

EIA Preliminary Examination Report

The EIA Directive (Directive 2011/92/EU as amended by Directive 2014/52/EU, aims to determine the likely significant effects of a project on the environment. EIA Screening determines whether an EIA is required for a specified project.

Schedule 5 of the Regulations identifies development for the purposes Part 10 of the Act i.e. prescribed classes of development requiring EIA.

Where a development meets or exceeds the thresholds set out under Schedule 5 (Part 1 and Part 2) mandatory EIA is required and, as such, there is no screening determination required. Where a development is of a class included for in Schedule 5 but is sub threshold the development shall be subject to a preliminary examination and if required, screening, to determine if it would or would not be likely to have significant effects on the environment.

The Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment (August 2018) state;

- Where, based on a **preliminary examination** of the information submitted with the application and any other supplementary information received, the competent authority concludes that, having considered the nature, size and location of the proposed development, there is no real likelihood of significant effects on the environment, this should be recorded with reasons for this conclusion stated, and no EIA required or formal determination made. The recording of the competent authority's view should be brief and concise, but adequate to inform the public. In many cases this considered view will be included in the planner's/inspector's report on the planning application and this may be cross-referenced in the competent authority's decision. Normally, this will be published at the time of the decision of the competent authority.
- Where, based on the information submitted with the application and any other supplementary information received, and having considered the nature, size and location of the proposed development in the context of the criteria set out in Schedule 7 to the 2001 Regulations, **there is a real likelihood of significant effects on the environment, the competent authority must determine that an EIA is required.** The main reasons for this determination should be recorded.

This EIA Preliminary examination report is a record of the Local Authority decision regarding the need for EIA for the Part 8 project at Tipperary Hills.

EIA Pre-Screening Establishing a development is a 'sub-threshold development'	
File Reference:	Tipperary Hills Part 8
Development Summary:	Enhancement / improvement of Tipperary Hills.
Was a Screening Determination carried out under Section 176A-C?	<input type="checkbox"/> Yes, no further action required <input checked="" type="checkbox"/> No, Proceed to Part A
A. Schedule 5 Part 1 - Does the development comprise a project listed in Schedule 5, Part 1 , of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate)	
<input type="checkbox"/> Yes, specify class _____	EIA is mandatory
<input checked="" type="checkbox"/> No	No Screening required
<input checked="" type="checkbox"/> No	Proceed to Part B
B. Schedule 5 Part 2 - Does the development comprise a project listed in Schedule 5, Part 2 , of the Planning and Development Regulations 2001 (as amended) and does it meet/exceed the thresholds? (Tick as appropriate)	
<input type="checkbox"/> No, the development is not a project listed in Schedule 5, Part 2	No Screening required
<input type="checkbox"/> Yes the project is listed in Schedule 5, Part 2 and meets/exceeds the threshold, specify class (including threshold): _____	EIA is mandatory
<input checked="" type="checkbox"/> Yes the project is of a type listed but is <i>sub-threshold</i> : Class 10 b) iv), Part 2 of Schedule 5 (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. Project site is 7 ha, works area is significantly less. This is significantly below 20ha threshold. _____	No Screening required
<input checked="" type="checkbox"/> Yes the project is of a type listed but is <i>sub-threshold</i> : Class 10 b) iv), Part 2 of Schedule 5 (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. Project site is 7 ha, works area is significantly less. This is significantly below 20ha threshold. _____	Proceed to Part C
C. If Yes , has Schedule 7A information/screening report been submitted?	

<input type="checkbox"/> Yes, Schedule 7A information/screening report has been submitted	Screening Determination required
<input checked="" type="checkbox"/> No, Schedule 7A information/screening report has not been submitted	Preliminary Examination required

EIA Preliminary Examination:		
The planning authority shall carry out a preliminary examination of, at the least, the nature, size or location of the development.		
	Comment:	Yes/No/ Uncertain:
<p>Nature of the development:</p> <p><i>Is the nature of the proposed development exceptional in the context of the existing environment?</i></p> <p><i>Will the development result in the production of any significant waste, or result in significant emissions or pollutants?</i></p>	<p>Development small in scale and not exceptional in the context of the existing environment.</p> <p>Development does not result in production of waste, emissions or pollutants.</p> <p>Environmental effects associated with the development are low.</p>	No
<p>Size of the development:</p> <p><i>Is the size of the proposed development exceptional in the context of the existing environment?</i></p> <p><i>Are there cumulative considerations having regard to other existing and/or permitted projects?</i></p>	<p>Development small in scale. No cumulative issues arise.</p>	No
<p>Location:</p> <p><i>Is the proposed development located on, in, adjoining or does it have the potential to impact on an ecologically sensitive site or location?</i></p>	<p>Site is not environmentally sensitive.</p>	No

<p>Does the proposed development have the potential to affect other significant environmental sensitivities in the area?</p>		
<p>Preliminary Examination Conclusion:</p>		
<p>Based on a preliminary examination of the nature, size or location of the development. (Tick as appropriate)</p>		
<p>✓</p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>
<p>There is no real likelihood of significant effects on the environment.</p> <p>EIA is not required.</p>	<p>There is real likelihood of significant effects on the environment.</p> <p>An EIAR is required.</p>	<p>There is significant and realistic doubt regarding the likelihood of significant effects on the environment.</p> <p>Request the applicant to submit the Information specified in Schedule 7A for the purposes of a screening determination.</p> <p>Proceed to Screening Determination.</p>