

Laois COUNTY COUNCIL
PLANNING DEPARTMENT

EIA Screening Determination for Ref. Ref. 19/32

1) Introduction

This report has been informed by:

- Schedules 5, 7 and 7A of the Planning and Development Regulations 2001 (as amended);
- 'Guidelines for Planning Authorities and an An Bord Pleanála on carrying out Environment Impact Assessment', issued by the DHPLG (2018); and,
- The following reports submitted with the planning application:
 - EIAR Screening Report;
 - Natura Impact Statement Screening report;
 - Planning Application documents

2) Proposed Development

The principal aspects of the proposed development can be set out as follows:

- The area of the application site is given as 2.48 hectares.
- construction a blending and packaging facility, an electrical sub-station building, utilities area including sprinkler tank, tank farm and utility equipment, site infrastructure including car parking, 2 No. vehicular entrances, circulation roads, boundary fencing and all associated site works.
- It is proposed to connect to the public foul sewer and the public surface water sewer.
- Potable water will be taken from the public mains.
- The development will be used for blending and packaging. No chemical reactions or conversions will take place and no harmful by products are proposed. The materials are not explosive but are flammable. There will be no harmful emissions and no treatment of extract exhausts systems.
- There will be 25 full time employees.
- There will be 5 truck movements per day.

- The proposed building has a floor area of 3805sqm, approx 10%of the area is offices.
- On site parking, storage and landscaping is proposed.

3) Legislative Basis for EIA

EIA is a process by which information about the environmental effects of projects is collected, evaluated and presented in a form that provides a basis for consultation. Decision makers can then take account of these effects when determining whether or not a project should proceed. EIA in Ireland must be carried out in accordance with the requirements of the Planning and Development Act 2000 (as amended), the Planning and Development Regulations 2001 (as amended) and the European Communities (Environmental Impact Assessment) regulations 1989 (as amended) (the EIA Regulations).

This legislation sets down the types of projects that may require an Environmental Impact Assessment Report (EIAR). Part 1 in Schedule 5 of the Planning and Development Regulations 2001 (amended) defines mandatory projects that require an EIAR and Part 2 of the same schedule defines projects that are assessed on the basis of set mandatory thresholds for each of the project classes.

In addition to Part 1 and Part 2 projects as referred to above, there are also sub-threshold projects. These projects may require the submission of an EIAR depending on individual assessments in accordance with certain criteria. They can be categorised by thresholds or can be assessed individually. The guiding principle is that *projects likely to have significant effects on the environment by virtue, inter alia, of their nature, size or location* should be subject to EIA. Significant effects may arise by virtue of the type of development, the scale or extent of the development and the location of the development in relation to sensitive environments.

4) EIA Screening

EIA screening can be defined as the process of assessing the requirement of a project to be subject to Environmental Impact Assessment based on the project type and scale and on the significance of the receiving environment.

Mandatory EIA

In the case of the proposed development, it is evident that it would not fall under a category of development which would automatically require an EIAR as per Schedule 5 of the Planning and Development Regulations 2001 (as amended).

Sub-threshold EIA

The key issue with regard to the possible need for EIA of sub-threshold development is whether the development would or would not be likely to have significant effects on the environment. I consider that a sub threshold EIA does not arise in this instance as the development is not listed as a category of development in Schedule 5.

Schedule 7

The proposed development must be considered under against the criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as amended. This is based on the existence of realistic doubt in regard to the likelihood of significant effects on the environment and considering the nature, size and location of the proposed development in the context of the criteria set out in Schedule 7 to the 2001 Regulations,

The competent authority must proceed to a further examination to determine whether EIA is required. This requires the applicant to submit the information specified in Schedule 7A to the 2001 Regulations in order to facilitate a formal screening determination.

At this juncture of the report please also note that it is considered that the information provided with the planning application is sufficient with regard to the details required in Schedule 7A of the Planning and Development Regulations 2001 (as amended) i.e. information to be provided by the applicant or developer for the purposes of screening a development for environmental impact assessment.

5) Characteristics of the proposed development

Size of the proposed development

The area of the application site is given as 2.48ha and a building with a floor area of 3806sqm

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The cumulation with other proposed development

Impacts caused by one project, which may be considered minor and insignificant, can combine with other environmental impacts from existing or planned development. When taken in combination, these impacts could be likely to have significant effects on the environment.

Existing development in the surrounding area predominantly comprises commercial/industrial and residential.

The report submitted gives a list of developments in the area which require consideration. In general there are quite a number of small-medium scale units which are in themselves sub threshold developments.

Subject to appropriate restrictions on the proposed development in relation to traffic movements, noise and dust emissions, it is considered that the potential for significant impacts on the environment from cumulative effects will not arise.

Nature of any associated demolition works

On the basis of the information provided with the application, the proposed development will not involve the demolition of any structures, or any demolition works generally. Consequently, this criteria is not relevant.

The Use of Natural Resources

Natural resources on the site and in the surrounding area include:

- Waterbodies (rivers, streams and groundwater)

The Knockmay stream runs adjacent to the site, and connects to the Clonrooske Little stream 200m north of the site, which further joins the Triogue 4km north of the site which eventually joins the River Barrow 11.7km north of the site. As the proposed development has no discharges of note and is connected to the foul and surface water public sewers it is considered that there will be no potential for significant impacts on watercourses.

Similarly owing to the nature of the site, in a town and fully serviced it is considered that there will be no negative impact on soils or flora and fauna.

Soil excavated for construction will be reused on site or removed off site for re-use elsewhere.

Any vegetation removed during construction works will be replaced as part of a landscaping plan for the site.

Production of Waste

The proposal will not generate significant quantities of waste. Waste produced during the construction phase will be managed by a site specific construction and demolition waste management plan.

During the operational phase there will be non hazardous waste and packaging waste, WEEE, empty containers and landscaping waste.

Wastewater will consist of waste reverse osmosis water coming from the purified water skid which is clean water with reduced ion content and water from cleaning. The pH and temperature of the water is adjusted before discharge to the sewer network

Pollution and Nuisances

The proposed development has the potential to result in pollution and nuisances in the area during the construction phase due to dust and noise. Mitigation measures are proposed to deal with these issues.

It is considered that soil and water pollution impacts are insignificant and will not result in pollution or nuisance.

Subject to the strict implementation of the best practice measures identified as part of the proposed development, it is considered that these impacts would not be significant.

Risk of Accidents, having regard to substances or technologies used

The submitted screening report states that the site is not a seveso 111 site. The quantities of chemicals stored on site is outlined in the report. Most notably there is 990 tonnes of ethanol proposed to be stored on site. It is noted also that the material is flammable but not explosive. All chemicals on site will be stored in isotainers, batch storage tanks and drums and totes in the warehouse area.

Risks to Human Health

Risks to human health from the proposed development can principally arise from noise and dust emissions during construction principally and discharges from the facility.

Subject to the strict implementation of the mitigation and best practice measures identified as part of the proposed development, it is considered that these impacts would not be significant.

6) Location of the proposed development

The application site, given as 2.48 hectares, is situated within a serviced industrial park area within the town boundaries of Portlaoise and is adjacent to the Clonminam Industrial Park. The site has been zoned for enterprise and employment for several plan periods with 2 no. units located to the entrance of the facility. The site is at some remove from dwellings

The relative abundance, quality and regenerative capacity of natural resources in the area and its underground

An Appropriate Assessment screening report has been carried under Article 6 of the Habitats Directive and has determined that the proposed development is not likely to have significant effect on any Natura 2000 site owing to the separation distance, the lack of discharges and the proposed connection to the public sewer network.

The absorption capacity of the natural environment

In terms of absorption capacity, the site comprises scrubland which has been set aside for a number of years for a development of the type proposed. The site is not located in any upland or wetland area.

The adjoin watercourse comprises a stream which is connected to the Barrow River. As per foregoing section, the NIS screening report submitted with the application assesses potential impacts on the stream and has been considered in an NIS screening report.

On the basis of the information available from a site walkover and from the Planning Authority's GIS in relation to archaeological and architectural heritage, there are no landscapes and sites of historical, cultural or archaeological significance on or in the vicinity of the application site.

7) Types and Characteristics of the Potential Impacts

Potential impacts can arise in relation to:

- Operational noise, vibration, dust and related nuisances for lands and adjoining properties the site mainly during the construction phase.
- Pollution of groundwater and surface water from during construction.
- There is no archaeological or architectural heritage on or in the vicinity of the site which could be impacted on by the proposed development.

Transfrontier nature of impact

The proposed development will be localised and will take place fully within the administrative area of Laois County Council.

Magnitude and complexity of impact

It is not considered that impacts from the proposed development would have the potential to affect a large range of receptors over a wide geographical area. The spatial extent of impacts would be more localised and the size of the population likely to be affected would not be significant.

Probability of impacts

Impacts from the proposed development can arise over the duration of the construction works, particularly with respect to noise and dust emissions, potential pollution of groundwater and surface water, and traffic impacts on the local road network. Subject to the strict implementation of the mitigation and best practice measures, it is considered that these impacts would not be significant.

Expected Onset, Duration, frequency and reversibility of impact

The development consists of a large factory type building on a zoned and serviced site in the town of Portlaoise. It is considered that the duration of any impacts will be during the construction phase of the development which is given as a 3-4 month time period.

8) Conclusion

I consider that the proposed development does not require an Environmental Impact Assessment as it is not likely to have significant effects on the environment by virtue, inter alia, of its nature, size or location.

Signed: _____

Senior Executive Planner

Date:

Screening Report for Appropriate Assessment

1. DESCRIPTION OF PROJECT AND LOCAL SITE

Proposed Development

The construction of a blending and packaging facility, an electrical sub-station building, utilities area including sprinkler tank, tank farm and utility equipment, site infrastructure including car parking, 2 No. vehicular entrances, circulation roads, boundary fencing and all associated site works

Site Location

The subject site is located in the IDA Business Park, Portlaoise, approx 2km to the east of Portlaoise town centre

Site Size

The site area is 2.48

Floor area of proposed development

3806 square metres.

Identification of nearby Natura 2000 site(s)

There are no Natura 2000 sites at or in close proximity to the development site.

The Slieve Bloom SPA is located approx 7km west of the site.

In relation to the SAC the Knockmay stream runs adjacent to the site, and connects to the Clonrooske Little stream 200m north of the site, which further joins the Triogue 4km north of the site which eventually joins the River Barrow 11.7km north of the site.

The characteristics of existing, proposed or other approved projects which may cause interactive/cumulative impacts with the project being assessed and which may affect the Natura 2000 site

None.

Is the application accompanied by an NIS?

No. The applicant submitted a Natura Impact Statement Screening Report. This concludes that a NIS is not required in respect of the project.

B. IDENTIFICATION OF THE RELEVANT NATURA 2000 SITE(S)

The reasons for the designation of the Natura 2000 site

A site synopsis is attached to this report (sourced on www.npws.ie).

The conservation objectives/qualifying interests of the site and the factors that contributes to the conservation value of the site

A site synopsis is attached to this report (sourced on www.npws.ie).

C. NPWS ADVICE

Summary of advice received from NPWS in written form

None received.

D. ASSESSMENT OF LIKELY SIGNIFICANT EFFECTS

(Purpose of this is to identify if the effect(s) identified could be significant – if uncertain assume the effect(s) are significant).

If answer yes to any of the questions, below then the effect is significant.

Would there be any impact on an Annex 1 habitat? (Annex 1 habitats are listed in Appendix 1 of AA Guidance)

No. The development is not located within a Natura 2000 site and there is a low level of potential for connectivity of the development site with sites designated for environmental protection.

Would there be a reduction in habitat area on a Natura 2000 site?

No. The development is not located within a Natura 2000 site.

Would there be direct/indirect damage to the physical quality of the environment (e.g. water quality and supply, soil compaction) in the Natura 2000 site?

No. There is a low level of potential for connectivity of the development site with sites designated for environmental protection.

Would there be serious/ongoing disturbance to species/habitats for which the Natura 2000 site is selected (e.g. because of increased noise, illumination and human activity)?

No. There is a low level of potential for connectivity of the development site with sites designated for environmental protection.

Would there be direct/indirect damage to the size, characteristics or reproductive ability of populations on the Natura 2000 site?

No. The development is not located within a Natura 2000 site and there is a low level of potential for connectivity of the development site with sites designated for environmental protection.

Would the project interfere with mitigation measures put in place for other plans/projects. (Look at in-combination effects with completed, approved but not completed, and proposed plans/projects. Look at projects/plans within and adjacent to Natura 2000 sites and identify them).

No.

E. SCREENING CONCLUSION

Taking account of the following:

The Slieve Bloom SPA is located approx 7km west of the site. It is considered that the development will not impact on the SPA given the distance between the 2 sites.

In relation to the River Barrow/River Nore SAC the Knockmay stream runs adjacent to the site, and connects to the Clonrooske Little stream 200m north of the site, which further joins the Triogue 4km north of the site which eventually joins the River Barrow 11.7km north of the site.

As the proposed development has no discharges of note and is connected to the foul and surface water public sewers it is considered that the development in itself, or in combination with other plans or projects there will be no potential for significant impacts on the Natura 2000 sites network and therefore an appropriate assessment is not required.

David O' Hara

SEP