



Preliminary Environmental Impact Assessment Screening

Preliminary EIA Screening for Tipperary County Council for the refurbishment and repurposing for digital and enterprise hub use of the two-storey former Rialto Cinema which sits to the northeast of the application site fronting onto Banba Square and development of the lands to the south and west of the Protected Structure for public realm and car parking, Banba Square, Nenagh, Co. Tipperary.

Greentrack Environmental Consultants

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1 INTRODUCTION

1.1 Background

Greentrack Consultants have received instruction from Robin Lee Architecture to undertake this “*Preliminary Environmental Impact Assessment (EIA) Screening*” examining the proposal by Tipperary County Council for the refurbishment and repurposing for digital and enterprise hub use of the two-storey former Rialto Cinema which sits to the north east of the application site fronting onto Banba Square and development of the lands to the south and west of the Protected Structure for public realm and car parking, Banba Square, Nenagh, Co. Tipperary.

EIA Screening is the process of deciding whether a development requires an EIA to be carried out. The EIA Screening exercise first assesses the development to ascertain if it is subject to Mandatory EIA, using classifications defined in the EIA Directive (projects listed in Annex I of the EIA Directive are subject to an EIA).

If the project is not listed in Annex I, and no mandatory EIA is required, the EIA Screening process progresses to sub-threshold development assessment.

Projects listed in Annex II of the EIA Directive are subject to an EIA if:

- (i) they exceed certain thresholds (set out in Annex II and by each Member State);
- (ii) or if they do not meet or exceed the threshold, but where the project is deemed likely to have significant environmental effects, with regards to the project’s scale, nature, location and context. Such projects need to be assessed on a case-by-case basis. EU Guidance on EIA Screening states that whilst Member States may set thresholds or criteria for the purpose of determining which projects are to be assessed on the basis of their environmental effects, they “should not be required to examine projects below those thresholds or outside those criteria on a case-by-case basis”.

Annexes I and II of the EIA Directive have been transposed to Irish legislation through the Planning and Development Regulations 2001, as amended, in Schedule 5 Parts 1 and 2, with national thresholds added to some Part 2 developments. In line with the EU Guidance on EIA Screening, the Office of the Planning Regulator (OPR) Practice Note PN02 Environmental Impact Assessment Screening states that if a project “is not of a class of development in Schedule 5, Parts 1 and 2, it is not “sub-threshold” development, and no EIA or EIA Screening is required”.

This EIA Screening has been prepared by Greentrack Consultants with all reasonable care, due diligence, professional application, and best scientific knowledge available to Greentrack at the time of writing. Screening was carried out using guidance from the following documents:

- ‘Environmental Impact Assessment Screening’ Practice Note PN02 produced by the Office of the Planning Regulator.
- ‘EU Guidance on EIA Screening’ – European Commission
- ‘Guidelines of the Information to be contained in Environmental Impact Assessment Reports (2017)’ produced by the Environmental Protection Agency.

Information contained within this report is based on the interpretation of data provided and has been accepted by Greentrack in good faith. Greentrack accept no responsibility to any third party to whom this report is made known or available. Any such third parties rely on the findings of this report at their own risk. The aim of this screening report is to aid the Competent Authority in determining whether or not an “Environmental Impact Assessment” is required for the proposed works.

1.2 Statement of Authority

This report was compiled by Colin Farrell. Colin is a hydrologist with Greentrack and holds a BSc. Geochemistry from Reading University and MSc Applied Environmental Science from Queens

University Belfast. Colin has over 10 years' experience working with Greentrack in dealing with Environmental Impact Assessments, Site Remediation Works, Quarry Assessments, Flood Risk Assessment, Hydrological and Hydrogeological Reports.

2 MANDATORY EIA or SUB-THRESHOLD

This section will examine if the project falls under the projects listed for mandatory EIA or considered sub-threshold under the Planning and Development Regulations 2001 (as amended).

Table 2.1: Mandatory or sub-threshold EIA determination

| Mandatory or sub-threshold EIA Determination | |
|--|---|
| Project Title | Rialto Digital and Enterprise Hub incorporating public realm. |
| Project Description | <p>Refurbishment and repurposing for digital and enterprise hub use of the two-storey former Rialto Cinema which sits to the northeast of the application site fronting onto Banba Square and development of the lands to the south and west of the Protected Structure for public realm and car parking. Works involve:</p> <ul style="list-style-type: none"> • Refurbishment with internal and external alterations to the protected Structure • New single storey and first floor extensions to former cinema building • Demolition of boundary walls and existing lean to • Public realm consisting of hard and soft landscaping incorporating nature-based SUDs • Provision of carparking, EV charging point and bicycle parking |
| A | Schedule 5 Part 1 of the Planning and Development Regulations 2001 (as amended) – Does the development comprise a project listed? |
| <input type="checkbox"/> | Yes – Class - EIA is mandatory. No preliminary Screening required. |
| <input checked="" type="checkbox"/> | No, the development is not listed in Schedule 5, part 1. Proceed to B |
| B | Schedule 5 Part 2 of the Planning and Development Regulations 2001 (as amended) – Does the development comprise a project listed? |
| <input type="checkbox"/> | No, the development is not listed in Schedule 5, part 2. No preliminary screening required. |
| <input type="checkbox"/> | Yes, the project is listed in Schedule 5, Part 2 and meets/exceeds the threshold – Class & Threshold – EIA is mandatory. No preliminary Screening required. |
| <input checked="" type="checkbox"/> | <p>Yes, the project is of a type listed but is sub-threshold – <i>Class 10. Infrastructure projects</i></p> <p>(b) (iv) <i>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. (In this paragraph, “business district” means a district within a city or town in which the predominant land use is retail or commercial use.)</i></p> <p>The total site area is 0.149 hectares</p> <p>Proceed to C</p> |

| Mandatory or sub-threshold EIA Determination | | |
|---|---|---|
| C | If a sub-threshold project, has Schedule 7A information or EIAR screening report been provided? | |
| <input type="checkbox"/> | Yes, Schedule 7A information or EIAR screening report has been provided | Project should be subject to EIAR Screening and subsequent determination. |
| <input checked="" type="checkbox"/> | No, Schedule 7A information or EIAR screening report has not been provided | Preliminary EIA screening required. |

As noted in Table 2.1 above, the project is seen to be of a type listed in Schedule 5, part 2 of the Planning and Development Regulations 2001 (as amended) but is sub threshold and no Schedule 7A information has been provided. Therefore, the project should undergo preliminary examination for EIA screening.

3 PRELIMINARY EXAMINATION for EIA SCREENING

Where a development is 'sub-threshold' and is not accompanied by an EIAR or Schedule 7A information, a preliminary examination, of, at least, the nature, size or location of the development to conclude if there is a likelihood of significant effects on the environment, must be carried out.

Preliminary examinations must consider at least the following:

- The nature of the development including the production of wastes and pollutants
- The size of the development or
- The location of the development including the potential to impact on certain ecologically sensitive sites and the potential to affect other environmentally sensitive sites in the area. This will require consideration of the overlap with Appropriate Assessment (AA) and consideration will need to be given to hydrological and other connections to Natura 2000 sites.

Table 3.1: Preliminary Examination for EIA Screening

| Preliminary Examination for EIA Screening: A preliminary examination of, at the least, the nature, size or location of the development | | | |
|---|---|---|-------------------------|
| | | Comment | Yes/No/Uncertain |
| Nature of the Development | Is the nature of the proposed development exceptional in the context of the existing environment? | The repurposing of the disused cinema to be utilised for office space and as a digital and enterprise hub is commercial in nature. The site is in the centre of Nenagh town, in a district already containing retail, residential and commercial units. The proposal is entirely in keeping with the nature of the surrounding existing environment. The nature of the proposed development is small scale, in keeping with, and not exceptional in the context of the existing environment. | No |
| | Will the development result in the production of any significant waste, or result in significant emissions or pollutants? | The development will have a construction and operational phase. The construction process will result in the production of waste. There is some demolition and removal of non-load-bearing infill planned. Waste will be recycled where possible and any disposal of waste will be to an authorised facility by licenced hauliers. Waste management will be in accordance with the Construction and Environmental Management Plan (CEMP) for the site. No significant negative impacts are considered likely. Operational waste from the development will be domestic and dry recyclable commercial waste from the digital and enterprise hub. All domestic waste will be collected by a licenced waste contractor and taken to an authorised facility. All recyclable waste will be segregated on site and collected by an authorised waste collector to be taken to an authorised facility for further segregation/processing. No significant negative impacts are considered likely. The construction process has the potential to cause nuisance related to noise, dust, surface water and vibration impacts. The CEMP will detail measures to mitigate likely impacts. Nature-based SUDs drainage design measures will be incorporated into the operation of the proposal to attenuate stormwater flow and quality. The proposed development will be subject to normal conditions related to construction working hours to protect any residential amenity of the area. The building will have energy efficient doors and windows fitted reducing the need for heating and building fabric upgrades are planned for energy efficiency. The heating source for the hub will be an air to water heat pump. There will be no requirement for a stove or chimney within the development and no emissions from fossil fuels will be released from the development. | No |
| Size of the Development | Is the size of the proposed development exceptional in the context of the existing environment? | The development repurposes a redundant building and regenerates a small area which is surrounded by retail, residential and commercial buildings. The size of the proposal is relatively small compared with the surrounding developments. The size of the proposed development is small-scale and not exceptional in the context of the existing environment. | No |
| | Are there cumulative considerations having | The proposed development is part of the regeneration of Nenagh town centre. Other developments include the Nenagh Historic and Cultural Quarter public realm project which will improve the connectivity of the town centre and the visitor experience with environmental improvements to walkways, surfaces and increased pedestrian | No |

Preliminary Examination for EIA Screening:

A preliminary examination of, at the least, the nature, size or location of the development

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| | regard to other existing and/or permitted projects? | areas. The public realm element of this project links in with the theme of the wider public realm project. Other permitted projects in the area have been and are of similar or smaller scale to that proposed. There are no significant other permitted projects in the area likely to have any significant cumulative effect on the environment. | |
| Location of Development | Is the proposed development located on, in, adjoining or does it have the potential to impact on an ecologically sensitive site or location? ¹ | The development is planned on a brownfield site in the centre of Nenagh town. There is no ecologically sensitive location in, on or adjoining the site. The site lies approximately 7.06 km southeast of Lough Derg (Shannon) SPA (Code: 004058) and approximately 10.21 km southeast of Lough Derg, North-east Shore SAC (Code: 002241). The site is hydrologically connected to both the SAC and SPA via the Nenagh River and the public stormwater system servicing Nenagh town. The Nenagh River receives stormwater from the site through the public stormwater system and then flows northwest emptying into Lough Derg. The hydrological distance from the site to the SAC & SPA is approximately 12.92 km and 16.75 km respectively. Due to the incorporation of SUDs design and the hydrological distance there is no likelihood of significant negative impact on the environment. An Appropriate Assessment Stage 1 Screening Report was carried out by Greentrack Environmental Consultants for the development and concluded that: <ul style="list-style-type: none"> • The project is not connected directly to the management of any European sites. • The proposed development, on its own, or in combination with other projects, will not have a significant effect on European sites and thus a Stage 2 Appropriate Assessment is not required for this project. | No |
| | Does the proposed development have the potential to affect other significant environmental sensitivities in the area? | There are no other environmental sensitivities in the area that are likely to be negatively affected by the development either in construction stage or during the operational phase. | No |

Preliminary Examination for EIA Screening Conclusion:

Based on a preliminary examination of the nature, size or location of the development.

| | | |
|---|---|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| There is no real likelihood of significant effects on the environment. EIA is not required. | There is significant and realistic doubt regarding the likelihood of significant effects on the environment. Schedule 7A information should be collated and EIAR Screening required. | There is real likelihood of significant effects on the environment. An EIAR is required. |

¹ Sensitive locations or features includes European sites, NHA/pNHA, Designated Nature Reserves, land designated as a refuge for flora and fauna, and any other ecological site which is the objective of a CDP/LAP (including draft plans).

4 PRELIMINARY EXAMINATION EIA SCREENING CONCLUSION

Based on a preliminary examination of the nature, size and location of the development, and for the reasons provided in Table 3.1 above, the proposed Digital and Enterprise Hub development at the former Rialto cinema site, Banba Square, Nenagh, Co. Tipperary is assessed as having no real likelihood of significant effects on the environment. **It is determined on this basis that EIA is not required.**