

Environmental Impact Assessment

Preliminary Examination for Mohill Public Realm Improvement Scheme

Prepared On behalf of

Leitrim County Council

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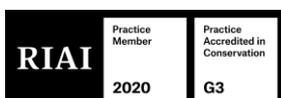


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1.0 Introduction

This report has been prepared on behalf of our client *Leitrim County Council by Sheridan Woods Architects and Urban Planners Ltd.*

This is a preliminary examination to determine whether or not there is a real likelihood of significant effects on the environment arising from the 'Mohill Public Realm Improvement Scheme.' The works are located at Mohill, within the townland of Mohill, Mohill, Co. Leitrim. The purpose of the report is to determine whether or not it is required to screen the proposed development to establish whether it requires an Environmental Impact Assessment (EIA) and as a result if an Environmental Impact Assessment Report (EIAR) should be prepared in respect of it. An Appropriate Assessment Screening Statement has also been prepared as a separate document and informs the conclusions of this report.

The screening process includes an assessment of the details of the proposal with reference to the relevant EIA legislation including the Planning & Development Regulations as amended by the European Union (Planning and Development,) (Environmental Impact Assessment) Regulations 2018, 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.

2.0 The Proposed Development

The proposed works comprise of the following:

- 1 To undertake a Public Realm Improvement Scheme** within the town centre to enhance the existing streetscapes at the junction of Main Street (R201) / Castle Street (R202) O'Carolan / St. Marys public space; Glebe Street (R202) / public Car Park and Water Street; Main Street (R201) and Hyde Street (R202) / Glebe Street (R202) and Main Street / Green Lane / Butter Market; Main Street (R201) and Chapel Lane (at St. Patricks Church), and works to the curtilage of St. Mary's Church (A Protected Structure).

The nature of the Public Realm Improvement Scheme includes, inter alia, the widening of footpaths, introduction of shared surface space at identified locations, to provide enhanced pedestrian crossings, access steps as indicated, to replace existing road surfaces, the provision of new lighting in addition to the existing lighting, to relocate identified street furniture and signage, the provision of soft and hard landscaping measures including a vertical landscape feature at the Butter Market, street furniture and to alter the existing on-street car parking provision.

- 2 To modify the curtilage / front boundary of St. Mary's Church Wall** to include opening two upper sections of the existing wall, and replacement with a railing, the existing piers and gate are untouched (St. Mary's Church is a Protected Structure).

The proposed development will also include necessary services and utility provision associated site works. The site is located within the urban envelop of Mohill (Mohill Land Use Zoning Strategy Leitrim County Development Plan 2015 – 2021). The site is fully serviced from a piped water perspective.

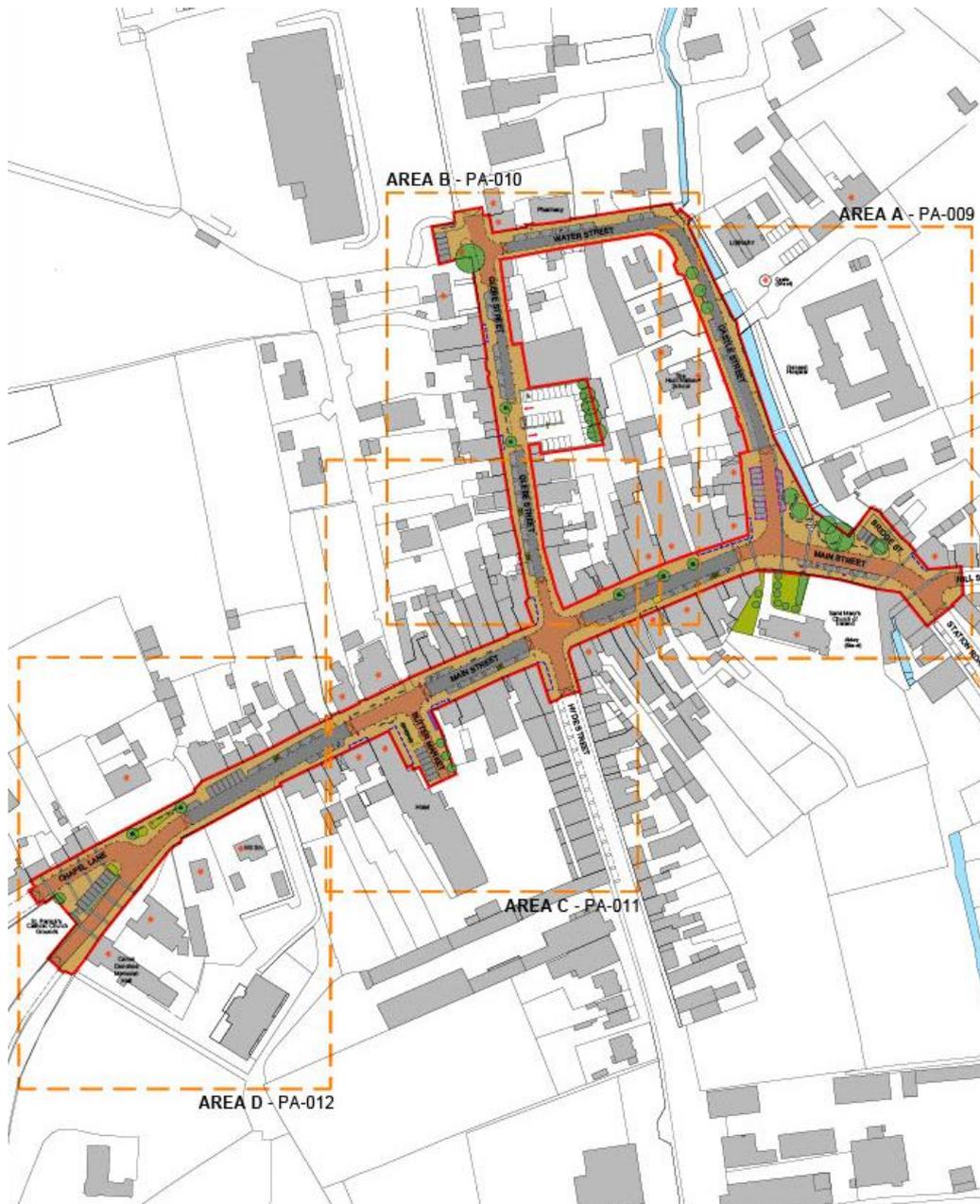


Figure 1 Site Location

3.0 Legislative Basis for EIA

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 and commenced – European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018). No changes to the prescribed project types or thresholds are required under the amended Directive so the types and thresholds set out in the Regulations as amended 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 as amended and Part 10 and Schedules 5, 6 and 7 of the Planning and Development Regulations as amended. In addition, 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 by 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

4.0 Screening Considerations

Class of Development

In the first instance, it is necessary to determine whether the project is of a type (or 'class') that requires an EIAR. This project does not correspond to any of the prescribed types listed in Annex I. However, it could be considered to correspond to the Infrastructure Projects type set out in Annex II, as discussed below.

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:

- 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.*
- 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.*
- 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 of the proposed development is 1.59 hectares. The site is considered to be located within the Business District of Mohill and has a 'Mixed Use' land use zoning objective (County Development Plan Land Use Zoning Strategy 2015-2021).

Therefore, the proposal could be considered to constitute a prescribed project type but is considered below the threshold of 2 hectares in a Central Business District.

5.0 Conclusion

The proposed development could be argued to fall within the project type (or 'class') defined within the EIA Directive (Directive 2011/92/EU as amended by Directive 2014/52/EU) and enacted in the Planning and Development Regulations as amended. However, the cumulative area of the site is approximately 80% of the threshold of the project type or class and that such a categorisation would arise from a very narrow interpretation of the issue. In essence, with the exception of the works to the curtilage of St. Mary's Church, the majority of development relates to the refurbishment of existing public realm rather than development in the conventional sense.

It is noted that a separate Appropriate Assessment Screening Statement has concluded that there will be no negative impacts on the qualifying interests or any species in any Natura 2000 site.

On the basis of the foregoing, I do not consider it necessary to undertake a screening exercise by reference to the relevant criteria for determining same, as set out in Schedule 7 of the Planning and Development Regulations.

Having considered the nature, scale and location of the proposal; having regard to the characteristics and location of the proposed development and having regard to the characteristics of potential impacts it is considered that the project is unlikely to give rise to significant environmental impacts.

It is concluded that there is no requirement for an Environmental Impact Assessment to be carried out for the proposed 'Mohill Public Realm Improvement Scheme' and there is no requirement for an Environmental Impact Assessment Report to be prepared.