

Statement on EIA Screening Process

Strategic Housing Development Application at Redforge Road, Blackpool, Cork

Statement pursuant to Planning and Development Regulations 2001 (as amended) and Section 299B(1)(b)(ii)(II)(C)

September 2021



Contents

1. Introduction	3
1.1. Background.....	3
1.2. Strategic Housing Development.....	4
2. Methodology	4

Appendix 1: Table 2 EU and National Legislation.....	13
--	----

1. Introduction

Bellmount Developments Limited intend to apply for planning permission to An Bord Pleanála for development Redforge Road, Blackpool, Cork. The application will be made under the Planning and Development (Housing) and Residential Tenancies Act 2016. The proposed development will comprise the following;

- the demolition of existing structures on site including a single storey building, pump island canopy, 4 no. fuel pumps and the decommissioning/removal of 4 no. underground fuel tanks;
- the construction of 114 no. Build to Rent apartments (comprising a mix of 1 and 2 bed apartments) in 2 no. blocks, ranging in height from 4 to 9 storeys;
- 1 no. 313 sqm retail unit;
- residential amenity facilities including a reception, residents gym, lounge area and shared workspace;
- the provision of landscaping and amenity areas including an enclosed courtyard and 1 no. rooftop garden;
- the provision of public realm improvements on Redforge Road including widened footpaths and pavement improvements, pedestrian crossing, tree planting, raised tables/planters and seating areas and;
- all associated ancillary development including pedestrian/cyclist facilities, lighting, drainage, boundary treatments, bin and bicycle storage, ESB Sub-station and plant.

An Environmental Impact Assessment (EIA) Screening Report has been prepared by McCutcheon Halley to provide supporting information to assist the competent authority, in this instance An Bord Pleanála, to determine whether an EIA is required for the proposed development.

This statement has been prepared by McCutcheon Halley to accompany the EIA Screening and provide the information required under Section 299B of the Planning and Development Regulations 2001 (as amended) (“The Regulations”)

1.1. Background

An EIA Screening has been prepared based on the requirements of EU Directive 2014/52EU. The objective of the Directive is *“to ensure a high level of protection of the environment and human health, through the establishment of minimum requirements for environmental impact assessment (EIA), prior to development consent being given, of public and private developments that are likely to have significant effects on the environment”*¹.

EIA provisions in relation to planning consents are currently contained in the Planning and Development Act, 2000, as amended, (Part X) and in Part 10 of The Regulations as amended.

Projects requiring EIA are listed in Schedule 5 (Parts 1 and 2) of the Planning and Development Regulations 2001. In cases where a project is mentioned in Part 2 but is classed as “sub-threshold development”, planning authorities are required under article 103 of The Regulations to request an EIA where it considers that the proposed development is likely to have significant environmental effects.

¹ Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment https://www.housing.gov.ie/sites/default/files/publications/files/guidelines_for_planning_authorities_and_an_bord_pleanala_on_carrying_out_eia_-_august_2018.pdf

1.2. Strategic Housing Development

The proposed project comprises a Strategic Housing Development. Under Section 299B of The Regulations where an application for a subthreshold SHD development has been made to An Bord Pleanála, and where a determination as to whether or not an EIA is required has not been given under Section 7 of the 2016 Act, the Board must carryout a screening for EIA of the proposed development.

Section 299B(1)(b) of the Regulations states that;

(b)(i) “The Board shall carry out a preliminary examination of, at the least, the nature, size or location of the development.

(ii) Where the Board concludes, based on such preliminary examination, that—

(I) there is no real likelihood of significant effects on the environment arising from the proposed development, it shall conclude that an EIA is not required,

(II) there is significant and realistic doubt in regard to the likelihood of significant effects on the environment arising from the proposed development, it shall satisfy itself that the applicant has provided to the Board

(A) the information specified in Schedule 7A,

(B) any further relevant information on the characteristics of the proposed development and its likely significant effects on the environment, and

(C) a statement indicating how the available results of other relevant assessments of the effects on the environment pursuant to the European Union Legislation other than the Environmental Impact Assessment Directive have been taken into account.

The EIA Screening report provides the information required under Schedule 7 and Schedule 7A of The Regulations. Schedule 7 sets out the criteria for determining whether a development would, or would not be likely to have significant effects on the environment, and this was transposed directly from Annex III of the 2011 Directive.

2. Methodology

The following has been drafted based on the Guidance Document *Environmental Impact Assessment of Projects Guidance on Screening* (EU, 2017). Section 3.1 of the Guidance Document provides a list of some of the other relevant assessments which should be taken into account. These are further considered in the Annex to the Guidance document which introduces other significant pieces of legislation which affect environmental and project planning;

- Marine Strategy Framework Directive;
- Ambient Air Quality Directive and Heavy Metals in the Ambient Air Directive;
- Waste Framework Directive
- Industrial Emissions Directive;
- Seveso Directive
- Trans-European networks: TEN-E, TEN-T and TEN-TEC Regulations;
- Aarhus and ESPOO conventions (including Directive 2003/4/EC and 2003/35/EC).

The formal names and a brief description are provided in Appendix 1 (**Table 2**).

Section 299B(1)(b)(ii)(II)(C) of The Regulations requires that the statement must indicate “*how the available results of other relevant assessments of the effects on the environment carried out pursuant to European*

Union legislation other than the Environmental Impact Assessment Directive have been taken into account.”

Table 1 provides an identification of the results of the relevant assessments and how these have been taken into account in preparing the EIA Screening Statement.

Table 1: Results of Assessments carried out pursuant to national and European legislation as set out in Table 2.

EU Legislation and relevant section of accompanying EIA Screening Report	Results of Relevant Assessment	How this has been taken into account in project design.
<p>i. Strategic Environmental Assessment (SEA) Directive</p> <p>The project design, including the zoning of the subject site is discussed in Sections 3.1 and 3.2 of the EIA Screening Report</p>	<p>The SEA legislation requires that the Plan-making authority must make available an SEA Statement summarising how the SEA and consultations have been taken into account in the making of the Plan (in this case the Cork City Development Plan 2015 - 2021). The SEA process includes an assessment of the likely significant impacts on the environment as a result of the Plan and the preparation of the Environmental Report, which went public display with the Draft Development Plan.</p> <p>The SEA Statement is required under Article 13I, SI No 436 of 2004 (as amended), to include information on: a) How environmental considerations have been integrated into the Plan; b) How the Environmental Report, submissions and observations made to the planning authority on the Draft Plan and Environmental Report, and any transboundary consultations (where relevant) have been taken into account during the preparation of the Plan; c) The reasons for choosing the Plan, as adopted, in the light of the other reasonable alternatives dealt with; and d) The measures decided upon to monitor the significant environmental effects of implementation of the Plan.</p> <p>Following the SEA Process, An SEA Statement was prepared for the Cork City Development Plan 2015, which was adopted on 20th April 2015.</p>	<p>The site is zoned for ‘District Centre’ in the Cork City Development Plan 2015. This zoning objective proposes to protect and provide for residential uses, local services, institutional uses, and civic uses.</p> <p>A Statement of Consistency has been prepared by McCutcheon Halley Planning to accompany the planning application. The Statement highlights how the proposed development is consistent with the relevant planning policies at national and local levels. This statement details how the proposed development is consistent with the policies and objectives of the Cork City Development Plan 2015.</p>

EU Legislation and relevant section of accompanying EIA Screening Report	Results of Relevant Assessment	How this has been taken into account in project design.
<p>ii. Birds and Habitats Directives</p> <p>The findings of the NIS are discussed in Section 3.2.3 of the EIA Screening Report.</p>	<p>A NIS was prepared by Malone O'Regan which concluded that the proposed development would not cause any adverse effects on European designated sites (specifically Cork Harbour SPA and Great Island Channel SAC) provided the mitigation measures incorporated within the NIS are adhered to.</p>	<p>The NIS identified that the most likely risks are;</p> <ul style="list-style-type: none"> • Discharges of potentially contaminated surface water during construction and operation to the River Bride • Disturbance to species and habitats during construction <p>Mitigation measures are set out in Section 7.1 and 7.2 of the NIS and are included in the CEMP. SUDS features are included in the project design and are outlined below.</p>
<p>iii. Water Framework Directive</p> <p>The Water Framework Directive Status is considered in Section 3.2.3 of the EIA Screening report.</p>	<p>A desk study was carried out on 15th June 2021 to determine the water quality status of watercourses in proximity.</p> <p>Information on water features, water quality and Water Framework Directive (WFD) status of watercourses in proximity to the site was determined from the EPA website and interactive mapviewer https://gis.epa.ie/EPAMaps/ , and www.catchments.ie, which is a collaboration between the Department of Housing, Local Government and Heritage, the Environmental Protection Agency, and the Local Authority Waters Programme.</p> <p>The closest water course is the River Bride, identified as "At Risk", flowing c. 80m to the west of the site. The most recent WFD status of the River Bride is identified as "at Risk" and the water quality status for the period 2013 – 2018 is identified as "undetermined".</p> <p>It is proposed to discharge surface water during operation to the River Bride.</p>	<p>The proposed project must ensure that a comprehensive sustainable urban drainage system (SUDS) is incorporated into the development as per Objective 12.3 of the Cork City Development Plan 2015. The SuDs principles require a two-fold approach to address storm water management on new developments:</p> <ul style="list-style-type: none"> • SuDS requires that post development run-off rates be maintained at the equivalent to, or lower than, the pre-development run-off levels. • Include Sustainable Urban Drainage Devices (e.g Attenuation, green roof, permeable paving system, etc) <p>The proposed surface water drainage system will collect storm-water run-off generated from the residential roofs and impermeable hard surfaces via gullies. The storm water will then drain to an on-site, below ground level attenuation facility. Attenuation capacity is designed for a 1 in 30 year storm event + 10% allowance for climate change. The attenuation tank capacity required is 40.8m³. Surface water outfall from the attenuation tank</p>

EU Legislation and relevant section of accompanying EIA Screening Report	Results of Relevant Assessment	How this has been taken into account in project design.
		is to be restricted by a Hydrobrake to limit the flow to the existing public storm drainage system. (Refer to Appendix C of the Infrastructure Report for surface water drainage calculations and associated attenuation design).An Infrastructure Report has been prepared by JODA Consulting Engineers with outlines the proposals for managing storm water drainage. A separate Sustainable Urban Drainage (SuDS) Report has also been prepared.
iv. Marine Strategy Framework Directive	Not relevant to his assessment as the site is within the built up area of Cork City and not in proximity to Marine or Coastal Areas.	N/A
v. Ambient Air Quality Directive and Heavy Metals in the Ambient Air Directive Air quality is considered in Section 3.1.6 and Section 3.1.8 of the EIA Screening report.	A desk study was carried on 15 th June 2021 to determine baseline air quality and identify any potential significant impacts as a result of the proposed development. Data on air quality to inform the project and the EIA Screening was accessed from www.airquality.ie and on the EPA interactive mapviewer https://gis.epa.ie/EPAMaps/ . The EPA air quality index identifies that the site is located within an area where the air quality is rated as “1 – Good” which does not propose any restrictions for the general public or at risk groups. The burning of coal is restricted. Cork City is located in Zone B.	A CEMP has been prepared by MOR for the proposed development which proposes standard dust mitigation measures to be put in place as part of the construction phase measures. No specific measures for the operational phase are proposed given that the air quality is rated as “1-Good”.
vi. Waste Framework Directive The production and management of waste is considered in Section 3.1.5 of the EIA Screening report.	Potential environmental impacts relating to the demolition phase will be addressed in the Construction and Demolition Waste Management Plan (C&DWMP) prepared by Malone O’Regan (MOR), which is submitted with this application. An estimate of the types and possible amount of Construction and Demolition waste likely to be generated is provided by JODA Engineering, and included	Construction and Demolition Waste Management Plan (C&DWMP) prepared by Malone O’Regan (MOR) in accordance with relevant legislation and submitted with this application. The C&DWMP outlines the manner in which C&D waste will be managed in order to achieve compliance with the relevant waste legislation and to

EU Legislation and relevant section of accompanying EIA Screening Report	Results of Relevant Assessment	How this has been taken into account in project design.
	in the C&DWMP. JODA Engineering have estimated the quantities of waste likely to arise following the completion of the planned demolition at the site. It is estimated that c. 1154m ³ of waste material will be generated from demolition activities.	ensure that waste management activities at the site will not have an adverse impact on the environment.
vii. Industrial Emissions Directive	Not relevant to this Statement as the proposed project comprises a strategic housing development.	N/A
viii. Seveso Directive Risk of Major Accidents considered in Section 3.17 of the EIA Screening Report	A desk study was carried out to determine the risk based on proximity to identified SEVESO sites (data available from EPA database and Interactive mapviewer).	No action was required as there no risk identified.
ix. Trans-European networks: TEN-E, TEN-T and TEN-TEC Regulations	Not relevant to this Statement as the proposed project comprises a strategic housing development.	N/A
x. Aarhus and ESPOO conventions (including Directive 2003/4/EC and 2003/35/EC)	The pre-planning discussions with Cork City Council's Planning, Architectural and Engineering Departments, as well as feedback from the pre-application consultation meetings with An Bord Pleanála and their subsequent Notice of Pre-Application Consultation Opinion have informed the EIA Screening (ABP Reference 308537-20).	Key design aspects have been shaped directly by feedback and comments received from both parties, with the design and in particular the layout having been amended and altered throughout the design process.
xi. European Flood Directive Flood Risk is considered in Section 3.17 of the EIA Screening Report	A Flood Risk Assessment (FRA) has been prepared by JODA Consulting Engineers. The FRA concludes that there are no risks of fluvial or tidal flooding, and the risks of flooding as a result of pluvial and onsite flooding are low. The existing site outline is not acting as a floodplain to the river Bride. The site is deemed to be within Flood Zone A, due a minor area of external ground levels on Redforge Road being below the 1% AEP MRFS flood level.	The ground floor level for the proposed building has been determined based on the 1% AEP for the mid-range future scenario of 13.62m OD for the Bride River and applying a freeboard of 0.48m gives a final level of 14.1m OD. No further mitigation measures are proposed.

EU Legislation and relevant section of accompanying EIA Screening Report	Results of Relevant Assessment	How this has been taken into account in project design.
<p>xii. European Landscape Convention.</p>	<p>A Landscape and Visual Impact Assessment has been prepared by Cathal O’Meara.</p>	<p>Overall, the LVIA concluded that the proposed development will not result in a significant change to the process of evolution already well underway at this District Centre/City Gateway. The broader landscape character area and visual context around Blackpool has the capacity to absorb the proposed alterations of this scale in landscape and visual terms. The development will have a positive impact to the locality due to the high quality architectural finishes to the buildings, the reorientation of a back land site into a vibrant streetscape and the provision of tree planting and open space provision. Apart from the carefully considered building design and layout, and proposed landscaping no other mitigation measures are proposed.</p>

Appendix 1: Table 2 EU Legislation governing environmental and project planning

EU Legislation and Formal Name	Brief Description	Irish Implementation of Legislation
<p>i. Strategic Environmental Assessment (SEA) Directive: Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment</p>	<p>The SEA Directive concerns the Strategic Environmental Assessment, which is carried out on certain plans and programmes. In many cases, an SEA of a relevant plan or programme underpinning a proposed Project will have been carried out prior to the EIA. Article 3(2) of the SEA Directive requires an SEA to be undertaken if the plan or programme ‘sets the framework’ for a Project listed in Annexes I and II to the EIA Directive.</p>	<p>The European Directive (2001/42/EC) on the Assessment of the Effects of Certain Plans and Programmes on the Environment (the SEA Directive) was transposed into national legislation by the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (S.I. 435/2004) and the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (S.I. 436/2004). These regulations were subsequently amended by the European Communities (Environmental Assessment of Certain Plans and Programmes) (Amendment) Regulations, 2011(S.I. No. 200 of 2011) and the Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations, 2011 (S.I. No. 201 of 2011).</p>
<p>ii. Birds and Habitats Directives: Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds; Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna</p>	<p>The Habitats Directive, along with the Birds Directives (Directive 2009/147/EC), aim to contribute towards ensuring biodiversity through the conservation of natural habitats and of wild fauna and flora in the EU Members States. Together, these Directives set up a coherent network of sites (the Natura 2000 Network) hosting habitats and/or species that should be maintained or restored at favourable conservation status according to the terms of the Directives. Any plan or Project likely to have a significant effect on a Natura 2000 site is subject to an Appropriate Assessment (AA) of the implications for the site in view of the site’s conservation objectives (Habitats Directive, Article 6(3)).</p>	<p>Special Areas of Conservation (SAC) are designated under the Conservation of Natural Habitats and of Wild Fauna and Flora Directive 92/43/EEC (Habitats Directive) which is transposed into Irish law by the EC (Birds and Natural Habitats) Regulations 2011 to 2015. Special Protection Areas are legislated for under the Birds Directive (Council Directive 79/409/EEC on the Conservation of Wild Birds). Collectively, SACs and SPAs are referred to as Natura 2000 sites.</p>
<p>iii. Water Framework Directive: Directive 2000/60/EC of the European Parliament and of the</p>	<p>The WFD establishes a framework for the protection of inland surface waters, transitional waters, coastal waters, and groundwater. Under this Directive, River</p>	<p>The WFD was given legal effect in Ireland by the European Communities (Water Policy) Regulations 2003 (S.I. No. 722 of 2003). It applies to rivers, lakes,</p>

EU Legislation and Formal Name	Brief Description	Irish Implementation of Legislation
<p>Council establishing a framework for the Community action in the field of water policy</p>	<p>Basin Management Plans (RBMP) are established and updated every 6 years to coordinate and implement water status-related measures within each river basin. RBMPs must address the objectives set out by the WFD, and must include an analysis of the river basin's key characteristics, a pressures assessment, review of the impact of human activity on the status of water and measures to meet the Directive's objective of 'good status' for all waters.</p>	<p>groundwater, and transitional coastal waters. The Directive requires that management plans be prepared on a river basin basis and specifies a structured method for developing these plans.</p> <p>The Water Policy Regulations 2003 identify the Environment Protection Agency as the 'competent authority' with responsibility for coordinating WFD implementation in Ireland. The Department of Environment Heritage & Local Government (DEHLG) has primary responsibility for policy and legislation relating to water and is therefore also responsible for over-seeing implementation and for providing necessary financial support.</p> <p>RBMPs are plans to protect and improve the water environment. They are prepared and reviewed every six years. The first RBMPs covered the period 2010 to 2015. The second cycle plan covers the period 2018-2021 and was published by the government on 17 April 2018. New administrative structures have been put in place for implementing the 2018-2021 RBMP. The Third-Cycle RBMP covers the period 2022-2027.</p>
<p>iv. Marine Strategy Framework Directive: Directive 2008/56/EC establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive)</p>	<p>The Marine Strategy Framework Directive (MSFD) establishes a framework to assess and implement good environmental status of the EU's marine waters by 2020. In doing so, the MSFD takes an ecosystem and integrated approach whereby environmental protection and sustainable use go hand in hand to prevent depletion of natural resources upon which marine-related economic and social activities are based.</p>	<p>The MSFD establishes a framework for community action in the field of marine environmental policy and was adopted on 17 June 2008 and it was transposed into Irish law in June 2011 under S.I. 249 of 2011.</p> <p>The Department of Housing, Planning and Local Government is responsible for the preparation of the Marine Strategy for MSFD and the National Marine</p>

EU Legislation and Formal Name	Brief Description	Irish Implementation of Legislation
		Planning Framework (NMPF) on behalf of Government, with input from other Departments and Agencies.
<p>v. Ambient Air Quality Directive and Heavy Metals in the Ambient Air Directive: Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe (CAFE Directive); Directive 2004/107/EC of the European Parliament and of the Council of 15 December 2004 relating to arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air</p>	<p>The AQD establishes a framework for the active monitoring of ambient air and the removing of pollutants. The Directive establishes different air quality objectives (limit values, target values, critical levels and alert threshold) in relation to a wide range of pollutants (sulphur dioxide, nitrogen, dioxide, particulate matter, lead, benzene, carbon monoxide). It requires air quality plans when limit or target values are not complied with as well as short-term action plan when alert thresholds are exceeded. In addition, the Directive obliges Member States to keep the public informed and sets out requirements for the assessment of air quality (e.g., the monitoring network). In addition, the HMAQD sets limit values for the air pollutants arsenic, cadmium, nickel and benzo(a)pyrene.</p>	<p>The CAFE Directive was transposed into Irish legislation by the Air Quality Standards Regulations 2011 (S.I. No. 180 of 2011). It replaces the Air Quality Standards Regulations 2002 (S.I. No. 271 of 2002), the Ozone in Ambient Air Regulations 2004 (S.I. No. 53 of 2004) and S.I. No. 33 of 1999.</p> <p>The fourth Daughter Directive was transposed into Irish legislation by the Arsenic, Cadmium, Mercury, Nickel and Polycyclic Aromatic Hydrocarbons in Ambient Air Regulations 2009 (S.I. No. 58 of 2009).</p> <p>The Environmental Protection Agency manages the ambient air quality monitoring network for Ireland. This network is a series of air quality monitoring stations that are located across the country. These stations collect air quality data for public information on www.airquality.ie. This is assessed against the following values to help protect our health:</p> <ul style="list-style-type: none"> • European legal limit values and • the World Health Organization (WHO) guideline values for good quality ambient air levels <p>The network is managed by the EPA, in partnership with Local Authorities and other public/semi-state bodies and universities such as Met Eireann, UCC, NUIG, TCD and CIT.</p>
<p>vi. Waste Framework Directive; Directive 2008/98/EC of the European Parliament and of the</p>	<p>The Waste FD establishes a legal framework for the management and treatment of most waste types. The Directive sets out a waste hierarchy that ranges from</p>	<p>The Waste FD and other Directives governing landfill, incineration, hazardous waste, etc are implemented in Ireland by the Environmental Protection Agency Act</p>

EU Legislation and Formal Name	Brief Description	Irish Implementation of Legislation
<p>Council of 19 November 2008 on waste and repealing certain directives</p>	<p>prevention to disposal. Waste management under the Directive must be implemented without endangering human health and without harming the environment (e.g. without risk to water, air, biodiversity, and without causing nuisance). It also sets out rules for extended producer responsibility, effectively adding to the burdens of manufacturers to manage products returned after use.</p>	<p>1992, the Waste Management Act 1996, the Waste Management (Amendment) Act 2001 and the Protection of the Environment Act 2003. Several statutory instruments deal with specific aspects of EU Directives.</p> <p>Up to July 2016, the Department of the Environment, Community and Local Government had overall responsibility for waste management policy. These functions have now been transferred to the Department of Communications, Climate Action and Environment.</p> <p>Waste policy and legislation are implemented largely by the Environmental Protection Agency and the local authorities. The current waste management policy is set out in <i>A Resource Opportunity – Waste Management Policy in Ireland</i> (pdf), which was published in 2012. Among other things, this policy document sets out the policy on eliminating landfill, reducing the amount of waste produced and maximising waste as a source of products and renewable energy.</p>
<p>vii. Industrial Emissions Directive; Directive 2010/75/EU of the European Parliament and the Council on industrial emissions</p>	<p>The IED is the main EU instrument regulating pollutant emissions from industrial installations. Around 50,000 Projects undertaking the industrial activities listed in Annex I to the IED are required to operate in accordance with a permit, which should contain conditions set in accordance with the principles and provisions of the IED. As indicated in the Commission Guidance document on ‘Interpretation of definitions of Project categories of Annex I and II to the EIA Directive’ (see the Annex to this Guidance Document on Other Relevant Guidance and</p>	<p>Environmental Protection Agency (Industrial Emissions)(Licensing) (Amendment) Regulations 2020.</p>

EU Legislation and Formal Name	Brief Description	Irish Implementation of Legislation
	<p>Tools); the EIA Directive and the Industrial Emissions Directive (IED) sometimes relate to the same type of activities. However, it is important to be aware of the differences that exist between the objective, the scope, classification systems, and thresholds of these two directives.</p>	
<p>viii. Seveso Directive: Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment</p>	<p>The Seveso Directive was adopted in response to the industrial accident releasing hazardous chemicals in the Italian city of Seveso in 1976. The Directive has since been revised several times. The aim of the Seveso Directive is to prevent and, in case they occur, limit major accidents involving dangerous substances. It applies to establishments where dangerous substances may be present in quantities Milieu Ltd COWI A/S Preparation of guidance documents for the implementation of EIA Directive (Directive 2011/92/EU as amended by 2014/52/EU)/ 72 above a certain threshold. Certain industrial activities covered by other EU legislation are excluded from the Seveso Directive (e.g. nuclear establishments or the transport of dangerous substances).</p> <p>The Seveso Directive takes a tiered approach to requiring safety measures at facilities based on the volumes of dangerous substances present at facilities. Seveso sites are categorised as lower-tier Seveso establishments or upper-tier Seveso establishments. Operators of lower-tier Seveso establishments have to notify the competent authority, design a major-accident prevention policy (MAPP), draw up accident reports and take into account land-use planning.</p>	<p>In 2012 the Seveso-III (Directive 2012/18/EU) was adopted taking into account, amongst other factors, the changes in EU legislation on the classification of chemicals and increased rights for citizens to access information and justice.</p> <p>The Chemicals Act (Control of Major Accident Hazards Involving Dangerous Substances) Regulations 2015 (S.I. No. 209 of 2015) (the “COMAH Regulations”), implement the Seveso III Directive (2012/18/EU). The purpose of the COMAH Regulations is to lay down rules for the prevention of major accidents involving dangerous substances, and to seek to limit as far as possible the consequences for human health and the environment of such accidents, with the overall objective of providing a high level of protection in a consistent and effective manner.</p> <p>The European Communities (Control of Major Accident Hazards Involving Dangerous Substances) Regulations 2006 and the European Union (Control of Major Accident Hazards Involving Dangerous Substances) (Amendment) Regulations 2013, which implemented the Seveso II Directive (96/82/EC), have been revoked by the European Union (Control of Major Accident Hazards Involving Dangerous Substances)(Revocation)</p>

EU Legislation and Formal Name	Brief Description	Irish Implementation of Legislation
	<p>In addition to these requirements, operators of upper-tier Seveso establishment must establish a safety report, implement a safety management system, define an internal emergency plan and provide the competent authorities with all necessary information. Furthermore, authorities are required inter alia to produce external emergency plans for upper tier establishments, deploy land-use planning for the siting of establishments, make relevant information publicly available, ensure that any necessary action is taken after an accident including emergency measures, and conduct inspections</p>	<p>Regulations 2015 (S.I. No. 208 of 2015) and replaced by the COMAH Regulations.</p>
<p>ix. Trans-European networks: TEN-E, TEN-T and TEN-TEC Regulations;</p>	<p>Under the TEN-T Regulation (EU) No 1315/2013 , the Core Network is due to be completed by 31 December 2030, while the Comprehensive Network is due to be completed by 31 December 2050.</p> <p>The Trans-European Networks consists of lists of key transport, energy and telecommunications infrastructure Projects, known as Projects of common interest (PCIs). These Projects are designed to complete the European internal market and by interconnecting national infrastructure networks and ensuring their interoperability, thereby fulfilling e.g. the EU’s energy policy objectives of affordable, secure and sustainable energy</p>	<p>The objective of TEN-T is to close gaps, remove bottlenecks and eliminate technical barriers that exist between transport networks of EU Member States, strengthening the social, economic and territorial cohesion of the Union and contributing to the creation of a single European transport area.</p>
<p>x. Aarhus and ESPOO conventions (including Directive 2003/4/EC and 2003/35/EC). United National Economic Commission for Europe Convention on Access to Information, Public Participation in</p>	<p>The Aarhus Convention is the most comprehensive legal instrument relating to public involvement. By establishing rules on information and participation of the public, the Aarhus Convention has led to decisions setting precedents (e.g. on timeframes for informing the public), which can assist in the implementation of the EIA procedure. The main text indicates that public</p>	<p>Ireland ratified the Aarhus Convention and the associated Genetically Modified Organisms (GMO) Amendment and the Pollutant Release Transfer Register (PRTR) Protocol in June 2012. It entered into force in Ireland in September 2012. Over 60 pieces of legislation have been used to implement the Aarhus Convention in Ireland. These include:</p>

EU Legislation and Formal Name	Brief Description	Irish Implementation of Legislation
<p>Decision-Making and Access to Justice in Environmental Matters Directive 2003/35/EC of the European Parliament and of the Council of 26 May 2003 providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment and amending with regards to public participation and access to justice Council Directives 85/337/EEC and 96/61/EC - Statement by the Commission.</p>	<p>participation should be effective, adequate, formal, and provide for information, notification, dialogue, consideration, and response. Furthermore, just as the EIA Directive requires 'reasonable timeframes', so too does the Aarhus Convention. These may have an impact on the different stages discussed in the EIA Guidance Document series. Screening procedures under the EIA Directive are influenced by the participatory rights established by the Aarhus Convention in the sense that the affected public and the public now have a legal right to know the reasoning behind the decision on whether a Project will be subject to an EIA procedure or not.</p>	<p>S.I. No. 309/2018 – European Communities (Access to Information on the Environment) (Amendment) Regulations 2018 S.I. No. 615/2014 - European Communities (Access to Information on the Environment) (Amendment) Regulations 2014 S.I. No. 352/2014 - European Union (Access to Review of Decisions for Certain Bodies or Organisations promoting Environmental Protection) Regulations 2014 S.I. No. 138/2013 - European Union (Industrial Emissions) Regulations 2013 S.I. No. 137/2013 - Environmental Protection Agency (Industrial Emissions) (Licensing) Regulations 2013 S.I. No. 283/2013 - Environmental Protection Agency (Integrated Pollution Control) (Licensing) Regulations 2013 European Union (Environmental Impact Assessment) (Integrated Pollution Prevention And Control) Regulations 2012</p>
<p>xi. European Floods Directive 2007/60/EC, regarding the assessment and management of flood risks</p>	<p>The purpose of this Directive is to establish a framework for the assessment and management of flood risks, aiming at the reduction of the adverse consequences for human health, the environment, cultural heritage and economic activity associated with floods in the Community.</p>	<p>S.I. No. 122/2010 - European Communities (Assessment and Management of Flood Risks) Regulations 2010. The OPW is the national authority for the implementation of the EU Directive on the Assessment and Management of Flood Risks [2007/60/EC] which was transposed into Irish law by the EU (Assessment and Management of Flood Risks) Regulations SI 122 of 2010. An objective of the Catchment-based Flood Risk Assessment and Management (CFRAM) Programme is to achieve the requirements of the EU Floods Directive.</p>
<p>xii. European Landscape Convention (ELC)</p>	<p>The Council of Europe Landscape Convention promotes the protection, management and planning of the</p>	<p>Ireland signed and ratified the Council of Europe's European Landscape Convention (ELC) which came into</p>

EU Legislation and Formal Name	Brief Description	Irish Implementation of Legislation
	<p>landscapes and organises international co-operation on landscape issues.</p> <p>As the first international treaty devoted exclusively to all dimensions of the landscape, the Council of Europe Landscape Convention addresses the major challenges in the field of human rights, democracy and the rule of law, with a view to sustainable development.</p> <p>Its signatory States have declared themselves “concerned to achieve sustainable development based on a balanced and harmonious relationship between social needs, economic activity and the environment”, considering the cultural dimension of the landscape.</p> <p>The Convention applies to the entire territory and covers natural, rural, urban and peri-urban areas. It includes land, inland water and marine areas. It concerns landscapes that may be considered outstanding as well as every day and degraded landscapes.</p>	<p>effect on 1 March 2004. The Convention has been ratified by thirty-eight countries. It obliges Ireland to implement policy changes and objectives concerning the management, protection and planning of the landscape. The National Landscape Strategy for Ireland (2015 – 2025) will be used to ensure compliance with the ELC and to establish principles for protecting and enhancing it while positively managing its change. It is a high level policy framework to achieve balance between the protection, management and planning of the landscape by way of supporting actions.</p>