

COMHAIRLE CONTAE CHILL DARA

KILDARE COUNTY COUNCIL

Record of Executive Business and Chief Executive's Orders

Planning and Development Act 2000 (as amended) – Part XI
Planning and Development Regulations 2001 (as amended) – Part 8

R445 Newhall Junction Improvement Project Co. Kildare

Environmental Impact Assessment (EIA) Screening Determination

Pursuant to the requirements of the above, Kildare County Council is proposing to carry out R445 Newhall Junction Improvement Project. The proposed development comprises the construction of a roundabout on the R445 at the same location as Newhall Crossroads. The Local Roads L6064 and L2031 will receive minor realignment required for the entry and exit geometry at the roundabout. Significant verge widening will be required on the realigned local roads to provide appropriate forward visibility on the local roads. These works will also involve associated removal of existing roadways and roadway infrastructure, cutting and filling of areas and the installation of new infrastructure or upgrading to existing roadway infrastructure. A detailed description of the proposed development has been provided in the Section 1 of the Environmental Impact Assessment Screening Report with drawings provided with the Part 8 application.

Having regard to EIA Directive 2011/92/EU as amended by Directive 2014/52/EU (the EIA Directive), the guidance contained in: "*Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-Threshold Development*" (published by the Department of Environment, Heritage and Local Government in 2003); "*Environmental Impact - Assessment of Projects - Guidance on Screening*" (published by the European Commission in 2017); "*Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment*" (published by the Department of Housing, Planning and Local Government in 2018); and on the basis of the objective information provided in the "*Environmental Impact Assessment Report*" (the Screening Report) prepared by Flynn Furney, Environmental Consultants for Kilgallen & Partners Consulting Engineers on behalf of Kildare County Council, as the Competent Authority, determines that the R445 Newhall Junction Improvement Project individually, and in combination with other plans and projects, does not require and Environmental Impact Assessment.

It is considered that the Screening Report has been carried out giving full consideration to the EIA Directive and in particular to Annex I, II and III of that Directive, which set out requirements for mandatory and sub-threshold EIA.

As the proposed R445 Newhall Junction Improvement Projects is sub-threshold, it has, therefore, been assessed on a case-by-case basis in accordance with the criteria for determining whether or not a development would or would not be likely to have significant effects on the environment as outlined within Annex III of the EIA Directive.

It is further considered that the Screening Report contains a fair and reasonable assessment of the likelihood of significant effects of the proposed project on the environment, having regard to the foregoing and in particular:

- The size and design of the whole project;
- Cumulation with other existing and/or proposed projects;
- The use of natural resources, in particular land, soil, water and biodiversity;
- The production of waste;

- Pollution and nuisance;
- 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; and
- The risk to human health (for example due to water contamination or air pollution).

Sections 2 and 3 of the screening report provides a reasonable description and assessment of the types and characteristics of the potential impacts of the proposed development in respect of each heading.

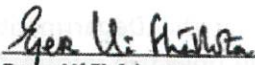
It is considered that the environmental effects arising from the proposed project will generally be localised and minor in nature. I concur with the conclusion and recommendation of the screening report that the proposed development is not likely to give rise to significant environmental impacts and does not require an Environmental Impact Assessment Report to be prepared or an Environmental Impact Assessment to be conducted.

Signed:



A/Senior Executive Planner

Dated: 06/04/2021



Emer Uí Fhátharta
Senior Planner

April 6th 2021

ORDER: That Kildare County Council as the Competent Authority having considered the EIA Screening Report prepared by Flynn Furney Environmental Consultants, for Kilgallen & Partners Consulting Engineers for Kildare County Council hereby makes a determination that the proposed R445 Newhall Junction Improvement Project Co. Kildare would not be likely to have significant effects on the environment and that the proposed project does not require an Environmental Impact Assessment.

Date: 6/4/21



Chief Executive

