



Comhairle Contae Chorcaí
Cork County Council

ARUP



N25 Little Island Pedestrian and Cyclist Bridge

Environmental Impact
Assessment



Screening
Report

Contents

| | | |
|-----|--|---|
| 1. | Introduction | 1 |
| 2. | Background | 2 |
| 3. | Legislation, Guidance and Requirements EIA Screening | 3 |
| 3.1 | Overview | 3 |
| 3.2 | Introduction | 3 |
| 3.3 | EIA Directive | 4 |
| 3.4 | Roads Act, 1993 as amended | 5 |
| 4. | Characteristics of the Proposed Development | 7 |
| 5. | Conclusion | 8 |
| 6. | References | 8 |

Figures

Figure 1 Location of the proposed development (indicated in red). | Not to Scale | Source: Google Maps

1

1. Introduction

Arup has prepared an Environmental Impact Assessment (EIA) screening report on behalf of Cork County Council (CCC) for the proposed N25 Pedestrian and Cycle Bridge. The proposed development will include the construction of a new pedestrian and cycle bridge and associated ramps over the existing N25 National Road. This document provides the competent authority (Cork County Council (CCC)), with the information necessary to undertake an EIA screening assessment and determine whether an EIA is required for the proposed development.

The proposed development will be located west of the Little Island Train Station and will cross over the N25 and the railway line, connecting the Little Island Train Station, the Glounthaune Road and the future greenway to the Eastgate Business Park in Little Island, Cork. To the north of the proposed development lies the Island Corporate Park and to the south lies the Eastgate Business Park. Refer to Figure 1 below. The proposed bridge will be a 90m span bridge, with approximately 180m of associated ramps and 100m of associated embankments. The bridge has a minimum vertical clearance of 5.7m over the road and 5.3m over the railway line and a maximum slope of 1:20 on the approach ramps.

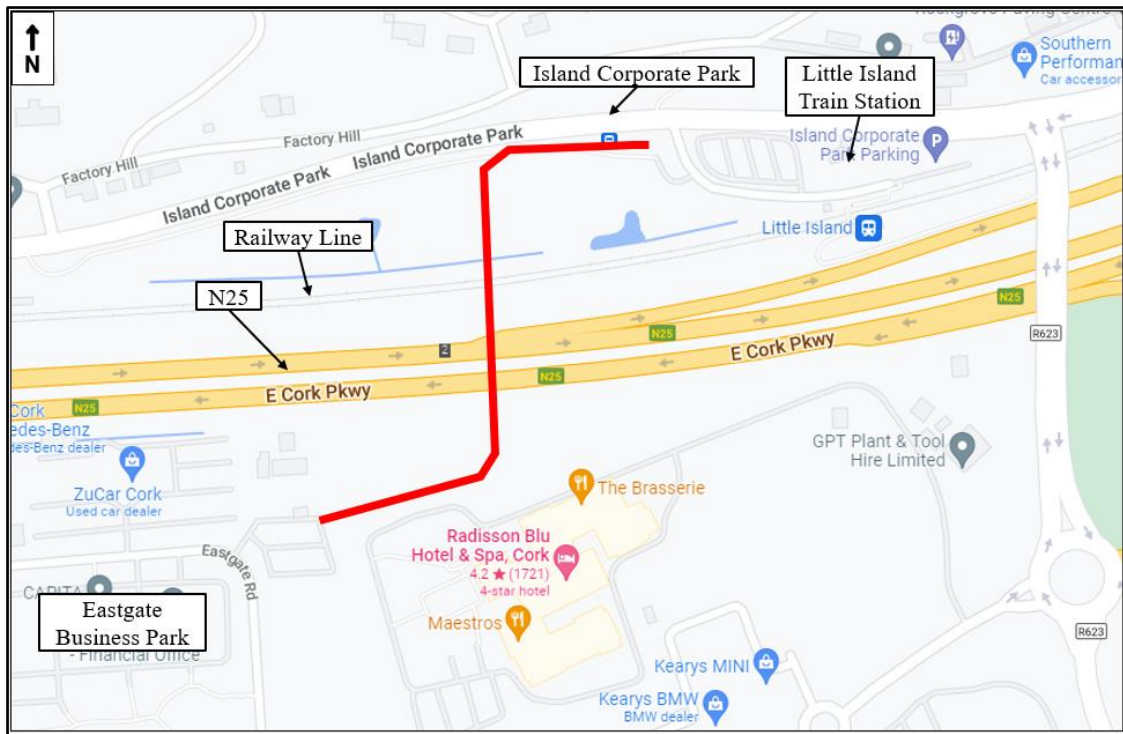


Figure 1 Location of the proposed development (indicated in red). | Not to Scale | Source: Google Maps

2. Background

Cork County Council commissioned the Little Island Transportation Study in 2017 to identify the existing transport issues in Little Island and to explore potential solutions, which would ensure an integrated and balanced approach to transport for the Island in the future. The Little Island Transport Study is generally consistent with the Cork Metropolitan Area Transportation Strategy (CMATS). The findings of the study were published in the Little Island Transport Study Strategy Design Report in 2019. A Strategic Environmental Assessment of the Little Island Transport Study was undertaken. The Study was subject to Appropriate Assessment Screening and a Natura Impact Statement was prepared.

Support for the Little Island Transport Study Strategy Design Report was received from the elected members of Cork County Council Cobh Municipal District in February 2019.

On foot of this support, Arup was commissioned to design the short-term interventions identified in the Little Island Transport Study. This project, called the Little Island Sustainable Transport Interventions (LISTI), comprises a series of measures which can be implemented to achieve an immediate improvement in the transport issues in Little Island, the N25 Pedestrian and Cycle Bridge being one of these.

3. Legislation, Guidance and Requirements EIA Screening

3.1 Overview

This section outlines the relevant legislation and guidance reviewed in the compilation of this EIA screening report. This section also examines the mandatory requirement for EIA against the relevant EIA classes and outlines the requirement for screening of sub-threshold developments.

3.2 Introduction

The current requirements for EIA for projects are set out by the European Union in Council Directive 2011/92/EU¹ on the Assessment of the Effects of Certain Public and Private Projects on the Environment as amended by Directive 2014/52/EU².

The Planning and Development Acts 2000 to 2019 and the Planning and Development Regulations 2001 to 2019 have been amended by the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (SI No. 296 of 2018) to take account of the requirements of the EIA Directive (Directive 2014/52/EU).

The Roads Act (1993) has also been amended by the European Union (Road Act 1993) (Environmental Impact Assessment) (Amendment) Regulations 2019 (SI 296 of 2019) to take account of the requirements of the EIA Directive (Directive 2014/52/EU).

Usually, a local authority development which requires an EIA (i.e., of a class listed in Schedule 5 of the Planning and Development Regulations 2001, as amended, which list projects requiring EIA) must be submitted to An Bord Pleanála for approval under Section 175 of the Planning and Development Act (2000), as amended. However, subsection 14 of Section 175 specifically excludes road developments: “(14) This section shall not apply to proposed road development within the meaning of the Roads Act, 1993, by or on behalf of a road authority.”

The proposed development is considered to be a “road development” under the meaning of the Roads Act (1993), as amended (Refer to Section 2.4.1 below).

Therefore, the requirements for EIA Screening under the Roads Act (1993), as amended, have been followed in this report.

A review of the above legislation was undertaken for the purpose of this EIA screening report and is further analysed in the sections below. The following guidance and consultation documents have also been considered during the preparation of this report:

- Department of Housing, Planning, Community and Local Government (2018) *Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment (August 2018)*;
- Department of Housing, Planning, Community and Local Government (2017) *Transposition of 2014 EIA Directive (2014/52/EU) in the Land Use Planning and EPA Licencing Systems*;
- Department of Housing, Planning, Community and Local Government (2017) *Implementation of Directive 2014/52/EU on the effects of certain public and private projects on the environment (EIA Directive): Advice on the Administrative Provisions in Advance of Transposition*;

¹ 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).

² 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.

- Department of the Environment, Heritage and Local Government (2003) *Environmental Effect Assessment (EIA) Guidance for Consent Authorities regarding Sub-Threshold Development*;
- Environmental Protection Agency (2022) *Guidelines on the Information to be contained in Environmental Impact Assessment Reports (May 2022)*;
- Environmental Protection Agency (2003) *Advice Notes on Current Practice in the Preparation of Environmental Impact Statements*;
- Environmental Protection Agency (2015) *Advice Notes for Preparing Environmental Impact Statements Draft September 2015*;
- European Commission (2017) *Guidance on EIA Screening*; and
- European Commission (2015) *Interpretation of definitions of project categories of annex I and II of the EIA Directive*.

3.3 EIA Directive

Directive (2014/52/EU) sets out the requirements of the EIA process, including screening the need for an EIA. Projects listed in Annex I of the EIA Directive require a mandatory EIA whilst projects listed in Annex II require screening to determine whether an EIA is required. Articles 4(4) and 4(5) of the EIA Directive set out the requirements for EIA screening of Annex II projects as set out below. Annex III sets out the criteria to be examined when carrying out EIA screening.

The Roads Act (1993) has been amended by the European Union (Road Act 1993) (Environmental Impact Assessment) (Amendment) Regulations 2019 (SI 296 of 2019) to take account of the requirements of the EIA Directive (Directive 2014/52/EU). Annex III is specifically referenced in Section 50(1)(e) of the Roads Act (1993), as amended, to be considered when carrying out EIA Screening.

Articles 4(4) and 4(5) of the EIA Directive

“4(4) Where Member States decide to require a determination for projects listed in Annex II, the developer shall provide information on the characteristics of the project and its likely significant effects on the environment. The detailed list of information to be provided is specified in Annex IIA. The developer shall take into account, where relevant, the available results of other relevant assessments of the effects on the environment carried out pursuant to Union legislation other than this Directive. The developer may also provide a description of any features of the project and/or measures envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment.

4(5) The competent authority shall make its determination, on the basis of the information provided by the developer in accordance with paragraph 4 taking into account, where relevant, the results of preliminary verifications or assessments of the effects on the environment carried out pursuant to Union legislation other than this Directive. The determination shall be made available to the public and:

(a) where it is decided that an environmental effect assessment is required, state the main reasons for requiring such assessment with reference to the relevant criteria listed in Annex III; or

(b) where it is decided that an environmental effect assessment is not required, state the main reasons for not requiring such assessment with reference to the relevant criteria listed in Annex III, and, where proposed by the developer, state any features of the project and/or measures envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment.”

Annex III of the EIA Directive

1. Characteristics of projects

The characteristics of projects must be considered, with particular regard to: (a) the size and design of the whole project; (b) cumulation with other existing and/or approved projects; (c) the use of natural resources, in particular land, soil, water and biodiversity; (d) the production of waste; (e) pollution and nuisances; (f) the risk of major accidents and/or disasters which are relevant to the project concerned, including those caused by climate change, in accordance with scientific knowledge; (g) the risks to human health (for example due to water contamination or air pollution).

2. Location of projects

The environmental sensitivity of geographical areas likely to be affected by projects must be considered, with particular regard to: (a) the existing and approved land use; (b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground; (c) the absorption capacity of the natural environment, paying particular attention to the following areas: (i) wetlands, riparian areas, river mouths; (ii) coastal zones and the marine environment; (iii) mountain and forest areas; (iv) nature reserves and parks; (v) areas classified or protected under national legislation; Natura 2000 areas designated by Member States pursuant to Directive 92/43/EEC and Directive 2009/147/EC; (vi) areas in which there has already been a failure to meet the environmental quality standards, laid down in Union legislation and relevant to the project, or in which it is considered that there is such a failure; (vii) densely populated areas; (viii) landscapes and sites of historical, cultural or archaeological significance.

3. Type and characteristics of the potential impact

The likely significant effects of projects on the environment must be considered in relation to criteria set out in points 1 and 2 of this Annex, with regard to the impact of the project on the factors specified in Article 3(1), taking into account: (a) the magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected); (b) the nature of the impact; (c) the transboundary nature of the impact; (d) the intensity and complexity of the impact; (e) the probability of the impact; (f) the expected onset, duration, frequency and reversibility of the impact; (g) the cumulation of the impact with the impact of other existing and/or approved projects; (h) the possibility of effectively reducing the impact.

3.4 Roads Act, 1993 as amended

Given that the proposed bridge development is considered a “road development” under the meaning of the Roads Act (1993), as amended, the requirements for EIA Screening under this legislation have been followed in this report. This legislation is discussed further below.

3.4.1 Definition of a “road” under Section 2 of the Roads Act 1993 as amended

A “road” is defined under Section 2 of Roads Act (1993), as amended as:

“(a) any street, lane, footpath, square, court, alley or passage,

(b) any bridge, viaduct, underpass, subway, tunnel, overpass, overbridge, flyover, carriageway (whether single or multiple), pavement or footway,

(c) any weighbridge or other facility for the weighing or inspection of vehicles, toll plaza or other facility for the collection of tolls, service area, emergency telephone, first aid post, culvert, arch, gully, railing, fence, wall, barrier, guardrail, margin, kerb, lay-by, hard shoulder, island, pedestrian refuge, median, central reserve, channelliser, roundabout, gantry, pole, ramp, bollard, pipe, wire, cable, sign, signal or lighting forming part of the road, and

(d) any other structure or thing forming part of the road and—

(i) necessary for the safety, convenience or amenity of road users or for the construction, maintenance, operation or management of the road or for the protection of the environment, or

(ii) prescribed by the Minister”;

A “road authority” is defined as:

“road authority”, except in Part V, means the council of a county, the corporation of a county or other borough, or the council of an urban district”;

A “public road” is defined as:

“public road” means a road over which a public right of way exists and the responsibility for the maintenance of which lies on a road authority.

The proposed bridge is interpreted to be a “road” development under the legislation and Cork County Council is a “road authority”. The proposed construction of the bridge is interpreted as the construction of a “public road” under the legislation.

3.4.2 Requirement for mandatory EIA under the Roads Act, (1993) as amended

Section 50 (1) of the Roads Act (1993) (as amended by S.I No 279 of 2019) relates to road developments subject to Environmental Impact Assessment. This legislation is discussed further below.

The thresholds for mandatory EIA of a road development are set out in Section 50(1)(a) below. The prescribed types of proposed road development for the purposes of Section 50 (1)(a)(iv) are set out in Article 8 of SI 119 of 1994 Roads Regulations and set out below.

Roads Act (1993), as amended

“50. (1) (a) A road development that is proposed that comprises any of the following shall be subject to an environmental impact assessment:

(i) the construction of a motorway;

(ii) the construction of a busway;

(iii) the construction of a service area;

(iv) any prescribed type of road development consisting of the construction of a proposed public road or the improvement of an existing public road.

SI 119 of 1994 Roads Regulations. Part V Environmental Impact Assessment

“(8). The prescribed types of proposed road development for the purpose of subsection (1)(a)(iv) of section 50 of the Act shall be—

(a) the construction of a new road of four or more lanes, or the realignment or widening of an existing road so as to provide four or more lanes, where such new, realigned or widened road would be eight kilometres or more in length in a rural area, or 500 metres or more in length in an urban area;

(b) the construction of a new bridge or tunnel which would be 100 metres or more in length”

The proposed N25 Pedestrian and Cycle Bridge “road” development is neither a motorway, busway nor service area, but it does consist of the construction of a bridge approximately 270m in total length. Therefore, a mandatory EIA is required.

4. Characteristics of the Proposed Development

The proposed development will include the construction of a new pedestrian and cycle bridge and associated ramps over the existing N25. The proposed development will be located west of the Little Island Train Station and will cross over the N25 and the railway line, connecting the Little Island Train Station, the Glounthaune Road and the future greenway to the Eastgate Business Park in Little Island, Cork. To the north of the proposed development lies the Island Corporate Park and to the south lies the Eastgate Business Park. Refer to Figure 1.

The proposed bridge will be a 90m span bridge, with approximately 180m of associated ramps and 100m of associated embankments. The bridge will be in three sections as it crosses a highway, a wooded area and a railway, the span arrangement being 50m, 17m, and 14.5m respectively. As a result, three bridge abutments will be constructed within the Irish Rail Boundary and one will be constructed directly south of the N25. The site area will be approximately 1.12 hectares.

The closest Natura 2000 sites to the proposed development are the Cork Harbour Special Protection Area (SPA) (004030) and the Great Island Channel Special Area of Conservation (SAC) (001058). The Great Island Channel is also a proposed Natural Heritage Area (pNHA) (001058), there are also several other pNHAs in the vicinity of the proposed development.

While construction materials will be required, it is not considered that there will be a significant use of natural resources as part of the proposed works. In addition, surplus construction materials which are not required for use on site will be reused, recovered or disposed of off-site. The construction of the proposed bridge will however require removal of some trees and vegetation. There is potential for some pollutants and nuisances during the construction phase. The design of the proposed bridge will include allowance for climate change. As the construction works are standard in nature and will involve normal routine methodologies it is predicted that the risk of accidents, having regard to substances or technologies used will not result in significant environmental effects.

Several comprehensive proposals across several transport modes are included in the Cork Metropolitan Area Transport Strategy 2040 (CMATS) which was prepared in 2020 by Cork City Council and Cork County Council, in partnership with the National Transport Authority (NTA) and Transport Infrastructure Ireland (TII). These future developments (whilst not yet approved), depending on scale, nature, location and duration, in combination with the proposed bridge development may or may not result in cumulative effects.

5. Conclusion

The proposed development will be a new pedestrian and cycle bridge that would be approximately 270m in total length (including span and associated ramps) and exceeds the thresholds outlined in Section 50(1)(a) of the Roads Act 1993, as amended, and Article 8 of the Roads Regulations 1994. Therefore, the proposed development does trigger the need for a mandatory Environmental Impact Assessment.

6. References

Department of Housing, Planning, Community and Local Government (2018) *Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment (August 2018)*

Department of Housing, Planning, Community and Local Government (2017) *Transposition of 2014 EIA Directive (2014/52/EU) in the Land Use Planning and EPA Licencing Systems*

Department of Housing, Planning, Community and Local Government (2017) *Implementation of Directive 2014/52/EU on the effects of certain public and private projects on the environment (EIA Directive): Advice on the Administrative Provisions in Advance of Transposition*

Department of the Environment, Heritage and Local Government (2003) *Environmental Effect Assessment (EIA) Guidance for Consent Authorities regarding Sub-Threshold Development*

Environmental Protection Agency (2022) *Guidelines on the Information to be contained in Environmental Impact Assessment Reports*

Environmental Protection Agency (2003) *Advice Notes on Current Practice in the Preparation of Environmental Impact Statements*

European Commission (2017) *Guidance on EIA Screening*

Fossitt (2000) *A Guide to Habitats in Ireland*

Office of Public Works (2021) *Practice Note PN02 Environmental Impact Assessment Screening*



N25 Little Island Pedestrian and Cyclist Bridge
Environmental Impact Assessment Report