



Environmental Impact Assessment Screening Report

Footpath and Cyclepath Works

Ardmore Road, Mullingar

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For: Westmeath County Council
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1 Introduction

It is proposed to develop a hard-surfaced shared footpath/cycling route, segregated from the vehicular carriageway, which will require the widening of the roadway with the consequent removal of trees and culverting of a drain along Ardmore Road in Mullingar Co. Westmeath.

Flynn, Furney Environmental Consultants Ltd has been engaged by 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.

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

1.1 Description of Proposed Development

Westmeath County Council are proposing to develop a hard-surfaced shared footpath/cycling route which will be segregated from the vehicular carriageway. The total scheme length is approximately 705m The works will generally consist of the following project elements:

- Excavation of soils and subsoils
- disposal of surplus soil off-site to an authorised waste facility
- culvert drain
- importation, placement and compaction of hardcore (crushed stone)
- installation of 50mm macadam surfacing
- ducting for and provision of public lighting
- tree removal
- plantings (new field boundaries with fencing and a compensatory hedge and treeline)
- noise and general construction disturbance during daytime hours

2 EIA Screening Methodology

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 requires EIA. Part 2 of the same Schedule, lists project types included in Annex II. Corresponding developments automatically require EIA if no threshold is given or if they exceed a given threshold. Developments which correspond to Part 2 project types by are below the given threshold must be screened to determine whether they require EIA or not. This is done by consideration of the 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 of 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.

The most recent guidance on Environmental Impact Assessment Screening has been provided by the Office of the Planning Regulator (OPR) 2021.

2.1 Mandatory EIA

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. The table below gives the mandatory thresholds relevant to the proposed project.

Table 1: Mandatory EIA Threshold Assessment

Mandatory Criterion	Clarification	Regulatory Reference	Response
Does the proposed development involve the construction of a motorway, busway or service area?	--	S. 50(1)(a) of the Roads Act, 1993 as substituted by S. 9(1)(d)(i) of the Roads Act, 2007	No
Is the proposed development a prescribed type of road development consisting of the construction of a proposed public road or the improvement of an existing public road?	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 is 8Km or more in length in a rural area, or 500m or more in length in an urban area.	Article 8 of the Roads Regulations 1994 (Road development prescribed for the purposes of S. 50 (1)(a) of the Roads Act,1993	No
Has a direction been issued by An Bord Pleanála (ABP) to the Road Authority to prepare an EIAR?	Where ABP considers that a proposed road development would be likely to have significant effects on the environment it shall direct the road authority to prepare an EIAR	S.50(1)(b) of the Roads Act, 1993	No
Does the road authority consider that the proposed road development would be likely to have significant	Where a road authority considers that a proposed road development would be likely to have significant effects on the environment it shall inform ABP	S.50(1)(c) of the Roads Act, 1993	No

<p>effects on the environment and has it informed ABP in writing of such an opinion?</p>	<p>in writing and where ABP concurs it shall direct the road authority to prepare an EIAR.</p>		
<p>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</p>	<p>“business district” means a district within a city or town in which the predominant land use is retail or commercial use</p>	<p>Development Regs 2001-2022`10(b)(iv</p>	<p>Np</p>
<p>Is the proposed road development located on ‘certain environmental sites’ and has the road authority determined whether any significant effects are likely on the environment as a result?</p>	<p>Certain environmental sites concerned are: Special Area of Conservation (SAC): A site notified in accordance with Regulation 4 of the European Communities (Natural Habitats) Regulations, 1997 (S.I. No. 94 of 1997): Special Protection Area (SPA): A site where consultation has been initiated in accordance with Article 5 of Council Directive 92/43/EC on the conservation of natural habitats and of wild flora and fauna. A Nature Reserve within the meaning of Sections 15 or 16 of the Wildlife Act, 1976 Refuge for Fauna under Section 17 of the Wildlife Act, 1976</p>	<p>S.50 (1)(d) of the Roads Act, 1993 as inserted by Art. 14 (a) of the EIA (Amendment) Regulations, 1999</p>	<p>No Natura sites occur within the route or within proximity of same. No Nature Reserves occur within the route or within proximity of same.</p>

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.

Reasoning: The approach adopted in the relevant legislation is that EIA is mandatory for the construction of motorways, bus-ways and service areas and prescribed types of road developments (as set out in Article 8 of the Roads Regulations, 1994) on the basis that these project classes are generally likely to have significant environmental effects and are small overall. This road improvement project does not fall within the above categories which would trigger mandatory EIA.

2.2 Sub-threshold Development (Discretionary) EIA Screening

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

These criteria have been transposed fully into Irish legislation in the third schedule of the European Communities Environmental Impact Assessment (Amendment) Regulations 1999, (SI No.93 of 1999) and in schedule 7 of the Planning & Development Regulations 2001 (SI No 600 of 2001) as amended by Planning & Development Regulations 2008. This has recently been updated by the transposition of the 2014 EIA Directive (2014/52/EU) which amends Directive 2011/92/EU¹). Guidance is provided by the 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.

Table 1: Sub-threshold questionnaire

<p style="text-align: center;">Preliminary Examination:</p> <p>The planning authority shall carry out a preliminary examination of, at the least, the nature, size or location of the development.</p>
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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).

	Comment:	Yes/No/ Uncertain:
<p>Nature of the development: <i>Is the nature of the proposed development exceptional in the context of the existing environment?</i></p> <p><i>Will the development result in the production of any significant waste, or result in significant emissions or pollutants?</i></p>	<p>Overall the project is considered small in area (less than 0.2ha) and duration (less than 6 months). No nature of the development are is not sensitive and is typical of other areas of built environment and urban fringe locally.</p> <p>It is not expected the development will result in the production of any significant amounts of waste materials including emissions or pollutants.</p>	No
<p>Size of the development: <i>Is the size of the proposed development exceptional in the context of the existing environment?</i></p> <p><i>Are there cumulative considerations having regard to other existing and/or permitted projects?</i></p>	<p>The overall development footprint is less than 0.2ha. An assessment of cumulative impacts was carried out and no project were identified that are likely to lead to cumulative or in combination impacts of effects with this project</p>	No
<p>Location: <i>Is the proposed development located on, in, adjoining or does it have the potential to impact on an ecologically sensitive site or location?²</i></p> <p><i>Does the proposed development have the potential to affect other significant environmental sensitivities in the area?</i></p>	<p>No Sensitive internationally, nationally or regional significant ecological receptors were noted locally. Approximately 200m of degraded hedgerow will have to be removed as a result of this scheme and is not considered a sensitive receptor in the context of EIAR.</p>	No
Preliminary Examination Conclusion:		
Based on a preliminary examination of the nature, size or location of the development. (Tick as appropriate)		
X	<input type="checkbox"/>	<input type="checkbox"/>
<p>There is no real likelihood of significant effects on the environment.</p> <p>EIA is not required.</p>	<p>There is real likelihood of significant effects on the environment.</p> <p>An EIAR is required.</p>	<p>There is significant and realistic doubt regarding the likelihood of significant effects on the environment.</p> <p>Request the applicant to submit the Information specified in Schedule 7A for the purposes of a screening determination.</p> <p>Proceed to Screening Determination.</p>

² Sensitive locations or features includes European sites, NHA/pNHA, Designated Nature Reserves, land designated as a refuge for flora and fauna, and any other ecological site which is the objective of a CDP/LAP (including draft plans).

While no **significant and realistic doubt** was found. The present authors believe detailing works through the Screening Determination helps provide further context for this project. This has been completed in table 2.

Table 2: Screening Determination questionnaire

Screening Determination:		
A. Case Details:		
Planning Register Reference:	Not as of yet assigned	
Development Summary:	It is proposed to develop a hard-surfaced shared footpath/cycling route, segregated from the vehicular carriageway, which will require the widening of the roadway with the consequent removal of trees and the culverting of a drain. The southern side of the site in front of the Holy Family National School and the three no. dwellings to the east have a shared cycle/footpath which will remain in its current form. The southern side of the site in front of the housing estate, Ardmore Hills, will be subject to works to widen the existing footpath to create a shared pedestrian/cycling route. A crossing point will be provided to the eastern end of the site to connect the north side and south side pedestrian/cycle paths. Works are expected to be approximately 6 months.	
	Yes / No / N/A:	Comment (if relevant):
Does the application include information specified in Schedule 7A?	Yes	All relevant information submitted.
Other relevant information submitted:		
Does the application include a NIS and/or other reports to enable AA screening?	Yes	AA submitted. This project did not screen in for NIS as no likely significant effects to any natura 2000 sites were identified.
Is an IED/IPC/Waste Licence or Waste Water Discharge Authorisation (or review of licence/ authorisation) required from the EPA for the subject development?	No	
If YES has the EPA been consulted?		
Have any other relevant ³ assessments of the effects on the environment been carried out pursuant to other relevant Directives –for example SEA or AA?	Yes	A CEMP has been developed that includes site-specific measures and noise monitoring.
B. Examination:		
1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning):		
If relevant, briefly describe the characteristics of the development (i.e. the nature and extent):		

³ Relevant assessments are those which have a significant bearing on the project.

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<p>(a) The size and design of the whole of the proposed development (including any demolition works):</p>	<p>The total project footprint will not exceed 0.2ha and is considered small.</p>
<p>(b) Other existing or permitted projects (including under other legislation that is subject to EIA) that could give rise to cumulative effects:</p>	<p>None.</p>
<p>(c) Use of natural resources, in particular land, soil, water and biodiversity:</p> <p><i>Will construction or the operation of the proposal use natural resources such as land, soil, water, materials or energy, especially any resources which are non-renewable or are in short supply?</i></p>	<p>No significant natural resources will be required to complete the project.</p>
<p>(d) Production of waste:</p> <p><i>Will the proposal produce solid wastes during construction, operation, or decommissioning?</i></p>	<p>Waste produced during the construction process is anticipated to be insufficient to cause significant effects. Waste amounts will be very limited.</p> <p>During construction, solid waste will be generated however volumes requiring off-site management will not be significant. Other non-soil wastes associated with the proposed development are not considered likely to be significant and can be readily disposed of/recycled through existing waste management infrastructure in the locality.</p>
<p>(e) Pollution and nuisances:</p> <p><i>Will the proposal release pollutants to ground or surface water, or air (including noise and vibrations) or water, or lead to exceeding environmental standards set out in other Directives?</i></p>	<p>Impacts such as noise and dust will be kept within acceptable standards and as such are anticipated to be negligible.</p> <p>Noise monitoring was carried out at 4No. Noise Sensitive Locations (NSL). It was concluded that during construction which occurs during normal working hours. Noise disturbance will be moderate to negligible across the works area. These levels will be less than 10dB above the current baseline noise levels at the various NSL's and therefore within the proposed daytime limits set out in the brief for each NSL.</p> <p>Impacts are therefore considered minor and short-term.</p>
<p>(f) Major accidents and disasters:</p> <p><i>In accordance with scientific knowledge, is there a risk of major accidents and/or disasters which are relevant to the project, including those caused by climate change?</i></p>	<p>Any potential impacts are anticipated as being negligible given the nature of the proposed works.</p>
<p>(g) Risks to human health, for example due to water contamination or air pollution:</p>	<p>The proposed works are not subject to any of the requirements contained in the Chemical Act (Control of Major Accident Hazards involving Dangerous Substances) Regulations 2015 which implement the Seveso III Directive, which is the main EU legislation dealing specifically with the control of on-shore major accident hazards, involving dangerous substances, into Irish law.</p>

2. Location of proposed development:	
The environmental sensitivity of geographical areas likely to be affected by the proposed development:	If relevant, briefly describe the characteristics of the location (with particular regard to the (a) existing and approved land use, (b) the relative abundance, availability, quality and regenerative capacity of natural resources, and (c) the absorption capacity of the environment):
(a) Generally describe the location of the site and its surroundings:	The subject site is located on the southeast of Mullingar along Ardmore Road. The proposed cycleway and walkway will provide active travel connectivity between the Ardmore Hills and Ardmore Close. The subject site is surrounded by housing estates, roads, amenity grasslands, industrial estates and areas of agricultural grasslands.
(a) Is the project located within, close to or has it the potential to impact on any site specified in Article 103(3)(a)(v) of the Regulations: <ul style="list-style-type: none"> - European site - NHA/pNHA - Designated Nature Reserve - Designated refuge for flora or fauna Place, site or feature of ecological interest, the preservation, conservation, protection of which is an objective of a development plan/ local area plan/ draft plan or variation of a plan.	The closest designated site to the subject site is Wooddown Bog SAC 2.5km to the northeast and Lough Ennell SAC and SPA 3.6km to the southwest. A drainage ditch is found on the opposite side of Ardmore Road to the Holy Family National School. It is understood that this drainage ditch has connectivity to the Brosna River via a series of drains and culverts through town over a distance of 1.8km. The Brosna eventually discharges in to Lough Ennell SAC/SPA a further 3.5km downstream. The closest watercourse to the site is the Royal Canal which is located 860m from the scheme's southern extent.
Are there any other areas on or around the location that are important or sensitive for reasons of their ecology e.g. wetlands, watercourses or other waterbodies (including riparian areas and river mouths), the coastal zone and the marine environment, mountains, forests or woodlands, that could be affected by the project?	A small open field drain will be culverted. This will have negligible impacts on the local environment.
Is the proposal likely to be highly visible to many people? Are there any areas or features of high landscape or scenic value on or around the location, or are there any routes or facilities that are used by the public for recreation or other facilities which could be affected by the proposal?	Yes Works occur on a local road that services several housing estates and local amenities. This project aims to have a net benefit to the local community
Are there any areas or features of historic or cultural importance on or around the location that could be affected by the project?	None within the works area

Are there areas within or around the location which are densely populated or built-up, or occupied by sensitive land uses e.g. hospitals, schools, places of worship, community facilities that could be affected by the proposal?	Yes, The Holy Family National School is located adjacent to the proposed development. This scheme will be a net benefit to the receptor by helping create more sustainable transport to and from the school.
Are there any areas within or around the location which contain important, high quality or scarce resources e.g. groundwater, surface waters, forestry, agriculture, fisheries, tourism, minerals, that could be affected by the proposal?	None
Are there any areas within or around the location which are already subject to pollution or environmental damage, and where there has already been a failure in environmental standards that could be affected by the proposal e.g. the status of water bodies under the Water Framework Directive?	None A drainage ditch is found on the opposite side of Ardmore Road to the Holy Family National School. No other water courses are found within the site of works. This drainage ditch eventually discharges into the Brosna river approximately 1.8km downstream of the site of works
Is the site located in an area susceptible to subsidence, landslides, erosion, or flooding which could cause the proposal to present environmental problems?	No
Are there any additional considerations that are specific to this location?	None

3. Types and characteristics of potential impacts:

If relevant, briefly describe the characteristics of the potential impacts under the headings below. (including where relevant the magnitude and spatial extent of the impact (e.g. geographical areas and size of population likely to be affected), nature of impact, intensity and complexity of impact, probability of impact, and duration, frequency and reversibility of the impact):	If relevant, briefly describe any mitigation measures proposed to avoid or prevent a significant effect.	Is this likely to result in significant effects on the environment?
<i>Population and human health:</i>		
	Net positive through health and sustainable transport	No
<i>Biodiversity, with particular attention to species and habitats protected under the Habitats Directive and the Birds Directive.⁴ *</i>		
	Removal of small amounts of degraded	No

⁴ And with particular regard to areas specified in Article 103(3)(a)(v) of the Regulations.

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	hedgerow no significant effects	
<i>Land, soil, water, air and climate:</i>		
	None	No
<i>Material assets, cultural heritage and the landscape:*</i>		
	None	No

<i>Cumulative effects:</i>		
	None identified	No
<i>Transboundary effects:</i>		
	None	No

4. Additional Considerations:		
Further relevant information, if any, relating to how the results of any other relevant assessments of the effects on the environment have been taken into account (e.g. SEA, AA screening, AA):	AA Screening report has been provided. This concluded that in the professional opinion (of the author) and in view of the best scientific knowledge and in view of the conservation objectives of the European sites reviewed in the screening exercise, the proposed development individually/in combination with other plans and projects (either directly or indirectly) are not likely to have any significant effects on any of the European sites. It is therefore the conclusion of this report that progression to the second stage, a full Appropriate Assessment and accompanying Natura Impact Statement will not be required.	
Other relevant information/ considerations of note:		

C. Determination:		
No real likelihood of significant effects on the environment.	<input checked="" type="checkbox"/>	EIAR is not required
Real likelihood of significant effects on the environment.	<input type="checkbox"/>	EIAR is required

D. Main Reasons and Considerations:

Having regard to the criteria in Schedule 7, the information provided in accordance with Schedule 7A of the Planning and Development Regulations 2001, as amended, and the following:

- (a) Set out the main reasons and considerations specific to the nature, size, or location of the proposed development, and the types and characteristics of potential impacts:
- (b) Where relevant, reference any key mitigation measures of significance to the screening determination:
- (c) Where relevant, reference the results of any other relevant assessments of the effects on the environment (e.g. SEA, AA screening, AA):
- (d) Any other relevant information:

It is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact report is not therefore required.

REFERENCES

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

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(ORP) 2021 Environmental Impact Assessment Screening has been provided by the Office of the Planning Regulator

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