



in conjunction with



Tullow Orbital Pedestrian & Cycle Scheme Phase 2

Environmental Impact Assessment Screening Report May 2022

Carlow County Council,
County Buildings,
Athy Road,
Carlow,
R93 E7R7.

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1.0 Introduction

This report has been prepared by Carlow County Councils Active Travel Department for the proposed Tullow Orbital Pedestrian & Cycle Scheme Phase 2 to form an opinion as to whether or not the proposed development 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.

1.1 Legislative Context

EU Directive 2011/92/EU, as amended, along with Part 10 of the Planning & Development Acts 2000 to 2021, aim to determine the likely significant effects to project may have on the environment. These pieces of legislation require that for certain projects a report, known as an Environmental Impact Assessment (EIA), be prepared prior to the development phase of any such project.

Schedule 5 of the Planning & Development Regulations 2001 – 2021 lists the projects which are required to prepare a mandatory EIA report. Projects which are considered to be ‘Sub-Threshold Developments’, which means development of a type set out in Part 2 of Schedule 5 which does not equal or exceed, as the case may be, a quantity, area or other limit specified in that Schedule, are required to complete an EIA Screening Report to determine if the project might still cause significant effects to the environment. If upon the completion of this screening report the results indicate a significant effect on the environment may take place, then an EIA report must be produced.

1.2 Screening Report Terms of Reference

A Screening Report for a Sub-Threshold development involves carrying out an appraisal of impacts of the project under the criteria listed in Schedule 7A of the Planning & Development Regulations 2001 – 2021. Paragraph 4 of Schedule 7A specifically refers to using the criteria set out in Schedule 7 to compile the information required for completion of Schedule 7A. The required information falls into three main categories:

- 1) Characteristics of the proposed development,
- 2) Location of the proposed development, &
- 3) Types and characteristics of potential impacts.

This screening report will address all the above categories and sub-categories as per Schedule 7, as applicable to this project to form the basis of the completion of Schedule 7A

2.0 Project Details

This project, known as The Tullow Orbital Pedestrian & Cycle Scheme Phase 2, involves the construction of a high-quality combined footpath & cycle track, linking up a number of housing developments with local amenities in Tullow.

The proposed works consist of the provision of 550 meters of combined cycleway/ footpath in Tullow Town, which will link the Oakley Heights, An Caislean and Court View housing developments with Castle Lane. The works will also include the provision of new and upgraded public lighting along the route and access control bollards.

The project is being constructed as part of Active Travel, a national programme of investment in walking & cycling routes right across the country, in partnership between the National Transport Authority (NTA) and Local Authorities.

The scheme comprises the following works elements:

- 1) Construction of 162m of new 3.5m wide combined footpath & cycle track with macadam surface,
- 2) Construction of 140m of new 3.5m wide combined footpath & cycle track with concrete surface,
- 3) Upgrading of 154m of existing macadam footpath to provide a 3.5m wide combined footpath & cycle track,
- 4) Upgrading of 99m of existing concrete footpath to provide a 3.5m wide combined footpath & cycle track,
- 5) Construction of 511m of timber post & rail fencing,
- 6) Installation of public lighting and associated ducting,
- 7) Soft landscaping of approx. 650m² with grass, &
- 8) Installation of associated signage and road markings as necessary.

A site layout map of the proposed works is included in Appendix A.

3.0 Screening Considerations

3.1 Project Type

In the first instance it is necessary to determine whether the project is of a type that requires EIA.

The project types prescribed for EIA purposes in the Roads and Planning and Development legislation are listed in the below table with commentaries of their applicability to the proposed scheme.

Criteria prescribed in the legislation for determining whether or not projects which do not clearly fall into any prescribed project type are also listed and commented upon.

Project type / criteria	Comment	Is EIA required on this basis?
Roads legislation SI 279/2019 (s.5, amending section 50 of the Roads Act, 1993)		
<i>(1) (a) A road development that is proposed that comprises any of the following shall be subject to an environmental impact assessment:</i>		
<i>(i) the construction of a motorway</i>	The proposed scheme does not provide for construction of a motorway.	No
<i>(ii) the construction of a busway</i>	The proposed scheme does not include construction of a busway.	No
<i>(iii) the construction of a service area</i>	The proposed scheme does not include a service area.	No
<i>(iv) any prescribed type of road development consisting of the construction of a proposed public road or the improvement of an existing public road</i>		
The prescribed types are given in section 8 of S.I. 119/1994 as:		
<i>(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:</i>	The proposed scheme does not include construction, realignment or widening of a road to provide for four or more lanes.	No
<i>(b) the construction of a new bridge or tunnel which would be 100 metres or more in length.</i>	The proposed scheme does not include construction of any new bridge or tunnel.	No

<p>(1) (b) to (d) of S.I. 279/2019 require that any road development or road improvement project which would be likely to have significant effects on the environment, including projects located on ecologically protected sites, shall be subject to EIA.</p>	<p>The scheme will be undertaken on lands within the built urban landscape. All measures are identified as minor and are expected to have a negligible impact. The scheme is considered unlikely to have significant effects on the environment, within the meaning of the EIA Directive (ref. review against Annex III Criteria in s4.2 below).</p> <p>The River Slaney SAC is greater than 150 meters from the scheme area, separated by buildings, roads and car parks. The potential for effects on the SAC, is considered in detail in the separate Appropriate Assessment (AA) screening report. That report finds that the scheme is unlikely to have significant effects on those sites.</p>	<p>No</p>
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<p>Planning and Development legislation S.I. 600/2001, Schedule 5, Pt 2</p>		
<p>project type 10. <i>Infrastructure projects (b) (iv)</i></p>		
<p><i>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.</i> <i>(In this paragraph, “business district” means a district within a city or town in which the predominant land use is retail or commercial use.)</i></p>	<p>Commission guidance lists a range of projects, stating that these or other projects with similar characteristics can be considered to be ‘urban development’. These include:</p> <ul style="list-style-type: none"> • Shopping centres • Bus garages • Train depots • Hospitals • Universities • Sports stadiums • Cinemas • Theatres • Concert halls • Other cultural centres • Sewerage or water supply networks <p>The proposed scheme does not correspond to or have similar characteristics to any of these types of projects.</p> <p>Notwithstanding, the area covered by the scheme is approx. 0.42 ha which is well below the 10 ha threshold which</p>	<p>No</p>

	would apply if this project type were considered applicable.	
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3.2 Subthreshold Development

Schedule 7 of the Planning and Development Regulations specifies the criteria for determining whether or not a sub-threshold development is required to be subject to EIA. As the project does not correspond to any project type in the Roads or Planning and Development legislation, as listed above, it is not considered to be 'sub-threshold development'.

Notwithstanding, given the wide ranging requirement of 50 (1) (b) to (d) of the Roads Act (as above) that any road development or road improvement project which would be likely to have significant effects on the environment should be subject to EIA, for the avoidance of any doubt, the next section of this report provides a review of the project against prescribed criteria for determining whether or not a sub-threshold development is required to be subject to EIA.

These criteria are given in Annex III of the EIA Directive as transcribed into Schedule 7 of the Planning and Development Regulations.

3.3 Review against Schedule 7 Criteria

The following sections are an appraisal of the project under the 3 main categories and associated sub-categories specified in Schedule 7 of the Planning & Development Regulations 2001-2021.

These criteria cover:

1. Characteristics of the proposed development
2. Location of the proposed development
3. Types and characteristics of potential impacts

Schedule 7A of the Planning and Development Regulations sets out 'Information to be provided by the Applicant or Developer for the Purposes of Screening Sub-threshold Development for Environmental Impact Assessment'. This information includes:

1. A description of the proposed development
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

4. The compilation of the information at paragraphs 1 to 3 shall take into account, where relevant, the criteria set out in Schedule 7.

Schedule 7 Criteria	Commentary
<p>1. Characteristics of Proposed Development The characteristics of proposed development, in particular:</p>	
<p>(a) the size and design of the whole of the proposed development</p>	<p>The project is approx. 0.42 ha in area and approx. 0.55 km in length.</p>
<p>(b) cumulation with other existing development and/or development the subject of a consent for proposed development for the purposes of section 172(1A)(b) of the Act and/or development the subject of any development consent for the purposes of the Environmental Impact Assessment Directive by or under any other enactment</p>	<p>The proposed project will be part of and will interact with the wider transportation network for Tullow Town. This network is subject to ongoing management including monitoring, review, and interventions by Carlow County Council.</p>
<p>(c) the nature of any associated demolition works</p>	<p>No demolition works are required.</p>
<p>(d) the use of natural resources, in particular land, soil, water and biodiversity</p>	<p>No significant natural resources will be used.</p>
<p>(e) the production of waste,</p>	<p>No significant waste streams will be generated.</p>
<p>(f) pollution and nuisances,</p>	<p>The proposed scheme is likely to temporarily reduce air quality (minimal dust) and have temporary localised increase in noise due to construction works. Other temporarily traffic related nuisances along the length of the scheme for the duration of the works should be expected.</p>
<p>(g) the risk of major accidents, and/or disasters which are relevant to the project concerned, including those caused by climate change, in accordance with scientific knowledge</p>	<p>Proposed works are standard construction. No major risk posed by major accidents and/or disasters to the project proposed.</p>

<p>2. Location of proposed development The environmental sensitivity of geographical areas likely to be affected by the proposed development, with particular regard to—</p>	
<p>(a) the existing and approved land use</p>	<p>The land-uses of the surrounding area are mainly residential, amenity/open space and retail.</p>

(b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground	This scheme is predominately a gray- way along existing road infrastructure from An Caislean to Castle Lane. Greenfield sites where the scheme is traversing is designated for residential. The proposed scheme will complement the existing housing proposals for this area.
(c) the absorption capacity of the natural environment, paying particular attention to the following areas:	
(i) wetlands, riparian areas, river mouths	Not applicable
(ii) coastal zones and the marine environment	Not applicable
(iii) mountain and forest areas	Not applicable
(iv) nature reserves and parks	River Slaney SAC is greater than 150 meters from the scheme area, separated by buildings, roads and carparks. Stage One Appropriate Assessment Screening has been carried out which concludes no significant impact on the conservation objectives of this Natura 2000 site.
(v) areas classified or protected under legislation, including Natura 2000 areas designated pursuant to the Habitats Directive and the Birds Directive	Not applicable.
(vi) areas in which there has already been a failure to meet the environmental quality standards laid down in legislation of the European Union and relevant to the project, or in which it is considered that there is such a failure.	Not applicable.
(vii) densely populated areas	Area adjoining the site is not densely populated.
(viii) landscapes and sites of historical, cultural or archaeological significance	Not applicable.

<p>3. Types and characteristics of potential impacts</p> <p>The likely significant effects on the environment of proposed development in relation to criteria set out under paragraphs 1 and 2, with regard to the impact of the project on the factors specified in paragraph (b)(i)(I) to (V) of the definition of ‘environmental impact assessment report’ in section 171A of the Act, taking into account—</p>	
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(a) the magnitude and spatial extent of the impact (for example, geographical area and size of the population likely to be affected)	The project will directly affect an area of 0.4 ha of existing roadway and 0.02 ha of greenfield/development land.
(b) the nature of the impact	<p>All work for implementation of the scheme will be undertaken on lands within the built urban landscape. All works are identified as small scale temporary, and are expected to be negligible in source emissions due to the characteristics of the scheme.</p> <p>The level of potential noise, dust and surface water effects during construction of the scheme will be negligible and comparable to routine road maintenance works such as road resurfacing.</p> <p>General impacts on landscape and amenity are likely to be largely positive, due to reduction in vehicular traffic. The environmental impacts of the scheme are likely to be limited to temporary localised and insignificant effects. Impacts will be temporary and are not likely to be significant, within the meaning of the Directive.</p>
(c) the transboundary nature of the impact	Not applicable.
(d) the intensity and complexity of the impact	Construction impacts will be temporary and of low intensity and complexity.
(e) the probability of the impact	Temporary environmental impacts will occur. These are not likely to be significant, within the meaning of the Directive.
(f) the expected onset, duration, frequency and reversibility of the impact	Impacts will last for the duration of works and will be reversible.
(g) the cumulation of the impact with the impact of other existing and/or development the subject of a consent for proposed development for the purposes of section 172(1A)(b) of the Act and/or development the subject of any development consent for the purposes of the Environmental Impact Assessment Directive by or under any other enactment	No other permitted and proposed projects in the locality have potential to contribute to significant effects within the meaning of the Directive when considered in-combination with the effects of the proposed scheme
(h) the possibility of effectively reducing the impact	<p>All work for implementation will be monitored under the contract. Dust, if produced as part of the works will be controlled by damping down of the site.</p> <p>Noise will be controlled during normal working hours and will not be permitted outside of these hours. Temporary traffic management will ensure that access is maintained to Oakley Heights at all times.</p>

Based on review against the Schedule 7 criteria, the environmental impacts of the scheme can be anticipated to be temporary and not likely to be significant within the meaning of the Directive.

A screening for Appropriate Assessment has been carried out in parallel with this EIA screening. The AA screening is carried out pursuant to the requirements of the Habitats Directive. It finds that a Stage Two Appropriate Assessment is not required for the scheme.

4.0 Conclusions

The scheme does not correspond to any project type in the relevant Roads or Planning and Development legislation. It can be considered not to comprise 'sub-threshold development' and it can be 'screened out' for Environmental Impact Assessment purposes on this basis.

It is considered that the proposed Cycleway and Footpath does not need to be subject to Environmental Impact Assessment and no Environmental Impact Assessment Report is required for it.

This conclusion is based on an objective review of the Scheme, including its characteristics, location and the likelihood of it causing significant environmental impacts. The screening has followed the relevant legislation and has had regard to the relevant guidance.

Appendix A – Site layout