



**Leitrim County Council**

**Environmental Impact Assessment  
Preliminary Examination  
for 'Manorhamilton Public Realm Improvement  
Scheme'**

**19<sup>th</sup> June 2019**

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## 1. Introduction

This is a preliminary examination to determine whether or not there is a real likelihood of significant effects on the environment arising from the '*Manorhamilton Public Realm Improvement Scheme*'. The proposed works are located within the townlands of Manorhamilton, Skreeny and Clooneen, Manorhamilton, 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 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 and Ecological Impact Assessment have also prepared as separate documents and inform 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 2001 (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. The Proposed Development

The proposed development can be broken down into 3 constituent elements as outlined in the public notices.

1. **To undertake a Public Realm Improvement Scheme** within the town centre to enhance the existing streetscapes of Old Church Street from the junction of Commons Lane / Monks Row to the junction of Main Street / Church Lane, the area in front of the Market House (A Protected Structure) on Main Street and the junction of Main Street, Sligo Road / the New Line (N16) and Sráid Sheáin Mhic Dhiarmada. 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, to replace existing road surfaces, to replace existing street lights, the provision of soft and hard landscaping measures, street furniture and to alter the existing on street car parking provision.

The Public Realm Improvement Scheme is contained largely within the Manorhamilton Architectural Conservation Area.

2. **To provide a public car park** to the rear and side of the former's Priest's House (Sráid Sheáin Mhic Dhiarmada) with access / exit from the N16 Sligo Road and Sráid Sheáin Mhic Dhiarmada. It is also proposed to set back the boundary wall in front of the Intreo office / Garda station and provide a footpath along the Sligo Road;
3. **To realign the existing access road** serving the enterprise and employment zoned lands off Park Road inclusive of altering the location of the access, reconfiguring existing car parking areas, extending access road to serve the undeveloped zoned lands to the north east of Merenda Ltd. / The Manor Hub, landscaping and all associated site development works.

The proposed development will also include necessary services and utility provision and associated site works. The site is located within the urban envelop of Manorhamilton (Manorhamilton Land Use

Zoning Strategy Leitrim County Development Plan 2015-2021). The site is fully service from a piped water perspective.

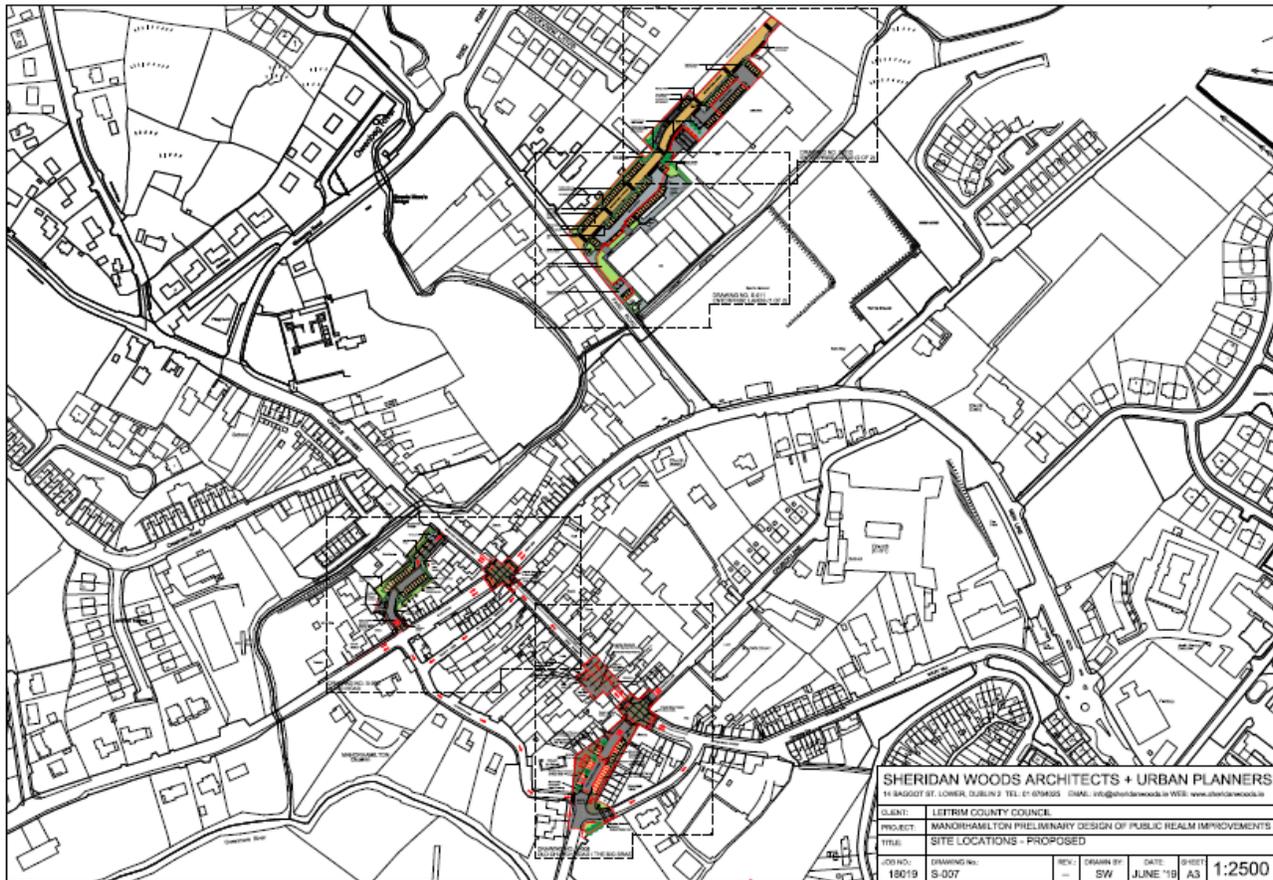


Figure 1 : Location of Proposed Development

### 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 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 2001-2010 Regulations remain in effect.

EIA legislation as it relates to the planning process has been largely brought together in Part X of the Planning and Development Acts 2000-2018 and Part 10 and Schedules 5, 6 and 7 of the Planning and Development Regulations 2001-2018. 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 screening to determine whether they require EIA or not. This is done by consideration of criteria set out in Schedule 7.

## 4. 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*

*(a) Industrial estate development projects, where the area would exceed 15 hectares.*

*(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 area of lands contained within the enterprise and employment lands off the Park Road are discounted for this exercise. This element of the development relates to the realignment of the existing access road through the enterprise lands inclusive of reconfiguration of existing car parking areas, extending access road to serve the undeveloped zoned lands to the north east of Merenda Ltd. / The Manor Hub, landscaping and all associated site development works. This area is 0.5626 hectares in extent and is a fraction of the threshold of 15 hectares for industrial estate type development.

The overall area of the remainder of the proposed development is 0.5861 hectares. The majority of the site is considered to be located within the Business District of Manorhamilton 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 significantly below the threshold of 2 hectares in a Central Business District.

1. Old Church Street (the Big Brae) to include the junction with Main Street / Church Lane - 2,917m<sup>2</sup> (0.217 hectares)
2. Area in front of the Market House - 640 m<sup>2</sup> (0.064 hectares)
3. Junction of Main Street, Sligo Road, New Line and Sráid Sheáin Mhic Dhiarmada - 522 m<sup>2</sup> (0.0522 hectares)
4. Car park off Sráid Sheáin Mhic Dhiarmada to include the set back of boundary wall and provision of footpath along Sligo Road – 1,782 m<sup>2</sup> (0.1782 hectares)
5. Enterprise & Employment lands off Park Road - 5,626 m<sup>2</sup> (0.5626 hectares)

## 5. 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 2001-2018. However, it is considered that the cumulative area of the site is approximately 25% 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 development of a small car park, 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. In addition, an Ecological Impact Assessment of the proposed development was undertaken separately

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 'Manorhamilton Public Realm Improvement Scheme' and there is no requirement for an Environmental Impact Assessment Report to be prepared.