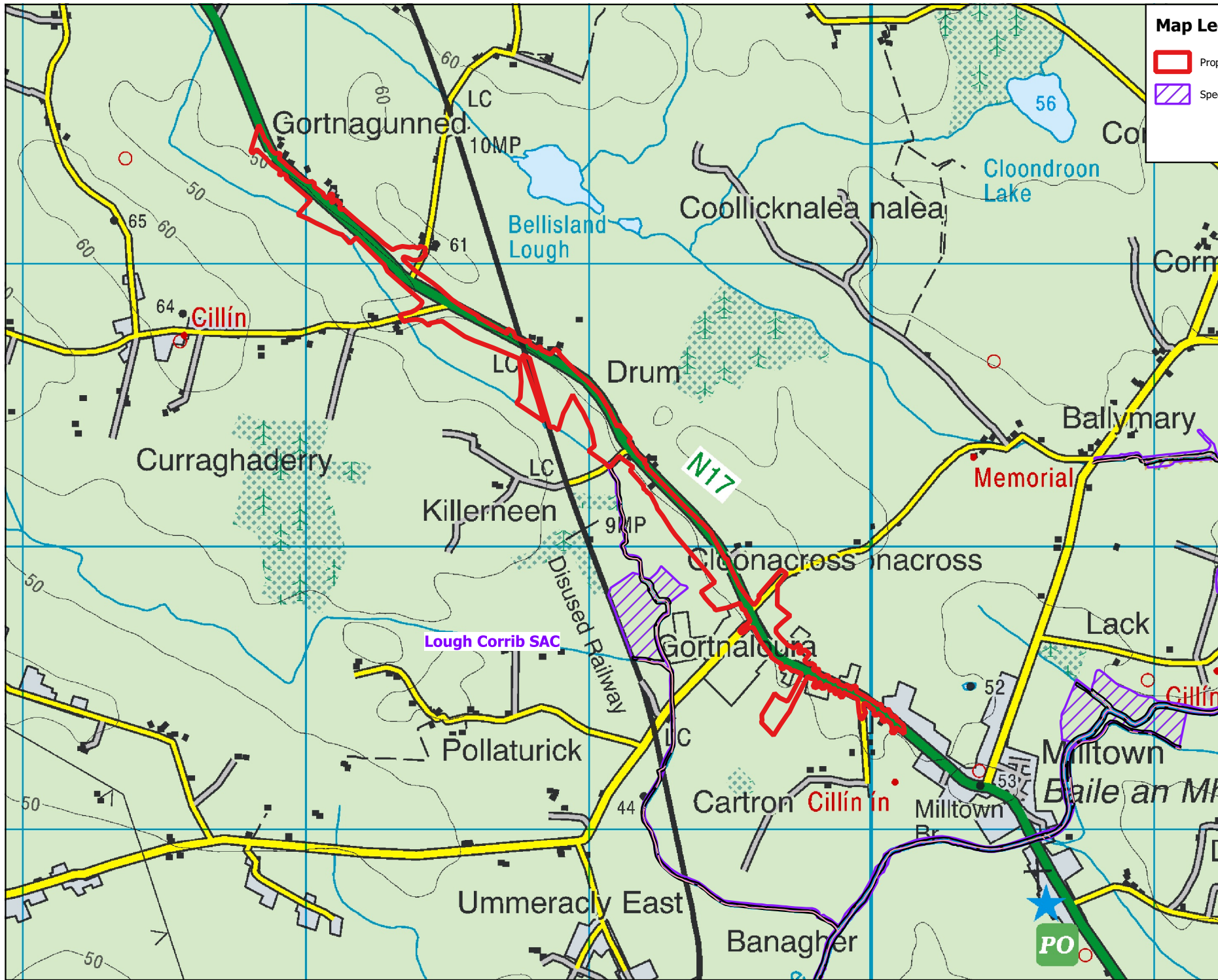
The project will remove a number of substantially deficient bends on this section of the route and in so doing, will improve aspects such as safety, sight distance, cross sectional width and drainage. The road type proposed for the project corresponds to a Type 1 Single Carriageway arrangement. Design drawings are included with the planning application.

The scheme includes the upgrade of 3km of the N17 North of Milltown, Co Galway. The realignment consists of both on-line on off-line construction. The route consists of a Type 1 single carriageway and is designed in accordance with TII TD9. The road will consist of two lanes of 3.65m, a hard shoulder for each carriageway of 2.5m and verges of 3m, this cross section shall extend from Ch + 0 to Ch 2 + 560 of the scheme. Ch 2 + 560 to the end of the scheme is a Single Carriageway Urban Road with footway and cycleway on both sides of the carriageway. The design speeds for the proposed scheme are listed below, which is consistent and designed in accordance with TII DMRB's and DMURS.

- The design speed is 100km CH +0 to CH 2+180
- The design speed is 85km CH 2+180 to CH 2+560
- The design speed is 60km CH 2+560 to CH 2+945

The project will comprise:

- Circa 3km of Realignment to the existing N17 National Primary Route (c. 1550m online and c.1450m offline);
- Junction Improvements including:
  - 7 no. Simple T Junctions, including one Right/Left Staggered T Junction;
  - Circa 0.775km of realignment to the existing local road network (tie-in works);
  - 34 no. Direct Access connections to the National Primary network (including 17 no. agricultural, 17 Residential); Where the new road has been realigned away from the original N17, the number of local access points have been rationalised to provide one



### Map Legend

- Proposed Development Site
- Special Area of Conservation (SAC)



Drawing Title	
Site Location	
Project Title	
GCC N17 Milltown to Gortnagunned	
Drawn By	Checked By
CS	SM
Project No.	Drawing No.
190540	Figure 2.1
Scale: 1:7500	Date
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access point onto the main carriageway from a number of access points. This will improve the safety of the route by reducing the number of possible conflicts.

- Where direct vehicular access to local properties and farmland has to be provided to the realigned road and cannot be mitigated, the minimum SSD will be maintained at all access points, particularly those that agricultural machinery will use.
- It is proposed to provide a footway/cycleway on the Left Hand Side (LHS) from Ch + 0 to Ch 2 + 560, 3m wide with a 2% slope falling towards the carriageway, with a reduced width of 2m from Ch 0 + 120 to Ch 0 + 200. The footway/cycleway is designed in accordance with DN – GEO – 03047 Rural Cycleway Design (Offline). Also, it is proposed to extend the footway/cycleway on both sides of the alignment from an approximate chainage of Ch 2 + 560 to Ch 2 + 945. The footway/cycleway is proposed to be 4.5m wide. This footway/cycleway is then extended on the western side of the alignment and goes offline from Ch 2 + 560 to Ch 2 + 310 utilising the old road corridor providing connectivity to the N17 Store. The footway/cycleway is designed in accordance with TD300/14 of the TII DMRBs.
- The proposed road drainage system will replace the current one where the road run-off is discharging directly to the receiving water courses and groundwater without any pollution control or attenuation. The proposed system will be designed to ensure the speedy removal of surface water in order to provide safe driving conditions and to minimise the impact of runoff on the receiving environment. The preliminary drainage proposals will be developed in accordance with the TII Design Manual for Roads and Bridges and the principles of SuDS (Sustainable Drainage Systems) will be applied throughout. The proposed drainage system includes petrol interceptors and attenuation/sediment ponds, all of which ensure that run off is attenuated and treated before being discharged. This system discharges to a local drainage network which flows south before eventually connecting into the River Clare approximately 1.5 km downstream. The River Clare is included within the Lough Corrib SAC.
- The new scheme intercepts various utility services along its mainline, link roads and side roads. The works required to protect/divert existing services shall be developed further during detailed design. Affected utilities include the following
  - Low and Medium Voltage Electricity Lines
  - Water Supply
  - Telecommunications
  - Irish Rail
- Earthworks operations; Data gained from the ground investigation will be interpreted and utilized during detailed design for the design of the earthworks required in the construction of the scheme. It is expected that the majority of materials required in construction will be imported as it is expected from that there are low volumes of acceptable material available within the site extents. There will be 2 no. Spoil Repository/Borrow Pits. A set back of 25m is provided at the spoil area which is adjacent to the tributary stream of the Clare River.
- As the scheme has sections of work that are both on-line and offline and as such the Contractor shall be responsible to undertake the works in a manner that will cause the least amount of traffic disruption. The haulage of materials to and from the site will create a significant temporary impact to both road users and to residents living this section of the N17. To minimize these impacts, only authorized site access roads, as directed by the Local Authority, will be used by construction vehicles. The construction process will be planned to accommodate existing traffic flows and the daily construction operations adjacent to the scheme.
- The proposed works also include the demolition of five existing building which include residential properties and derelict buildings. The demolition will be undertaken as part of the construction phase of the proposed road realignment works. The demolition works will be completed by means of mechanical excavator with all waste materials managed in accordance with a Construction and Demolition Waste Management Plan which will be prepared in advance of demolition works.

## 2.2.1 Outline Erosion and Sediment Control Plan (OESC)

An Outline Erosion and Sediment Control Plan (OESC), accompanies this application, and has been prepared as a method of water quality preservation to offset potential construction stage pollution impacts from the N17 project to adjacent watercourses including various tributaries of the River Clare which is protected under Lough Corrib SAC (000297).

The Principal mitigation Measures included in the OESC are summarised below:

### General

- The site will be fenced off, prior to works commencing.
- Before earthworks commence on site - drainage, erosion control and sediment control measures will be in place and functioning.
- Silt Fences will be erected in accordance with the manufacturer's recommendations and in compliance with the Design Criteria outlined in CIRIA C648 Control of Water Pollution from Linear Construction Projects:
  - At all sections of road construction where the works are at or above existing ground level
  - Along any other identified surface pathways for sediment laden runoff;
  - Where land drains intersect the site boundary or where the adjacent land falls towards the construction site – temporary cut-off drains will be provided to intercept this clean runoff water and divert to the nearest watercourse. Small check dams will be constructed in these cut-off drains to trap any sediment and prevent erosion. Silt fences will be provided immediately before the outfall to existing watercourses as a precaution and to allow a response time in the event of an emergency. Trapped sediment will be removed regularly from behind the check dams and deposited >25m from any watercourse and reseeded with grass seed or alternatively removed to licenced waste facility.
- All watercourses will be fenced off with double silt fences located at least 10m back from the watercourse bank until such time as the road crossing is constructed.
- All silt fences at watercourse crossings will be inspected on a daily basis and repairs or replacements carried out as required.
- Dewatering and surface water runoff discharges from the construction site will be controlled, collected and routed via appropriate treatment measures. The measures will include appropriately sized settlement ponds as shown in Drawings DR01 to DR04 of the design drawings submitted with the planning application. Each pond will be provided with a double silt curtain at the outfall from the pond and a further double silt fence located before the discharge point. These facilities will be inspected/ maintained at least on a daily basis.
- Check dams and sediment traps shall be placed along constructed drains to reduce the velocity of concentrated runoff.
- Direct connections between the settlement pond outfalls and the watercourse will not be allowed. Instead, the outfall will be allowed to disperse across at least 3m of undisturbed vegetated ground, covered with a coir mesh or similar matting prior to reaching the watercourse;
- Where these ponds cannot be constructed in the dry, then they shall be formed by constructing bunds and placing an appropriate geotextile liner on top. Any/ all materials arising from the construction of the temporary settlement ponds shall be removed offsite to a licensed facility or used elsewhere in the works if deemed appropriate.
- Landscaping of the constructed road will be carried out in stages as the works progress and will commence as soon as is practicable in each of the outfall catchment areas;
- If seeding of cut/fill slopes is not practical, the use of roughened slope surfaces shall be considered by the contractor which will encourage water infiltration, and decrease runoff velocity;
- Silt fencing shall remain in place until ground vegetation has recovered. Any accumulated silt will then be removed and disposed of to a licensed facility.



- Ensure that control measures are correctly installed and adequately sized prior to commencing site clearance and earthworks;
- Develop a maintenance checklist for control measures and inspect controls measures regularly throughout the project, particularly after heavy rainfall;
- Maintain controls through project such as removing sediment in silt traps once half full.
- Where excavated spoil is temporarily stockpiled on site, it will be stockpiled >25m from any watercourse and surrounded by a silt fence.

#### **Earthworks - Cuts and Embankment Excavation**

- The excavation of peat and other soft materials (if required) will be carried out in a manner that minimises the amount of water entering the face of the works. This will be achieved by placing fill in the excavated area as soon as is practicable (generally the same day).
- Where pumping out of the excavation is necessary, this will be carried out using appropriately sized pumps. A clean stone filled perforated pipe (or similar) will be used as a sump for the pump intake. The pumped out water will be directed to the earthworks drainage system and to the settlement pond (or other) treatment system. The outlet from the pump shall be designed so as not to mobilise additional sediment.
- A secondary pump will be kept on site to replace the primary pump in case of operational.

#### **Earthworks - Subsoil Stabilisation**

Subsoil stabilisation is an activity which involves spreading powdered lime evenly over the surface of thin loose lifts (150-350 mm) of the Class U1 material, mixing it with the clay by rotavating, and then allowing the mix to dry or cure over a short period of time prior to compaction. Should this activity be proposed to be used by the contractor, the following controls will be applied:

- The activity shall only be carried out under calm dry metrological conditions. Lime application shall not be exposed to wind and where any risk occurs will be misted/sprayed down immediately;
- The activity will not take place within 100m of any watercourse;
- Following mixing (which should take place generally within 15 minutes of spreading the lime on the surface) the material shall be compacted within 1 hour and appropriately sealed. In no case will this material be allowed to be left unsealed overnight;

#### **Transportation**

- Road cleaning will be carried out at least daily to ensure that there is no build-up of sediment on the public road;
- In the event of a substantial quantity of spoil material being required to be exported offsite then a proprietary mobile truck wheel wash system shall be installed at the relevant locations.

#### **Stockpiles**

- Topsoil stripping over large areas in advance of main excavation works will not be permitted. It will be restricted to the minimum required for efficient earthworks operations and will only be carried out in construction area units where earthworks is on-going.
- Each construction area unit will be topsoiled as the works proceeds thus limiting both the amount and the length of time for which materials have to be stockpiled.
- Stockpiles will not be located within 25m of a watercourse and shall be surrounded with a continuous silt fence.
- Runoff from a stockpile will be collected via a shallow toe drain, located outside the silt fence, which will have check dams at regular intervals and will be designed to have a

retention time of at least 5 hours. Prior to outfall straw wrapped in geotextile bags and inset into the base of the drain by at least 100mm shall be provided followed by a silt fence upstream of the outlet.

- Stockpiles of non-granular materials shall be limited in height to not more than 2.5m.
- Where stockpiling of peat or organic clays is required they shall be limited in height to 1m (with 1V:5H side slopes) or fully contained within an appropriately designed bund.

### **Waterbodies and Sensitive Habitats**

- All works in proximity to watercourses shall follow the best practice guidance outlined in the following documents:
  - TII/NRA ‘Guidelines for the crossing of Watercourses During Construction of National Road Schemes (2008);
  - Inland Fisheries Ireland, Guidelines on Protection of Fisheries During Construction Works in and Adjacent to Waters, 2016;
- Preserve natural vegetation near watercourses and along the perimeter of the site as much as practically possible.
- Leave a 5m grassed strip next to river banks when stripping topsoil or place grassed soil bunds along river banks to prevent site runoff directly entering watercourses.
- Place straw bales or sand bags along the sides of temporary or existing bridges to prevent runoff entering the watercourse.
- These watercourse crossings will be replaced by piped (or box) crossings of at least 900mm diameter;
- The works will be programmed so that where watercourses are dry for a portion of the year then the crossing will be constructed “in the dry” during that period.
- Crossings in wet watercourses will be provided with a silt trap and a sediment immediately downstream of the crossing point.
- The silt trap shall be left in place for at least 6 weeks following completion of the work and shall be inspected and maintained at least 3 times per week.
- The area of disturbance of the watercourse bed and bank shall be the absolute minimum required for the installation of the crossing.
- Only precast Concrete pipes/ units will be used in the installation of these crossings.
- Where some of these minor watercourses require diversion, cut-off drains will be constructed to divert water away from the construction site. Small check dams will be constructed in these cut-off drains to trap any sediment and silt fences will be provided immediately before the outfall to existing watercourses.

### **Concrete Works**

Where the use of concrete near and in watercourses cannot be avoided the following control measures will be employed:

- Hydrophilic grout and quick-setting mixes or rapid hardener additives shall be used to promote the early set of concrete surfaces exposed to water.
- When working in or near the surface water and the application of in-situ materials cannot be avoided, the use of alternative materials such as biodegradable shutter oils shall be used.
- There will be no hosing into surface water drains of spills of concrete, cement, grout or similar materials. Such spills shall be contained immediately and runoff prevented from entering the watercourse.
- Concrete waste shall be disposed of in accordance with the site specific Construction & Demolition Waste Management Plan;
  - Concrete waste will be contained and managed on site to prevent pollution of all surface watercourses;
  - On- site concrete batching and mixing activities shall only be permitted following a considered site selection process which shall consider the

contents of this plan. Site Selection shall require the approval of the Clients Representative, the NPWS and the IFI;

- Washout from concrete lorries, with the exception of the chute, will not be permitted on site and will only take place at the batching plant (or other appropriate facility designated by the manufacturer);

### **Construction Compounds**

- Construction compounds shall be located on dry land and set back a minimum of 25m from lakes, river and stream channels, ecological sensitive areas (internationally and nationally important habitats, wet areas such as wetland habitats, marshes and fens, etc.) and away from potential floodplain areas.
- Construction compounds shall not be located in European Sites or within 50m of the boundary of same.
- Construction compounds shall not be located within other designated environmental sites or other ecologically sensitive sites.
- The storage of fuels, other hydrocarbons, and other chemicals within the construction compounds will not be permitted within 30m of any sensitive watercourse.
- Surface runoff from compounds will be minimised by ensuring that the paved/ impervious area is minimised. All surface water runoff will be intercepted and directed to appropriate treatment systems for the removal of pollutants prior to discharge
- All site compounds will be fenced off and a silt fence erected and maintained on the site boundary.
- Wastewater drainage from all site offices and construction facilities will be contained and disposed of in an appropriate manner to prevent water pollution and in accordance with the relevant statutory requirements.

The storage of fuels, other hydrocarbons and other chemicals within the construction compounds shall be in accordance with relevant legislation and with best practice. In particular:

- All fuel/ Hydrocarbon/ Chemical (fluid) storage areas shall be bunded to 110% of storage capacity.
- Storage of these materials within a compound shall be organised so as to be as far away from all water bodies as is practicable.
- The Emergency Response Plan shall include arrangements for dealing with accidental spillage and relevant staff shall be trained in these procedures.

### **Environmental Monitoring**

- The contractor will assign a member of the site staff as the environmental officer with the responsibility for ensuring the environmental measures prescribed in this document are adhered to. Any environmental incidents or non-compliance issues will immediately be reported to the project team.
- An Environmental Manager, Environmental Clerk of Works (ECoW) and suitably qualified Project Ecologist will be appointed by the contractor to monitor the construction work.
- Prior to the commencement of works the Environmental Manager, Environmental Clerk of Works (ECoW) and Project Ecologist shall provide a Toolbox Talk to all operatives on site, making them aware of any environmental ecological sensitivities.
- A pre-commencement otter survey and invasive species survey will be undertaken by the Project Ecologist.

### 3. ENVIRONMENTAL IMPACT ASSESSMENT SCREENING EXERCISE

#### 3.1 Relevant Environment Impact Assessment Legislation

Environmental Impact Assessment (EIA) requirements derive from Council Directive 85/337/EEC (as amended by Directives 97/11/EC, 2003/35/EC and 2009/31/EC) and as codified and replaced by Directive 2011/92/EU of the European Parliament and the Council on the assessment of the effects of certain public and private projects on the environment and as amended in turn by Directive 2014/52/EU.

The consolidated European Union Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (the 'EIA Directive'), was transposed into Irish planning legislation by the Planning and Development Acts 2000 to 2018 and the Planning and Development Regulations 2001 to 2018 (the 'Regulations'). The EIA Directive was amended by Directive 2014/52/EU (the 'amended Directive') which has been transposed into Irish law with the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018). As of the 1st of January 2019, the new regulations come into operation.

The new legislation requires screening to be undertaken to determine whether or not specified public or private developments are likely to have significant effects on the environment and, as such, require EIA to be carried out prior to a decision on a development consent application being made.

#### 3.2 Methodology

Screening is a process used to establish whether an EIA is required for a proposed development. There are a number of steps in the screening process.

The mandatory requirement for an EIA is generally based on the nature or scale of a proposed development, as set out in Annex I and II of the amended Directive. This identifies certain types and scales of development, generally based on thresholds of scale, for which EIA is mandatory. In the case of a sub-threshold development proposed by a local authority, the authority is required to carry out a preliminary examination of, at the least, the nature, size or location of the development. Where 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 of the Planning and Development Regulations 2001 for the purposes of a screening determination.

The European Commission (2017) have published a *Guidance on Screening* document (Directive 2011/92/EU as amended 2014/52/EU) which summarises the need for an EIA based on specific measures and/or limits, according to predefined criteria such as the projects characteristics, location and/or certain project features such as a projects potential impacts.

In addition, there is sometimes a requirement for EIA 'sub-threshold' developments and, in this respect, it may be necessary to undertake a screening exercise to assess whether the proposed development requires the preparation of an EIAR.

A methodology was developed to formally screen the proposed development, which was based on Environmental Impact Assessment (EIA), *Guidance for Consent Authorities regarding Sub-threshold Development* (EPA, 2003) and the recent 2017 guidance issued by the EU. The screening exercise is divided into a section on Mandatory EIA and another on Sub-threshold or Discretionary EIA. In each

section below a screening matrix is presented which examines the requirement for EIA according to the criteria set out in the relevant legislation. The rationale behind the responses within the matrix is provided at the end of each section.

### 3.3 Mandatory Environment Impact Assessment

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

*“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:*

*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

*(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.”*

Under the provisions Article 120 of the Planning and Development Regulations 2001 “Sub-threshold EIAR”, where a local authority proposes to carry out sub-threshold development, the authority proposing shall carry out a preliminary examination of, at least the size or location of the development. The obligations with regard sub-threshold are outlined in Section 3.4 below.

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.

There is no class set out under Schedule 5 in relation to the provision of realignment or upgrade to an existing road.

Under the provisions of Schedule 5, the closest type of project to the subject development is for the provision of “*all private roads which would exceed 2,000 metres in length*”, as per Item 10 (a)(dd) of the Schedule.

The proposed development is an upgrade of an existing public road and not the construction of a new private road and therefore is not subject to EIA.

Under Schedule 5, Part 2, Item 11(b), EIA is required for *installations for the disposal of waste with an annual intake greater than 25,000 tonnes*. It is not proposed that the annual intake of waste (spoil material) at the spoil areas will exceed this threshold and therefore EIA is not required.

Under Schedule 5, Part 2, Item 14, EIA is required Works of demolition carried out in order to facilitate a project listed in Part 1 or Part 2 of this Schedule where such works would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7. The proposed development is not deemed to be a development listed in Part 1 or Part 2 and therefore EIA is not required. However, for completeness an evaluation of the Schedule 7 criteria is provided in Section below.

In addition, Section 50 of the Roads Act, 1993 to 2007 (as amended) and Article 8 of the Roads Regulations, 1994 outline the legislative requirements that determine whether an EIA is mandatory for a proposed road development.

Section 50 (1) (a) of the Roads Act, 1993 as substituted by Section. 9(1)(d)(i) of the Roads Act, 2007

*A road authority or the Authority shall prepare a statement of the likely effects on the environment ('environmental impact statement') of any proposed road development it proposes consisting of—*

*(i) the construction of a motorway,*

*(ii) the construction of a busway,*

*(iii) the construction of a service area, or*

*(iv) any prescribed type of proposed road development consisting of the construction of a proposed public road or the improvement of an existing public road.”*

Article 8 of S.I. No. 119/1994 Roads Regulations, 1994 (The prescribed types of proposed road development for the purpose of subsection (1)(a)(iv) of Section 50 of the Roads Act, 1993 to 2007 (as amended)).

- (a) The construction of a new road of four or more lanes, or the realignment or widening of an existing road so as to provide four or more lanes, where such new, realigned or widened road would be eight kilometres or more in length in a rural area, or 500 metres or more in length in an urban area*
- (b) The construction of a new bridge or tunnel which would be 100 metres or more in length*

The proposed development is an upgrade to the existing public road and does not trigger the requirement for mandatory EIA under Section 50 of the Roads Act, 1993 to 2007 (as amended) and Article 8 of the Roads Regulations, 1994.

### 3.4

## Projects Considered for the Cumulative Assessment

The proposed development was considered in combination with other projects in the area that could result in cumulative effects on the environment. The online planning system for Galway County Council, was consulted on the 17/11/2020.

The projects identified in the area include;

- Permission for a) Retention of commercial kitchen over open basement to rear of existing restaurant b) Retention of ground floor residential extension to rear of existing dwelling (Previously exempted development) c) Permission to construct single storey residential extension to side of existing dwelling d) permission to construct first floor residential extension to rear of existing dwelling e) Re-positioning & Widening of existing vehicular entrance to rear garden to accommodate c) above f) Permission to construct canopy/covered smoking area to front of existing bar/Restaurant. Gross floor space of proposed works Residential 71sqm, Gross floor space of work to be retained Commercial 57sqm, Residential 33sqm (planning reference: 171196).
- Permission for development at the Bar/Retail & residential premises and adjacent yard formerly known as Glynn's Milltown. The development will consist of: The renovation and alteration of the existing building and yard such that they will provide 7 no. 2 bed town houses, parking for 7 cars along with all necessary siteworks and services. (Gross floor space of existing buildings: 772 sqm., gross floor space of demolition works: 144 sqm.) (planning reference: 17552).
- Permission to demolish existing dwelling house, and permission to construct a dwelling house and a garage with treatment plant and percolation area (gross floor space demolish 58.2sqm house 253.2sqm garage 60sqm) (Planning reference: 1123).
- Permission to construct a dwellinghouse, domestic garage and all ancillary site works and services (gross floor space 271.1sqm; garage 47.4sqm) (Planning reference:1566).
- Permission for the construction of 4 two-storey detached dwelling houses and associated domestic garages and a nursing home development, comprised as follows: (1) The provision of a two-storey residential nursing home to HIQA standards containing 55 en-suite bedrooms (Planning reference: 151268).
- Permission to (a) construct new spectator stand with storage to the rear and (b) construct a new gym (gross floor space (a) 201sqm; (b) 80sqm) (planning reference: 121188).
- Permission for the construction of a serviced dwelling with domestic garage and effluent treatment system (375sqm house, 60sqm garage) (planning reference: 121035).
- Permission for the construction of a dwelling house, domestic garage and for all ancillary site works and services. Gross floor space of proposed works 138.3sqm (planning reference: 171566).
- Permission to construct a workshop repair garage including office accommodation & pump house, together with all ancillary site works and services (gross floor space 900.1sqm) (planning reference: 16610).
- Permission to construct serviced dwelling house. Gross floor space of proposed works: 230 sqm. (Planning reference: 191078).
- Permission to construct domestic garage with all necessary site works (gross floor space 97.21sqm) (planning reference: 151402).
- Permission to construct a new serviced dwelling house with proprietary treatment plant and domestic garage together with all ancillary site development works (previous planning reference number 08/1881) (Gross floor area House 270 sqm Garage 53 sqm). (Planning reference: 1434)
- Permission for an private house changes include a) garage converted to gym &/boiler house with chimney, garage door replaced with sliding glass doors and larger window to the front elevation of the garage also additional window on side wall of garage, b) conversion of attic to storage/study space with velux roof window on rear of roof also walk in attic space, c) porch to front of house, d) additional internal ensuite bathroom, e) some windows style and sizes changed, f) retention also for outbuildings including garden tool store, garage, closed fuel store and open fuel store (Planning reference: 19792).
- Retention permission for sub division of commercial unit (1 unit into 2 units) as previously granted planning permission under 06/508, all as per drawing documentation submitted together with all ancillary site works and services. (Planning reference 2081)
- Permission for the construction of a dwelling house, garage, wastewater treatment system and all ancillary works. Gross floor space of proposed works: House - 236.7 sqm, Garage - 41.25 sqm (Planning reference: 191652)

Given the nature of the developments i.e. residential units, commercial units and recreational facilities, the potential for ongoing environmental effects and associated potential cumulative effects with the currently proposed development are not significant.

### 3.5 Sub-threshold Development

Section 172 of the Planning & Development Act 2000, as amended, also sets out the basis for EIA for developments which may not be of a scale included in Schedule 5 of the Planning & Development Regulations 2001, as amended. This allows a consenting authority to require EIA where it is of the opinion that a development (although sub-threshold) is likely to have significant effects on the environment and therefore should be subject to EIA. In this context, the consideration of 'significant effect' should not be determined by reference to size only and the nature and location of a project must also be taken into account.

It is considered that the type of project subject to EIA remains those listed in Schedule 5 of the Planning & Development Regulations 2001, as amended. The proposed road realignment, as outlined in Section 2 above, is not a project type listed in either Part 1 or Part 2 of Schedule 5 of the Planning & Development Regulations 2001, as amended and therefore does not constitute a 'Project' that falls beneath any of the specified thresholds in Part 2.

As the proposed development is not a 'Project' listed in Part 1 or Part 2 of Schedule 5 of the Planning & Development Regulations 2001, as amended, EIA is not required.

Item 15 of Schedule 5 Part 2 provides for EIA/EIAR for developments under or with no relevant threshold, where the works would be likely to have significant effects on the environment. This states the following:

*“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.”*

Therefore, an evaluation of the Schedule 7 criteria is provided below in the interests of completeness.

### 3.6 Sub-threshold Assessment

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 'significant effects on the environment'. The criteria have been transposed in full into Irish legislation, in the Third Schedule to the EC EIA (Amendment) Regulations 1999 (S.I. No. 93 of 1999) and in Schedule 7 to the Planning and Development Regulations 2001 (S.I. No. 600 of 2001) as amended.

Article 120 of the Planning and Development Regulations 2001 "Sub-threshold EIAR" requires a local authority proposing to carry out a sub-threshold development carry out a preliminary examination of, at least the size or location of the development. Where 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.

Schedule 7A of the Planning and Development Regulations 2001, as amended sets out the information to be provided by the applicant or developer for the purposes of screening sub-threshold development for environmental impact assessment.

- 1) A description of the proposed development, including in particular—



- (a) a description of the physical characteristics of the whole proposed development and, where relevant, of demolition works, and
  - (b) a description of the location of the proposed development, with particular regard to the environmental sensitivity of geographical areas likely to be affected.
- 2) A description of the aspects of the environment likely to be significantly affected by the proposed development.
  - 3) A description of any likely significant effects, to the extent of the information available on such effects, of the proposed development on the environment resulting from—
    - (a) the expected residues and emissions and the production of waste, where relevant, and
    - (b) the use of natural resources, in particular soil, land, water and biodiversity.

The information required by the Schedule 7A has been set out in Section 2 of this EIA Screening Report as well as within the assessment of the criteria set out on Schedule 7 which provides the description and assessment of any likely significant effects from the proposed development.

The Schedule 7 criteria are grouped under three headings as follows:

- 1) *Characteristics of the Proposed Development*
- 2) *Location of Proposed Development*
- 3) *Characteristics of Potential Impacts*

Each of the above groupings includes a number of criteria for consideration. The assessment of the likelihood of significant environmental effects is based on the overall consideration of all criteria and requires clear and rational judgment. The DoEHLG Guidance Document ‘Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-Threshold Development’ states that

*‘those responsible for making the decision must exercise their best professional judgment, taking account of considerations such as the nature and size of the proposed development, the environmental sensitivity of the area and the nature of the potential effects of the development. In general, it is not intended that special studies or technical evaluations will be necessary for the purpose of making a decision.’*

The Schedule 7 criteria to be reviewed are discussed in more detail, with reference to the proposed development, in the following subsections. The screening questions are based on the criteria listed under each grouped heading in Schedule 7.

In addition, the likelihood of the project having significant effects on the environment has been assessed under the criteria set out in Annex III of the amended Directive and the checklist of criteria set out European Commission (2017) *Guidance on Screening* document.

3.6.1

## Characteristics of the Proposed Development

Table 3-1 Characteristics of the Proposed Development

Characteristics of the Proposed Development – Screening Questions	Comment
Could the scale of the proposed works be considered significant?	No. The geographic extent of the proposed works are largely confined to the immediate area, with the size of the proposed route is relatively modest in comparison to the existing road network. Accordingly, there is no impact associated with the operational phase. The active works area comprises the existing road which will be excavated and re-finished in the new design. This scale of works is not considered significant.
Considered cumulatively with other adjacent proposed developments, would the size of the proposed works be considered significant?	No. The proposed works have been assessed cumulatively by MKO within this Environmental Impact Assessment (EIA) Screening Report and within the Appropriate Assessment Screening Report (AASR) and Natura Impact Statement (NIS) and concludes that there is no potential for impact on EU Designated Sites in combination with other plans and projects.
Is the nature of the proposed works significant?	No. The proposed road realignment works will be carried out in generally on-line within the existing road with some works concentrated off-line as part of the road corridor improvement. The project design and appropriate mitigation will ensure that any potential for significant impacts are either eliminated or reduced to low risk.
Will the proposed works utilise a significant quantity of natural resources?	No. The proposed works will reuse excavated materials in the reinstatement of the road verges where possible. Imported stone material will be used as part of the road realignment the quantities of which are not considered significant when considering the scale of the proposal.
Will the proposed works produce a significant quantity of waste?	No. The proposed works will reuse excavated materials in the reinstatement of the road verge where appropriate. Waste where it arises, will be dealt with through a suitably licensed contractor and sent to appropriately permitted waste facilities.  The demolition of existing building will be completed in accordance with a Construction and Demolition Waste Management Plan which will ensure appropriate re-use and recycling opportunities for the material generated by the demolition are utilised.
Will the proposed works create a significant amount or type of pollution?	No. No significant water or air borne pollution are envisaged as a result of the proposed works.  The proposed development is not a recognised emitter of greenhouse gases with the potential to effect climate change. Plant and equipment utilised during construction will use fossil fuels, but the potential impact associated with this is immaterial due to the short-term scale of the works.
Will the proposed works create a significant amount of nuisance?	No. Limited short-term disruption may arise during the proposed construction process, but this will not be significantly different to routine road maintenance works.

Characteristics of the Proposed Development – Screening Questions	Comment
Will there be a risk of accidents, having regard to substances or technologies used?	No. The proposed works and construction methods to be used are well established and will be subject to contractor’s safety statements and risk assessments.
Would any combination of the above factors be considered likely to have significant effects on the environment?	No. See Reasoning section below.

### Conclusions

It is concluded that the nature of the proposed development is not considered to have likely significant effects on the environment.

### Reasoning

The scale of the proposed works, when viewed individually and cumulatively, is small and not a project which could be considered likely to have significant effects on the environment when assessed against the criteria set out in Schedule 5, Part 2, Item 15 for projects which may require EIA.

The proposed works will involve an existing public road which will be realigned. The upgrade will consist of excavation works on and adjacent to the N17 in order to improve aspects of the road corridor such as safety, sight distance, cross sectional width and drainage.

Any waste arising on site will be taken from the site for reuse or disposal, subject to normal statutory controls. Any noise and nuisance associated with the proposed works will be short term and subject to appropriate best practice procedures.

## 3.6.2 Location of the Proposed Development

Table 3-2 Location of the Proposed Development Matrix

Location of the Proposed Development – Screening Questions	Comment
Have the proposed works the potential to impact directly or indirectly on any site designated for conservation interest (e.g. SAC, SPA, pNHA)?	<p>A detailed Article 6(3) Appropriate Assessment and Natura Impact Statement (NIS) has been completed for the proposed development. The Appropriate Assessment Screening Report and Natura Impact Statement has also concluded that <i>“the proposed development, by itself or in combination with other plans and projects, in light of best scientific knowledge in the field, will not, in view of the sites’ conservation objectives, have significant effects on any European Site”</i></p> <p>The nearest European Site to the proposed development works is the Lough Corrib SAC which is located adjacent to the site.</p> <p>The NIS concluded that <i>“in view of best scientific knowledge, on the basis of objective information that the</i></p>

Location of the Proposed Development – Screening Questions	Comment
	<i>Proposed Development will not adversely affect the Qualifying Interests/Special Conservation Interests associated with Lough Corrib SAC or Lough Corrib SPA”</i>
Has the proposed development the potential to impact directly or indirectly on any habitats listed as Annex I in the EU Habitats Directive?	No. The EcIA, AASR and NIS includes detailed site-specific habitat assessment and confirms that:  <i>Annex I habitats were not recorded within or adjacent to the development site boundary</i>
Has the proposed development the potential to impact directly or indirectly on any habitats listed as Priority Annex I in the EU Habitats Directive?	No. The works will be completed generally within the road corridor and no Annex 1 species will be affected.
Has the proposed development the potential to impact directly or indirectly on any species listed as Annex II in the EU Habitats Directive?	No. The EcIA, AASR and NIS includes detailed site-specific information and confirms that Annex II species will not be impacted by the proposed works.
Has the proposed development the potential to impact directly or indirectly on any species listed as Annex IV in the EU Habitats Directive?	No. The EcIA, AASR and NIS includes detailed site-specific information and confirms that Annex IV species will not be impacted by the proposed works.
Has the proposed development the potential to impact directly or indirectly on any species listed as Annex I of the EU Birds Directive?	No. The EcIA, AASR and NIS includes detailed site-specific information and confirms that Annex I bird species will not be impacted by the proposed works.
Has the proposed development the potential to impact directly or indirectly on the breeding places of any species protected under the Wildlife Act?	No. The EcIA, AASR and NIS includes detailed site-specific information and confirms that Annex I bird species will not be impacted by the proposed works.
Has the proposed development the potential to impact directly or indirectly on existing land use?	No. The proposed works will be restricted to the existing road and localised areas adjacent which are not considered significant. Additional areas of land will be utilised for temporary works and will be reinstated after construction
Has the proposed development the potential to impact directly or indirectly on any protected structures or Recorded Monuments and Places of Archaeological Interest?	No. A route options appraisals by Jerry O’Sullivan, TII Archaeologist reported three Recorded Monuments in the study area none of which would be affected by any of the three route options assessed by that report.  No newly identified archaeological sites or monuments were identified in the study area by desk study or by field inspection.
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?	No. The proposed upgrade will comprise the realignment of the existing road corridor. The site is not located in an area which is listed as a scenic view in the Galway County Development Plan 2015 – 2021. The nearest scenic view is located 12km south of the site at Tuam.

## Conclusion

It can be concluded that there will be no significant direct or indirect impacts by virtue of the location of the proposed development on the receiving environment.

## Reasoning

The European Communities (Natural Habitats) Regulations, 1997 requires that an Article 6(3) assessment be carried out where it is considered that a development is likely to have a significant effect on Natura 2000 sites (SAC/SPA). In this regard an Appropriate Assessment Screening Report (AASR) and a Natura Impact Statement (NIS) has been completed for the proposed works. This report concludes there will be no possibility of significant effects on the reasons for designation of this European site in view of the relevant conservation objectives. There will be no impacts on any other designated sites as a result of the proposed development.

Indirect impacts, which may potentially affect any other designated sites have been discounted provided the proposed construction methodologies are employed during the proposed works. The risk of any significant negative impacts on any Natura 2000 site can be excluded.

The AASR and NIS shows that no sensitive habitats considered to qualify as Annex I habitats under the EU Habitats Directive will be affected by the proposed development. No EU Habitats Directive Annex II species will be affected by the proposed development. In terms of land use, the proposed development will be confined to the existing road corridor and locals areas adjacent on which it is proposed. There will be no significant impact on land use.

The natural environment within the proposed site can accommodate the development without significant impact.

### 3.6.3 Characteristics of Potential Impacts

A further screening exercise was completed to assess the most significant potential impacts, as outlined in Table 3-3 below. These are the sections that would be covered in any EIA as specified in the EU Directive 85/337/EEC (as amended by Directive 97/11/EC).

Table 3-3 Significance of Impact According to Theme (as in EIA)

EIA Section	Brief Assessment of Impacts
Human Beings, Population and Human Health	The potential impacts are not considered to be significant. During construction there is the potential for temporary minor impacts related to traffic inconvenience, dust and noise. The active works area will be limited so potential impacts will be restricted in their geographic extent as well as their duration.
Biodiversity, Flora & Fauna	No flora and fauna of ecological significance or sensitivity were recorded on the site. Designated sites in the vicinity will not be impacted upon as set out in the Appropriate Assessment Screening and Natura Impact Statement prepared.
Soils & Geology	Imperceptible impact, the development will be carried out in accordance with the environmentally sensitive construction methods and environmental management systems. Excavated soils and subsoils will be reused as part of site reinstatement and landscaping or dealt with in an appropriate manner.
Water	No natural watercourses will be traversed by the development and no instream work will take place. The construction phase will be carried out in accordance with detailed methodologies and mitigation proposals to ensure that potential impacts on water are

EIA Section	Brief Assessment of Impacts
	<p>either eliminated or reduced to low levels. Potential impacts on water quality are considered to be imperceptible.</p> <p>A Hydrological Impact Assessment was undertaken by Hydro Environmental Ltd. which concluded that preliminary Flood Risk Assessment mapping shows the proposed road development to be out of the high and medium flood risk zones</p> <p>The assessment also concluded that the impact on hydrogeology and underlying regionally important karst conduit flow aquifer will be imperceptible both during construction and operation phases. There will be minimal impact of the Drum stream and the much larger Clare River and therefore the potential impact from the proposed road development will be imperceptible.</p> <p>the risk of flooding as a result of the construction of the WwTP, dual function overflow and primary discharge point is low. There will be no residential or commercial properties at risk of flooding because of the construction of the proposed WwTP.</p> <p>Storm water from the WWTP site itself will be managed with the treatment system proposed as part of the overall development.</p>
Air & Climate	<p>Potential short-term low probability impact on air quality in particular dust emissions during construction activities however this will be managed through best practice measures. The proposed development is not a recognised emitter of greenhouse gases with the potential to effect climate change. Plant and equipment utilised during construction and as part of the operational phase will use fossil fuels, but the potential impact associated with this is immaterial due to the short-term scale of the works.</p> <p>No significant impact anticipated.</p>
Noise & Vibration	<p>Potential short-term noise impact during construction activities however this will be managed through best practice measures. No significant impact anticipated.</p>
Landscape	<p>No significant impact. The subject works relate to the provision of a realignment of an existing road</p>
Material Assets	<p>Potential short-term low probability impact. During construction there is the potential for temporary minor impacts related to traffic inconvenience.</p>
Cultural Heritage	<p>No impact on protected structures or archaeological features.</p>
Interaction of Foregoing	<p>No impact.</p>

Table 3-4 Characteristics of the Potential Impacts Matrix

Characteristics of Potential Impacts – Screening Questions	Comment
Would a large geographical area be impacted as a result of the proposed development?	No. The geographic extent of the proposed works are largely confined to the immediate area. Accordingly, there is no impact associated with the operational phase as the road will continue as per its current use prior to any proposed realignment.
Would a large population of people be affected as a result of the proposed development?	No. The proposed development is not located in a heavily or densely populated area.
Are any transboundary impacts likely to arise as a result of the proposed development?	No. The proposed road realignment will be confined to the existing public road and some localised areas adjacent which will form the new road corridor
Would the magnitude of impacts associated with the proposed development be considered significant?	No. All impacts on areas of ecological sensitivity will be minimised by the implementation of appropriate mitigation. Full details of the ecology of the site is presented in the AASR and NIS that has been prepared. The proposed works will be carried out in line with environmentally sensitive construction methodologies therefore no significant impacts will arise.
In considering the various aspects of the environment, would the impacts of the proposed development be considered complex?	No. All impacts on areas of general environmental sensitivity will be minimised to insignificance and therefore any interactions between sensitive receptors such as water quality and aquatic ecology and noise or air pollution, are not anticipated to be complex.
Is there a high probability that the effects will occur?	Whilst temporary impacts relating to construction activities are likely to occur, best practice measures will result in any impacts being insignificant.
Will the effects continue for a long time?	No. Any effects are only associated with the temporary construction period which will be temporary and short term.
Will the effects be permanent rather than temporary?	The potential effects during construction are considered temporary, with no operational phase effects anticipated.
Will the impacts be irreversible?	No. The proposed development will remain a permanent part of the local public road network
Will it be difficult to avoid, or reduce or repair or compensate for the effects?	The construction process will avoid any significant effects of the proposed development through the implementation of standard best practice construction methodologies.

### Conclusions:

It is concluded that, the characteristics of the potential impacts are not considered significant. There are no long-term negative impacts. Whilst temporary noise levels and disturbance are typical of any construction phase, any potential impact on sensitive receptors will be short term and effectively managed through best practice measures. No impact interactions have been identified and it is considered that any minor impacts will be avoided through the implementation of best working practices. No likely significant long-term or permanent negative environmental impacts have been identified in the course of the screening process.

Reasoning:

An AASR and NIS has been prepared which demonstrates that the proposal will not impact on designated sites. The potential for any direct or indirect impact on habitats is low and the likelihood of any significant effects occurring as a result of the works can be excluded.



## 4. CONCLUSIONS AND RECOMMENDATIONS

A summary of conclusions is presented as follows:

The proposed works are not a development for which EIA is mandatory. It is also considered that the proposed development is not a sub-threshold development that requires an EIA however it was assessed against the relevant criteria and is considered unlikely to have '*significant effects on the environment*'.

Schedule 5 of the Planning & Development Regulations 2001 makes no reference to upgrade of existing roads but explicitly requires EIA for the provision of private roads which exceed 2,000 metres in length for which the proposed road upgrade does not fall within as it is an upgrade of an existing public road.

Under Schedule 5, Part 2, Item 11(b), EIA is required for installations for the disposal of waste with an annual intake greater than 25,000 tonnes. It is not proposed that the annual intake of waste (spoil material) at the spoil areas will exceed this threshold and therefore EIA is not required.

The proposed development is an upgrade to the existing public road and does not trigger the requirement for mandatory EIA under Section 50 of the Roads Act, 1993 to 2007 (as amended) and Article 8 of the Roads Regulations, 1994

An EIA Screening exercise was however carried out to determine the potential for the proposed development to have significant environmental effects or not. This exercise has been informed by a site visit and the Ecological Impact Assessment Report and the Natura Impact Statement prepared for the proposed development.

The **nature** or **characteristics of the proposed development** are not considered likely to have significant effects on the environment. The geographic extent of the final upgraded road is small and there will be no significant impacts during the operational phase.

All works will be carried out within or adjacent to the existing public road corridor.

The proposed works have been reviewed in the Ecological Impact Assessment Report and the Natura Impact Statement which has concluded that the proposal will not significantly impact sensitive habitats nor will there be any adverse impacts arising from the proposals on any Natura 2000 sites.

The **characteristics** of the potential impacts are not considered significant, as standard best practice will be adopted.

The overall conclusion of this screening exercise is that there is no specific requirement for an Environmental Impact Assessment of the proposed works.



## APPENDIX 1

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## APPENDIX 2

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