



Environmental Impact Assessment Screening Report

Large Residential Development (LRD)

Spa Glen, Mallow, Co. Cork

On behalf of
O'Flynn Group



MALONE O'REGAN



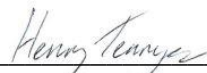


Ground Floor – Unit 3
Bracken Business Park
Bracken Road, Sandyford
Dublin 18, D18 V32Y
Tel: +353- 1- 567 76 55
Email: enviro@mores.ie

Title: Environmental Impact Assessment Screening Report, Large Residential Development (LRD), O'Flynn Group, Spa Glen, Mallow, Co. Cork

Job Number: E1884

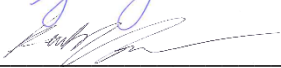
Prepared By: Henry Tennyson

Signed: 

Checked By: Gus Egan

Signed: 

Approved By: Kenneth Goodwin

Signed: 

Revision Record

Issue No.	Date	Description	Remark	Prepared	Checked	Approved
01	09/02/24	Report	Final	HT	GE	KG

Copyright and Third-Party Disclaimer

MOR has prepared this report for the sole use of our client (as named on the front of the report) in accordance with the Client's instructions using all reasonable skill and competence and generally accepted consultancy principles. The report was prepared in accordance with the budget and terms of reference agreed with the Client and does not in any way constitute advice to any third party who is able to access it by any means. MOR excludes to the fullest extent lawfully permitted all liability whatsoever for any costs, liabilities or losses arising as a result of or reliance upon the contents of this report by any person or legal entity (other than the Client in accordance with the terms of reference). MOR has not verified any documents or information supplied by third parties and referred to herein in compiling this document and no warranty is provided as part of this document. No part of this report may be copied or reproduced without express written confirmation from MOR. Any methodology contained in this report is provided to the Client in confidence and must not be disclosed or copied to third parties without the prior written agreement of MOR. Disclosure of such information may constitute an actionable breach of confidence or may otherwise prejudice our commercial interests. Third parties who obtains access to this report by any means, including disclosure by the Client, will be subject to the Copyright and Third-Party Disclaimer contained herein.

Environmental Impact Assessment Screening Report
Large Residential Development (LRD)
O'Flynn Group
Spa Glen, Mallow, Co. Cork

Contents

1	INTRODUCTION	1
1.1	Previous Planning History	2
1.2	Site Zoning	3
1.3	Need for the Proposed Development	4
2	DESCRIPTION OF THE PROPOSED DEVELOPMENT	5
2.1	Site Context	5
2.2	Description of the Proposed Development	6
2.2.1	Drainage	6
2.2.2	External Lighting	7
2.2.3	Site Access	7
2.2.4	Landscaping	7
2.3	Construction and Demolition Procedures	8
2.3.1	Monitoring	9
3	METHODOLOGY	10
3.1	Desk Based Studies	10
3.1.1	EIA Screening and Regulatory Context	10
3.2	Field Based Studies	10
4	RECEIVING ENVIRONMENT	12
5	EIA SCREENING	16
5.1	Mandatory EIAR Screening	16
5.2	Sub-threshold Requirements for EIA	17
5.2.1	Characteristics of the Potential Development	18
5.2.2	Location of Proposed Development	21
5.2.3	Types and characteristics of Potential Impacts	23
6	CONCLUSIONS	25
7	REFERENCES	26

FIGURES

Figure 1-1: Site Location	1
Figure 1-2: Extract from National Planning Application Database, accessed 29/01/2024	2
Figure 1-3: Excerpt from Cork County Development Plan 2022-2028 Land Use Zoning	3
Figure 2-1: Site Context	5
Figure 2-2: Extract from Drawing 20006-1002-16-PA-SITE LAYOUT	6
Figure 4-1: Extract Flood Maps – Floodinfo.ie CFRAM Map PDF 29/01/2024	12
Figure 4-2: Proximity of the Site to Natura 2000 sites.....	13
Figure 4-3: Excerpt EPA Maps Lden Strategic Noise Major Roads, 29/01/2024.....	14
Figure 4-4: Excerpt from Historical Environmental Viewer, 29/01/2024	15

TABLES

Table 5-1: Screening for Part 2 of Schedule 5.....	16
Table 5-2: EIAR Screening Criteria as per Schedule 7 of the Planning and Development Regulations 2001 (as amended)	17
Table 5-3: Characteristics of the proposed development.....	18
Table 5-4: Location of Proposed Development.....	21
Table 5-5: Characteristics of Potential Impact	23

1 INTRODUCTION

Malone O'Regan Environmental (MOR) have been commissioned by the O'Flynn Group ('the Applicant') to undertake an Environmental Impact Assessment (EIA) Screening for the proposed Large-scale Residential Development (LRD) and all associated works ('the Proposed Development') on lands at Spa Glen, Mallow, Co. Cork. (OS Reference ITM 556603 599835).

The Proposed Development will be located on a site that is circa (ca.) 8.12 hectares (ha) in size and is located within the townland of Spa Glen, Co. Cork ('the Site'). The Site is accessed via the L5331 local road from the N72 national road.

The L5331 runs parallel to the northern and western side of the Site, and the N72 borders the southern Site boundary. The South Caherduggan river runs along the south-western Site boundary adjacent to a mature hedgerow / treeline. The Tinley Park housing estate borders the north-western Site boundary and the Clonmore housing estate is located to the northeast of the Site boundary.

The location of the Site is shown in Figure 1-1 below.

Figure 1-1: Site Location



This EIA Screening report has been prepared to consider the requirement, or otherwise, of carrying out an EIA in respect of the Proposed Development. This screening exercise was undertaken in two stages:

- Stage 1 considers the requirement for a mandatory EIA;
- Stage 2 considers the requirement for a sub-threshold EIA.

As part of the sub-threshold screening exercise, the potential effects on environmental sensitivities were considered in addition to the interrelationship between those environmental sensitivities.

This EIA Screening Report will be submitted as part of the overall planning submission to An Bord Pleanála (ABP).

Any future proposed developments will be subject to the required environmental assessments and the mandatory statutory consents.

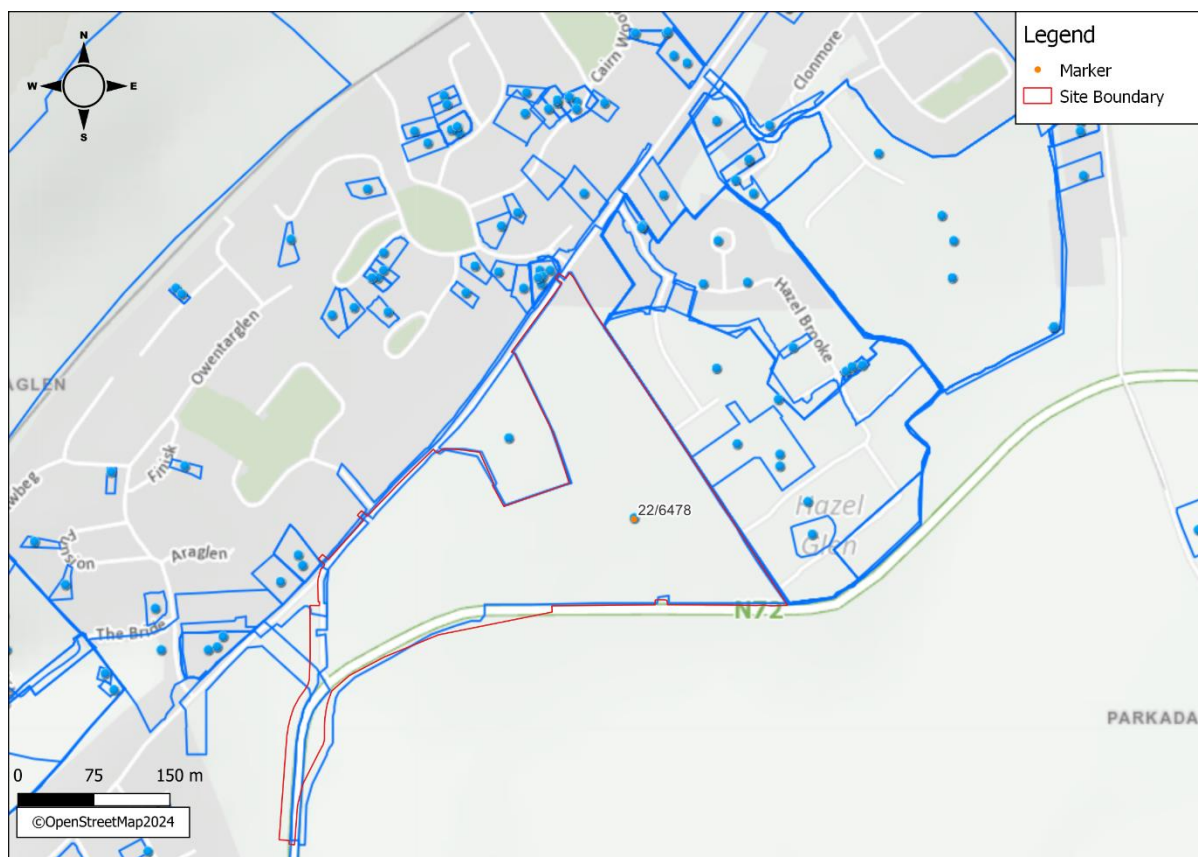
1.1 Previous Planning History

There is one (1No.) previous planning application submitted on the Site for a LRD consisting of:

'Large scale residential development (LRD) comprising the demolition of the existing farmhouse/buildings and the construction of 188 no. residential units, 1 no. creche and all associated ancillary development works including the realignment of part of the N72 to southwest, 2 no. vehicular access points, footpaths, parking, drainage, landscaping/amenity areas and the undergrounding of existing 38KV overhead electricity lines...'

It should be noted that this application was made by the Applicant consisting of a similar proposed development to the one outlined in Section 2 below. The application was submitted on the 4th November 2022 and withdrawn on the 16th August 2023. The application was given reference 22/6478. The previous planning application is shown as an orange dot in Figure 1-2 below, which was extracted from the National Planning Application Database on MyPlan.ie [1], with the site shown with a marker. Adjoining applications can also be seen in Figure 1-2.

Figure 1-2: Extract from National Planning Application Database, accessed 29/01/2024



On the 26th of November 2016, a planning application for the construction of 108No. dwellings was submitted under planning file reference 16/6949. The application sought for the construction of these dwellings within the unbuilt portion of a previous parent permission planning reference 04/5912 located ca. 700m to the northeast of the Site (Clonmore). An

Environmental Impact Assessment Report (EIAR) was not submitted as part of the original planning permission or the renewed application in 2016.

Other planning developments located near the Site are individual property applications and permission for the alteration of the Mallow Sewerage Scheme (19/5078) located to the west of the Site.

1.2 Site Zoning

The Site is located within the area of Spaglen, Mallow, Co. Cork on lands zoned under the Cork County Development Plan 2022-2028 [2] for:

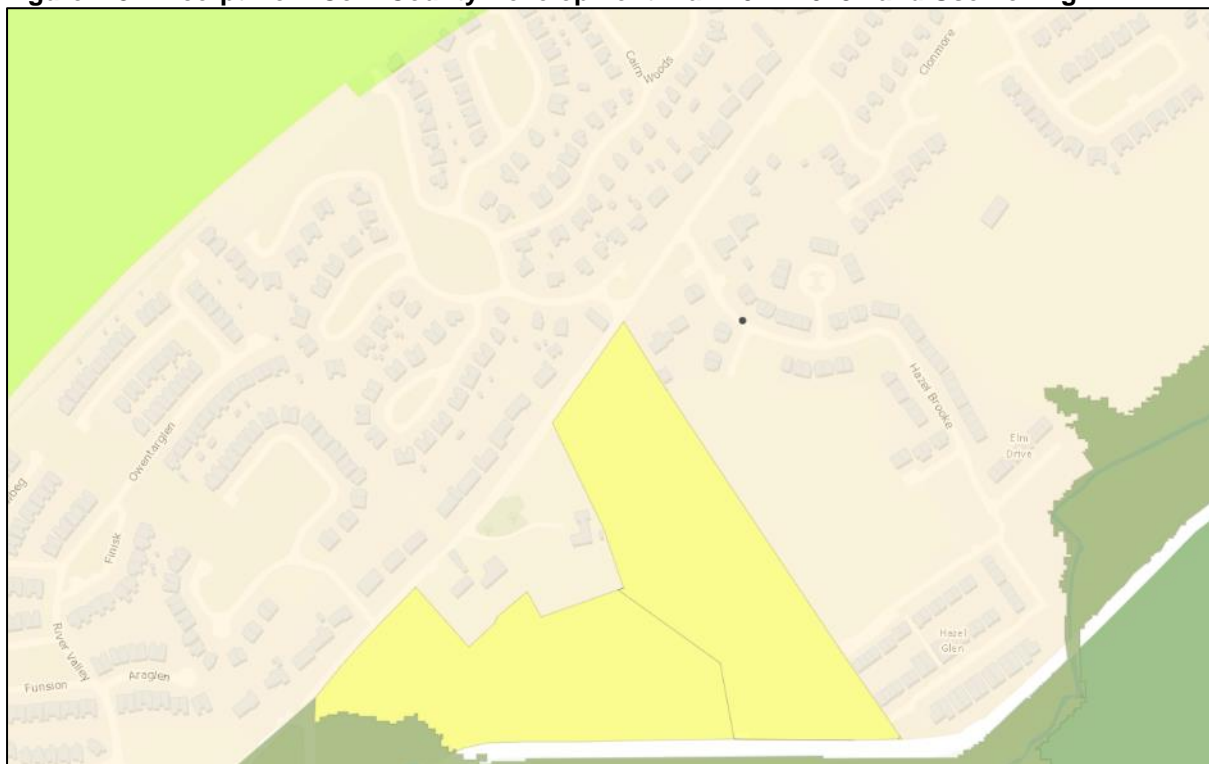
'Existing Residential/ Mixed Residential and other uses'

The town of Mallow is classified as a 'Key Town' under the 'Regional Spatial and Economic Strategy' (RSES) for the Southern Region [3].

The Site borders zones for 'Existing Residential' to the north and the east and 'Green Infrastructure' to the south [2]. A 'Greenbelt' zone is located ca. 1km to the north of the Site.

Figure 1-3 below displays the Land Use Zonings associated with the Site displayed from the Cork County Development Plan 2022-2028.

Figure 1-3: Excerpt from Cork County Development Plan 2022-2028 Land Use Zoning



1.3 Need for the Proposed Development

According to the Cork County Development Plan 2022-2028, the current property market in Cork has been characterised by an under-supply of houses and a growing population with the construction of new-build homes in Cork comprising 10.7% of nationally built homes [2].

A review of both the Kanturk-Mallow Municipal District Local Area Plan [4] and the Cork County Development Plan 2022-2028 identified a number of targets and objectives relating to housing which include the following:

Objective HOU 4-6: Housing Mix [2]:

“a) Secure the development of a mix of house types and sizes throughout the County as a whole to meet the needs of the likely future population across all age groups in accordance with the guidance set out in the Joint Housing Strategy and the Guidelines on Sustainable Residential Development in Urban Areas.”

“b) Require the submission of a Statement of Housing Mix with all applications for multi-unit residential development in order to facilitate the proper evaluation of the proposal relative to this objective. The Statement of Housing Mix should include proposals for the provision of suitable housing for older people and the disabled in the area.”

Objective HOU 4-8: Building Height and Amenity [2]

“Support the provision of increased building height and densities in appropriate locations within the County, subject to the avoidance of undue impacts on the existing residential amenities. In mixed use schemes, proposals will include details of the sequencing of uses to enable the activation of supporting services. New development greater than 4 storeys will be required to address the development management criteria, as set out in paragraph 3.2 of the Urban Development and Building Heights Guidelines (2018)”.

Objective MW-GO-01: General Objectives for Mallow [4]

“Plan for developments to enable Mallow to achieve its target population to 20,000 persons”.

Objective MW-GO-09: General Objectives for Mallow [4]:

“Provide for the co-ordinated and phased development of the Urban Expansion Areas to the Northeast and Northwest of the town to deliver high quality housing/community and employment uses as appropriate.”

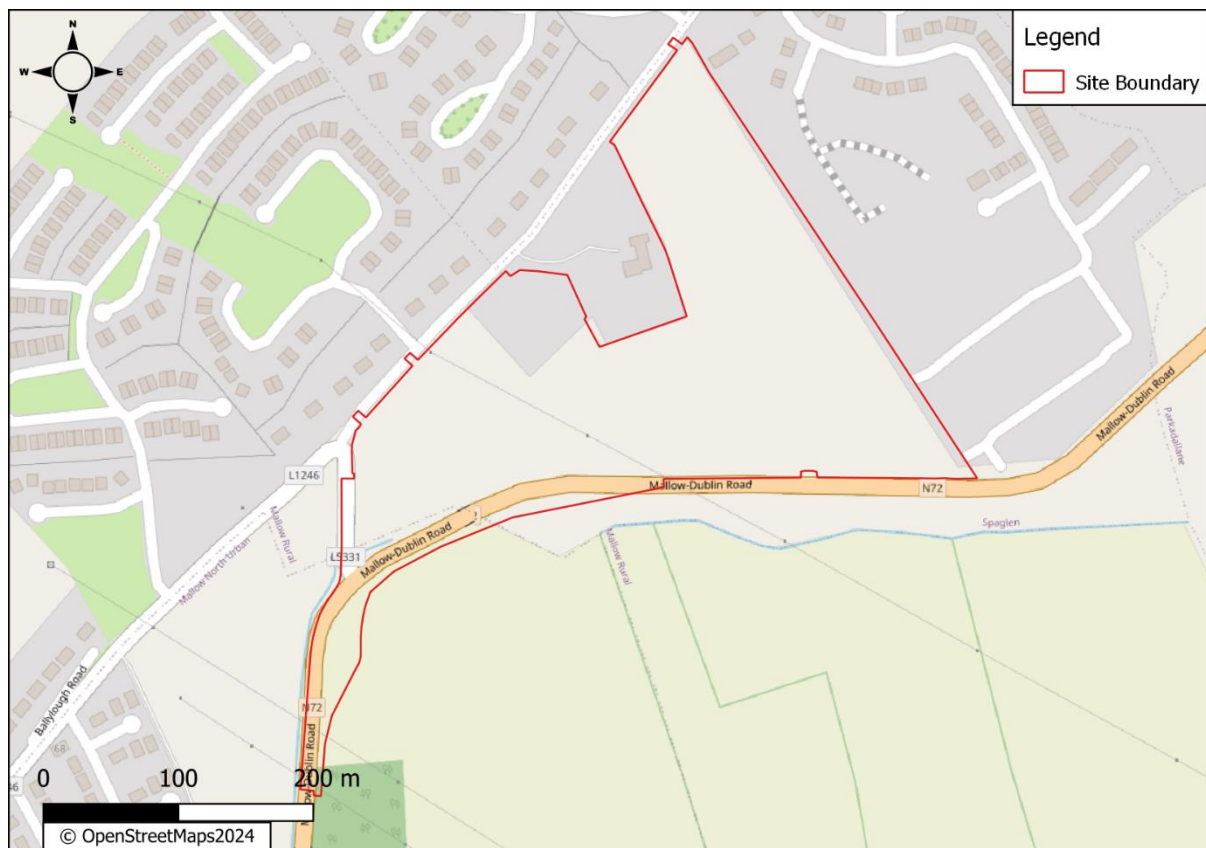
It can be concluded that the Proposed Development is in-line with the objectives outlined above and is required to meet the housing demands of a growing population at a county and town level.

2 DESCRIPTION OF THE PROPOSED DEVELOPMENT

2.1 Site Context

The Site is ca.8.12 ha and located within the townland of Spaglen, northeast of Mallow, Co. Cork. The Site is comprised of two agricultural fields a disused residential property and a yard, which is overgrown by vegetation and containing stables. The Site also contains an area of the N72, as shown in Figure 2-1, to the southeast of the main area of the Proposed Development. The surrounding area is largely residential while the greater area is agricultural. The Site is accessed via the L5331 which connects to the N72.

Figure 2-1: Site Context



The L5331 runs parallel to the western Site boundary, while the N72 borders the southern Site boundary. The South Caherduggan river runs along the south-western Site boundary adjacent to a mature hedgerow / treeline. The Tinley Park housing estate borders the north-western Site boundary and the Clonmore housing estate is located to the northeast of the Site boundary.

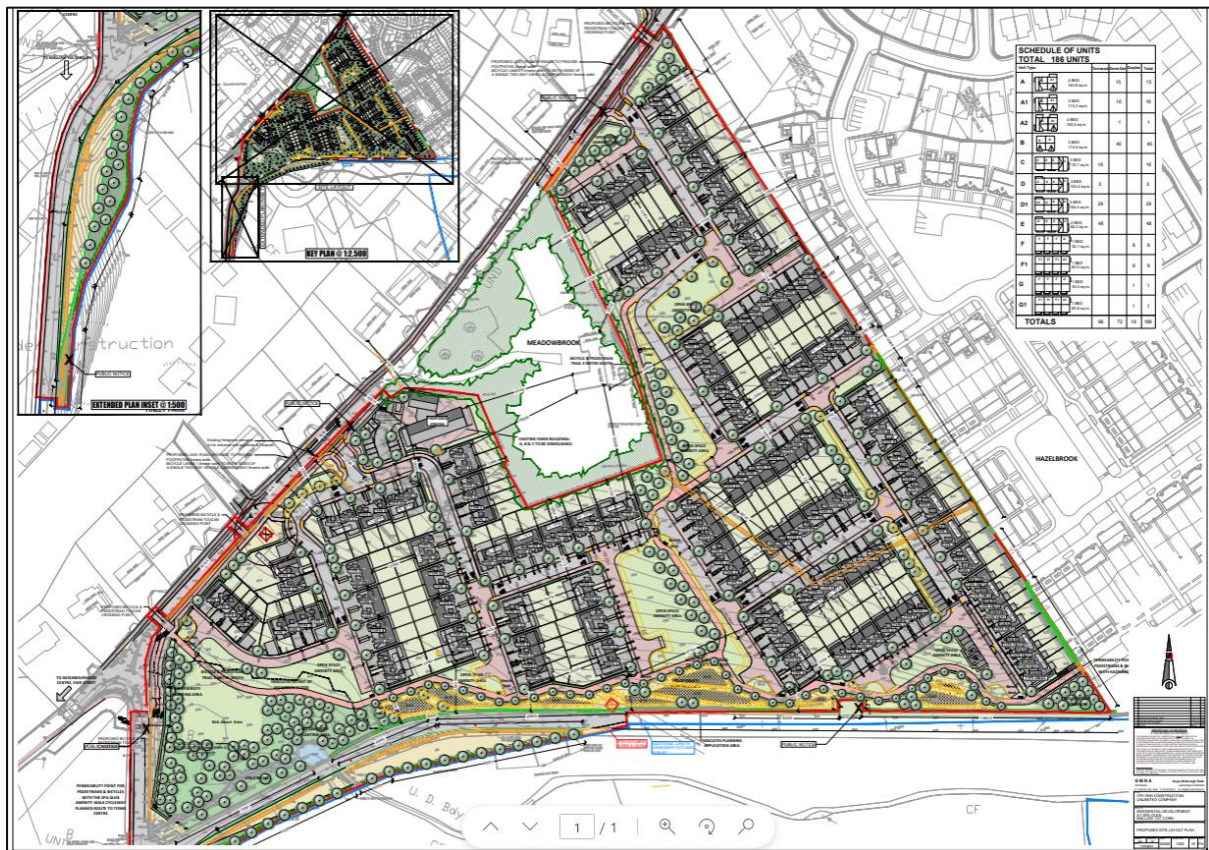
2.2 Description of the Proposed Development

The Proposed Development is for a LRD at Spaglen (townland), Mallow, Co. Cork, and will comprise of:

- the demolition of existing farmhouse and buildings/structures;
- the construction of 186No. residential units to include:
 - 168no. dwelling houses (comprising a mix of 2, 3 & 4 bed, detached, semi-detached & terraced/town houses); and,
 - 18No. 1 bed duplexes/apartments;
- 1No. creche; and,
- All associated ancillary development works including 2No. vehicular access points, footpaths, parking, drainage, landscaping and amenity areas.

A detailed drawing can be seen by referring to Drawing 20006-1002-13-PA-SITE LAYOUT submitted as part of the planning package, refer to Figure 2-2 below.

Figure 2-2: Extract from Drawing 20006-1002-16-PA-SITE LAYOUT



2.2.1 Drainage

This section sets out a description of the proposed surface water drainage. It is proposed to connect to the existing public infrastructure adjacent to the Site.

Key elements of the proposed drainage are presented below in respect of this report and have been sourced from the Services Infrastructure Report by J.B Barry and Partners Limited.

2.2.1.1 Surface Water

The proposed surface water network will include a storm drainage pipe network, attenuation storage structures and several Sustainable Urban Drainage Systems (SuDS) features, including nature-based features, which will aid the reduction of runoff volumes by slowing surface water flows, providing the opportunity for evapotranspiration and providing the opportunity for infiltration to ground. Both the interception and attenuation storage requirements of the Greater Dublin Strategic Drainage Study (GDSDS), a recognised best practice document will be sufficiently met.

The SuDS features that have been identified for the Proposed Development are as follows:

- Swales;
- Bioretention Areas;
- Dry Basins and Wetlands; and,
- StormTech Attenuation Tanks.

The combination of the above measures will provide for minimum (ca. 5mm) amount of interception storage required under the GDSDS. Further to these measures it is proposed that a hydrocarbon interceptor is installed upstream of the StormTech attenuation tank. Additionally, grit sumps will be provided upstream of hydrocarbon interceptors and grit chambers will be provided in all road gullies to capture grit high up in the treatment train.

2.2.1.2 Foul Drainage

Irish Water drainage records show that there is an existing foul sewer located in the N72 national road, southwest of the Site and it is proposed to connect the foul water drainage from the Proposed Development to this existing foul sewer.

The wastewater collection system is designed to ensure self-cleansing velocities will be achieved on all pipe runs. Manholes will be constructed on all pipe-runs at changes in sewer direction, changes in gradients, at significant sewer connections and at a maximum spacing of 90m for 226mm diameter pipes and above while spacing of 75m for 150mm diameter pipes will be maintained.

2.2.2 External Lighting

External lighting has been included as part of the Proposed Development, refer to the Outdoor Lighting report prepared by Kelleher's Electrical for more information. In relation to this report key elements from the lighting report include that the Site lighting has been designed to provide a safe environment for pedestrians, cyclists and moving vehicles, to deter anti-social behaviour and to limit the environmental impact of artificial lighting on existing flora and fauna in the area.

2.2.3 Site Access

The Site will be accessed from the existing L5331. It is also proposed to include cycle routes through the Proposed Development, with public road crossings located to suit Cork County Councils Active Travel/Greenway Plans in the area. It is also proposed to improve the adjacent N72 junction to include a right turn lane, which is bounded to the Site from the south.

2.2.4 Landscaping

A Landscape Plan is submitted as part of the overall planning application, this plan has been prepared by DMN Architects and submitted with the application.

In line with objectives outlined in the Kanturk-Mallow Municipal District Local Area Plan [4], to promote green landscapes in the area, a green infrastructure assessment was carried out by DMN Architects and accompanies this planning application.

The design allows for the retention of existing hedgerows and the development of open spaces for amenity whilst promoting bio-diversity. The trail within the Proposed Development which

connects to Hazel Glen will also promote active / sustainable travel for the entire northeastern sector of Mallow town.

2.3 Construction and Demolition Procedures

During the demolition and construction phases of the Proposed Development potential environmental effects will be short-term and localised. Nonetheless, all works will comply with the relevant legislation, construction industry guidelines and best practice in order to reduce potential environmental impacts associated with the works.

The Applicant has completed a preliminary Construction Waste Management and Traffic Plan (CWM&TP), which will be updated by the appointed contractor and submitted to the planning authority in advance of works commencing at the Site. The CWM&TP will follow current legislative requirements and best practice guidelines to control the environmental risks that may occur during works.

Construction working hours will be 07:30 to 19:30 Monday to Friday inclusive, and Saturday mornings (07:30 to 14:00), as outlined in the CWM&TP, subject to any conditions set down by planning conditions. The CWM&TP document notes some exemptions to these hours may arise, and this has been considered in this report. The CWM&TP details measures that will be implemented, which include:

- Contained area for machinery re-fuelling and construction chemical storage will be established;
- Measures will be in place to contain dust and / or to ensure that mud and other debris are kept off the public roadways. Any surplus material from foundation excavations & service excavations will be utilised to construct embankments for landscaping of the adjacent newly formed stream;
- All vehicles carrying open loads (e.g. skips) will ensure the loads are properly covered to ensure no spillage of waste material occurs;
- Silt traps will be installed on surface water drains during the site development works;
- Temporary holding ponds will be created to ensure any spillage or run off is contained;
- Wheel washing facilities will be provided for vehicles exiting site in order to prevent mud and other wastes being tracked onto public roads. Public roads outside the site will be regularly inspected for cleanliness and cleaned for necessary;
- Cattle (Rumble) Grids will be placed at vehicular exit gates, before and after the truck wheel wash during excavation to remove spoil from truck wheels leaving from site;
- Hard surface roads will be regularly swept to remove mud and aggregate materials from their surface;
- A temporary dyke will be constructed to ensure no runoff enters directly into the watercourse;
- Heavy equipment and machinery including pneumatic drills, construction vehicles and generators only work between the hours of 07:30 to 19:30 (Monday to Friday) and 07:30 to 14:00 (Saturdays);
- On occasions it may prove necessary to carry out noisy activities outside of normal working hours. In such instances prior consultation will be carried out with Cork County Council, local residents, and businesses outlining the nature and reason for the works and their likely duration;
- All plant and equipment will be maintained in good working order in accordance with BS.5228 in order to minimise air and noise emissions;

- The Contractor will provide management of all site traffic movements and parking throughout the duration of the works. If Temporary Traffic Management is required on the Public Road it will be agreed with Cork County Council Traffic Department a week prior to the works taking place;
- Excavated material (soil and stone – EWC Code 17 05 04 will be re-used onsite, it is not expected to be taken offsite for recovery;
- Other waste materials including wood, plastic and cardboard will be separated on site into skips. A number of skips (20m³ typical) will be kept in a secure area adjacent to the site compound. Smaller skips will be placed at bring centres located around the site where workers can deposit the various waste types. When full these will be taken to the site compound for bulking into the larger skips;
- A permitted waste collection contractor will be retained to remove the skips to a permitted facility for recovery / recycling / disposal;
- The appointed subcontractor is Waste Recovery Services, Cullenagh, Fermoy, Co. Cork;
- The Construction Manager will arrange for full details of all arising movements and treatment of C&D wastes to be recorded.

The CWM&TP also states that:

“Details of construction activities, prediction levels/assessments will be discussed with the relevant authority, both prior to construction and during construction. Detailed construction programmes will be available in advance of work starting on site.”

2.3.1 Monitoring

An ecological clerk of works (ECoW) will inspect the Site in advance of construction works commencing, as committed to within the prepared Ecological Impact Assessment (EclA), Natura Impact Statement (NIS) and CWM&TP. The role of ECoW will include the undertaking of environmental site inspections as required during the works, to ensure that they will be completed in line with the mitigation measures detailed within the EclA, NIS and CWM&TP.

In addition, the ECoW will either deliver or provide the resident engineer with sufficient environmental information to deliver a Site induction to all personnel working on-site.

3 METHODOLOGY

3.1 Desk Based Studies

In undertaking this EIA Screening Assessment, a detailed desk-based study was completed, which included a review of the following information:

- Relevant legislation and guidance;
- Relevant published information pertaining to the site and surrounding area in regard to all stipulated EIAR topics; and,
- Information supplied by the client in relation to the Proposed Development.

3.1.1 EIA Screening and Regulatory Context

To determine whether it is required to undertake an EIA for the Proposed Development, the relevant legislation, policy and guidance has been taken into account, and the EIA screening report has been prepared in accordance with:

- The Planning and Development Regulations, 2001 (as amended) [5];
- EU Directive 2014/52/EU on the assessment of the effects of certain public and private projects on the environment ('2014 EIA Directive') [6].

In addition, the following guidance documents were reviewed:

- European Commission (June 2017), Environmental Impact Assessment of Projects. Guidance on Screening [7];
- Department of the Environment, Heritage and Local Government (December 2020), Environmental Impact Assessment (EIA) Guidelines for Consent Authorities regarding Sub-threshold Development [8];
- Environmental Protection Agency (EPA) Guidelines on the Information to be contained in Environmental Impact Assessment Reports (May 2022) [9];
- Department of Housing, Planning and Local Government (DHPLG) Transposing Regulations (S.I. No. 296 of 2018) Guidelines for Planning Authorities and An Bord Pleanála on Carrying out Environmental Impact Assessment (August 2018) [10]; and,
- Office of the Planning Regulator, OPR Practice Note PN02: Environmental Impact Assessment Screening [11].

3.2 Field Based Studies

An initial baseline survey was undertaken on the 21st September 2021 by one (1No.) MOR ecologist. Updated Site surveys were carried out by MOR ecologists on the:

- 24th May 2022;
- 3rd August 2022;
- 18th August 2022;
- 11th October 2022; and,
- 2nd June 2023.

Following the opinion letter issued by Cork County Council on the 22nd December 2023, an additional Site walkover was undertaken on the 9th January 2024 to assess levels of hedgerow / treeline removal and to confirm any other potential changes to the Site since the previous Site visits.

The habitat surveys undertaken utilised Fossitt's Guide to Habitats in Ireland [8]. The surveys aimed to identify the extent and quality of habitats present on the Site. The assessments were extended to also identify the potential for these habitats to support other features of nature conservation importance, such as species afforded legal protection under either Irish or European legislation.

Following the initial baseline survey and consultation with Cork County Council, it was deemed necessary to undertake additional specialist surveys including bat surveys, badger surveys, otter survey, and breeding bird survey / habitat suitability assessment.

Bat surveys were undertaken on:

- 23rd September 2021;
- 27th September 2021;
- 21st July 2022; and,
- 11th August 2022.

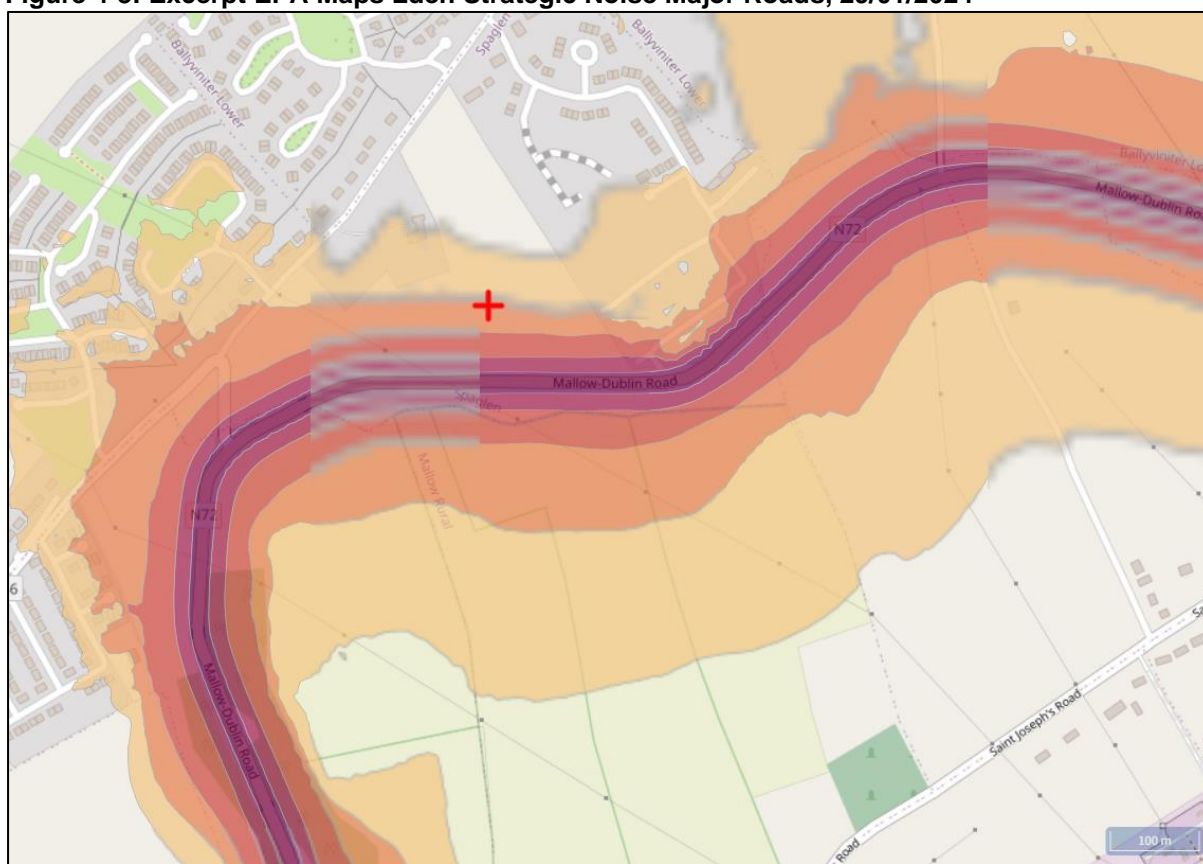
A badger survey was undertaken on 24th May 2022, and a breeding bird survey and habitat suitability assessment was undertaken on the 19th August 2022.

Figure 4-2: Proximity of the Site to Natura 2000 sites



The N72 located directly south of the Proposed Development currently falls with the recently published Round 4 Strategic Noise Mapping, under the transposed Environmental Noise Directive (CITATION).

Figure 4-3: Excerpt EPA Maps Lden Strategic Noise Major Roads, 29/01/2024



There are currently no National Inventory of Architectural Heritage (NIAH) sites within the Site, however there is one (1No.) located ca. 50m northeast of the Site. There is one redundant record (CO033-146) on the Site, shown in Figure 4-4. According to the Historic Environmental Viewer [12]:

'A mound was reported in 2001 to the Cork Archaeological Survey Unit, UCC, as a possible fulacht fia. Inspected in 2005 it turned out to be a 'relatively modern dump of earth' and not a fulacht fia.'

Figure 4-4: Excerpt from Historical Environmental Viewer, 29/01/2024



5 EIA SCREENING

In determination of whether an EIA is necessary, the EIA Directive establishes the distinction between projects that inherently necessitate a mandatory EIA and those of which an EIA might be required if they are expected to result in significant environmental effects. These projects are categorised as Annex I and Annex II of the EIA Directive, respectively. In Irish Legislation, the Annex I and Annex II type projects are denoted as Part 1 and Part 2 type developments, respectively. These designations are incorporated into Schedule 5 of the Planning and Development Regulations, 2001 (as amended).

5.1 Mandatory EIAR Screening

There are no activities listed within Part 1 of Schedule 5 of the Planning and Development Regulations (as amended) which relate to the Proposed Development. The Proposed Development subject to this EIA Screening Report, therefore, does not fall within the scope of activities listed in Part 1 of Schedule 5 and a mandatory EIA, as classified under Annex I, is not required.

The activities within Part 2 of Schedule 5 of the Planning and Development Regulations, 2001 (as amended) which are considered applicable or associated with the Proposed Development are presented in Table 5-1.

Table 5-1: Screening for Part 2 of Schedule 5

Class		Applicability	Screening
2 (10) (b) (i)	Construction of more than 500 dwelling units.	The Proposed Development involves the construction of a LDA with 186No. residential units. This does not meet the threshold for an EIA and therefore, a mandatory EIA as classified under Part 2 of Schedule 5 is not required..	EIA Not Required
2 (10) (b) (ii)	Construction of a carpark providing more than 400 spaces, other than a carpark provided as part of, and incidental to the primary purpose of, a development.	The Proposed Development includes a total of 375No. car parking spaces designated for the homeowners and guests. The car parking is incidental to the Proposed Development. This does not meet the threshold for an EIA and therefore a mandatory EIA, as classified under Part 2 of Schedule 5 is not required.	EIA Not Required
2 (10) (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 Proposed Development will cover a Site area of ca. 8.12ha, which is below the threshold of 10ha in the case of developments occurring in part of a built-up area. This does not meet the threshold for an EIA and therefore a mandatory EIA, as classified under Part 2 of Schedule 5, is not required.	EIA Not Required
2 (10) (dd)	All private roads which would exceed 2000 metres in length.	The Proposed Development does not include for a private road and therefore does not exceed the threshold set out in Part 2 10 (dd) of Schedule 5.	EIA Not Required

Whilst the Proposed Development does not meet any of the thresholds outlined in Part 2 of Schedule 5, and therefore a mandatory EIA is not required, the characteristics of the Proposed Development meet the class requirements for consideration. Therefore, an EIA screening is required with respect to the thresholds presented in Table 5-1 above namely:

- Part 2 item 10(b) (i);
- Part 2 item 10(b) (ii); and,
- Part 2 item 10(b) (iv).

5.2 Sub-threshold Requirements for EIA

Developments which correspond to Schedule 5, Part 2 project types but are below the given threshold must be screened to determine whether they require an EIAR or not. This is done by consideration of criteria set out in Schedule 7 and Schedule 7a of the Planning and Development Regulations.

While the mandatory requirements for developments are relatively straightforward, being based on readily observable and definable quantum's of type and scale, the discretionary (or sub-threshold) requirements are based on an assessment of the likely significant environmental effects of the Project and will naturally vary on a case-by-case basis and require greater investigation and diligence in appraisal and precise determination depending on the complexity of the development and the proposed receiving environment.

Schedule 7 of the Planning and Development Regulations 2001 (as amended) sets out the criteria for assessing whether or not a project will have “likely” and “significant” effects on the environment, in which case an EIA is also required. These criteria include the following:

- Characteristics of proposed development;
- Location of proposed development; and,
- Characteristics of potential impacts.

These criteria, listed in Table 5-2, were considered for the Proposed Development under the topics recommended in EIAR guidance documents.

Table 5-2: EIAR Screening Criteria as per Schedule 7 of the Planning and Development Regulations 2001 (as amended)

1.Characteristics of proposed development
<p>The characteristics of proposed development, in particular –</p> <ol style="list-style-type: none"> a) the size and design of the whole of the proposed development, 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, c) the nature of any associated demolition works, d) the use of natural resources, in particular land, soil, water and biodiversity, e) the production of waste, f) pollution and nuisances, 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, and h) the risks to human health (for example, due to water contamination or air pollution).
2. Location of proposed development
<p>The environmental sensitivity of geographical areas likely to be affected by the proposed development, with regard to -</p>

- a) the existing and approved land use,
- b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground,
- c) the absorption capacity of the natural environment, paying particular attention to the following areas:
 - I. wetlands, riparian areas, river mouths;
 - II. coastal zones and the marine environment;
 - III. mountain and forest areas;
 - IV. nature reserves and parks;
 - V. areas classified or protected under legislation, including Natura 2000 areas designated pursuant to the Habitats Directive and the Birds Directive and;
 - 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;
 - VII. densely populated areas;
 - VIII. landscapes and sites of historical, cultural or archaeological significance.

3.Types and characteristics of potential impacts

The likely significant effects on the environment of proposed development in relation to criteria set out under paragraphs 1 and 2 (above), 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—

- a) the magnitude and spatial extent of the impact (for example, geographical area and size of the population likely to be affected);
- b) the nature of the impact;
- c) the transboundary nature of the impact;
- d) the intensity and complexity of the impact;
- e) the probability of the impact;
- f) the expected onset, duration, frequency and reversibility of the impact;
- 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; and,
- h) the possibility of effectively reducing the impact.

5.2.1 Characteristics of the Potential Development

Table 5-3 below details the development characteristics criteria, as set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended), considered and provides an assessment relating to the same.

Table 5-3: Characteristics of the proposed development

Characteristics of proposed development, in particular:	Screening Assessment Summary / Conclusion	EIA Screened In / Out
a) The size and design of the whole of the Proposed Development	<p>The size of the Proposed Development area is ca.8.12ha, principally designed for residential dwellings in the form of houses and apartments. A crèche, access roads and landscaping have also been included in the design of the Proposed Development.</p> <p>The design of the development is similar to that of an existing housing development. Therefore, based on the size of the Proposed Development, further investigation in the context of an EIA is not</p>	Screened out

Characteristics of proposed development, in particular:	Screening Assessment Summary / Conclusion	EIA Screened In / Out
	warranted. Effects on the environment as a result of the Proposed Development are considered not likely and not significant.	
<p>b) The cumulation with other existing development and / or development the subject of consent for proposed development for the purposes of section 172(1)(A) (b) of the Act and/or development the subject of any development consent for the purpose of the Environmental Impact Assessment Directive by or under any other enactment.</p>	<p>The Proposed Development will be similar to the existing nearby housing developments which are to the east and south of the Site.</p> <p>The Proposed Development adjoins the Hazelbrooke estate to the east. The Hazelbrooke estate was granted by An Bord Pleanála for Greenstone Properties Ltd in 2018 (Ref: 300549). The development consists of 135No residential units, 12No. apartments and a crèche. The Proposed Development will have a connected cycle and pedestrian trail, which will be used by both neighbourhoods.</p> <p>A housing estate located ca. 200m east of the Proposed Development was approved by CCC for the client (O'Flynn Group) under 04/2912 and 16/6949. The housing development consisted of 208No. residential units and a creche.</p> <p>Associated with the client, a cumulative total of 296No. houses would be developed, which remains below the 500No. threshold required to undertake an EIA.</p> <p>A review of the Trans-European Transport Network (TEN-T) [13] concluded that the Proposed Development and the routes involved are not included in the TEN-T roads.</p> <p>There are no current or previous plans or projects in the immediate vicinity that are considered likely in-combination with the Proposed Development to result in significant impacts on the Natura 2000 sites. For further information refer to the NIS submitted with this application.</p> <p>Under the Strategic Environmental Assessment for Kanturk Mallow Municipal District it states that there is a net requirement within the towns of the municipal district for ca. 5300 new dwelling units and capacity. As such the Proposed Development will add to the dwelling units currently supplied and support the core objective of mallow achieve sustainable population growth.</p> <p>Based on the nature of the cumulative activities identified, the potential for environmental effects is considered not likely and not significant. Further investigation in the context of an EIA is not warranted.</p>	<p>Screened out</p>
<p>c) The nature of any associated demolition works</p>	<p>As part of the Proposed Development, three farm buildings are to be demolished totalling ca. 550m³. The demolition works related to the Proposed Development will be short-term in nature.</p> <p>The demolition phase will follow mitigation measures outlined by the CEMP plan to mitigate potential impacts. The nature of the works will result in minimal impacts on nearby receptors and therefore not at a scale that would warrant an EIA.</p> <p>Therefore, because of the nature and size of demolition works as part of the Proposed Development, effects on the environment will be not likely and not significant. An assessment in the context of EIA is not warranted.</p>	<p>Screened out</p>
<p>d) The use of natural resources, in particular land, soil, water and biodiversity</p>	<p>The Proposed Development will result in a land take of ca. 8.12 ha. This land is primarily agricultural however it is within the urban area and is zoned for residential purposes.</p> <p>The Applicant has prepared a preliminary Construction Environmental Management Plan and a construction resource waste management plan which will ensure these soils are managed accordingly.</p>	<p>Screened out</p>

Characteristics of proposed development, in particular:	Screening Assessment Summary / Conclusion	EIA Screened In / Out
	<p>During the operation of the facility water will be required for the homes and creche this has been agreed with the competent authority, Irish water, and a preliminary agreement is included with this application.</p> <p>The majority of the land proposed for this development is under agricultural use. Detailed site assessments in relation to biodiversity have been undertaken on the Site and the findings of these studies accompany this planning application.</p> <p>Therefore, due to the nature and size of the Proposed Development, effects on the environment are determined as not likely and not significant. An assessment in the context of EIA is not warranted.</p>	
<p>e) The production of waste</p>	<p>The construction phase of the Proposed Development will likely generate waste such as plastic wrappings, strips, containers, polystyrene and wooden pallets etc. As standard practice the contractor will implement waste management and prevention, minimisation, reuse, recycling, recovery, and disposal of waste generated during the construction phase.</p> <p>A CEMP will be updated by the Contactor for the Proposed Development to ensure appropriate mitigation measures are implemented on-site to reduce / manage waste throughout the construction phase.</p> <p>The operational phase of the Proposed Development will generally result in domestic waste which will be the responsibility of each residential unit. However, turning circles wide enough to allow refuse trucks on-site and bin storage areas have been included as part of the Masterplan to ensure appropriate services for waste are available on-site.</p> <p>It is not envisaged that emissions from heating systems and air conditioning units within the residential units on-site will exceed regulated standards for modern residential developments.</p> <p>Therefore, because of the waste management procedures outlined and the nature of the operational phase waste generated, effects on the environment are considered as not likely and not significant. An assessment in the context of EIA is not warranted.</p>	<p>Screened out</p>
<p>f) Pollution and Nuisances</p>	<p>Construction works will be subject to the standard environmental and health and safety controls. Standard planning conditions for the control of construction stage nuisance for the Proposed Development will adequately control such works on this Site.</p> <p>The Proposed Development will be a residential estate and will form a notable receptor for pollution and nuisance.</p> <p>Therefore, because of the nature and size, geographical location and distance to other developments, effects on the environment will be not likely and not significant. An assessment in the context of EIA is not warranted.</p>	<p>Screened out</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>Potential risks associated with the Proposed Development include uncontrolled release of pollutants to the surrounding environment via uncontrolled construction works.</p> <p>The national flood hazard mapping was consulted. Historical, reoccurring, floods were shown along the N72, which bounds the Site to the south. A single flood event was also recorded in June 2012 in the Clonmore Estate, located to the north of the Proposed Development.</p> <p>The Flood Risk Assessment (FRA) concluded that the footprint of the Proposed Development does not require mitigation. Part of the Site,</p>	<p>Screened out</p>

Characteristics of proposed development, in particular:	Screening Assessment Summary / Conclusion	EIA Screened In / Out
	<p>where the South Caherdugan River is located (outside of footprint) is at risk of flooding and recommendations are made to protect against flood risk in this area.</p> <p>The proposed design for water supply infrastructure was submitted to Irish Water and accepted (Ref CDS220050360). The water supply infrastructure was deemed feasible without infrastructure upgrade by Irish Water and the Wastewater Connection feasible subject to ongoing upgrade capacity to the Mallow Wastewater Treatment Plant.</p> <p>Given consideration for the potential risks to the Proposed Development, given the geographical location of the Proposed Development, the effects on the environment will be not likely and not significant. An assessment in the context of EIA is not warranted.</p>	
<p>h) the risks to human health (for example, due to water contamination or air pollution).</p>	<p>The Site is located within a zoned housing area in the town of Spaglen and to the northeast of the main town of Mallow. Potential risks to human health could occur during the Construction Phase. This would largely be limited to those associated with traffic, noise and dust. A CEMP and a Traffic and Transportation Assessment will be submitted as part of this application which will include the mitigation measures where necessary to ensure that the Proposed Development will not pose a risk to human health.</p> <p>It should be noted that the re-use of bulk material on-site will significantly reduce construction traffic on-site and therefore, minimise the potential impact on the surrounding road network users.</p> <p>Therefore, based on the nature and size of the Proposed Development, effects on the environment will be not likely and not significant. An assessment in the context of EIA is not warranted.</p>	<p>Screened out</p>

As detailed in the above screening, based on the characteristics of the Proposed Development and the nature and scale of any potential effects on the environment are determined as not likely and not significant. Therefore, an investigation into the potential effects in the context of an EIA is not warranted.

5.2.2 Location of Proposed Development

A description of the location of the Proposed Development, as set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended), with regard to the environmental sensitivity of the geographical area likely to be affected is required. Table 5-4 details the criteria considered and provides an assessment relating to same.

Table 5-4: Location of Proposed Development.

The environmental sensitivity of geographical areas likely to be affected by the proposed development, with particular regard to -	Screening Assessment	EIA Screened In / Out
<p>a) the existing and approved land use</p>	<p>The Site is located on lands zoned for '<i>Existing Residential/ Mixed Residential and other uses</i>.' The Proposed Development is in keeping with this land use designation.</p> <p>Given the location of the Proposed Development and keeping with the approved zonation, the effects on the environment are determined as not likely and not significant. An assessment in the context of EIA is not warranted.</p>	<p>Screened out</p>

The environmental sensitivity of geographical areas likely to be affected by the proposed development, with particular regard to -	Screening Assessment	EIA Screened In / Out
<p>b) the relative abundance, quality and regenerative capacity of natural resources (including soil, land, water, biodiversity) in the area and its underground</p>	<p>The Proposed Development will not have a significant impact on the quality and regenerative capacity of natural resources in the area.</p> <p>No significant impacts related to the Proposed Development are predicted therefore, an EIA is not warranted in this regard. Environmental effects are considered as not likely and not significant.</p>	<p>Screened out</p>
<p>c) The absorption capacity of the natural environment, paying particular attention to the following areas:</p> <ul style="list-style-type: none"> (i) wetlands, riparian areas, river mouths; (ii) coastal zones and the marine environment; (iii) mountain and forest areas, (iv) nature reserves and parks, (v) areas classified or protected under legislation, including Natura 2000 areas designated pursuant to the Habitats Directive and the Birds Directive and; (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; (vii) densely populated areas; (viii) landscapes and sites of historical, cultural or archaeological significance 	<p>The Proposed Development does not contain or is not likely to affect any of the following criteria / areas: (ii), (iii), (iv), (vi) and (vii). An examination of the potential effects on the remaining criteria is undertaken below.</p> <p>(i). The supplied EclA concluded that following the implementation of appropriate mitigation measures, there would be no adverse effect on surface water quality within and surrounding the Site and therefore, it can be stated that no wetlands, riparian areas or river mouths will be affected by the Proposed Development.</p> <p>(v) An NIS has been undertaken to determine the appropriateness, or otherwise, of the Proposed Development in the context of the conservation objectives of European designated sites. The NIS concluded that there were no adverse effects expected at the SAC and SPA Sites as a result of the Proposed Development following mitigation.</p> <p>(viii) There is one NIAH site located ca. 50m to the north of the Proposed Development. The site is a residential house that is currently in use as a house (Reg No: 20903322). No associated works in the area of the NIAH Site are detailed within the Proposed Development.</p> <p>Given the nature and scale of activities, effects on the absorption capacity of the natural environment are considered not likely and not significant. An assessment in the context of EIA is not warranted.</p>	<p>Screened out</p>

Based on the location of the Site, which has been detailed in Sections 2 and 4 above, the effects of the Proposed Development on the environment in this context are determined as not likely and not significant.

Due to the location of the Proposed Development an EIA is not warranted.

5.2.3 Types and characteristics of Potential Impacts

Table 5-5 below details the screening assessment relating to the types and characteristics of potential effects, as set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended).

Table 5-5: Characteristics of Potential Impact

The likely significant effects on the environment of proposed development in relation to criteria set out [in above tables] taking into account: -	Screening Assessment	EIA Screened In / Out
a. The magnitude and spatial extent of the impact (for example, geographical area and size of the affected population),	<p>The Proposed Development encompasses a Site area of ca.8.12ha. The Site is connected to all relevant services needed to support the operational phase of the Proposed Development.</p> <p>Due to the nature of activities anticipated, the magnitude and spatial extent of the impact from the Proposed Development are determined as not likely and not significant. Further assessment on the potential impacts in the context of an EIA is not warranted.</p>	Screened out
b. The nature of the impact	<p>During the construction phase, short term impacts in relation to noise, dust and water runoff are a risk, however, these risks are common to any construction project and can be adequately controlled through standard construction controls and planning conditions.</p> <p>The operational phase will present minimal on-site emission and such emissions will be typical of any residential housing estate.</p> <p>Further assessment on potential impacts in the context of an EIA is not warranted.</p>	Screened out
c. The transboundary nature of the impact,	<p>Due to the nature, type and size of the Proposed Development transboundary nature of the impact, are not applicable and do not warrant an assessment in the context of an EIA.</p>	Screened out
d. The intensity and complexity of the impact	<p>During the Construction Phase, effects will be temporary in nature and typical of housing developments of similar scale.</p> <p>Operational effects will see activities typical of that under the current land-use zonation.</p> <p>Therefore, the intensity and complexity of the impact associated with the Proposed Development is not deemed to require an EIA. Effects on the environment are determined as not likely and not significant.</p>	Screened out
e. The probability of the impact,	<p>Once the Proposed Development has been constructed, it is considered not likely that its residential use will result in local direct impacts.</p> <p>Further assessment on potential impacts in the context of an EIA is not warranted.</p>	Screened out

The likely significant effects on the environment of proposed development in relation to criteria set out [in above tables] taking into account: -	Screening Assessment	EIA Screened In / Out
f. The expected onset, duration, frequency and reversibility of the impact,	<p>In the Medium (7-15 Years) and Long-term (15-60 years) duration, the nature of the Proposed Development will be similar to other residential estates. The Proposed Development will be utilised as a living environment and therefore, should the application be successful, reversibility of the impact will not be applicable.</p> <p>However, in the unlikely event that the Proposed Development proves unsuccessful with services, some residential units and partial builds in place, the buildings can be re-purposed or demolished, and the services utilised for future developments in keeping with the land zoning objectives for this Site.</p> <p>Therefore, environmental effects are considered not likely and not significant.</p>	Screened out
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 (1 A) (b) of the Act and/ or development subject of any development consent for the purposes of Environmental Impact Assessment Directive by or under any other enactment,	<p>The Proposed Development fits with the scope and nature of the locality and is in-keeping with the land-use zonings outlined in the Kanturk-Mallow Municipal District Local Area Plan [4] and the Cork County Development Plan 2022-2028 [2].</p> <p>In addition, it is not considered that the Proposed Development will have a significant cumulative effect on the environment with existing / permitted developments within Mallow and the wider area surrounding the Site.</p> <p>The Proposed Development is not expected to result in any significant cumulative effects with the housing developments that already exists.</p> <p>It is not considered that the construction or operational phase of the Proposed Development will result in any likely or significant in-combination contribution to possible adverse effects on environmental receptors such as biodiversity, water, soils etc.</p>	Screened out
h. The possibility of effectively reducing the impact.	<p>The adherence to legal requirements by the planning authority will avoid significant direct and indirect effects arising from the Proposed Development.</p> <p>Therefore, because of the nature and size of the Proposed Development, effects on the environment will be not likely and not significant.</p>	Screened out

Based on the characteristics of the potential impacts associated with the Proposed Development, effects on the environment are determined as not likely and not significant. Therefore, an investigation into these effects in the context of EIA is not warranted.

6 CONCLUSIONS

This EIA Screening assessment report has reviewed the potential for the Proposed Large-scale Residential Development and associated works at Spaglen, Mallow, Co. Cork to be considered as an EIA development.

Based on the findings of this EIA screening assessment, the Proposed Development does not require a mandatory EIAR.

Based on the findings of this EIA screening assessment, the Proposed Development does not require a sub-threshold EIA.

Therefore, it is our conclusion that the Proposed Development, can be adequately assessed by the Competent Authority without the requirement for an EIAR.

7 REFERENCES

- [1] OSI, "National Planning Application Database," 2024. [Online]. Available: <https://housinggovie.maps.arcgis.com/apps/webappviewer/index.html?id=9cf2a09799d74d8e9316a3d3a4d3a8de>. [Accessed 29 01 2024].
- [2] CCC, "Cork County Development Plan 2022-2028," Cork County Council, Cork, 2022.
- [3] SRA, "Regional Spatial & Economic Strategy for the Southern Region," Southern Regional Assembly, Kilkenny, 2020.
- [4] CCC, "Kanturk Mallow District Local Area Plan," Cork County Council, Cork, 2017.
- [5] Statutory Instrument, "The Planning and Development Regulations (as amended)," 2001.
- [6] European Parliament, "Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment Text with EEA relevance," 2014.
- [7] EC, "Environmental Impact Assessment of Projects. Guidance on Screening," 2017.
- [8] DEHLG, "Guidelines for Consent Authorities regarding Sub-threshold Development," 2020. [Online]. Available: <https://www.gov.ie/en/publication/4d677-guidance-for-consent-authorities-regarding-sub-threshold-development/>.
- [9] EPA, "Guidelines on the Information to be contained in Environmental Impact Assessment Reports," 2022.
- [10] DHPLG, "Transposing Regulations (S.I. No. 296 of 2018) Guidelines for Planning Authorities and An Bord Pleanála on Carrying out Environmental Impact Assessment," 2018.
- [11] OPR, "OPR Practice Note PN02: Environmental Impact Assessment Screening," Office of the Planning Regulator, Dublin, 2021.
- [12] Department of Housing, Heritage and Local Government, "Historic Environment Viewer," [Online]. Available: <https://heritagedata.maps.arcgis.com/apps/webappviewer/index.html?id=0c9eb9575b544081b0d296436d8f60f8>. [Accessed 29 January 2024].
- [13] EC, "Trans-European Transport Network (TEN-T)," European Commission, Brussels, 2021.