

Environmental Impact Assessment (EIA) Screening Determination (For Proposed Local Authority Development)

Project Title: Cherrywood to Rathmichael Manor Rapid Build Cycle Scheme

Description of the Proposed Development:

Dún Laoghaire-Rathdown County Council is proposing to undertake a rapid build cycle scheme between Cherrywood Park access and Rathmichael Manor, Loughlinstown. The proposed works comprise Phase 1 of the 'Cherrywood to Shankill Cycle and Pedestrian Links' scheme. The proposal (Phase 1) which is ca. 720 metres in length, commences at the Cherrywood Park access, routing along the Bray Road on the western side of the N11 as far as Rathmichael Manor. Along the Bray Road, a 'cycle street' design is proposed which utilises the low traffic nature of the Bray Road. The 'cycle street' transitions briefly for ca. 25 metres into a shared path where the N11/Bray Road slip lane merges onto the cycle street. A two-way cycle track and footpath is proposed south of the N11/Bray Road slip road. The two-way cycle track and footpath leads to a new pedestrian and cycle crossing at Rathmichael Manor. Access is maintained to all existing properties along the route. The works will include modifying the bus stop to an island style bus stop together with a pedestrian crossing of the cycle lane at that point. A three metre wide shared path will link the footpath and cycle track with the Loughlinstown pedestrian bridge. This scheme also involves some additional road traffic safety / calming measures including new road traffic markings and signage, two raised tables along the Bray Road.

Legislative Context:

This determination has considered the relevant legislative context as set out in Section 2 of the EIA Screening Report, but not limited to:

- Directive 2011/92/EU as amended by Directive 2014/52/EU (known as the EIA Directive) on the assessment of the effects of certain public and private projects on the environment.
- The Planning and Development Acts 2000, as amended
- The Planning and Development Regulations 2001, as amended (S.I. 600/2001)
- European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018) (S.I. 296/2018)
- European Union (Roads Act 1993) (Environmental Impact Assessment) (Amendment) Regulations (S.I. 279 of 2019)
- The Roads Act 1993, as amended
- Road Traffic Act, 1994
- Roads Regulations, 1994 (S.I. 119/1994)

EIA Screening Report:

The Active Travel Section, Infrastructure and Climate Change Department ('the proposing internal section') has commissioned the preparation of the Environmental Impact Assessment Screening Report (EIASR) to determine whether the proposed development may have potential to give rise to significant environmental effects and whether an EIA is required for the Proposed Development. The EIASR has been prepared by Arup Ireland Partners Ltd (Arup). The EIASR details on the characteristics of the Proposed Development and its likely significant effects (if any) on the environment.

The EIASR has been considered and evaluated by the Senior Planner for the area and the Director of Services for Planning and Economic Development, who are satisfied that the EIASR gives full consideration to the relevant legislative context; sets out the requirements for mandatory and sub-threshold EIA; and agrees with the contents and conclusion set out in the EIASR.

The proposed development does not fall within any of the classes of projects identified in Annex I of the EIA Directive and listed in Part 1 of Schedule 5 of the 2001 Regulations which require a mandatory EIA.

Furthermore, the proposed development do not meet or exceed the thresholds set out in Part 2 of Schedule 5 of the 2001 Regulations for any classes of projects identified in Annex II of the Directive (as transposed in Part 2 of the Regulations). Therefore, the proposed development does not trigger the need for a mandatory EIA.

The proposed development is a type set out in Part 2 Class 10 (b)(iv) of Schedule 5 but does not exceed the relevant quantity, area or other limit specified in that Part. Therefore, it is a subthreshold urban development and has been screened for EIA.

The proposed development does not meet the criteria or exceed thresholds outlined in Section 50(1) of the Roads Act 1993, as amended, or Article 8 of the Roads Regulations 1994. The prescribed classes of roads developments and thresholds that trigger a mandatory EIA are also contained in Section 2 and Section 50 of the Roads Act 1993, as amended, the proposed development does not exceed the relevant quantity, area or other limit specified within this Legislation. Therefore, it is considered a sub-threshold roads development and has also been screened for EIA on that basis.

The EIASR concludes in the preliminary examination that the nature, scale and location of the Proposed Development is such that there significant and realistic doubt regarding the likelihood of significant effects on the environment arising from the Proposed Development. Thus, full EIA Screening is warranted.

EIASR concludes that no significant impacts on the environment will arise from the construction or operation of the Proposed Development and that an EIA is not required.

The reasons for this conclusion as set out in the report are as follows:

- The location of the development, characteristics of the development, description and scale of the proposed works, type and characteristics of the potential impacts.
- The proposed development does not overlap with or pass through any designated European Sites and will not impact on habitats of high local value and result in significant effects on biodiversity.
- The EIASR finds that no significant landscape and visual effects, soils and geology effects; or air quality and climate effects will occur during the construction or operation of the proposed development.
- During the operational phase, the proposed development will have a positive impact on noise and vibration, encouraging a modal shift from private car.
- No significant negative material asset effects are predicted during the construction or operation of the proposed development.
- The EIASR finds that the proposed development will have a positive impact on human health and a positive impact on air quality and climate.
- Relevant schemes that could give rise to cumulative effects have been considered in the EIASR, in addition to relevant developments with planning applications within the vicinity of the proposed development. Due to the separation of the proposed development from those identified in the EIASR, the timing of their construction and the provision of mitigation measures, no significant cumulative effects are likely to occur. No significant effects due to the interaction of factors are predicted.
- A site specific Construction Environmental Management Plan to limit impacts of the proposed works in accordance with good practice is proposed to avoid what might otherwise have been significant adverse impact.

Determination:

Having regard to the foregoing, the proposed Cherrywood to Rathmichael Manor Rapid Build Cycle Scheme does not trigger a mandatory EIA under the EIA Directive 2011/92/EU as amended or the Planning and Development Regulations 2001, as amended or the Roads Act 1993, as amended and Road Regulations 1994. Further, the Council (as Competent Authority) determine, for the reasons set out above and in the EIA Screening Report, that the proposed development, is not likely to have significant effects on the environment due to the nature, scale or location of the proposed development relevant to areas of

environmental sensitivity and the types and characteristics of potential impacts, cumulation of effects with those arising from other existing and/or proposed projects and measures to avoid or prevent what might otherwise have been significant adverse effects on the environment.

Requirements for Mitigation


To avoid or to prevent what might otherwise have been significant adverse impacts on the environment, during construction the screening report sets that a site specific Construction Environmental Management Plan will be required to limit impacts of the proposed works in accordance with good practice.

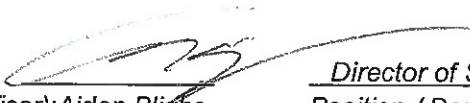
The Council determines that no significant impacts on the environment will arise from the construction or operation of the proposed Cherrywood to Rathmichael Manor Rapid Build Cycle Scheme and that an EIA is therefore not required and an EIAR is not required to be prepared.

Therefore, it has been concluded, for the reasons set out above and in the EIA Screening Report, that the proposed development, by itself or in combination with other projects, is not likely to have a significant effect on the environment and accordingly that an Environmental Impact Assessment is not required. An EIAR is therefore not required.

No real likelihood of significant effects on the environment	✓	EIA is not required
Real likelihood of significant effects on the environment		EIA is required

The proposed Cherrywood to Rathmichael Manor Rapid Build Cycle Scheme is being promoted by the Active Travel Section, Infrastructure and Climate Change Department. This screening determination has been made by the Director of Service of the Planning and Economic Development Department to apply appropriate functional separation in the carrying out of a Screening Determination for Appropriate Assessment which is an appropriate functional separation in accordance with Article 9a of the EIA Directive.

Signature:  Senior Planner, Planning & Economic Devt. Department
 Gen Ryan Position / Department

Signatory  Director of Service, Planning & Economic Devt. Department
 (Approved Officer): Aidan Blighe Position / Department

Delegation No. 2515

Date: 07/03/2024

