

# **Preliminary Environmental Impact Assessment Screening Report**

**for the following two proposed projects  
in Cahersiveen, Co Kerry**

- 1. The proposed Cahersiveen Public Realm Enhancement Project.**
- 2. The N70 Cahersiveen to Oghermong Road Pavement Improvement Scheme Project.**



**Environmental Assessment Unit  
Planning Department  
Kerry County Council  
November 2023**

## **1.1 Introduction**

The Environmental Assessment Unit (Planning and Sustainable Development Department) has been requested to assess whether the following proposed projects in Cahersiveen Town, should be subject to EIA Screening or EIA (Environmental Impact Assessment).

1. The proposed Cahersiveen Public Realm Enhancement Project.
2. The N70 Cahersiveen to Oghermong Road Pavement Improvement Scheme Project.

This report comprises a Preliminary Environmental Impact Assessment Screening Report and is based on objective professional judgement and expertise. While the projects are separate, they are being assessed within this single report to facilitate consideration of potential cumulative and in-combination effects.

## **1.2 Legislative context**

In the first instance, it is necessary to determine whether the projects are of a type (or 'class') that may require EIA. EIA legislation sets down the types of projects that may require an EIA. Annex I of Directive 2011/92/EU, as amended by Directive 2014/52/EU' defines mandatory projects that require an EIAR and Annex II lists projects which can be subject to case by case analysis or thresholds to be determined by member states.

### **Class of development**

It is not readily clear if a public realm proposal or a road improvement proposal of this nature are project types to which EIA is applicable. They may not correspond to any of the prescribed types listed in Annex I. However, taking a narrow interpretation of the EIA Directive, it could be argued that the projects are either a Road and or a Urban Development Infrastructure Project type set out in Annex II, as discussed below.

### **Road Infrastructure**

As works will be undertaken within the road space, it could be argued that aspects of the proposal constitute a subthreshold road project.

### **Urban Development**

Alternatively, as the projects are located within Cahersiveen Town, it could be argued that the project is a subthreshold urban development infrastructure project.

Having reviewed the EIA Directive, the Planning and Development Regulations, the Roads Regulations and relevant EU Guidance including interpretation of definitions of project categories of annex I and II of the EIA Directive, EU 2015 and Environmental Impact Assessment of Projects Guidance on Screening, EU 2017, I am not entirely satisfied that the public realm enhancement project is a project type to which the EIA Directive applies. The development largely relates to the refurbishment of existing public realm rather than development in the conventional sense. The works to the N70 roadway related to maintenance and improvements – within the existing road

space. Notwithstanding this, I will proceed with this preliminary examination on a precautionary basis of the proposals as ones to which the EIA Directive applies.

### **1.3 Consideration of need for mandatory EIA**

The thresholds for road and urban development infrastructure project types are outlined in Appendix 1 of this report. The threshold for urban development in parts of a built-up area is 10 hectares. With an overall road length of *ca.* 5km to be upgraded but with no new realigned or widened roads proposed and with a combined project area of *ca.* 7.5 Hectares, these projects even which taken together are substantially below any such thresholds.

### **1.4 Methodology**

Following on from an outline of the project as described in Section 2 of this report, the preliminary screening exercise will be outlined in Section 3. Section 4 contains the conclusion of the exercise.

## **2. Project Description**

These proposals, under assessment, are

- 1) The proposed Cahersiveen Public Realm Enhancement Project, and
- 2) The N70 Cahersiveen to Oghermong Road Pavement Improvement Scheme Project.

### **Description of the proposed Cahersiveen Public Realm Enhancement Project**

The Cahersiveen Public Realm enhancement project is located in Cahersiveen Town located in South-west Kerry on the Iveragh Peninsula. The N70 national secondary roadway which forms part of the Ring of Kerry and the Wild Atlantic Way touring routes passes through the town. The proposal seeks to undertake a range of public realm upgrade development on streets in Cahersiveen town, including the provision of new plazas/squares at the library and at the Carnegie building. To facilitate this, a clockwise one-way system would be introduced on O'Connell Street, Quay Street and Bridge Street and the N70 carriageway width would be reduced to 6.3m. Works proposed include provision of junction realignment, carriageway upgrade including provision of raised pedestrian crossings, relocation and provision of pedestrian crossing facilities, cycleway provision, footpath buildouts, public plaza areas, amendments to and upgrading of existing car and bicycle parking, undergrounding of overhead cables, drainage upgrade and hard and soft landscaping improvement works.

Upgrade works to the Fair Green and Waterfront areas are also included. As part of this, additional landscaping is proposed for the Fair Green, including provision of a pollinator friendly rain garden, public lighting compatible with Kerry Dark Skies specifications and a hard stand performance area with terraced seating. Also proposed are a new public space amenity site with a covered performance area and a Board Walk to be located on the existing Kerry County Council Depot site on Quay Street and along the River Fertha boundary creating a connection to the waterfront. The proposed board walk is proposed to be located either on land or cantilevered

over the estuary. Boundary setbacks of a small number of properties on Quay Street and adjacent to the River Fertha from the 'Over the Water' bridge to the pier are included as part of the proposal.

The project would enhance the public realm and mobility within the town centre, the Fair Field and along the Waterfront. The overall works area is 2.93Ha, however the project would be delivered on a phased basis, with no more than 2 phases under construction at any one time and subject to traffic management arrangements. It is proposed to use the two existing Kerry County Council compounds at the waterfront and at the fair field, throughout the works. It is estimated that the overall project will take in the region of 2.5 to 3 years to complete.

### **Description of the proposed N70 Cahersiveen to Oghermong Road Pavement Improvement Scheme Project.**

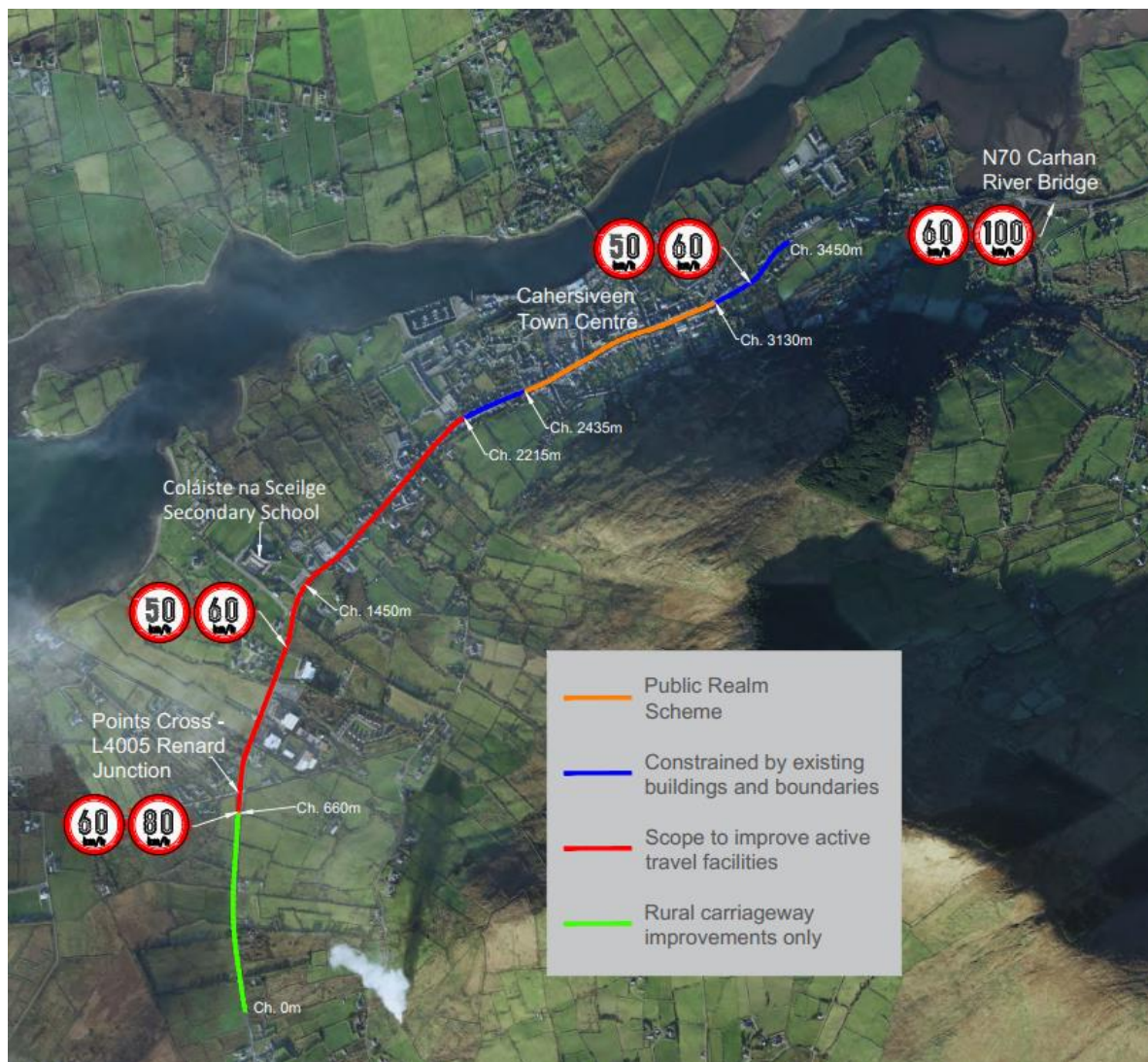
This proposal would involve improvement works on approximately 3,450m of the N70 in the townlands of Garranearagh, Garranebane, Cahersiveen Town and Carhan Lower in County Kerry. The scheme is located on the N70 Ring of Kerry road at Cahersiveen town. It commences to the southwest of Cahersiveen town close to the townland of Oghermong and extends to the east of the town centre passing through to the townland of Carhan Lower.

The site is 4.477 hectares in total. No buildings are proposed and no land take is required. The proposal is entirely located within the existing road and footpath space. A significant portion of this (0.945 hectares) could be considered maintenance works involving road pavement and footpath replacement only. The proposal provides for alteration of existing cross falls on the road to reduce severity and reallocation of existing road space to facilitate footpath widening and / or the provision of a shared pedestrian and cycle facility. Materials required would be standard road construction materials. The drainage regime will be maintained with existing gullies being retained or locally relocated to accommodate the new kerb lines. All waste arising would be disposed of in suitably licensed facilities. Traffic Management will be implemented as appropriate. Starts dates will be subject to funding approval with February 2024 a potential start date. It is estimated that the overall project will take in the region of 12 months to complete. The proposal could utilise the two existing Kerry County Council compounds at the waterfront and or at the fair field, throughout the works. Other potential compound areas are also available including the disused creamery hardstand at creamery cross. The proposal would result in the provision of a section of high-quality road network in and adjacent to Cahersiveen town that will better serve the needs of various types of road users. This proposal has potential to result in a reduction in vehicular use and increase in non-motorised methods of transport. The nature of the works and improved surfacing and lower speeds anticipated are likely to decrease noise associated with traffic during the operational phase.

The main features of the scheme are:

- Improve the surface at localised areas of failure, as identified by visual inspection and falling weight deflectometer analysis.

- Reduce the severity of the cross fall on the carriageway within Cahersiveen town.
- Construct a structural pavement overlay / inlay.
- Construct a pavement surface course that provides appropriate skid resistance.
- Minor online realignment and carriageway narrowing to promote lower vehicular speeds on approach to Coláiste na Sceilge (Secondary School in the townland of Garranebane).
- The provision of improved active travel facilities for vulnerable road users in the vicinity of Coláiste na Sceilge, Six18 Distillery, Fexco and other properties near the L4005 Renard junction.



### **3. Context of proposal and location**

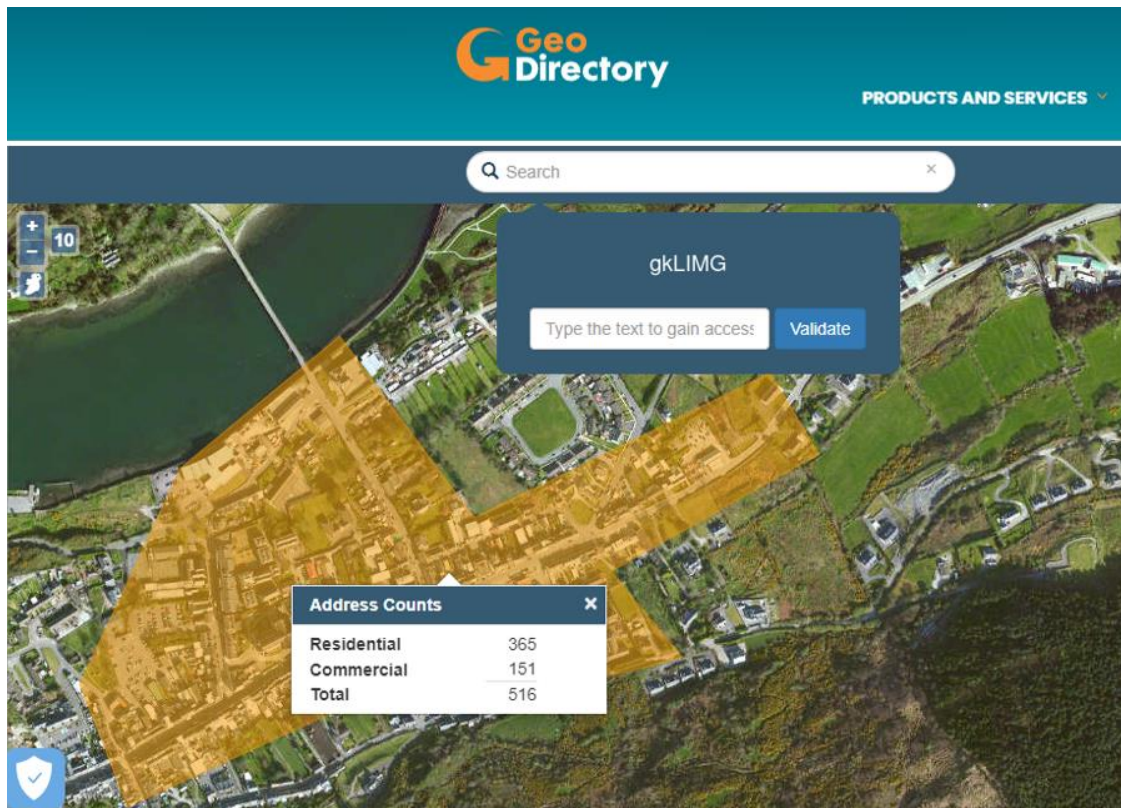
In consideration of the requirement for significant effects on the environment, the Source-Pathway-Receptor model is used to review the characteristics of proposed development, location of the proposed development and the characteristic of the potential impacts. As outlined under Section 2. above, the characteristics of proposed development include standard road and building construction project works within an urban environment and within areas largely sealed with paving and tarmacadam. The proposal will result in reallocation of urban space to public realm and other urban development improvement works.

Cahersiveen is located on the northern coast of the Iveragh Peninsula on the N70, Ring of Kerry, and on the Wild Atlantic Way. It is approximately 42 kilometres southwest of Killorglin and approximately 65 kilometres from Tralee. Cahersiveen serves as an important centre for trade and commerce with tourism and service industries providing local employment in the South Kerry area. Cahersiveen has a wide range of educational, social infrastructure and facilities, providing a higher range and order of services and functions than similar sized settlements in the county.

Cahersiveen is designated as a regional town in the Kerry County Development Plan 2022-2028. This is in the second tier of settlements in the retail hierarchy of the Kerry County Development Plan 2022-2028 and as a fourth-tier town in the National Retail Planning Guidelines 2012.

The population of Cahersiveen has seen a steady decline for the period 2006 to 2016. Cahersiveen's population in 2006 was recorded at 1,294, before declining to 1,168 in 2011 and to 1,041 in 2016. The decline between 2011 and 2016 at 10.9% was the highest decrease in population recorded for a settlement in Kerry between 2011 and 2016. The age profile for the town as indicated in Figure 3.2 shows an ageing population with 17.9% of the population over 70 as compared with 11.2% for the County. The settlement of Cahersiveen would not be considered to be densely populated one.

Cahersiveen Town and the works areas are primarily residential in character, with over double the number of residential addresses as compared to commercial addresses. Cahersiveen town, while urban in character is not a settlement which has a district which could be described as a 'business district', where the predominant land use is retail or commercial use.



**Above: Geo-Directory Data for the works area.**

The current local area plan for the area is the West Iveragh Local Area Plan 2019-2025. Strategic issues identified in the LAP include:

- An Action Plan for Town Centre Renewal, is prepared which to provide a structure for collaborative partnerships among stakeholders to achieve the revitalisation of the town centre.
- The public realm of Cahersiveen is enhanced to improve the overall attractiveness of the town.
- Greater permeability, connectivity and access between the town centre and the waterfront and amenity areas are created in a sustainable manner, thus enhancing the overall image of Cahersiveen.
- Underused/vacant and derelict buildings and infill/opportunity sites are prioritised for re-use and re-development.
- Development is of a high visual and architectural standard to enhance the attractiveness of the town to both residents and visitors alike, while the town's natural and built heritage is protected from inappropriate development.

Related supporting development objectives include:

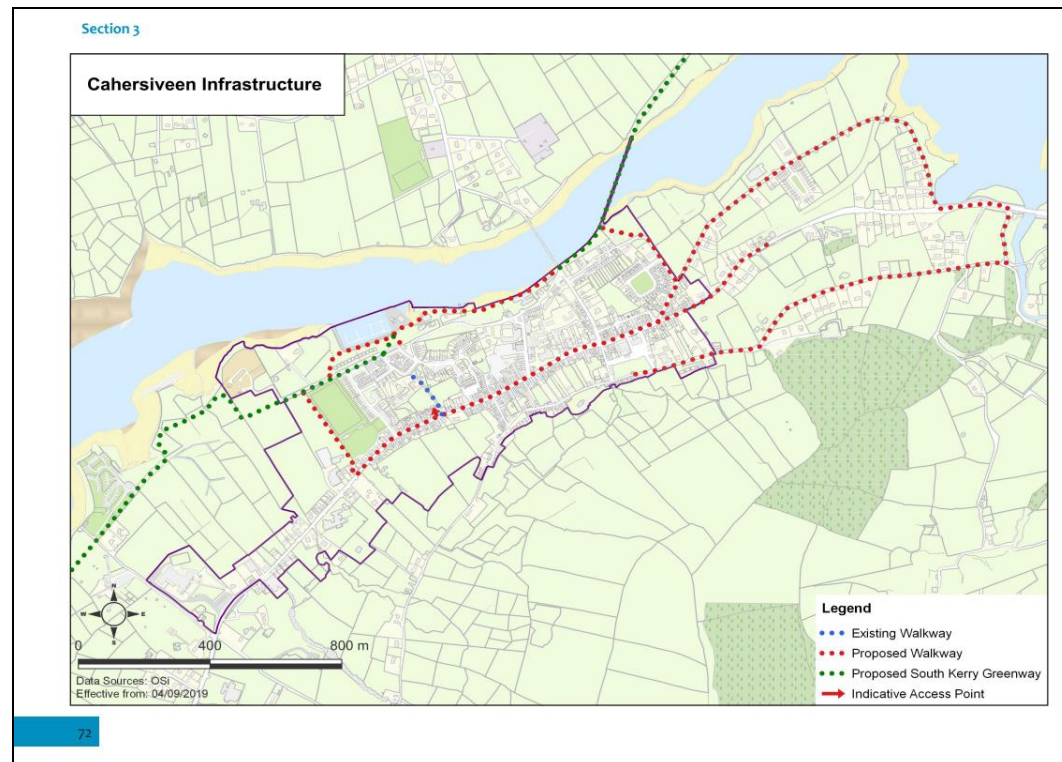
CH-TC-05: Facilitate improvement works to Main Street to enhance the public realm.

CH-TC-08 Facilitate the preparation of a Town Centre Renewal Plan to address the issues pertaining to the development of the town centre. This Plan will address the physical enhancement and improvement of the town centre through urban design measures and improved traffic management in the town.

CH-TM-02 Seek the provision/improvement of footpaths throughout the town and in particular on the Main Street.

CH-TM-04 Promote a more pedestrian and cyclist friendly environment through the provision of traffic calming measures and improved pedestrian and cyclist infrastructure. Improve pedestrian and cyclist linkages and movement between the marina/waterfront area and the town centre

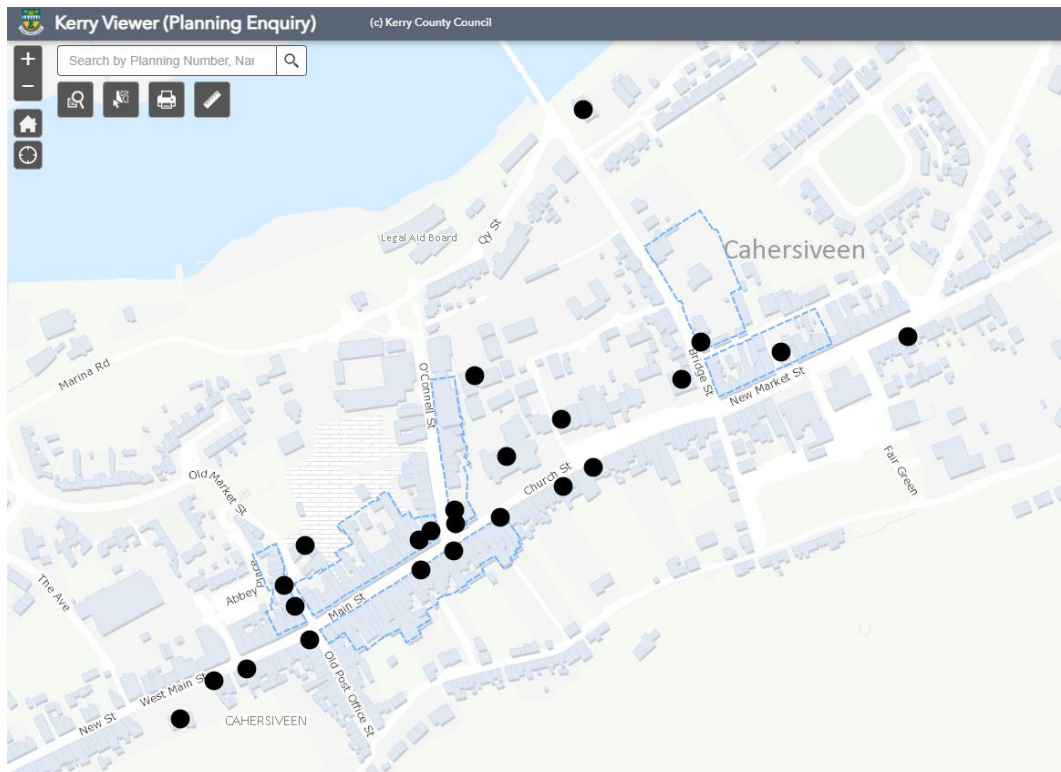
The LAP supports the provision of walkways in the town including along the waterfront



**Above: Extract from the West Iveragh LAP**

There are a number of protected structures located in the adjoining streetscape, including the Daniel O'Connell memorial church. The Carnegie Library building is also a protected structure. There are two Architectural Conservation Areas in Cahersiveen.

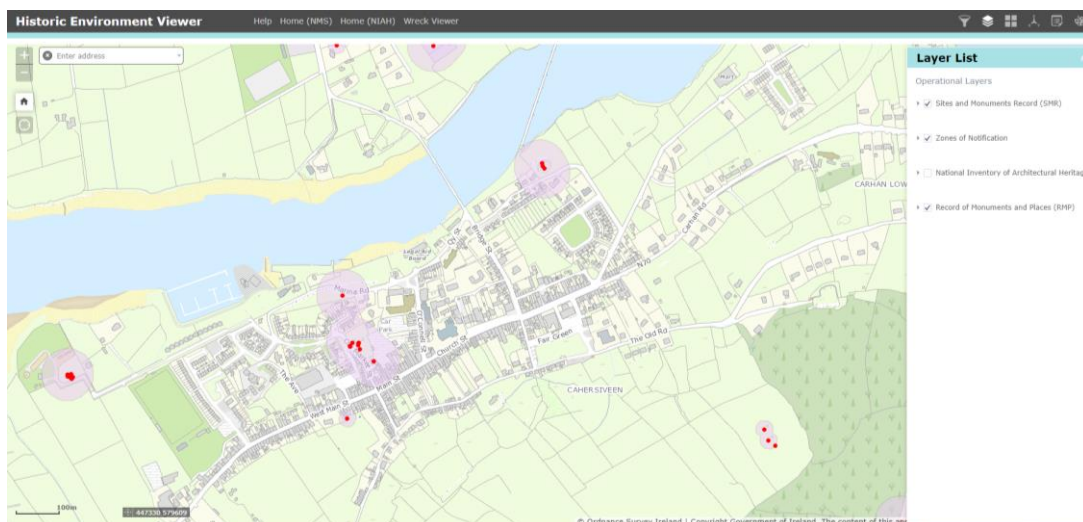




**Above: Protected structures and architectural conservation areas in Cahersiveen**

There are two main areas where the public realm proposals are close to recorded archaeological monuments as follows:-

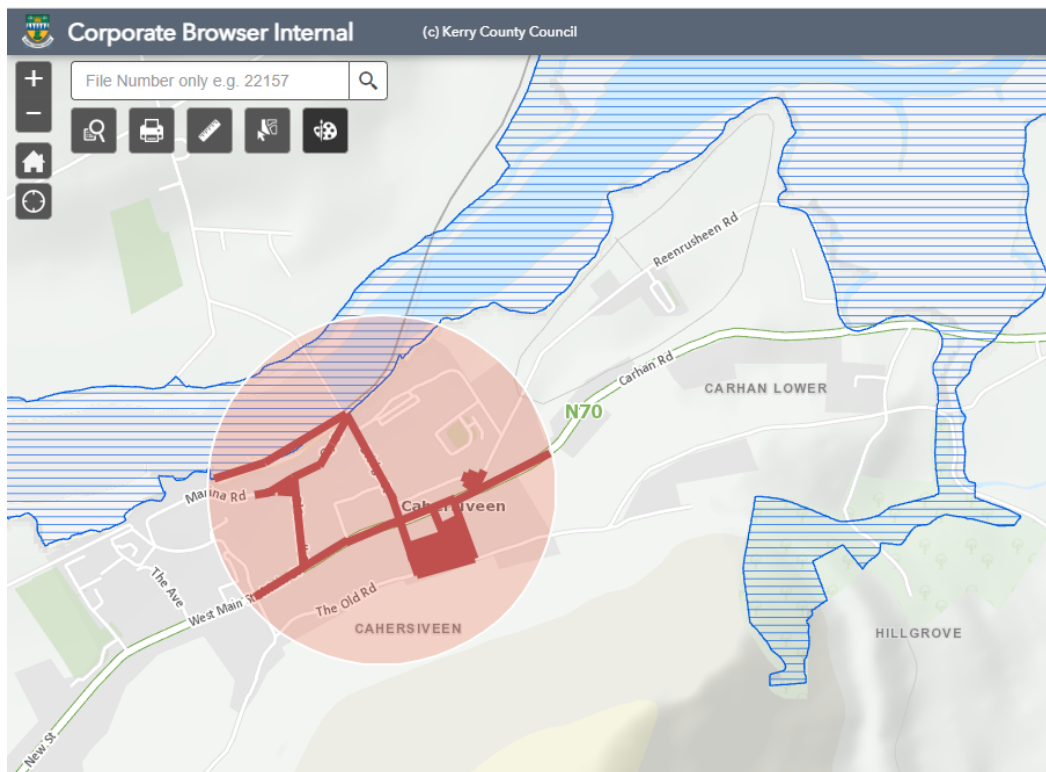
- The Abbey of the Holy Cross on Old Market Street (Ke079 037) with associated medieval grave slabs and architectural fragment/s
- The site of the Penal Chapel on Old Market Street (Ke079 142)



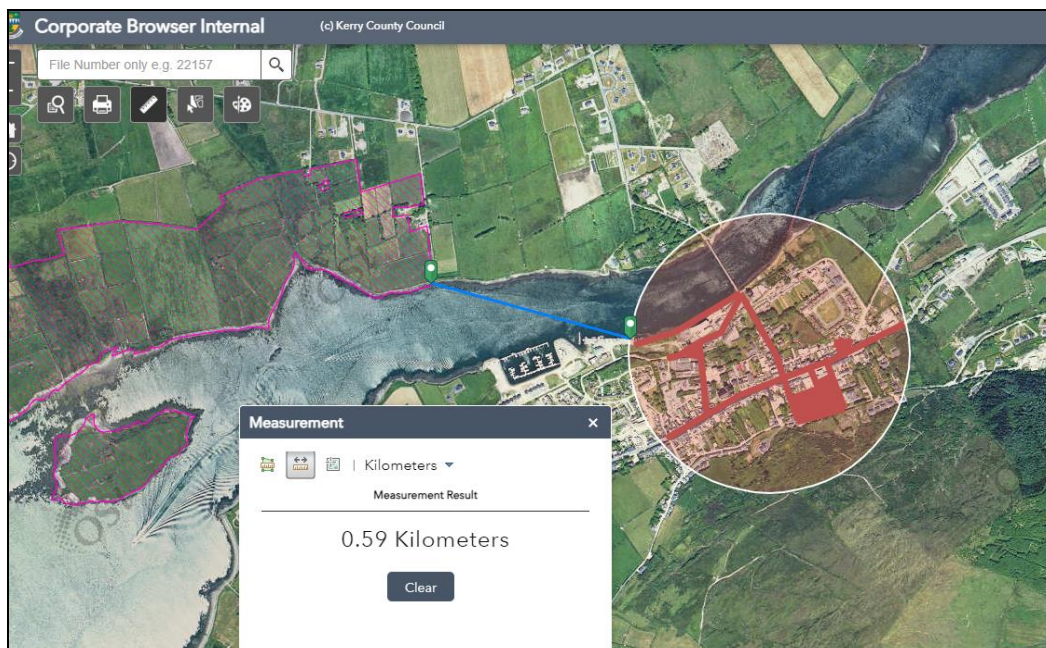
**Above: Recorded sites and monuments in Cahersiveen**

There are a number of ecological designations in the vicinity of Cahersiveen Town, most notable the Valencia River Estuary pNHA which includes the River Fertha Estuary adjoining the town. Further afield the Iveragh Peninsula SPA is located over the

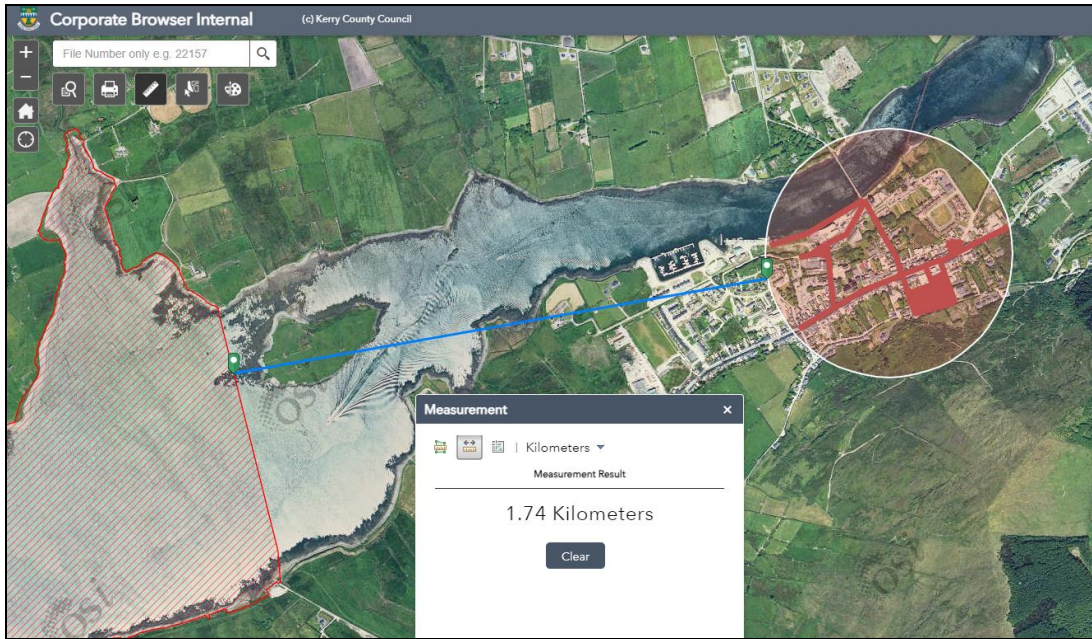
water, the Valencia Harbour and Portmagee Channel SAC is located downstream of the town and the Killarney National Park, McGillycuddy Reeks and Caragh River Catchment SAC located upstream.



Above: Valencia River Estuary Proposed Natural Heritage Area (Site Code 001383)

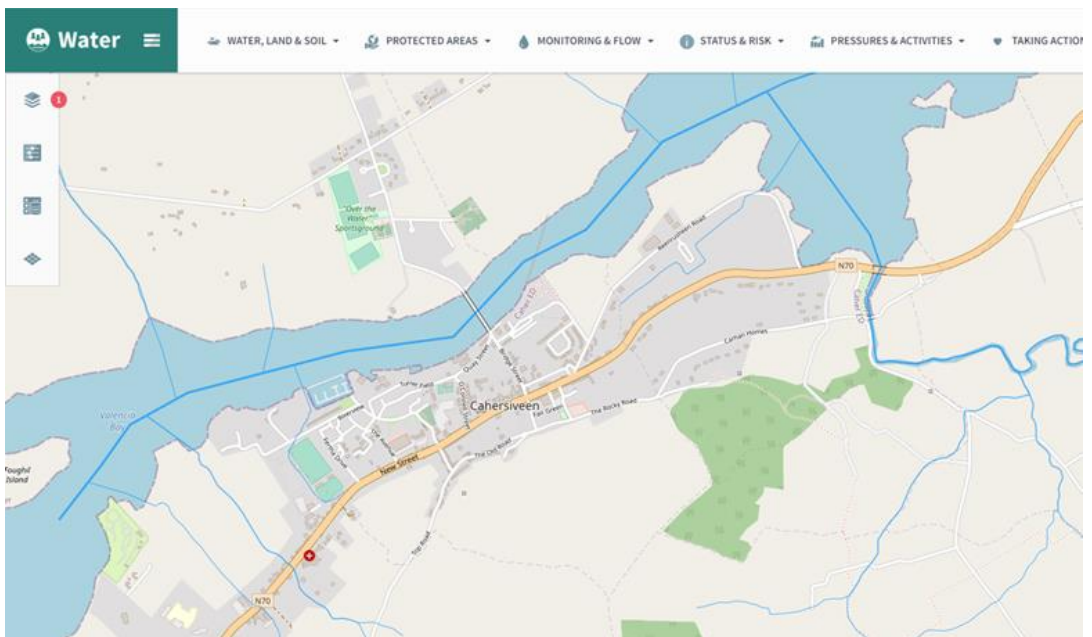


Above: Iveragh Peninsula SPA

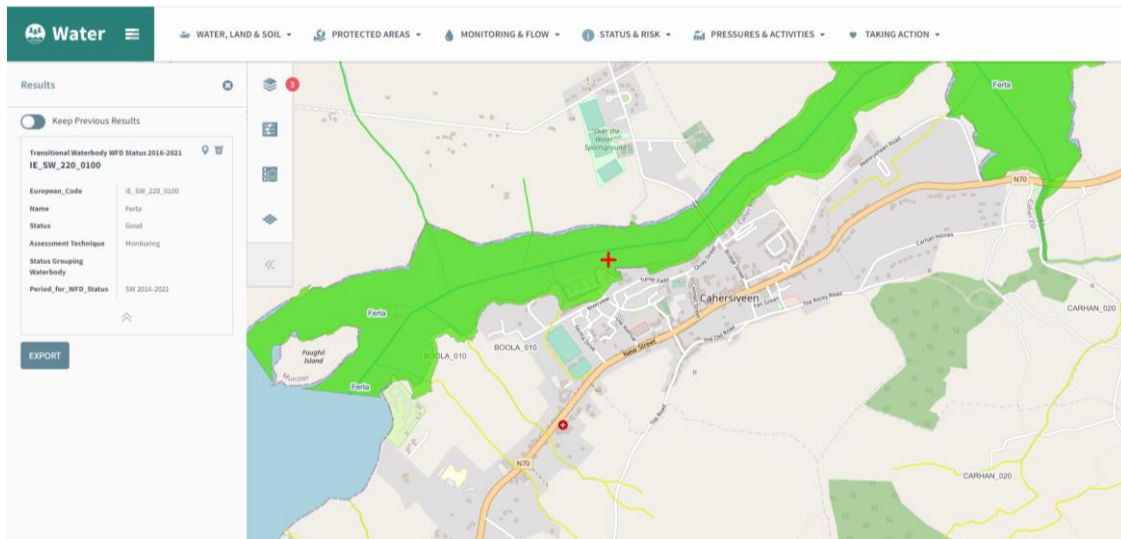


**Above: Valencia Harbour and Portmagee Channel SAC**

The River Fertha Estuary is located downstream of the town. No other watercourses are located within or adjoining the works area.



The waters downstream are currently classified as good under the water framework directive



**Above: Water Framework Directive ‘Good’ water status**

#### **4. Preliminary Screening Exercise**

As outlined the proposed development is not one which requires mandatory EIA either for road or non-road type development. As part of this infrastructure type projects listed in the Planning and Development Regulations 2001, as amended and in Annex I and II of the EIA Directive as amended were taken into account.

#### **Landscape, Cultural and Built Heritage assessment**

It is considered that the proposals have no potential to significantly effect the cultural or built heritage of the area. The proposed development would not impact on protected scenic views or landscape designations. The proposals as outlined would be complementary to the protected structures and the architectural conservation areas of the town and provide an enhanced setting for their appreciation.

Regarding the N70 Cahersiveen to Oghermong proposal, the County Archaeologist has advised that there is only one recorded monument listed in either the Record of Monuments & Places or the Sites & Monuments Record in proximity to the proposed works – Ke079 142 listed as a church – but this is behind the northern side of Main Street and will not be impacted. Given the works are within the existing road/footpath corridor where the ground is already disturbed, the potential for surviving sub-surface archaeological features or strata would be very low. In relation to the public realm proposal, he has advised that the proposed works are in general not located in areas where there are recorded archaeological monuments listed in either the Record of Monuments & Places or the Sites & Monuments Record. The works are also generally located in areas that have previously been disturbed and the potential for surviving, sub-surface archaeological features or deposits would be low. However, there are two main areas where there are recorded archaeological monuments and care will have to be taken to ensure that the proposed developments do not interfere with the recorded monuments, their sites or settings:

- The Abbey of the Holy Cross on Old Market Street (Ke079 037) with associated medieval grave slabs and architectural fragment/s
- The site of the Penal Chapel on Old Market Street (Ke079 142)

He has further advised that the proposed works in these areas are described as public realm improvement works. Care should be taken to design any improvements in keeping with the setting of the monuments and ground works within the zones of notification around the monuments should be kept to a minimum and be located in areas of previous ground disturbance. He has further advised that the souterrain recorded to the south of Quay Road (Ke079 036) is incorrectly marked on the RMP and SMR and was destroyed by works on the railway. As such, there is no likely impact from the proposed public realm improvement works in this area.

### **Land Water, Soil, Geology and Natural Heritage**

The proposal has no real likelihood of adversely impacting water, soil or geological resources. In the unlikely event of an accidental fuel leak any potential spillage would be restricted to a relatively confined area; however, in the normal course of events fuel leaks are not a common or likely occurrence.

It is noted that an Appropriate Assessment screening exercise has been undertaken separately to this report which has concluded that significant effects on European Site designations are unlikely. Significant impacts on the Valencia River Estuary Proposed Natural Heritage Area are also considered to be unlikely. No invasive species are located within the proposed works area.

Disturbance of key species is unlikely to arise as a result of this proposal. Wildlife at this location can be expected to be habituated to vehicles / machinery and urban activities. While nighttime noise and lighting may be a characteristic of the project construction and operation, it is considered that there is no realistic possibility of effecting key species of conservation interest. The proposal which includes a boardwalk along the waterfront will facilitate a greater appreciation of the natural heritage and coastal setting of the settlement.

### **Population, human health, Climate and major accidents and disasters**

The proposal does not pose a risk to the population or human health nor are major disasters / accidents likely to result or interact with the proposal. Land take is required from a small number of properties. However, the scale of any such land take is minor and would not be likely to impact residential amenities or the wider population. A degree of traffic disruption and construction noise can be expected during the works phase, however this would not be out of character or unexpected within an urban setting. No significant traffic implications or noise impacts are likely. Negligible fugitive air emissions would arise from use of machinery during the construction phase. Overall, there is little potential for pollution and nuisances arising from the proposed development, having regard to its nature, scale and location. The provision of upgraded public realm will impact positively on population, human health and climate, by way of facilitating active travel and a more pleasant urban environment.

A small insignificant amount of waste would be generated as part of the project. Once operational, the project may generate an amount of litter, similar to that of the existing situation in the area. This is unlikely to be of a scale that would be deemed to have a significant effect on the environment. The proposal poses no risk to human health.

### **Material assets**

It is considered that the proposal would enhance the public realm, amenity facilities and bring renewed life to buildings, places and the town in general. Footways, roads and other public infrastructure would be upgraded. The proposal would thereby impact positively on the area’s material assets.

### **Overview of findings**

While important for the settlement of Cahersiveen, these are small scale works, which do not involve the creation of significant pollution or waste, risk of major accidents or risk to human health. The characteristics of the impacts include construction noise from the movement of machinery, low risk of water pollution downstream and negligible fugitive air emissions from use of machinery. The proposal would support a compact vibrant and more walkable town centre with enhanced material assets and will impact positively on the setting of protected structures in the vicinity. No interactions of environmental impacts are likely to arise would result in significant impacts. No in-combination effects are likely to arise and no mitigation measures other than standard archaeological safeguards are required. Therefore, in consideration of the nature, scale and location of the development, it is considered that there is no real likelihood of significant effects on the environment.

<b>Development Features</b>	<b>Preliminary Examination</b>
Annex I Project	No
Annex II Project	No
Sub-threshold Project	Yes
Characteristics	Relatively small-scale urban realm improvement, road improvement and building works. Straightforward non- complex works.
Location	Not highly sensitive – works located within the urban setting of Cahersiveen Town. Heritage designations within the town and nearby.
Impacts	Minor – temporary, manageable and not out of character within an urban setting. Road aspects in rural areas are typical of general road works found in such areas.
Potential for significant effects	No
EIA or EIA Screening required	No

## **5. Conclusion**

It is concluded that there is no significant and or realistic doubt in regard to the likelihood of significant effects on the environment arising from the proposed development. EIA Screening nor EIA are required in this instance.

### **Reasons for conclusion**

- The (combined) proposal is substantially below relevant mandatory EIA thresholds.
- There are no potential cumulative or in combination effects likely to arise.
- There is no real likelihood of significant effects on the environment arising from the proposed developments.
- The nature and scale of the proposals and their location within and approaching the existing urban environment or Cahersiveen and largely within the boundaries of the existing public realm / road space and the absence of a realistic pathway for impact to any sensitive location or feature.

### **Influential measures incorporated into the project envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment**

None required beyond standard Archaeological requirements



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**Eoin Kelleher**  
**Executive Planner and Ecologist**  
**Environmental Assessment Unit**

**8.11.2023**

**Appendix 1. Threshold summaries of legislative requirements for EIA Screening for road and urban type developments (in Ireland).**

**1. Road Projects**

Summary of Legislative Requirements for EIA Screening – From the Roads Act (1993–2016); based on the original format in the NRA Guidelines on EIA (2008).

<b>Mandatory</b>		<b>Regulatory Reference</b>
(1) Construction of a motorway		S. 50.—(1) (a)(i) of the Roads Act, 1993-2016.
(2) Construction of a busway		S. 50.—(1) (a)(ii) of the Roads Act, 1993-2016.
(3) Construction of a service area		S. 50.—(1) (a)(iii) of the Roads Act, 1993-2016.
(4) Any prescribed type of proposed road development consisting of the construction of a proposed public road or the improvement of an existing public road, namely:	<p>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 500m or more in length in an urban area;</p> <p>The construction of a new bridge or tunnel which would be 100 metres or more in length.</p>	<p>Article 8 of the Roads Regulations, 1994 (Part V Environmental Impact Assessment)</p> <p>Article 8 of the Roads Regulations, 1994 (Part V Environmental Impact Assessment)</p>

<b>Sub-Threshold</b>	<b>Regulatory Reference</b>
(4) Where An Bord Pleanála considers that any proposed road development (other than development to which mandatory requirement applies) consisting of the construction of a proposed public road or the improvement of an existing public road would be likely to have significant effects on the environment, he shall direct the road authority to prepare an environmental impact statement in respect of such proposed road development and the authority shall comply with such direction.	S. 50.—(1) (b) of the Roads Act, 1993 - 2016.
(5) Where a road authority considers that any proposed road development (other than development to which mandatory requirement applies) consisting of the construction of a proposed public road or the	S. 50.—(1) (c) of the Roads Act, 1993 - 2016.



<p>improvement of an existing public road would be likely to have significant effects on the environment, it shall inform the Board in writing and where the Board concurs with the road authority he shall give a direction to the road authority (as above).</p>		
<p>(6) Where a proposed road development (other than development to which mandatory requirement applies) consisting of the construction of a proposed public road or the improvement of an existing public road would be located on certain environmental sites, the road authority concerned shall decide whether the proposed road development would or would not be likely to have significant effects on the environment. The sites concerned are:</p>	<p>(i) a European Site, meaning (I) a candidate site of Community importance, (II) a site of Community importance, (III) a candidate special area of conservation, (IV) a special area of conservation, (V) a candidate special protection area, or (VI) a special protection area</p> <p>(v) Land established or recognised as a nature reserve within the meaning of section 15 or 16 of the Wildlife Act, 1976 (No. 39 of 1976)</p> <p>(vi) Land designated as a refuge for fauna under section 17 of the Wildlife Act, 1976 (No. 39 of 1976)</p>	<p>S. 50.—(1) (d) of the Roads Act, 1993 – 2016.</p>
<p>If the authority decides that the proposed road development would be likely to have significant effects, it shall inform An Bord Pleanála in writing (as outlined in (6) above).</p>		

## 2. Urban Development

Schedule 5, Part 2 of the Planning and Development Regulations, 2001, as amended outlines the following:

### 10. Infrastructure projects

(b) (iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.

(In this paragraph, “business district” means a district within a city or town in which the predominant land use is retail or commercial use.)

The EU Guidance on 'Interpretation of definitions of project categories of Annex I and II of the EIA Directive' (2015) interprets 'urban development' as taking 'account of, inter alia, the following:

- Projects with similar characteristics to car parks and shopping centres could be considered to fall under Annex II (10)(b). This could be the case, for example, of bus garages or train depots, which are not explicitly mentioned in the EIA Directive, but have similar characteristics to car parks.
- Construction projects such as housing developments, hospitals, universities, sports stadiums, cinemas, theatres, concert halls and other cultural centres could also be assumed to fall within this category. The underlying principle is that all these project categories are of an urban nature and that they may cause similar types of environmental impact.
- Projects to which the terms 'urban' and 'infrastructure' can relate, such as the construction of sewerage and water supply networks, could also be included in this category.