

Record of Determination Annex II relevant projects

Name of project:

Newry Southern Relief Road

Location (National (Irish) Grid Reference):

Start – A1 Dublin Road dual carriageway
(308264E 322285N);
End – A2 Warrenpoint Road dual carriageway
(309649E 324024N).

Qualifying criteria for Annex II relevant project:

Improvement element of project is >1ha	✓	Project is located within or partially within 'sensitive' area	✓	Other with potential for significant effect (e.g. adjacent to sensitive site)	✓
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A. Description of project:

The Department is advancing the design and development of a new strategic road link to the south of Newry, between the A1 Dublin Road dual carriageway and A2 Warrenpoint Road dual carriageway. This would provide an alternative route for strategic traffic that avoids Newry city centre.

The Preferred Route would link to the Eastern Seaboard (A1/N1 Belfast-Dublin) Key Transport Corridor, which includes road and rail links between Larne (via the Belfast Metropolitan Area) and the border at Newry, facilitating onward travel to Dublin and improving access to other regional gateways. The project is part of DfI's Strategic Road Improvement (SRI) Programme.

The Preferred Route aims to provide a strategic transport link road between the Key Transport Corridor of the A1/N1 Belfast to Dublin route with the A2 and Northern Ireland's second largest port at Warrenpoint, improving journey times and journey time reliability. It is envisaged road safety and traffic congestion within Newry city centre would also be improved by introducing an alternative route for traffic. Accessibility to both Newry City and Warrenpoint Port (and the wider South Down area) would be enhanced. The new route would help support and maintain sustainable economic growth and employment within the area.

The key design elements of the project comprise:

- an at-grade roundabout on the A2 Warrenpoint Road, in the vicinity of the Greenbank Industrial Estate;
- a single carriageway strategic link road through Gerry Brown Park, crossing the Newry River and Canal, to a new at-grade roundabout west of B79 Fathom Line;
- a single carriageway link between the new at-grade Fathom Roundabout and the B79 Fathom Line;
- a wide-single carriageway strategic link road between the new Fathom Roundabout and a new at-grade roundabout on the Dublin Road, immediately west of the Belfast-Dublin Railway, that crosses the northern edge of Benson's Glen;
- a single carriageway link road between the new Dublin Road Roundabout and Brogies Road;
- a single carriageway upgrade of the old Dublin Road, providing a strategic link between the new Dublin Road Roundabout and A1 Ellisholding Junction;
- an enhanced A1 Ellisholding Junction providing connections to and from the A1 for both northbound and southbound traffic; and
- a segregated cycleway/footway facility between the A2 Warrenpoint Road and the A1 Ellisholding Junction that links existing provision for non-motorised users.

From the at-grade roundabout on the A2 Warrenpoint Road through to enhanced A1 Ellisholding Junction, the project length is approximately 3km, however this does not include ancillary road works, such as those to the existing road network and accommodation works.

It is envisaged that the area required for completion of works, together with any areas that would be occupied during the period of construction by requisite apparatus, machinery, materials, plant, spoil heaps or other such facilities, would exceed 50 hectares.

B. Description of local environment, including statutory and non-statutory designations:

The study area is centred to the south of Newry, within the steep-sided Newry River valley which separates the Ring of Gullion to the west from the Mourne Mountains to the east. The Newry River flows through the centre of Newry, providing a natural boundary between counties Down and Armagh. The city has a dramatic natural setting at the head of Carlingford Lough. Its setting in a river valley means that the settlement has been contained by topography.

Newry occupies a strategic location on the Eastern Seaboard Corridor, 60 kilometres from Belfast and 100 kilometres from Dublin, forming an inter-regional gateway between Northern Ireland (NI) and the Republic of Ireland (RoI). The cross border rail link between NI and the RoI serves Newry, which enjoys a frequent express service to Belfast and Dublin in addition to local services.

The development of Newry over time has been influenced by the layout of the existing A-Class and B-Class road network. The area has generally good road communications with other main centres of population such as Craigavon, Armagh and Banbridge. Due to the strategic location between a number of surrounding settlements, several arterial routes radiate from the city, including:

- A1 to Lisburn/Belfast;
- A1/N1 to Dublin;
- A2 to Warrenpoint;
- A25 to Camlough;
- A25 to Downpatrick;
- A27 to Portadown; and
- A28 to Armagh.

Residential developments predominantly contain the road corridors which radiate out from the city, with more suitable areas of land between these roads giving way to large parcels/clusters of residential development. The city centre naturally consists of mixed developments comprising leisure and cultural facilities (including arts, entertainment and built sport facilities), community centres and meeting places (including places of worship, libraries), facilities for children, education facilities, healthcare facilities, service-orientated businesses (i.e. locally-based shops), and public transport facilities.

A number of ecological, archaeological and landscape protected sites designated at a local, national and international level are located within the immediate and general study area.

The Preferred Route is partly located within the Ring of Gullion Area of Outstanding Natural Beauty (AONB), as designated under Article 14(1) of the Nature Conservation and Amenity Lands (Northern Ireland) Order 1985.

The Preferred Route crosses the Newry Canal, a Scheduled Monument within the meaning of the Historic Monuments and Archaeological Objects (Northern Ireland) Order 1995.

The Preferred Route would also be located in very close proximity to Carlingford Lough Area of Special Scientific Interest (ASSI), as designated under Article 28 of the Environment (Northern Ireland) Order 2002.

With reference to the Countryside Assessment (Vol. 2) Technical Supplement of the Banbridge / Newry & Mourne Area Plan 2015, a designated Site of Local Nature Conservation Importance (SLNCI) is located within the study area of the Preferred Route, called Fathom Lower Woods & Grasslands SLNCI. The woodland habitats within the SLNCI are of particular importance as they are considered to be Long-established Woodland and dominated by native broadleaved species.

Due to the study area's proximity to the border with RoI, there are also several notable nationally and internationally designated sites located south-east of the study area, near Narrow Water. With reference to the digital dataset website of the National Parks & Wildlife Service (NPWS), these sites include Carlingford Shore Special Area of Conservation (SAC), Carlingford Mountain SAC & proposed Natural Heritage Area

(pNHA) and Carlingford Lough (pNHA). The closest of these is Carlingford Shore SAC. There are no Special Protection Areas (SPA), within the immediate study area. The closest is Carlingford Lough SPA located south-east of the study area at Killowen Point

C. Summary of main environmental effects of the projects:

The following information, along with further detail, is available in the Stage 2 Scheme Assessment Report (September 2018).

Air Quality

The local air quality assessment concluded that implementation of the Preferred Route would have a net benefit with less congestion and slightly lower pollutant concentrations in Newry city centre. None of the local air quality receptor locations throughout the study area would exceed current or future UK National Air Quality Standards.

Cultural Heritage

The Preferred Route would be in proximity to the Belvedere Tower (listed) associated with Fathom House, and potentially result in the direct loss of the Belvedere Tower (record only) associated with Ashton House. The Preferred Route would also traverse and adversely impact on the setting of the Newry Ship Canal (a Scheduled Monument).

Ecology and Nature Conservation

The Preferred Route would not directly affect Carlingford Lough ASSI, as it would cross the river/canal approximately 0.5km north of the designated site boundary. The Preferred Route would cross the Newry River and Ship Canal requiring several bridge piers within the wider channel of the river. Whilst every effort would be made to minimise the impact on the aquatic systems by sensitive placement of the piers, there remains the risk of a pollution incident affecting the river and canal, either during construction or during long-term operation/maintenance of the scheme. The wetland habitat of the canal, in association with the strip of scrub vegetation and intertidal river bank habitat, forms a linear feature through the landscape which may be important for foraging and commuting riparian wildlife. The bridge crossing point is likely to have a detrimental impact, not only as a result of habitat loss, but also fragmentation/severance of a valuable wildlife corridor.

Whilst the Preferred Route would not traverse Fathom Lower Woods & Grassland SLNCl, the route passes in close proximity to the SLNCl parcels (within 10m of the site boundary). The northern-most and central parcels of the Fathom Lower Woods & Grassland SLNCl complex would be indirectly affected as they would pass so close and would cut through some of the undesignated woodland fringe habitat.

The Preferred Route would largely traverse agricultural land with numerous hedgerows. As Priority Habitat and important wildlife corridors, hedgerow loss would be detrimental, causing habitat fragmentation for local wildlife.

Landscape and Visual Effects

The river/canal crossing associated with the Preferred Route within Greenbank Industrial Estate would likely become a gateway / landmark between the city and the river valley further southeast due to its slightly higher elevated position. Considering its location within the urban and light industrial southern fringe of Newry, the development would be able to integrate into its urban / light industrial context and would not detract considerably from the overall character of the area. The Preferred Route would avoid the majority of long-established woodland and all areas of ancient Woodland. The introduction of the route would result in major adverse changes to the landscape character (Ring of Gullion AONB) due to significant embankments. The significance of landscape effects is considered Large Adverse. However, while visible across the river valley, the route alignment would likely be mostly absorbed into the eastern slopes over time as mitigation planting matures along the embankments facing the valley.

Land Use

The assessment has shown that property and private land loss would be inevitable with the Preferred Route. The Preferred Route would also traverse an area of zoned open space (Gerry Brown Park) and the Newry Ship Canal.

Noise and Vibration

The Preferred Route would cause noise levels at a small number of properties to increase by more than 1 dB. A number of properties exposed to changes in noise levels would be considered as a 'Moderate' or 'Major' impact.

The use of a low noise road surface would mitigate the noise impact by circa 3-5 dB. It is therefore submitted that, with the inclusion of a low noise road surface, it is possible to mitigate the impact of the Preferred Route to within the Noise Insulation Regulations (NIR) requirements. Alternatively, it would also be possible to use acoustic barriers at specific locations to reduce the impact to within the NIR requirements.

A significant number of properties, particularly in Newry city centre and on the Warrenpoint Road, would benefit slightly from a decrease in noise due to the reduction in traffic flows through the city. Vibration levels from HGV road traffic would be less than 0.5mm/s at the majority of properties. It is considered that this represents a "low probability of adverse comment" by residents. Allowing for normal circumstances, this vibration level is not of a severity to cause structural damage to property.

Pedestrian, Cyclists, Equestrians and Community Effects

The Preferred Route would improve road safety for strategic and local road users, remove a bottleneck on the key network where a lack of capacity is causing congestion, and improve the environment by relieving the effects of heavy through-traffic in the city centre. The Preferred Route would result in the loss of Gerry Brown Park at its current location. Furthermore, a fixed bridge with an air draft of approximately 12m would result in a restriction of passage along the ship canal for high masted vessels. The Preferred Route would also have an indirect impact on the Newry Ship Canal, as the route passes over it, affecting the setting and amenity value of the Canal to some extent. It is also envisaged that there would be no direct impact to any existing angling facilities within the study area.

Vehicle Travellers

Currently, driver stress levels through the affected part of Newry are considered to be 'High', and are forecasted to reduce for those travellers that would utilise the new Southern Relief Road. New and interesting views would be opened-up for vehicle travellers on the Preferred Route. From a driver stress perspective, the Preferred Route would reduce driver stress over a slightly wider network.

Road Drainage and the Water Environment

There are likely to be impacts on sediment movements within the Newry River channel with the Preferred Route. The degree of impact would depend on the number, diameter and shape of the associated bridge piers. Floodplain would be traversed by the Preferred Route, though would benefit from the existing flood defences. The feeder stream to Benson's Glen fish hatchery would be partially traversed by the Preferred Route. Protection of this water intake from pollution would be paramount irrespective of the final design.

Geology and Soils

Potential contaminated land sources have been identified within the Preferred Route. Further investigation would be required to determine the impact it may have on suspected contaminated land sources. Being short in length, the Preferred Route would have limited impact upon the underlying lithology.

D. Details of extent of environmental impact assessment work undertaken and summary of any consultation undertaken with the statutory consultation bodies:

The environmental impact assessment process to date has been undertaken, managed and compiled by AECOM and has been prepared in accordance with the guidelines detailed in the Design Manual for Roads and Bridges (DMRB) Volume 11, which sets out the methods to be used and the level of detail required when assessing the environmental aspects under consideration. Assessment of major road schemes is undertaken in the following three stages:

- **Stage 1 Assessment (completed)** – identification of the environmental, engineering, economic and traffic advantages, disadvantages and constraints associated with broadly defined improvement strategies or corridors. This concludes in the selection of a preferred corridor(s) with a number of potential routes or scheme options.
- **Stage 2 Assessment (completed)** – identification of the factors to be taken into account in choosing alternative routes or improvement schemes and to identify the environmental, engineering, economic and traffic advantages and constraints associated with those routes or schemes. This concludes in the selection of a preferred route or scheme option.
- **Stage 3 Assessment (current stage)** – clear identification of the advantages and disadvantages, environmental, engineering, economic and traffic terms of the preferred route or scheme option.

The Stage 1 Scheme Assessment Report, published in June 2017, recommended two corridors with three route options developed within. These were then subject to consultation, development and assessment.

Five route options were subsequently developed within Corridors 4 & 5 (as recommended in the Stage 1 Report) and these were considered as part of the Stage 2 Assessment.

All route options had similar structural and highway content comprising: at-grade junctions either side of the A2; a single carriageway bridge crossing of the Newry River/Canal; a climbing lane mainline carriageway; a railway crossing and grade-separated junction on the A1 at Ellisholding.

The Yellow and Red routes required an opening structure due to limited clearance achieved at their respective crossing locations. Blue Route (Options 1 to 3) each shared a common crossing of the Newry River and Canal in the vicinity of the Greenbank Industrial Estate and with a fixed bridge achieve a minimum clearance of approximately 12m. Thus without an opening bridge structure, would restrict passage for high masted vessels.

The study area contains a broad mix of natural and man-made environmental constraints, upon which each route option would have had varying impacts. The Red and Yellow routes, and to a lesser extent Blue Route Option 1, had a greater impact on areas of Long Established and Ancient Woodland.

The Blue Route options achieved a better Benefit Cost Ratio (BCR) than the Red and Yellow routes, with these having a greater scheme cost. Additional carriageway lengths also significantly impacted large sections of Long-Established and Ancient Woodland. Consequently these routes performed worst against the Environmental and Economic objectives.

The Blue Route (Options 1 to 3) was shorter than the Red and Yellow routes and avoided Long-Established and Ancient Woodland, although Blue Route Option 1 did impact Benson's Glen, which is reflected in its poorer Environment objective assessment. Blue Route Option 3 performed better than Option 2 against the Economic objective, due to a reduced scheme cost.

The Stage 2 Scheme Assessment Report (September 2018), therefore recommended that Blue Route Option 3 be subject to a Stage 3 assessment and report in accordance with DMRB TD37/93, to satisfy the requirements of a Preferred Options Report under RSPPG_E030.

The development of the Newry Southern Relief Road scheme continues to be informed by a programme of stakeholder engagement in line with a developing and refined Communications Plan, implemented as part of a communications strategy tailored to the staged scheme development process.

An integral element of the assessment process to date includes consultation with Government Departments, Agencies and Public Bodies (Statutory Consultation Bodies) that may potentially have specific interest in the study area. The Public Bodies' that have been consulted in the course of this assessment are set out in the Newry Southern Relief Road Communication Plan. This outlines the statutory consultee list along with the dates of the key activities and is updated regularly. The response from consultees is also provided in the Stage 1 Scheme Assessment Report, (June 2017) and Stage 2 Scheme Assessment Report (September 2018).

There have been various forms of communication utilised throughout the development of the scheme to date, including by letter, meeting, presentation, workshop, digital media, public notice, and community consultation events.

E. Determination decision, statement of case in support of this decision:

This Project is classed as an Annex II project under Directive 2011/92/EU as amended by the Directive 2014/52/EU. The area of the proposed works is expected to be greater than 50ha and located within a 'sensitive site', therefore the project has determined to be a 'Relevant Project' in accordance with Part V of the Roads (Northern Ireland) Order 1993 [as amended]. Having considered the selection criteria in Annex III of the Directive, the Project will be made subject to an EIA due to the following:

- Characteristics of the Project: (a) size and design of the whole project; (c) the use of natural resources, in particular land, soil, water and biodiversity; (d) the production of waste; (e) pollution and nuisance; and (g) the risks to human health;
- Location of project: (a) existing and approved land use; (b) the relative abundance, availability, quality and regenerative capacity of the natural environment; and (c) the absorption capacity of the natural environment
- Type and characteristics of the project: (a) magnitude and spatial extent of the impact; (b) nature of the impact; (c) the transboundary nature of the impact (d) intensity and complexity of the impact; (e) probability of the impact; (f) expected onset, duration, frequency and reversibility of the impact; and (h) the possibility of effectively reducing the impact.

It has therefore been determined that a statutory Environmental Impact Assessment will be carried out in line with the Design Manual for Roads and Bridges (DMRB) Volume 11 and all other relevant specialist guidance documents to inform the design process.

Further to the mandatory requirement to undertake an EIA and publish an EIAR, an Assessment of Implications on European Sites (otherwise known as a Habitats Regulations Assessment (HRA)) is also required. The HRA is a distinct and separate assessment required by law to inform the decision making process when the Proposed Scheme may have a significant effect on a Natura 2000 site.

Consultation undertaken with DAERA - Natural Environment Division during the Stage 2 Environmental Assessment indicated that a HRA under the terms of the Habitats Directive (Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora) should be undertaken to test the likely significance of potential impacts on Carlingford Shore SAC and Carlingford Lough SPA or indeed any other Natura 2000 site. A shadow HRA (Stage 1 - Screening) was carried out alongside the Stage 2 Environmental Assessment to establish if any specific mitigation measures are necessary to protect these European sites (SAC and SPA) from significant adverse impacts that may affect their integrity. This assessment shall again be undertaken for the Preferred Route.

File references of supporting documentation for future reference:

Newry Southern Relief Road – Stage 1 Scheme Assessment Report (AECOM, June 2017);
Newry Southern Relief Road – Stage 2 Scheme Assessment Report (AECOM, September 2018); and
Newry Southern Relief Road – Communication Plan Version 4 (AECOM, September 2018).

I have determined that a statutory Environmental Impact Assessment Report is required for this project.

Signature of Project Sponsor:

Dated: 27 SEPTEMBER
2019

Authorisation to publish Notice of Determination



Signature of Director of Major Projects and Procurement:

Dated: 30/9/19