

Comhairle Contae Chorcaí

Cork County Council

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EIA	Screening Determination
Address	<ul style="list-style-type: none"> Compass Quay / Ballinacubby relief road (L-3235-1) between the junction of R-606-25 and the junction of River Meadows (L-7345-0), Ballynacubby relief road (L-3235-0) between the junction of River Meadows (L-7345-0) and the junction of Abbeyview Estate (L-7346-0), Abbeylands (L-3235-2) between the junction of Abbeyview Estate (L-7346-0) and the junction of Bandon Road (L-3234-0), Bandon Road (L-3234-0) from the junction of Abbeylands (L-3235-2) northwest to a point approximately 100m south of the junction of Bandon Road (L-3234-0) and Ballinacurra Road (L-3227-0), Cappagh Road (L-7249-0) between the junction of Bandon Road (L-3234-0) and the private access road immediately east of Gaelscoil Chionn tSáile, Roseabbey Park (L-7344-0) between the junction of Abbey Lane (L-9740-0) and the junction of Ballynacubby relief road (L-3235-0), Existing pedestrian link between Abbeyview Estate (L-7346) and Bandon Road (L-3234-0) <p>within the Townlands of Ballinacubby, Commoge, Abbey-Lands, Cappagh, Commons, Blackhorsefield and Rathbeg.</p>
Proposal	<p>The proposed development comprises the provision of pedestrian and cycle facilities along Abbey View Road (L3235), Bandon Road (L3234), local road L7249, Roseabbey Park, and Abbey Court located at the western border of Kinsale Town.</p> <p>Specifically, the project will involve the following elements:</p> <p>Section 1 - Abbey View Road / Compass Quay (spans from the junction with the R606 and Abbey View Road,) as far northward as the mini-roundabout):</p> <ul style="list-style-type: none"> Junction tightening at R606 / Abbey View Road junction to reduce turning speeds. Widening of existing footpath on Abbey View Road. Provision of segregated cycle lanes commencing just north of the bridge, with space re-allocated from the carriageway and verges to provide dedicated, safe cycle tracks between Cammogue Marsh, the residential developments along Abbey View Road and the two schools. Signalised toucan crossing just north of the bridge on Abbey View Road. Improvements to local junctions in line with DMURS, including at-grade pedestrian priority crossings over entrances, and junction tightening. Realignment of existing informal crossing by Kinsale Community College just north of the junction with the Sáile Sports and Community Centre. Raised table junction at Roseabbey Park / Abbey View Road to slow down vehicular traffic and improve pedestrian crossings. Incorporate grasscrete, tree planting, rain gardens and landscaping. <p>Section 2 - Abbeylands (northward from the mini-roundabout to junction with Bandon Road):</p> <ul style="list-style-type: none"> Retrofit the existing mini-roundabout to a compact design in line with DMURS and the Cycle Design Manual to improve safety, accessibility and comfort for all. Introduction of a 30kph speed limit zone between the new crossing at Kinsale Community School and the junction with Abbey View Road / Bandon, extending to Roseabbey Park and Abbey View residential streets. Development of a Quietway route running in parallel via quiet residential streets (Abbey Court and Abbey View) to boost cyclist and pedestrian permeability between Abbey View Road and

	<p>Bandon Road. There is an existing path that will be formalised including widening the path, wayfinding signage, and removing kissing gate and fencing between Abbey Court and Abbey View. Supplementary lighting may be required to improve the safety and accessibility in terms of passive surveillance, lighting, and general visibility.</p> <ul style="list-style-type: none"> • Access control to the Quietway to ensure safety for all road users. • Landscaping. <p>Section 3 - South Bandon Road (westward along Bandon Road up to junction with Cappagh):</p> <ul style="list-style-type: none"> • Provision of a shared pedestrian and cycle path on the northern side of the road. • Provision of a new footpath between the junction with Abbey View Road and entrance to the Quietway. Continuing north from the Quietway, a segregated cycle lane, flush with the carriageway, is proposed. • Improvements to all local junctions in line with DMURS and the Cycle Design Manual including local junction tightening and pedestrian priority crossings. • Development of a complementary Quietway route running in parallel via quiet residential streets (Abbey Court and Abbey View) as detailed in Section 2 above, including a toucan crossing at the entrance on Bandon Road. • Landscaping. <p>Section 4: North Bandon Road (Cappagh Junction to New GAA Grounds Site):</p> <ul style="list-style-type: none"> • Continuation of the shared pedestrian and cycle path northward, varying between 3m-4m with a 0.5m grass verge buffer. • Raised table toucan crossing at Bandon Road / Cappagh junction (to Gaelscoil). • Improvements to local junctions in line with DMURS and Cycle Design Manual, including at-grade pedestrian priority crossings over entrances to development, and reduced corner radii. • Gateway Treatment from the existing GAA Grounds to calm vehicular traffic and indicate to motorists they are approaching the edge of Kinsale Town, including an extension of the 50kph limit. • Landscaping. <p>Section 5: Cappagh</p> <ul style="list-style-type: none"> • Provision of a shared pedestrian and cycle path on southern side of the road, between junction with Bandon Road, as far as the Gaelscoil. <p>Section 6: Roseabbey Park</p> <ul style="list-style-type: none"> • Provision of a raised table junction at Roseabbey Park/ Abbey View Road to slow down vehicular traffic and improve pedestrian crossings. • Reallocation of space for a shared pedestrian and cycle path on the western end between junction with Abbey View Road and entrance to Scoil Naomh Eltin. • Extension of footpath and additional pedestrian crossing at eastern end of Roseabbey Park to improve pedestrian comfort and safety. • Additional public realm improvements in line with the Safe Routes to School design guidance, such as rain gardens. • Landscaping.
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Cork County Council is proposing to provide pedestrian and cycle facilities along Abbey View Road (L3235), Bandon Road (L3234), local road L7249, Roseabbey Park, and Abbey Court located at the western side of Kinsale Town.

A Habitats Directive Appropriate Assessment Screening Determination, which has been prepared for the proposed development, has screened out the requirement for a Habitats Directive Stage 2 Appropriate Assessment.

A detailed description of the proposed development to inform environmental impact assessment screening has been provided in a report by O'Donnell Environmental. The 'EIA Screening Report' has taken into consideration the requirements of Schedule 7A and Schedule 7 of the Planning and Development Regulations, 2001 as amended, and has concluded that an environment impact assessment would not be required for the proposal.

Further relevant documentation accompanying the proposal include an Ecological Impact Assessment Report, an Archaeological and Architectural Heritage Impact Assessment and a preliminary Construction Environmental Management Plan.

EIA Legislative Context

Planning and Development Regulations, 2001 as amended

In considering the requirement for Environment Impact Assessment, the proposed development has been assessed under Part 1 of Schedule 5 of the Planning and Development Regulations, 2001 as amended. As the proposed development would not fall under any of the relevant classes set out in Part 1 of Schedule 5, mandatory EIA is not required under Part 1 of Schedule 5 of the Regulations.

The proposed development was further reviewed against the classes of development specified in Part 2 of Schedule 5 of the Planning and Development Regulations, 2001 as amended. Relevant classes include Class 10(b)(iv) where mandatory EIA is required for 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 the case of the current proposal, the proposed works would be located in an area considered to form part of the built up areas of Kinsale Town. With a proposed works site area of 3.89 ha., the proposal would be less than 10 hectares and would, therefore, not equal or exceed the thresholds set out in Part 2 of Schedule 5 for urban development under Class 10(b)(iv). While a mandatory EIA is not required in this case under Class 10(b)(iv), the proposed development is considered to be sub-threshold and an Environment Impact Assessment Screening Report thus, accompanies the current proposal.

The Environment Impact Assessment Screening Report has had regard to the criteria set out in Schedule 7 of the Planning and Development Regulations, 2001 as amended, provides information on the characteristics of the proposed development and likely effects on the environment and has screened out the requirement for an Environment Impact Assessment Report.

The proposal is accompanied by a Habitats Directive Appropriate Assessment Screening Report, a Habitats Directive Appropriate Assessment Screening Determination, an Archaeological and Architectural Heritage Impact Assessment and a preliminary Construction Environmental Management Plan. The Habitats Directive Appropriate Assessment Screening Determination advises that no works are proposed within any European sites and the site of the proposed development is located sufficiently distant from any EU site that the proposal would not pose a risk of causing significant negative disturbance to qualifying habitats or species.

Having reviewed and considered the drawings and documentation provided with the proposal and having regard to:

- a. the nature and scale of the proposed development which relates to the development of an active travel scheme which would largely utilise existing roads and pathways and would extend to include cycle lanes,
- b. the largely urban location of the proposed development within Kinsale Town,
- c. the existing pattern of development and existing services in the vicinity of the proposal,
- d. the Environmental Impact Assessment Screening Report,
- e. the accompanying documentation including the Ecological Impact Assessment Report, the Archaeological and Architectural Heritage Impact Assessment and the preliminary Construction Environmental Management Plan,
- f. the lack of cumulative impacts arising when taken together with existing and permitted developments in the vicinity,
- g. the assessment and conclusions of the Habitats Directive Appropriate Assessment Screening Report and Habitats Directive Appropriate Assessment Screening Determination that the proposed works, individually or in combination with other plans/projects, are not likely to have a significant effect on a European site (Natura 2000 site),
- h. the criteria set out in a. 120(4)(a) of the Planning and Development Regulations, 2001 as amended, and
- i. the mitigation measures and good construction practice standards proposed in the reports,

it is considered that there is no real likelihood of significant effects on the environment arising from the proposed development and it is determined that an Environmental Impact Assessment report is, therefore, not required.

G. O'Mahony

G.O'Mahony
Senior Planner
04/12/24

Appendix 1

Screening Determination:		
A. Case Details:		
Planning Register Reference:		
Development Summary:		
	Yes / No / N/A:	Comment (if relevant):
Does the application include information specified in Schedule 7A?	Yes	The proposal is supported by an Environmental Impact Assessment Screening report.
Other relevant information submitted:	Yes	Habitats Directive Appropriate Assessment Screening Report, Habitats Directive Appropriate Assessment Screening Determination, Ecological Impact Assessment Report, Archaeological and Architectural Heritage Impact Assessment Report, preliminary Construction Environmental Management Plan (pCEMP)
Does the application include a NIS and/or other reports to enable AA screening?	Yes	The proposal is supported by a Habitats Directive Appropriate Assessment Screening Report and a Habitats Directive Appropriate Assessment Screening Determination.
Is an IED/IPC/Waste Licence or Waste Water Discharge Authorisation (or review of licence/ authorisation) required from the EPA for the subject development?	No	
If YES has the EPA been consulted?		
Have any other relevant ¹ assessments of the effects on the environment been carried out pursuant to other relevant Directives –for example SEA or AA?		Habitats Directive Appropriate Assessment Screening Determination has screened out the requirement for a Stage 2 Appropriate Assessment.
B. Examination:		
1. Characteristics of proposed development		
	If relevant, briefly describe the characteristics of the development:	
(a) The size and design of the whole of the proposed development (including any demolition works):	The proposal relates to the development of an active travel scheme on the western side of Kinsale Town which would largely utilise existing roadways and pathways and would extend to include cycle lanes. The site area is approx.3.89 ha. The anticipated construction period is between 12-18 months.	
(b) Other existing or permitted projects (including under other legislation that is subject to EIA) that could give rise to cumulative effects:	The proposal would be located in the built-up area of Kinsale Town but outside the main town centre. Surrounding landuse include residential, educational and recreational uses. There are no existing or permitted projects which could give rise to cumulative impacts.	
(c) Use of natural resources, in particular land, soil, water and biodiversity:	The proposal would be largely confined to the route of existing roads and would include localised works to mostly existing road and footpath surfaces. No significant use of natural resources is anticipated.	
(d) Production of waste: <i>Will the proposal produce solid wastes during construction, operation, or decommissioning?</i>	Production of waste would arise as a consequence of site preparation and grounds works on existing road and footpath surfaces during the construction period. Significant waste generation is not envisaged. The proposal is accompanied by a preliminary Construction Environmental Management Plan which sets out the site management strategy for the proposal. All waste would be disposed of to a licenced facility.	

<p>(e) Pollution and nuisances:</p> <p><i>Will the proposal release pollutants to ground or surface water, or air (including noise and vibrations) or water, or lead to exceeding environmental standards set out in other Directives?</i></p>	<p>Potential impacts from noise, construction traffic, dust and impacts on water quality may arise during the construction period. However, these risks would be low level and of a short-term nature, on implementation of the mitigation measures set out in the preliminary Construction Environmental Management Plan and Ecological Impact Assessment Report. Planned construction practices would ensure that risks to water quality would be avoided.</p>
<p>(f) Major accidents and disasters:</p> <p><i>In accordance with scientific knowledge, is there a risk of major accidents and/or disasters which are relevant to the project, including those caused by climate change?</i></p>	<p>The preliminary Construction Environmental Management Plan sets out the site strategy in regard to accidents and emergencies and includes an emergency response plan. Implementation of mitigation measures and best practice methods set out in both the preliminary Construction Environmental Management Plan and Ecological Impact Assessment Report would ensure no major risk of water pollution would arise.</p>
<p>(g) Risks to human health, for example due to water contamination or air pollution:</p>	<p>Construction impacts could arise from noise, emissions, dust and construction traffic. No significant risks have been identified on implementation of the mitigation measures and best practice methods set out in the preliminary Construction Environmental Management Plan and Ecological Impact Assessment Report.</p>
<p>2. Location of proposed development:</p>	
<p>The environmental sensitivity of geographical areas likely to be affected by the proposed development:</p>	<p>If relevant, briefly describe the characteristics of the location.</p>
<p>(a) Generally describe the location of the site and its surroundings:</p>	<p>The site of the proposal is located in a predominately residential area on the western side of Kinsale Town with educational and recreational uses also in proximity to the site of the proposal. The site is bounded by Commoge Marsh and the Lower Bandon Estuary on the scheme's southern boundary.</p>
<p>(b) Is the project located within, close to or has it the potential to impact on any site specified in Article 103(3)(a)(v) of the Regulations:</p> <ul style="list-style-type: none"> - European site - NHA/pNHA - Designated Nature Reserve - Designated refuge for flora or fauna - Place, site or feature of ecological interest, the preservation, conservation, protection of which is an objective of a development plan/ local area plan/ draft plan or variation of a plan. 	<p>No works are proposed within any listed European designated sites and the site of the proposed development is located sufficiently distant from such sites that the proposal would not pose a risk of causing significant negative disturbance to qualifying habitats or species.</p>
<p>(c) Are there any other areas on or around the location that are important or sensitive for reasons of their ecology e.g. wetlands, watercourses or other waterbodies (including riparian areas and river mouths), the coastal zone and the marine environment, mountains, forests or woodlands, that could be affected by the project?</p>	<p>The proposal would be in proximity to Commoge Marsh, an estuarine lagoon, that is considered to be locally significant with Annex I quality habitats and roosting and foraging Annex bird species. The Lower Bandon River Estuary is also located in proximity to the southern section of the scheme. The Ecological Impact Assessment Report and the preliminary Construction Environmental Management Plan set out mitigation measures and controls to be implemented which would ensure that no significant impacts would arise from the proposed works on ecological sensitive areas and the absorption capacity of the natural environment.</p>
<p>(d) Is the proposal likely to be highly visible to many people? Are there any areas or features of high landscape or scenic value on or around the location, or are there any routes or facilities that are used by the public for recreation or other facilities which could be affected by the proposal?</p>	<p>The proposal is located in a predominately urban area and largely comprises of existing road and footpath surfaces. While visible, the proposed development would not have any significant visual impacts on the surrounding area and landscape. Site compound(s) would be removed on completion of the proposed works.</p>
<p>(e) Are there any areas or features of historic or cultural importance on or around the location that could be affected by the project?</p>	<p>The proposal would be located in proximity to a number of cultural heritage sites. The likelihood of encountering in-situ subsurface archaeological remains during the construction phase could occur if they survive below roads and footpath surfaces and verges. The proposed site area does not lie within a designated Architectural Conservation Area but lies adjacent to Kinsale Architectural Conservation Area close to Abbey Lane. Visual impacts of the proposal on the designated Architectural Conservation Area would be confined to the construction period and would be low and short-term in nature. No significant adverse impacts are anticipated.</p>

(f) Are there areas within or around the location which are densely populated or built-up, or occupied by sensitive land uses e.g. hospitals, schools, places of worship, community facilities that could be affected by the proposal?	There are adjacent residential, medical and educational uses. While there may be low level disturbances during the construction period, these areas are unlikely to be significantly affected.
(g) Are there any areas within or around the location which contain important, high quality or scarce resources e.g. groundwater, surface waters, forestry, agriculture, fisheries, tourism, minerals, that could be affected by the proposal?	The proposal relates to the development of an active travel scheme on the western side of Kinsale Town which would largely utilise existing road and pathways. Given the scale and limited duration of the proposed works and the implementation of best practice and mitigation measures set out in the Ecological Impact Assessment Report and the preliminary Construction Environmental Management Plan, the proposal would be unlikely to have significant effects on resources in the area.
(h) Are there any areas within or around the location which are already subject to pollution or environmental damage, and where there has already been a failure in environmental standards that could be affected by the proposal e.g. the status of water bodies under the Water Framework Directive?	No.
(i) Is the site located in an area susceptible to subsidence, landslides, erosion, or flooding which could cause the proposal to present environmental problems?	Part of the site area, close to Commoge Marsh, is located in a flood risk area.
(j) Are there any additional considerations that are specific to this location?	No.

3. Types and characteristics of potential impacts:

If relevant, briefly describe the characteristics of the potential impacts under the headings below.	If relevant, briefly describe any mitigation measures proposed to avoid or prevent a significant effect.	Is this likely to result in significant effects on the environment?
<i>Population and human health:</i>		
Short term impacts associated with the construction period of the proposed works could arise. These could include impacts from noise, dust, emissions and traffic disturbance.	The magnitude and spatial extent of impacts arising from the proposed works would be temporary, localised, limited in duration and at a low level. These would be mitigated on implementation of the measures and controls set out in the Ecological Impact Assessment Report and the preliminary Construction Environmental Management Plan. No significant risks to water quality have been identified on implementation of the mitigation measures and best practice methods set out in the Ecological Impact Assessment Report and the preliminary Construction Environmental Management Plan. Water quality management measures would be carried out for the duration of the works and a project ecologist and site manager would supervise the works. On completion of the works, the Kinsale Active Travel scheme would have a positive impact on human health.	No, as the impacts would be low, temporary and limited in duration to the construction period.
<i>Biodiversity, with particular attention to species and habitats protected under the Habitats Directive and the Birds Directive.² *</i>		

<p>Potential impacts on biodiversity and on mammals, bats, birds and aquatic species could arise during the construction period.</p> <p>During the proposed works, there is potential for contaminants to affect water quality.</p>	<p>Given the largely urban location of the proposal, potential impacts on biodiversity associated with construction works would be minor, temporary, localised and of low intensity upon implementation of the mitigation measures and controls set out in the Ecological Impact Assessment Report and the preliminary Construction Environmental Management Plan.</p> <p>A project ecologist will be appointed under the scheme. Existing public lighting would be utilised with limited new lighting proposed which would be designed to avoid ecological disturbance from light spillage. Potential impacts on water quality would be unlikely to occur as the proposal would incorporate controls, best practice and mitigation measures set out in the Ecological Impact Assessment Report and the preliminary Construction Environmental Management Plan.</p> <p>The probability of impacts from the spread of invasive species would be unlikely to occur as the implementation of mitigation measures and controls outlined in the preliminary Construction Environmental Management Plan would ensure the spread of invasive species would be unlikely to occur.</p>	<p>No, as the impacts would be low, temporary and limited in duration to the construction period.</p>
<p><i>Land, soil, water, air and climate:</i></p>		
<p>Noise, dust and exhaust emissions could arise from the operation of machinery during the construction period.</p> <p>During the proposed works, there is potential for impacts on water quality by way of pollution from hydrocarbons, wash-out facilities, contaminants and sedimentation during the period of the works.</p>	<p>Noise, dust and exhaust emissions that could arise from the operation of machinery during the construction period would be temporary, localised and of low intensity and would be mitigated on implementation of the measures and controls set out in the Ecological Impact Assessment Report and the preliminary Construction Environmental Management Plan. The impacts would also be confined to the short duration of the proposed works which is between 12-15 months.</p> <p>Potential impacts on water quality would be avoided on implementation of the mitigation measures and controls set out in the Ecological Impact Assessment Report and the preliminary Construction Environmental Management Plan.</p>	<p>No, as the impacts would be low, temporary and limited in duration to the construction period.</p>
<p><i>Material assets, cultural heritage and the landscape:*</i></p>		
<p>General nuisance from traffic congestion and noise during the site operation works could arise.</p>	<p>Impacts on streetscape and cultural heritage would be temporary and minimal and confined to the construction</p>	<p>No</p>

	period. Mitigation measures and controls are set out in the preliminary Construction Environmental Management Plan. No impacts would arise in respect to known archaeological sites or cultural landscapes on completion of the works.	
Cumulative effects:		
	No cumulative impacts would be likely to occur.	No
Transboundary effects:		
	Transboundary effects are unlikely, having regard to the scale of the proposal and the mitigation measures and controls set out in the preliminary Construction Environmental Management Plan and Ecological Impact Assessment Report.	No
4. Additional Considerations:		
Further relevant information, if any, relating to how the results of any other relevant assessments of the effects on the environment have been taken into account (e.g. SEA, AA screening, AA):	The proposed project is supported by a Habitats Directive Appropriate Assessment Screening Report, Habitats Directive Appropriate Assessment Screening Determination and Ecological Impact Assessment Report.	
Other relevant information/ considerations of note:		
C. Determination:		
Having regard to the above, the accompanying information and in particular to the nature and scale of the proposal, by itself and in combination with other plans and projects, it is considered that there is no real likelihood of significant effects on the environment and the preparation of an Environmental Impact Assessment Report is not required.		
D. Main Reasons and Considerations:		
Having regard to the criteria in Schedule 7, the information provided in accordance with Schedule 7A of the Planning and Development Regulations 2001, as amended, and the following:		
<ul style="list-style-type: none"> j. the nature and scale of the proposed development which relates to the development of an active travel scheme which would largely utilise existing roads and pathways and would extend to include cycle lanes, k. the largely urban location of the proposed development within Kinsale Town, l. the existing pattern of development and existing services in the vicinity of the proposal, m. the Environmental Impact Assessment Screening Report, n. the accompanying documentation including the Ecological Impact Assessment Report, the Archaeological and Architectural Heritage Impact Assessment and the preliminary Construction Environmental Management Plan, o. the lack of cumulative impacts arising when taken together with existing and permitted developments in the vicinity, p. the assessment and conclusions of the Habitats Directive Appropriate Assessment Screening Report and Habitats Directive Appropriate Assessment Screening Determination that the proposed works, individually or in combination with other plans/projects, are not likely to have a significant effect on a European site (Natura 2000 site), q. the criteria set out in a. 120(4)(a) of the Planning and Development Regulations, 2001 as amended, and r. the mitigation measures and good construction practice standards proposed in the reports, 		
It is considered that the proposed development would not be likely to have significant effects on the environment and an environmental impact assessment report is, therefore, not required.		