

Environmental Impact Assessment Screening Report: Corrybrannan Playground Upgrade Works



For: Monaghan County Council
Date: August 2023

Table of Contents

1. INTRODUCTION

2. DESCRIPTION OF PROPOSED PROJECT

3. RELEVANT LEGISLATION

4. SCREENING AND ASSESSMENT

4.1 Project Class

4.2 Infrastructure Projects

4.3 Sub-threshold Development – EIA Screening

5. CONCLUSION AND RECOMMENDATIONS

REFERENCES



Existing site conditions as of 15th of August 2023 viewed from east of site looking westwards.

Note

Works, plans, methodologies, materials, and infrastructural requirements are based on the client's brief, draft plans, and drawings provided to Flynn Furney Environmental Consultants as of August 2023.

Statement of Authority

This Environmental Impact Assessment Screening Report has been carried out by suitably qualified and experienced professionals of Flynn Furney Environmental Consultants. These were Billy Flynn BSc, MSc, CEnv. and Deborah McCormick, BSc, PhD.

1. INTRODUCTION

Works are proposed at a site at the townland of Corrybrannan to the south of the town of Ballybay, Co. Monaghan. The aim of the project is to upgrade the existing recreational area to a fully accessible playground for the residents of the Corrybrannan and Culbrennan Housing Estates. The proposed development will utilise natural materials such as stone boulders, gravel paths, grassed areas, and timber play equipment for the upgrade works.

Flynn, Furney Environmental Consultants Ltd has been engaged by Monaghan County Council for the provision of an environmental impact assessment screening report for the proposed works. The principal requirement for these services is to assist the relevant authorities in forming an opinion as to whether or not the proposed works should be subject to Environmental Impact Assessment (EIA) and if so whether an Environmental Impact Assessment Report (EIAR) should be prepared in respect of it.

Monaghan County Council is the lead agency in the development of this project.

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 Planning and Development Regulations 2015), 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, *Environmental Impact Assessment of Projects Guidance on Screening*, EU, 2017 and finally the Planning Note on Environmental Impact Assessment Screening, OPR, 2021. The report provides a conclusion of the process and finally a recommendation for Monaghan County Council.

2. DESCRIPTION OF PROPOSED PROJECT

The proposed works are to be located at Corrybrannan, Ballybay, Co. Monaghan. See Fig. 1. The area for works is within a residential development (671735, 819587 ITM). The site currently contains a small green area and an existing playground. The playground has been in place more than 20 years and has been earmarked for upgrade for some time. The upgrade works will form a newly designed accessible playground for the residents in the area with the use of natural materials such as stone boulders, gravel paths, grassed areas, and timber play equipment. It is accessed from the R180, Ballybay to Carrickmacross Road and is located in a 30km/h area. The site is bounded by residential dwellings to the north and south, a boundary fence to the west and a public road to the east.



Fig. 1. Indicative location of the space proposed for upgrade works at Corrybrannan. The existing playground is surrounded by Corrybrannan Park Estate to the north and Culbrennan Estate to the south. Base mapping from maps.archaeology.ie

2.1 More Detail

The aim of the project is to upgrade the existing playground and form a fully accessible playground with modern equipment. The proposal will introduce accessible features for all users of the area and include recent design principles, a sensory strategy, and a soft materials strategy.

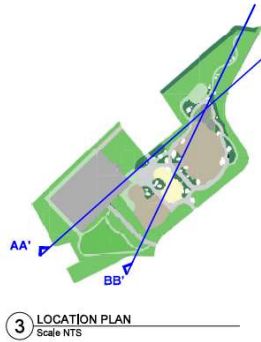
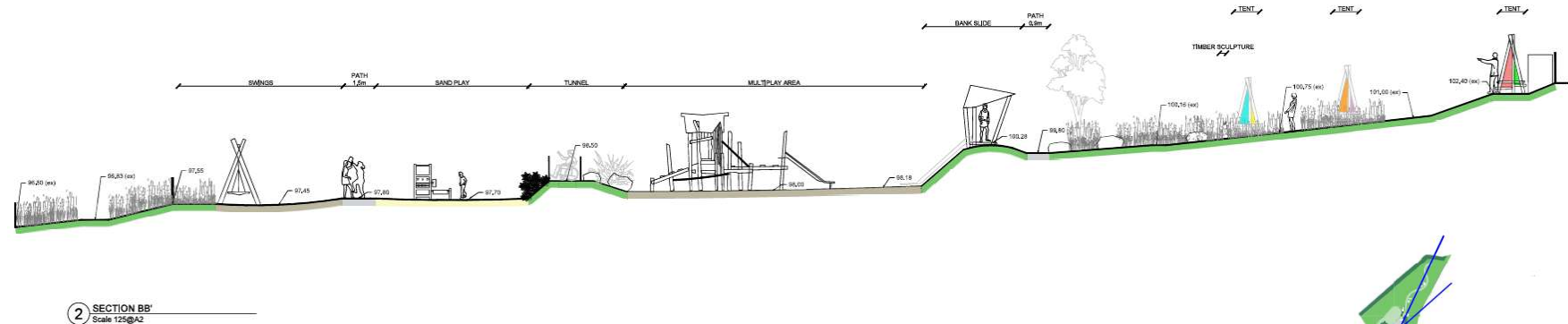
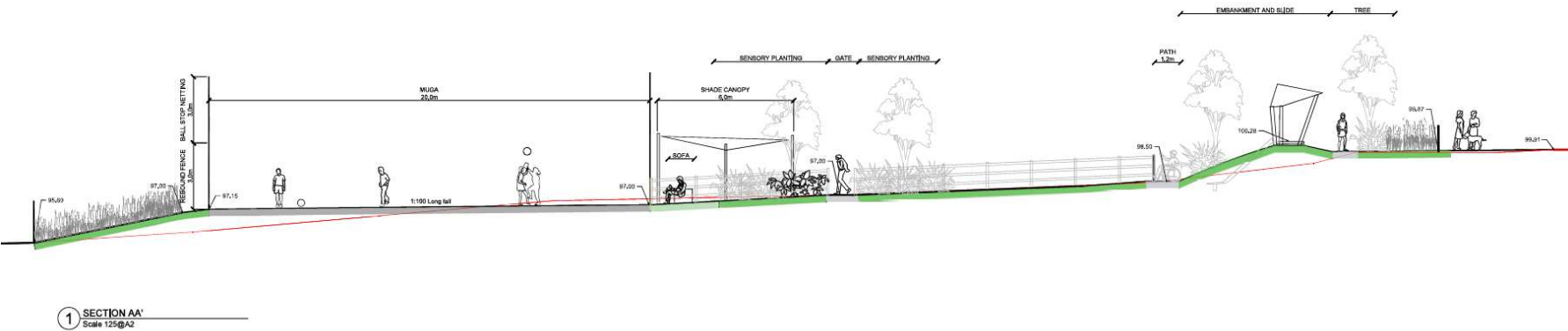
The upgrade proposal has been designed to use natural materials as much as possible and will utilise the existing topography on site, with any excavated material being used to form mounds and infill areas where required. When completed, the upgrade works will include the following list of equipment:

- | | |
|---|--|
| 01 - Large Multiplay | 18 - Inclusive Picnic Table |
| 02 - Large Stilt Path | 19 - Fox Timber Sculpture |
| 03 - Balance Beam Triple | 20 - Badger Timber Sculpture |
| 04 - Springer Plate | 21 - Hare Timber Sculpture |
| 05 - Monkey Bars | 22 - Owl Timber Sculpture |
| 06 - Stepping Trunks | 23 - Squirrel Timber Sculpture |
| 07 - Playhouse and Hill Slide 1.9m H | 24 - Touch, Sight & Sound Sensory Panel |
| 08 - Hill Climber 1.1m H | 25 - Magic Mixer Play Panel |
| 09 - Sand Play House | 26 - Roller Pixel Play Panel |
| 10 - Crawling Tunnel with Fence | 27 - Music Bell |
| 11 - Toadstool | 28 - Chime Tree |
| 12 - Multi-swing with birds nest | 29 - Underground Tunnel |
| 13 - Inclusive Excavator | 30 - Grass Sofa |
| 14 - Spinning Bowl | 31 - Hammock |
| 15 - Bucket Hoist | 32 - Tent Structure with polycarbonate panels |
| 16 - Shade Cloth | 33 - Mixed Size Boulders |
| 17 - Mini Picnic Table | 34 - Bench |

Corrybrannan - Playground Refurbishment Landscape Improvements Overview



Fig 2. Plan Drawing of the Proposed Upgrade Works



3. RELEVANT LEGISLATION & SCREENING METHODOLOGY

Screening is the first stage in the EIA process, whereby a decision is made on whether or not EIA is required. This Screening Assessment was undertaken with regard to the following legislation and guidance:

- Roads Act 1993, the Roads Regulations 1994 and the EIA (Amendment) Regulations 1999;
- The Planning & Development Act 2000, the Planning & Development (Strategic infrastructure) Act 2006 and the Roads Act 2007;
- Guidance on EIA, Screening, European Commission, 2001;
- EIA, Guidance for Consent Authorities regarding Sub-threshold Development, DoEHLG, 2003;
- Environmental Impact Assessment of National Road Schemes – A Practical Guide (NRA, 2008);
- Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, 2009;
- Guidelines on the Information to be Contained in an Environmental Impact Assessment Report (Draft) - EPA 2017;
- European Directive EIA 2014/52/EU¹;
- Transposition of 2014 EIA Directive (2014/52/EU) in the Land Use Planning and EPA Licencing Systems. Key Issues Consultation Paper by Department of Housing, Planning, Community and Local Government (DOHPCLG, 2017), and
- Environmental Impact Assessment Screening (PN02), Practice Note by the Office of the Planning Regulator, 2021.

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 16th May 2017 and regulations transposing it into national legislation have been enacted. No changes to the prescribed project types or thresholds

¹ [Directive 2014/52/EU](#) of the European Parliament and of the Council of 16 April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (OJ L 124, 25.4.2015, p. 1).

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. 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.

EIA legislation sets down the types of projects that may require an EIAR. Annex I defines mandatory projects that require an EIAR and Annex II defines projects that are assessed on the basis of set mandatory thresholds for each of the project classes.

The EIA screening exercise initially assesses the development for Mandatory EIA using classifications defined in the appropriate legislation. Where no mandatory requirement is concluded, screening advances to sub-threshold development assessment, where the competent authority evaluates whether the project is likely to have a *significant* effect on the environment, with reference to its scale, nature, location and context.

4. SCREENING AND ASSESSMENT

4.1 Project Class

EIA legislation defines the types of projects that may require an EIAR. *Annex I* defines mandatory projects that require an EIAR and *Annex II* defines projects that are assessed on the basis of set mandatory thresholds for each of the project classes.

4.2 Project Class Definition

The proposed development does not classify under any of the classes of development as given in Article 4(1).

In addition, this project has been further considered under the relevant list of activities which warrant discretionary consideration for the requirement of an EIA. This applies to those projects listed in Annex II of the EIA Directive and Part 2 of Schedule 5 of the Planning and Development Regulations 2001 as amended. The proposed scheme at Ballybay does not fall within the list of activities requiring discretionary EIA as set out in the legislation.

Development class 15 in part 2 of Schedule 5 notes that sub-threshold development applies to any project that may have likely significant effects which does not equal or exceed or, as the case may be, a quantity, area or other limit specified in Part 2 of Schedule 5 of the Planning and Development Regulations 2001 as amended in respect of the relevant class of development. Specifically, the following is set out under Class 15 in Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended: Any project listed in this Part which does not exceed a quantity, area or other limit specified in this Part in respect of the relevant class of development but which would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.'

Having regard to this sub-threshold development criteria and the relative environmental sensitivity of the proposed scheme, this EIA Screening Report has been prepared to provide sufficient information

to enable the competent authority to undertake screening against any potential likely significant effects that may occur. Given the scale of the existing to be provided through the proposed development, it is the opinion of Flynn Furney Environmental Consultants that any significant effects to the surrounding environment are unlikely to occur during construction or operation for the proposed development.

In conclusion, the proposed development does not fall within the projects or classes of development as defined by the parameters set out in Annex I and Annex II of the EIA Directive and Part 1 and Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended. As such, it is considered that the proposed development is a sub-threshold development for the purposes of this EIA Screening.

Article 120(a)(1)(a) of the Planning and Development Regulations 2001, as amended, requires that prior to screening a project for EIA: -

Where a local authority proposes to carry out a sub-threshold development, the authority shall carry out a preliminary examination of, at the least, the nature, size or location of the development.

This preliminary examination is given in the following section.

4.3 Preliminary Examination

The 'preliminary examination' is required to find out if: (i) there is any likelihood of significant effects on the environment arising from the proposed development; (ii) there is significant and realistic doubt in regard to the likelihood of significant effects on the environment; or (iii) there is a real likelihood of significant effects on the environment. In instance (i) no EIA is required. In (ii) the project needs to be screened for EIA using prescribed screening criteria. In (iii) an EIA is required, and no further screening is necessary.

In the case of the subject development, it can be seen on preliminary examination that the development is small in scale and will not give rise to any significant emissions. It could be

concluded on this basis that there is 'no real likelihood of it causing significant effects on the environment' and that an EIA is not required.

In accordance with the Regulations, it is considered appropriate to proceed further and to screen the proposal in order to form an opinion as to whether or not the proposed development should be subject to Environmental Impact Assessment (EIA).

Conclusion: The proposed scheme does not fall within the mandatory requirement for an EIA as addressed in EU Directive 85/337/EEC (as amended by Directive 97/11/EC). The proposed scheme does not readily conform to any prescribed urban development project, neither does the project contain any characteristics of an urban development but is within an urban environment (i.e. within the 50kph speed limited area). However, given the likely operations proposed at this location and in order to adopt a cautious approach with regard to possible environmental impacts, the proposed works should be screened for EIA. These proposed works are thus assessed as a sub-threshold development.

1. Sub-Threshold Development - EIA Screening

A key determinant of the necessity for Environmental Impact Assessment of sub-threshold projects is whether or not such works are likely to have *significant* effects on the environment. The 1997 amending Directive (97/11/EC) introduced guidance for Member States in terms of deciding whether or not a development is likely to have a “significant effect on the environment.”

These criteria have been transposed fully into Irish legislation in the third schedule of the European Communities Environmental Impact Assessment (Amendment) Regulations 1999, (SI No.93 of 1999) and in Schedule 7 of the Planning & Development Regulations 2001 (SI No 600 of 2001) as amended by Planning & Development Regulations 2008. This has recently been updated by transposition of the 2014 EIA Directive (2014/52/EU) which amends Directive 2011/92/EU²). Guidance is provided by use of criteria set out in Annex III of the new Directive. These criteria as transposed in Irish legislation are grouped under three headings and are used to assist the screening process in determining whether a development is likely to have a significant effect on the environment. The three headings and criteria details as given in Annex III are given below:

² Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (codification) (OJ L 26, 28.1.2012, p. 1).

Heading	Criteria
1. Characteristics of proposed development	<ul style="list-style-type: none"> the size and design of the entire proposed development the cumulation with other existing and/or approved development the use of natural resources the production of waste pollution and nuisances the risk of major accidents (with regard to substances or technologies used) the risks to human health
2. Location of proposed development	<p>The environmental sensitivity of geographical areas likely to be affected by proposed development, having regard in particular to:</p> <ul style="list-style-type: none"> the existing and approved land use the relative abundance, availability, quality and regenerative capacity of natural resources in the area and its underground the absorption capacity of the natural environment in particular, wetlands, coastal zones, mountain and forest areas, nature reserves and natural parks, areas protected under the Habitats Directive / Birds Directives, other protected areas, densely populated areas, protected landscapes of historical, cultural or archaeological significance.
3. Type and characteristics of potential impacts	<p>The potential significant effects of proposed development in relation to criteria set out under paragraphs 1 and 2 above, and having regard in particular to:</p> <ul style="list-style-type: none"> the magnitude and spatial extent of the impact (geographical area and size of the affected population) the nature of the impact the transboundary nature of the impact the intensity and complexity of the impact the probability of the impact the expected onset, duration, frequency and reversibility of impact the cumulation of the impact with the impact of other existing and/or approved projects the possibility of effectively reducing the impact

The project at Corrybrannan is considered under the above criteria (as set out in Schedule 7) in the tables below.

CRITERIA (Schedule 7)		RELEVANCE	RATIONALE
1. Characteristics of Proposed Development: The characteristics of the proposed development, in particular:	The size of the proposed development	No	The site to be developed is very small (c. 0.175 ha). The majority of the scheme footprint will be on lands previously developed for recreational amenity.
	The cumulation with the proposed development	No	No projects have been identified as having cumulative impacts with this present project. A review of planning applications was carried out. Over the last 3 years, Only 1 no. potentially relevant application (reference No 228002), the construction of a new Fire Station was noted. However, given the nature of the proposed development under screening, no cumulative or in combination impacts may reasonably be predicted.
	The use of natural resources	No	No significant natural resources will be required to complete the project.
	The production of waste	No	Waste produced during the construction process is anticipated to be minimal and insufficient to cause significant effects. Any materials will be brought to a construction and demolition recycling centre for reuse.
	Pollution and nuisance	No	Construction impacts such as noise and dust will be kept within acceptable standards and as such are anticipated to be negligible. Operational impacts will be negligible. There are no sensitive receptors adjacent or within the zone of influence of any foreseeable activities at this site.
	The risk of accidents having regard to substances or technologies used.	No	Any potential impacts are anticipated as being negligible given: the nature and limited scale of the proposed development; that no novel or untested technologies will be employed; that the facility has been designed by a Playground Designer with long experience in the design of such facilities, and will be constructed by a suitably experienced contractor.

--	--	--	--

CRITERIA (Schedule 7)		RELEVANCE	RATIONALE
2. Location of the Proposed Development: The environmental sensitivity of geographical areas likely to be affected by proposed development, having regard in particular to:	The existing landuse	No	The existing site is currently being used as a recreational area and will remain recreational on completion.
	The relative abundance, availability, quality and regenerative capacity of natural resources in the area and its underground	No	No significant impacts are anticipated given existing nature of site (previously built and fallow lands). No natural areas are to be impacted upon.
	The absorption capacity of the natural environment, paying particular attention to the following areas:		
	Wetlands, riparian areas, river mouths;	No	None of these habitat types occur within the immediate area of the proposed development. The Ballybay Wetlands and the Dromore River System is in approximately 500m from the site. It is unlikely that the site development will have any impact on these wetlands or this watercourse.
	Coastal zones	No	None of these habitat types occur within area of proposed development.
	Mountain and forest areas	No	None of these habitat types occur within area of proposed development.
	Nature Reserves and National Parks	No	None of these occur within area of proposed development.
	Areas classified or protected under legislation, including	No	Area proposed for development is not under such classification or protection. Works will be confined to the existing recreational area.

	special protection areas designated pursuant to Directives 79/409/EEC and 92/43/EEC		There is no potential for the development to impact on the these any SAC due to the nature and scale of the development and lack of any direct connection between the site and the SACs. An Appropriate Assessment Screening exercise was carried out (August 2023) and concluded that there will be no likely significant effects on any Natura 2000 site.
	Areas in which the environmental quality standards laid down in legislation of the EU have already been exceeded.	No	No evidence of such was found during desktop research.
	Densely populated areas	No	N/A
	Landscapes of historical, cultural archaeological significance	No	N/A

CRITERIA (Schedule 7)		RELEVANCE	RATIONALE
3. Type and characteristics of potential impacts:	the magnitude and spatial extent of the impact (geographical area and size of the affected population)	No	Any potential impacts are considered to be insignificant, given the very small scale of the proposed development.
	The nature of the impact	No	Short-term visual impacts may be anticipated during construction phase but the absence of any sensitive receptors is significant mitigation in this regard.
	the transboundary nature of the impact	No	N/A
	the intensity and complexity of the impact	No	Any impacts are considered insignificant given size and scale of development.

	the probability of the impact	No	No significant negative impacts are predicted.
	the expected onset, duration, frequency and reversibility of impact	No	No significant negative impacts are predicted.
	the cumulation of the impact with the impact of other existing and/or approved projects	No	No significant negative impacts are predicted.
	the possibility of effectively reducing the impact	No	No significant negative impacts are predicted.

5. CONCLUSION AND RECOMMENDATIONS

It is concluded that the **characteristics of the proposed development** would not be considered likely to have significant effects on the environment. This is based primarily on the limited size and scale of the proposed works and low potential to have significant impacts. No other projects emerged from the screening process with which the proposed works may have significant cumulative impacts.

It is concluded that there will be no significant direct or indirect impacts by virtue of the **location of the proposed development** on the receiving environment. This is based primarily upon the absence of any impacts predicted upon any protected sites such as Nature Reserves, parks or Natura 2000 Sites. The site is not within the zone of influence of any Natura 2000 site and there is no connectivity between the proposed works and any Natura 2000 site. The works therefore do not have potential for any significant impacts on this site.

It is concluded that the **type and characteristics of the potential impacts** would not be considered significant. This is based primarily upon the limited size and scale of the proposed works. The lack of other sensitive receptors is also a significant factor in this assessment. Impacts on landscape, soils and geology are not considered significant, given the previously developed location, as well as the nature and scale of works.

Given the size and scale of the proposed development and the absence of any other projects or plans known at time of writing, no significant **cumulative impacts** are considered likely.

The assessment has been carried out on the proposed works as a **sub threshold development**. The overall conclusion of this screening exercise is that there should be no specific requirement for a full Environmental Impact Assessment of the proposed development.

REFERENCES

DoEHLG. (2003) '*Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development*'. Department of Environment, Heritage and Local Government, Dublin.

DOECLG (2015) *Planning and Development Regulations 2001-2013* (Unofficial Consolidation). Unpublished Report by Department of Environment, Community and Local Government.

NRA (2008) *Environmental Impact Assessment of National Roads Schemes – a practical guide*. National Roads Authority (Now Transport Infrastructure Ireland), Dublin.