

Development of a new Kinnegad Economic & Enterprise Hub
Environmental Impact Assessment Screening



For: Westmeath County Council
Date: 8 February 2024

Note

Works, plans, methodologies, materials, and infrastructural requirements are based on the client's brief, draft plans, and drawings provided to Flynn Furney Environmental Consultants of January 2024.

Statement of Authority

This Environmental Impact Assessment Screening has been carried out by a suitably qualified and experienced professional of Flynn Furney Environmental Consultants. This was Billy Flynn BSc, MSc, MCIEEM, CEnv.

Table of Contents

1. INTRODUCTION

2. DESCRIPTION OF PROPOSED PROJECT

3. RELEVANT LEGISLATION

4. SCREENING AND ASSESSMENT

4.1 Project Class

4.2 Infrastructure Projects

4.3 Sub-threshold Development – EIA Screening

5. CONCLUSION AND RECOMMENDATIONS

REFERENCES

1. INTRODUCTION

Works are proposed at the former schoolmaster's house, Main Street, Kinnegad. It is proposed that a new Economic & Enterprise Hub is developed here. Flynn, Furney Environmental Consultants Ltd has been engaged by Cooney Architects and Westmeath County Council for the provision of an environmental impact assessment screening report for the proposed works. The principal requirement for these services is to assist the relevant authorities in forming an opinion as to whether or not the proposed works should be subject to Environmental Impact Assessment (EIA) and if so whether an Environmental Impact Assessment Report (EIAR) should be prepared in respect of it.

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

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

2. DESCRIPTION OF PROPOSED PROJECT

The proposed project involves the partial demolition works and partial retention, refurbishment and extension works to an existing building on Main Street, Kinnegad. Here it is proposed that the new Kinnegad Economic & Enterprise Hub is developed. The location of the proposed development is shown below.



Fig. 1. Project Location: Site proposed for development is shown by a red rectangle. Base mapping from maps.apple.com.

2.1 More Detail

The Kinnegad Economic Enterprise Hub will occupy the site of the former master's House adjacent to the new Kinnegad Library at the Old School House, Main St Kinnegad.

The proposed development will consist of:

The project under assessment is the proposed Kinnegad Economic & Enterprise Hub. The proposed works include the following:

- Refurbishment of the Existing Master's House building
- Refurbishment of associated outhouses
- Removal of an oil tank from existing outhouses
- Construction of a new single storey extension to the rear of the Masters House (c. 260m²)
 - to be used as reception, office space and meeting rooms.
- Associated external works and landscaping.
- Alterations to existing entrance ramp.

3. RELEVANT LEGISLATION

Screening is the first stage in the EIA process, whereby a decision is made on whether or not EIA is required. EIA requirements derive from the EIA Directive (Directive 2011/92/EU as amended by Directive 2014/52/EU). The amended Directive came into force on 16th May 2017 and regulations transposing it into national legislation have been enacted. No changes to the prescribed project types or thresholds are required under the amended Directive so the types and thresholds set out in the 2001-2010 Regulations remain in effect.

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

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

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

4. SCREENING AND ASSESSMENT

4.1 Project Class

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

4.2 Infrastructure Projects

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

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

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

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

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

The overall area of the proposed development is below 700m² (or 0.07 hectares). The site may be considered to be located within the Central Business District of Kinnegad as there are numerous businesses on this part of Main Street and in close vicinity to the site.

Therefore the proposal would be considered to constitute a prescribed project type but is considered significantly below the threshold of 2 hectares.

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

4.3 Sub-Threshold Development - EIA Screening

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

These criteria have been transposed fully into Irish legislation in the third schedule of the European Communities Environmental Impact Assessment (Amendment) Regulations 1999, (SI No.93 of 1999) and in Schedule 7 of the Planning & Development Regulations 2001 (SI No 600 of 2001) as amended by Planning & Development Regulations 2008. This has been updated by transposition of the 2014 EIA Directive (2014/52/EU) which amends Directive 2011/92/EU¹. Guidance is provided by use of criteria set out in Annex III of the new Directive. These criteria as transposed in Irish legislation are grouped under three headings and are used to assist the screening process in determining whether a development is likely to have a significant effect on the environment. The three headings and criteria details as given in Annex III are given below:

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 (codification) (OJ L 26, 28.1.2012, p. 1).

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

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

CRITERIA (Schedule 7)		RELEVANCE	RATIONALE
<p>1. Characteristics of Proposed Development:</p> <p>The characteristics of the proposed development, in particular:</p>	The size of the proposed development	No	The site to be developed is extremely small (< 0.07 ha). The scale of the redeveloped building will be consistent with that of the other buildings on Main Street.
	The cumulation with the proposed development	No	There are no significant proposed developments in the vicinity of site known at time of writing that have been identified as potentially having cumulative impacts with this present project.
	The use of natural resources	No	No significant natural resources will be required to complete the project.
	The production of waste	No	Waste produced during the construction process is anticipated to be insufficient to cause significant effects. Waste amounts will be very limited. Any materials will be brought to a construction and demolition recycling centre for reuse.
	Pollution and nuisance	No	Impacts such as noise and dust will be kept within acceptable standards and as such are anticipated to be negligible.
	The risk of accidents having regard to substances or technologies used.	No	Any potential impacts are anticipated as being negligible given the nature of the proposed Development. No novel technology, techniques or materials will be used.

CRITERIA (Schedule 7)		RELEVANCE	RATIONALE
<p>2. Location of the Proposed Development:</p> <p>The environmental sensitivity of geographical areas likely to be affected by proposed development, having</p>	The existing landuse	No	Not a sensitive area in terms of land use as existing building is a former residence. The new Kinnegad Library is under construction at this site at time of writing and is in the same 'campus' as this present development.
	The relative abundance,	No	Negligible impacts are anticipated given that there is and existing

regard in particular to:	availability, quality and regenerative capacity of natural resources in the area and its underground		development at site. No natural areas are to be impacted upon.
	The absorption capacity of the natural environment, paying particular attention to the following areas:		
	Wetlands, riparian areas, river mouths;	No	None of these habitat types occur within area of proposed development.
	Coastal zones	No	None of these habitat types occur within area of proposed development.
	Mountain and forest areas	No	None of these habitat types occur within area of proposed development.
	Nature Reserves and National Parks	No	None of these occur within area of proposed development.
	Areas classified or protected under legislation, including special protection areas designated pursuant to Directives 79/409/EEC and 92/43/EEC	No	Area proposed for development is not under such classification or protection. The nearest designated site is Mount Hevey Bog SAC (Site Code 002342). This is c. 2.3 Km to the south of the proposed development. A screening for Appropriate Assessment was carried out as part of the planning process. This determined that there was no potential for the development to impact on the SAC due to the nature and scale of the development and the consequent small zone of influence. There is also a lack of any direct connection between the site at Main Street and the SAC.
	Areas in which the environmental quality standards laid down in legislation of the EU have already been exceeded.	No	N/A

	Densely populated areas	No	N/A
	Landscapes of historical, cultural archaeological significance	No	The Schoolmaster's House is a registered structure of regional importance (No. 15316003). The building is immediately adjacent another registered building – the Kinnegad National School (Reg No 15316004). Works are underway to create at the latter a new library for Kinnegad. The streetscape will remain largely unchanged however. No national monuments or any structures of national importance are within the zone of influence of the proposed works site. The proposed development is consistent with streetscape scale and will not have any impact, including visual, on this part of the urban landscape.

CRITERIA (Schedule 7)		RELEVANCE	RATIONALE
3. Type and characteristics of potential impacts:	the magnitude and spatial extent of the impact (geographical area and size of the affected population)	No	Any potential impacts are considered to be insignificant, given the scale of the proposed development.
	The nature of the impact	No	Short-term visual impacts may be anticipated during construction phase but long-term positive impact on streetscape may be expected with the replacement of a disused premises by a community facility of benefit to many residents.
	the transboundary nature of the impact	No	N/A
	the intensity and complexity of the impact	No	Any impacts are considered insignificant given size and scale of development.

	the probability of the impact	No	No significant negative impacts are predicted.
	the expected onset, duration, frequency and reversibility of impact	No	No significant negative impacts are predicted.
	the cumulation of the impact with the impact of other existing and/or approved projects	No	No significant negative impacts are predicted.
	the possibility of effectively reducing the impact	No	No significant negative impacts are predicted.

5. CONCLUSION AND RECOMMENDATIONS

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

It is concluded that there will be no significant direct or indirect impacts by virtue of the **location of the proposed development** on the receiving environment. This is based primarily upon the absence of any impacts predicted upon any protected sites such as Nature Reserves, parks or Natura 2000 Sites. A screening for Appropriate Assessment for the proposed development has determined that there will be no likelihood of impacts on any Natura 2000 sites.

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

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

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

REFERENCES

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

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

European Commission (2015) *Interpretation of Definitions of Project Categories of Annex I and II of the EIA Directive*. European Union, Brussels.

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