

# Roscommon County Council



## **Environmental Impact Assessment Screening Report for Elphin Town Centre Public Realm Enhancement & Redevelopment of the Former Courthouse to Provide a Cultural/Community Centre**



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## 1. Introduction

This is an EIA screening report for the proposed Public Realm Enhancement Scheme for Elphin town centre. The purpose of the report is to screen the proposed development to establish whether it requires 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 prepared as a separate document.

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 EIA screening covers:

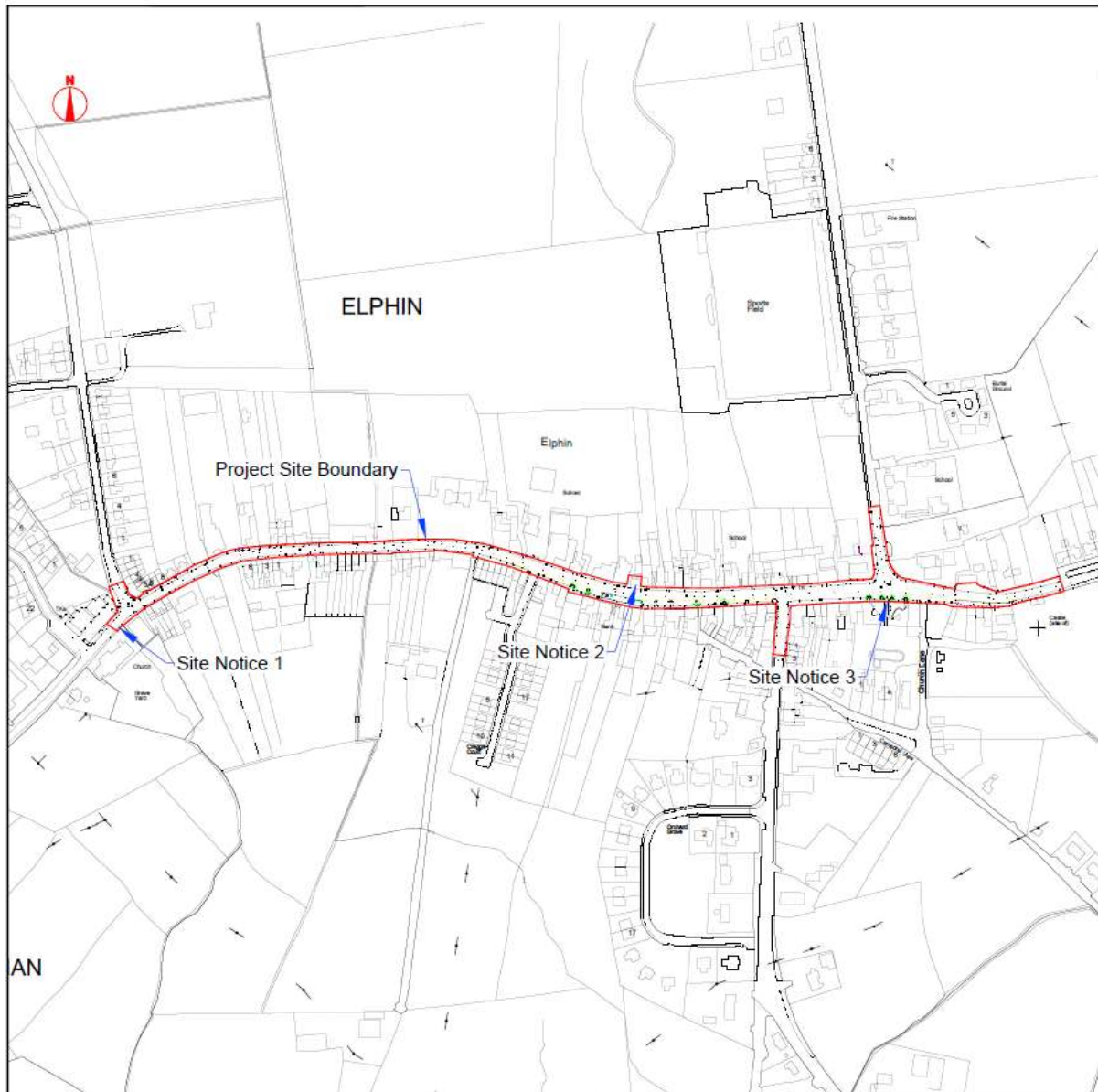
- i. Description of the proposed development
- ii. The legislative basis for EIA
- iii. Screening considerations
- iv. Conclusions

## 2. The Proposed Development

The site is located in the central urban environs of Elphin. The site boundary is shown in Figure 1 below. The proposal includes works to develop a Public Realm Enhancement Scheme within the town centre to enhance the existing areas and streetscapes of Chapel Street and Main Street. The proposal also includes works to develop the former Courthouse building in the centre of the town to provide a cultural/community centre. The scheme extends eastwards from the Church and terminates in the vicinity of the Carrick-On-Shannon Road (R368) junction. Works include improvement and provision of redesigned paved areas within the town centre to improve pedestrian infrastructure with the introduction of new surfaces, lighting, hard and soft landscaping and street furniture in this town centre area.

The nature of the Public Realm Enhancement Scheme includes, inter alia, the introduction of shared spaces and town centre amenity areas in the central urban environs serving the former courthouse and Bank of Ireland area, which are key focal points in the town centre. This element of the scheme will provide scope to have increased pedestrian space which will have the potential to act as a communal urban space for staging events, festivals, homecomings etc.

The scheme also serves to redevelop the former courthouse to provide a cultural/community centre providing a high quality indoor space which can provide a multitude of social/community based functions and serve as a facility for staging cultural events.



**Figure 1: Location of Proposed Development – Chapel Street and Main Street and former Courthouse.**

### 3. 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 16<sup>th</sup> 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 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 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 which 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.

#### 4. Screening Considerations

##### Class of Development

Firstly, it is necessary to determine whether the project is of a type (or 'class') that requires an EIAR. Having regard to the nature of this project it is determined that it 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:*

*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 c1.58 ha, i.e. lands encompassing Chapel Street and Main Street, including the former courthouse, which are all located within the town centre or business district as it corresponds to the two-hectare threshold which applies in the case of a business district as set out in the above referenced Schedule 5, Part 2 of the Planning and Development Regulations, 2001 (as amended).

Therefore, the proposal is a prescribed project type, but is considered below the threshold for a mandatory EIAR as set out in Schedule 5, Part 2 of the Planning and Development Regulations, 2001.

##### Sub-threshold Development

As the proposed development corresponds to an Annex II project type, but does not meet the prescribed thresholds above, it can be considered to be a 'sub-threshold' development.

Having regard to the 'wide scope and broad purpose' of the Directive, it is appropriate to consider if it is likely to cause significant environmental impacts by reference to the relevant criteria for determining same, as set out in Schedule 7 of the Planning and Development Regulations.

Given the scale of the proposed development it is unlikely to cause significant effects to a degree that would warrant a sub-threshold EIA. However, in order to provide a comprehensive assessment, this screening proceeds to consider it against the Schedule 7 criteria nonetheless.

Schedule 7 specifies 'Criteria for determining whether a development would or would not be likely to have significant effects on the environment' under the following three headings:

1. Characteristics of Proposed Development
2. Location of Proposed Development
3. Characteristics of Potential Impacts

The table below sets out these considerations using both the main and sub-criteria which are specified in Schedule 7.

SCHEDULE 7 CRITERIA		Relevance	Commentary
<b>1. Characteristics of Proposed Development</b>  The characteristics of proposed development, in particular:	The size of the proposed development.	No	The proposed development extends to an area of approximately 1.58ha. The substantive part of the overall site comprises Chapel Street, Main Street, including the former courthouse
	The accumulative impact of the proposed development.	No	There are no significant works taking place in the vicinity of the site. Any works proposed as part of the public realm improvement scheme, taken in conjunction with any recent surrounding works, would result in the accumulative impacts being anticipated as negligible given the nature and scale of the proposed public realm improvement development.
	The use of natural resources.	Potential	The proposed development does include the use of natural resources to ensure that the setting of buildings within the Architectural Conservation Area are enhanced.
	The production of waste.	No	Waste produced during the construction process are anticipated to be insufficient to cause significant effects. The materials will be brought to a licensed construction and demolition recycling centre for reuse.

	Pollution and nuisances.	No	The impacts including noise and dust during the construction period will be kept within acceptable standards and such impacts are anticipated to be relatively short term and negligible. In addition, a Construction Management Plan will be required at contract stage which will fully address this issue.
	The risk of accidents, having regard to substances or technologies used.	No	The potential impacts are anticipated to be negligible given the nature of the proposed development.

SHEDULE 7 CRITERIA		Relevance	Commentary
<b>2. Location of Proposed Development</b>  The environmental sensitivity of geographical areas likely to be affected by the proposed development, having regard in particular to:	The existing land use	No	There is minimal change in existing land use associated with this proposed development. The car parking amendments and public realm enhancements are located within the town centre.
	The relative abundance, quality and regenerative capacity of natural resources in the area	No	The impacts are anticipated to be negligible given the scale of the proposed development.
	The absorption capacity of the natural environment, paying particular attention to the following areas:		
	Wetlands, riparian areas, river mouths;	No	The impacts are anticipated to be negligible given the scale of the proposed development. There is no anticipated loss of habitat therefore associated with this element of the overall project.
	Coastal zones	No	N/A
	Mountain and forest areas	No	N/A

	Nature reserves and parks	No	N/A
	Areas classified or protected under legislation, including special protection areas designated pursuant to Directives 79/409/EEC and 92/43/EEC	No	The Appropriate Assessment Screening Report submitted as part of this Part VIII application concludes that the proposed development is not foreseen to give rise to any significant adverse effects on designated European sites.
	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	The impacts are anticipated to be negligible given the scale of the proposed development.
	Landscapes of historical, cultural archaeological significance	No	The impacts particularly those of historical, cultural and archaeological significance are anticipated to be negligible. It is proposed to undertake an archaeological and Architectural Appraisal as part of the works contract although it is considered unlikely that any archaeological discoveries of significance will be encountered.



SHEDULE 7 CRITERIA		Relevance	Commentary
<b>3. Characteristics of Potential Impacts</b>  <b>The potential significant effects of proposed development in relation to criteria set out under paragraphs 1 and 2 above and having particular regard to:</b>	The magnitude and spatial extent of the impact (geographical area and size of the affected population)	No	The impacts are anticipated to be insufficient given the scale of the proposed development.
	The nature of the impact	No	The impact of the proposal will, in the short term be negative during the construction phase, but will be positive in the long term once the development is complete.
	The transboundary nature of the impact	No	Not considered relevant.
	The magnitude and complexity of the impact.	No	The impacts are anticipated to be insufficient given the scale of the proposed development.
	The probability of the impact.	No	There are no significant environmental effects anticipated.
	The expected onset, duration, frequency and reversibility of the impact,	No	There are no significant environmental effects anticipated.

	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	There are no significant environmental effects anticipated.
	The possibility of effectively reducing the impact	No	There are no significant environmental effects anticipated

## 5. Conclusion

The proposed development falls within the scope of the Infrastructure project type prescribed in the Directive or Regulations. However, it is considered to be sub-threshold in nature.

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 also noted that a separate Appropriate Assessment Screening Report has concluded that there will be no negative impacts on the qualifying interests or species of any Natura 2000 site within a 15km radius of the proposed development.

Having regard to the foregoing it is concluded that there is no requirement for an Environmental Impact Assessment to be carried out for the proposed for Elphin Town Centre Public Realm Enhancement & Redevelopment of the Former Courthouse to Provide a Cultural/Community Centre and therefore, there is no requirement for an Environmental Impact Assessment Report to be prepared.