APPROPRIATE ASSESSMENT SCREENING REPORT

Section 177U of the Planning and Development Act 2000 (as amended)

Cork City Council
Strategic Planning and Economic Development

1. EUROPEAN SITE DATA

Great Island Channel candidate Special Area Of Conservation (site code 001058)		
Conservation objective	To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.	
Qualifying interests	Annex I listed habitats: mudflats, sandflats not covered by seawater at low tide, estuaries, spartina swards, Atlantic salt meadows.	
References and further information	Conservation Objectives for Great Island Channel SAC [001058] (NPWS), Natura 2000 Standard Data Form (NPWS), Site Synopsis Great Island Channel Site Code 001058 (NPWS) (see www.npws.ie for further details)	

Cork Harbour Special Protection Area (site code 004030)			
Conservation objective	To maintain or restore the favourable conservation condition of the bird species listed as special conservation interests for this SPA.		
Qualifying interests	Annex I-listed bird species: bar-tailed godwit, common tern (breeding), golden plover, ruff, whooper swan. Other birds of special conservation interest include black-headed gull, black-tailed godwit, common gull, curlew, dunlin, great crested grebe, grey heron, grey plover, lapwing, lesser black-backed gull, little grebe, oystercatcher, pintail, red-breasted merganser, redshank, shelduck, shoveler, teal, and widgeon. This site is an internationally important wetland site supporting > 20,000 wintering waterfowl.		
References and further information	Conservation Objectives for Cork Harbour SPA [004030] (NPWS), Natura 2000 Standard Data Form (NPWS), Site Synopsis Cork Harbour SPA Site Code 004030 (NPWS) (see www.npws.ie for further details)		

2. DETAILS OF PROPOSED DEVELOPMENT

Reference no.	P8.HP.24.01
	Redevelopment of Spring Lane Halting Site at Ballyvolane, Cork City, along with the construction of a new purpose-built group housing scheme on the land adjacent to Spring Lane, known as Ellis Yard.
Development consent type	Part 8 Local Authority
Development location	Ballyvolane, Cork City, Cork
Description of development	The proposed development will comprise: • The demolition of existing structures including sheds, welfare units, mobile homes, caravans, walls, and fencing • The construction of 27 no. residential units consisting of: • 1 no. 5-bedroom two-storey detached house • 2 no. 4-bedroom two-storey detached houses • 12 no. 3-bedroom two-storey detached units • The provision of in-curtilage car parking spaces • Upgrade works to the existing entrances to Spring Lane and Ellis Yard from the Ballyvolane Road • Realignment and upgrade works to the existing access road into Spring Lane • Construction of a new road into Ellis Yard via the existing entrance from the Ballyvolane Road • Construction of a footpath, boundary wall, drainage and public lighting along the Ballyvolane Road • Resurfacing of the Ballyvolane Road from the existing entrance to Spring Lane to the existing entrance to Ellis Yard • Relocation of existing pedestrian footpath link from Spring Lane to Glenfields estate including construction of a section of new footpath to facilitate same • All ancillary and associated site works and signage including new roads and footpaths, landscaping, retaining structures, boundary treatments, car parking, public lighting, underground services, drainage systems, watermains and connections, as outlined in the plans and particulars. Temporary works, including the provision of temporary accommodation, will be required on site to facilitate the phased construction of the development including a temporary entrance and access road from the Glenfields estate for construction vehicles only.
Distance from cSAC	7.9km
Distance from SPA	4.4km
Relevant strategies or policies	Cork City Heritage and Biodiversity Plan (2021-2026); Cork City Development Plan 2022-2028;

3. ASSESSMENT OF LIKELY DIRECT, INDIRECT AND CUMULATIVE EFFECTS

Yes / No

	ASSESSIMENT OF LIKELY DIRECT, INDIRECT AND COMOLATIVE EFFECTS	res / NO
1.	Is the proposed development directly connected to or necessary for the conservation management of the SPA and/or cSAC? (If yes, no further assessment required. If no, screening required.)	
2.	Is the proposed development located within or partly within the SPA?	no
3.	Is the proposed development located within 100m of the SPA?	no
4.	Does the proposed project involve the development, extension or upgrade of a cycleway or walkway within 200m of the SPA?	no
5.	Does the proposed development involve development in the intertidal or coastal zone within the potential impact zone of the SPA?	no
6.	Could the proposed project increase the level of recreational or other use of marine or intertidal areas within the potential impact zone of the SPA?	no
7.	Does the proposed development involve the excavation of previously undeveloped land within an area that has been identified to be at risk of flooding within the potential impact zone of the SPA?	no
8.	3. Does the proposed development involve the removal of significant amounts of topsoil within 100m of the SPA?	
9.	Does the existing wastewater treatment system have the capacity to treat any additional loading?	Yes
10.	Would the proposed development result in direct surface water or other discharge to water bodies in or feeding into the SPA or cSAC? Would it result in additional storm flows into a combined sewer and subsequently into a combined sewer overflow (CSO), resulting in increased frequency, quantity and/or duration of overflow from the CSO to watercourses feeding into the European sites?	no
11.	Would the proposed development involve dredging or could it result in the mobilisation of marine sediments in the Harbour area?	no
12.	Could the proposed development give rise to increased risk of oil or chemical spillage or leaks within the marine environment or watercourse within the potential impact zone for the SPA or cSAC?	no
13.	Are there relevant plans or projects which, in combination with the proposed development, are likely to give rise to any cumulative effects?	No

4. SCREENING CONCLUSION STATEMENT

In view of	the above it is considered that (tick one box only):	
	Appropriate Assessment is not required The proposed development is directly connected / necessary to the conservation management of a site.	
	Appropriate Assessment is not required It can be excluded through screening that the proposed development will have significant effects on the sites.	
	Further information is required Potential impacts have been identified through initial screening and/or there is insufficient information to enable the planning authority to screen out impacts, but on balance it is determined that the issues could be resolved through minor modifications to the proposed development or by appropriate conditions. The information required is specified below.	
	Appropriate Assessment is required Significant issues have been identified and/or significant effects are certain, likely or uncertain, and the submission of a Natura Impact Statement (NIS) is required, or the proposed development must be rejected.	

Further information required / Comments or Notes

In accordance with the Habitats Directive, an Appropriate Assessment (AA) Screening has been carried out on the project, in relation to any potential impacts upon the Cork Harbour Special Protection Area [Site No. 004030] and the Great Island Channel Special Area of Conservation [Site No. 001058]. The findings of the AA screening noted that no significant effects on any Natura 2000 sites is likely and it was not necessary to undertake any further stage of the Appropriate Assessment process.

Please refer to Appendix A for report titled; Spring Lane and Ellis Yard Redevelopment, Appropriate Assessment (AA) Screening prepared by WS Atkins Ireland Ltd, dated 21/02/2024.

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Position:	Director of Services, Housing Delivery & Regeneration		
Date:	e: 22/02/2024		

Appendix A

Stage 1 Appropriate Assessment Screening



Spring Lane and Ellis Yard Redevelopment

AA Screening Cork City Council

February 2024



Notice

This document and its contents have been prepared and are intended solely as information for Cork City Council and use in relation to Spring Lane and Ellis Yard Housing Redevelopment.

WS Atkins Ireland Limited assumes no responsibility to any other party in respect of or arising out of or in connection with this document and/or its contents.

Document history

		Origin-				
Revision	Purpose description	ated	Checked	Reviewed	Authorised	Date
Rev 0	Draft for comment	DB/CW	CW	KMcC	MOS	28/09/2023
Rev 1	Final	DB/CW	CW	KMcC	MOS	15/02/2024
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Client signoff

Client	Cork City Council	
Project	Spring Lane and Ellis Yard Redevelopment	
Job number	5221169	
Client signature / date		



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1. Introduction

Atkins Ireland have been commissioned by Cork City Council to prepare a Screening for Appropriate Assessment (AA) for the construction and operation of a proposed housing redevelopment at Spring Lane and Ellis Yard in Cork City (hereafter referred to as the proposed development). The AA Screening Report will be submitted as part of the planning documents for the proposed development.

1.1. Site and Project Description

The area of the proposed development site is ca. 4.9 Hectares. The proposed development will comprise of the following:

- The demolition of existing structures including sheds, welfare units, mobile homes, caravans, walls, and fencing.
- The construction of 27no. residential units consisting of:
 - 1 no. 5-bedroom two-storey detached house
 - 2 no. 4-bedroom two-storey detached houses
 - 12 no. 3-bedroom two-storey detached houses
 - 12 no. 3-bedroom single-storey detached units
 - The provision of in-curtilage car parking spaces
 - Upgrade works to the existing entrances to Spring Lane and Ellis Yard from the Ballyvolane Road
 - Realignment and upgrade works to the existing access road into Spring Lane
 - Construction of a new road into Ellis Yard via the existing entrance from the Ballyvolane Road
 - Construction of a footpath, boundary wall, drainage and public lighting along the Ballyvolane Road
 - Resurfacing of the Ballyvolane Road from the existing entrance to Spring Lane to the existing entrance to Ellis Yard
 - Relocation of existing pedestrian footpath link from Spring Lane to Glenfields estate including construction of a section of new footpath to facilitate same
 - All ancillary site works and signage including new roads and footpaths, landscaping, retaining structures, boundary treatments, car parking, public lighting, underground services, drainage systems, watermains and connections, as outlined in the plans and particulars.
 - Temporary works, including the provision of temporary accommodation, will be required on site
 to facilitate the phased construction of the development including a temporary access road from
 the Glenfield estate for construction vehicles only.

1.2. Construction

Construction of the one and two storey housing units will comprise of masonry block walls with timber roofs and strip foundations to a maximum depth of 2 metres below ground level (mbgl). Two storey units will have timber web joists at first floor level. It is proposed that all retaining walls on the site will be reinforced concrete.

It is anticipated that attenuation tanks on site will be a maximum depth of 3.5mbgl. If de-watering is required on site, this will form part of the temporary works design to be undertaken by the Contractor during the construction phase. The contractor will provide a dewatering plan to Cork City Council for approval before commencement of any works.

It is anticipated that ca. 3000m³ of concrete yard will be removed and ca. 4,000m² of existing units comprising of masonry structures, prefabricated structures and mobile homes will be demolished and removed from site. It is anticipated that ca. 1500m³ of existing concrete plinths and utility services will be removed off site. All waste/material will be removed offsite by a hauler with a collection permit and the waste will be disposed / recycled in a licenced Environmental Protection Agency (EPA) facility.



1.3. Programme / Phasing

At this stage it is envisioned that the project will be carried out on a phased basis subject to the clients and contractors requirements.

1.4. Lighting

An outdoor lighting plan has been developed for the site (Atkins, 2023). Refer to the Lighting Plan submitted to support this planning application (Document Ref. 20230623_EYPL lighting report and DWG Ref. 5221169-ATK-XX-XX-DR-EE-901300). Refer to this report for details.

1.5. Surface Water Management

As part of the proposed development, decommissioning of the entire existing surface water network within the site will be required. The surface water associated with the industrial estate which runs through the site drainage infrastructure will be kept live for the duration of the construction works through the phased construction of the proposed infrastructure network. The proposed surface water infrastructure will connect to the existing tie in point to the external network. Due to the nature of the site the infrastructure will be protected at strategic locations with catchment pits which will facilitate the management and maintenance of the internal site surface water infrastructure into the future. The site will also utilise offline attenuation tanks in order to have greater control of the flow from the site. The proposed flow rate from the site will be substantially less than the current flow rate due to the increase in permeable areas and introduction of the attenuation system. Given the nature of the site, the surface water runoff flow rate has been considered and site levels designed accordingly. Proposed levels allow surface water runoff to fall away and avoid ponding around buildings.

The entire surface water network will be designed and constructed in accordance with the Greater Dublin Code of Practice for Drainage Works Version 6.0, the Cork City Council standard details and Uisce Éireann Standards.

1.6. Foul Network

It is proposed to provide a new foul water pipe network for the development. The new infrastructure will tie into the existing site tie in point to the overall network at the western boundary of the site.

An Uisce Éireann Pre-Connection Enquiry has been submitted to Uisce Éireann for the proposed foul layout. A letter of confirmation of feasibility (reference no. CDS23003459) has been received from Uisce Éireann for the proposal.

"MicroDrainage" which is an industry standard tool for design and assessment of gravity sewer drainage networks has been used to model the proposed foul network. The MicroDrainage model shows that the proposed foul network has adequate capacity for the flows that will be generated from the proposed development and will achieve self-cleansing velocities. The foul network has been designed to achieve self-cleansing velocity in the pipe system at least once per day.

As part of the proposed development, decommissioning of the entire existing foul network within this area will be required. As Ellis Yard is constructed the existing Spring Lane infrastructure will be tied into the new Ellis Yard infrastructure prior to being removed during the Spring Lane development and completely replaced. It is proposed that all the primary foul infrastructure within the development will be a 225mm diameter network.

The entire foul water network will be constructed in accordance with Uisce Éireann Code of Practice and Standard Details.

1.7. Landscaping

Based on the nature of the proposed development, landscaping will be limited in nature with the green area in the northeast of the site being fully reinstated. It is proposed that various boundary treatments will be used throughout the site including palisade / security fencing, tree and hedgerow planting and wall construction (non-exhaustive list). Existing steep sloping cliffs and existing trees and hedgerow or existing walls will be retained on the outer boundary of the site where appropriate.

1.8. Temporary Accommodation

A number of families will be permanently re-located off site to alternative accommodation within Cork City. It is proposed that the development will utilise temporary accommodation as required during certain stages of the construction process.



1.9. Site Compound

It will be the responsibility of the Contractor to determine a suitable location for the site compound within the proposed development area. The site compound should be located away from any identified environmental sensitive receptors so as to avoid potential impacts to the environment and the general public. The final proposed site compound location will be subject to client approval.



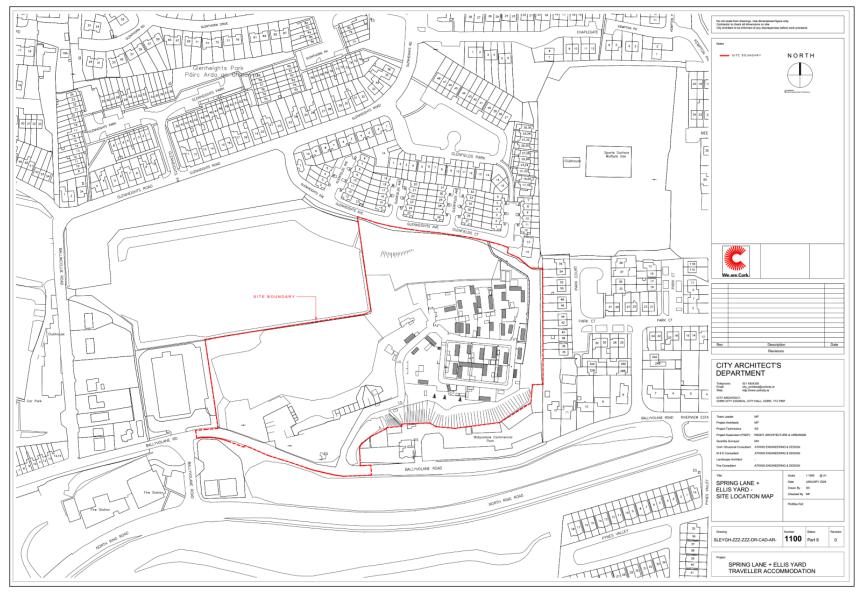


Figure 1-1 - Red Line Boundary of the proposed development.





Figure 1-2 – Site Plan of the proposed development.



2. Scope of Study

The aim of this report is to provide supporting information to assist the competent authority; Fingal County Council to carry out an AA determination with respect to the proposed project.

2.1. Legislative Context

Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Fauna and Flora, known as the 'Habitats Directive' provides legal protection for habitats and species of European importance. Article 2 of the Directive requires the maintenance or restoration of habitats and species of European Community interest, at a favourable conservation status. Articles 3 – 9 provide the legislative means to protect habitats and species of Community interest through the establishment and conservations of an EU-wide network of sites known as European sites. European sites are Special Areas of Conservation (SACs) designated under the Habitats Directive and Special Protection Areas (SPAs) designated under the Conservation of Wild Birds Directive (79/409/EEC).

Articles 6(3) and 6(4) of the Habitats Directive set out the decision-making tests for plans or projects that could potentially affect European sites. Article 6(3) establishes the requirement for Appropriate Assessment: -

"Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public."

Article 6 (4) deals with the steps that should be taken when it is determined, as a result of Appropriate Assessment, that a plan or project will adversely affect a European site. Alternative solutions, imperative reasons of overriding public interest (IROPI) and compensatory measures need to be addressed in this case. Article 6(4) states: -

"If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature, the Member State shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted.

Where the site concerned hosts a priority natural habitat type and/or a priority species, the only considerations which may be raised are those relating to human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest."

2.2. Appropriate Assessment Process

Guidance on the AA process was produced by the European Commission (EC, 2001; 2018), which was subsequently used to develop guidance for Ireland by the Department of Environment, Heritage and Local Government in 2009 (DEHLG, 2009), National Parks and Wildlife Service in 2018¹ (NPWS 2018) and the Office of the Planning Regulator (2021). These guidance documents set out a staged approach to complete the AA process and outline the issues and tests at each stage. The stages outlined below are taken from the guidance document *Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities* (DEHLG, 2009) and Office of the Planning Regulator; *Appropriate Assessment Screening for Development Management* (2021).

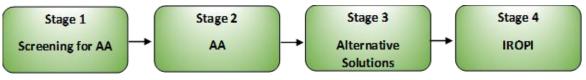


Figure 2-1 - Appropriate Assessment Process (Source: DEHLG, 2009).

¹ https://www.npws.ie/development-consultations



2.2.1. Screening for Appropriate Assessment

Screening is the process that addresses and records the reasoning and conclusions in relation to the first two tests of Article 6(3): -

- i. Whether a plan or project is directly connected to or necessary for the management of the site, and
- ii. Whether a plan or project, alone or in combination with other plans and projects, is likely to have significant effects on a European site in view of its conservation objectives.

If the effects are deemed to be significant, potentially significant, or uncertain, then the process must proceed to Appropriate Assessment.

2.2.2. Appropriate Assessment

Appropriate Assessment considers whether the plan or project, alone or in combination with other projects or plans, will have adverse effects on the integrity of a European site, and includes any necessary mitigation measures.

The competent authority can only agree to the plan or project after having ascertained that it will not adversely affect the integrity of the site(s) concerned. If this cannot be determined, and where sufficient mitigation cannot be achieved, the alternative solutions need to be considered and the process proceeds to the consideration of alternative solutions.

2.2.3. Alternative Solutions

This examines any alternative solutions or options that could enable the plan or project to proceed without adverse effects on the integrity of a European site. The process must return to AA as alternatives will require assessment in order to proceed. Demonstrating that all reasonable alternatives have been considered and assessed, and that the least damaging option has been selected, it is necessary to examine whether there are imperative reasons of overriding interest (IROPI).

2.2.4. IROPI

This examines whether there are imperative reasons of overriding public interest for allowing a plan or project that will have adverse effects on the integrity of a European site to proceed in cases where it has been established that no less damaging alternative solution exists. Compensatory measures must be proposed and assessed, of which the Commission must be informed.

The AA process only progresses through the full process for certain plans and projects. For example, for a project not connected with the management of a European site and where no likely significant effects on a European site in view of its conservation objectives are identified, the process stops at Screening for AA. Throughout the process the precautionary principle must be applied, which requires that the conservation objectives of Natura 2000 should prevail where there is uncertainty (EC, 2001; 2018).



Methods

3.1. Legislation & Guidance Documents

This report was prepared with reference and due consideration to the following documents and due regard for relevant case law, including but not limited to: -

- Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild flora and fauna (Habitats Directive);
- Statutory Instrument No. 477/2011 European Communities (Birds and Natural Habitats) Regulations 2011 (as amended);
- National Parks and Wildlife Service Development Consultations² (NPWS, 2023)
- European Commission (2018). Managing Natura 2000 sites: the provisions of Article 6 of the 'Habitats' Directive 92/43/EEC;
- European Commission (2021). Assessment of plans and projects in relation to Natura 2000 sites -Methodological guidance on Article 6(3) and (4) of the Habitats Directive 92/43/EEC;
- Office of the Planning Regulator (2021). Appropriate Assessment Screening for Development Management.
 OPR Practice Note PN01:
- DEHLG (2010a) *Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities. Revised 11/02/2010.* Department of the Environment, Heritage and Local Government, Dublin.
- DEHLG (2010b) *Circular NPW 1/10 & PSSP 2/10. Dated 11/03/2010.* Department of the Environment, Heritage and Local Government, Dublin.
- Case law, including Waddenzee (C-127/02), Sweetman v. An Bord Pleanála (C-258/11), Kelly v. An Bord Pleanála (IEHC 400), Commission v. Germany (C-142/16), People Over Wind (C-323/17), Holohan v. An Bord Pleanála (C-461/17), Eoin Kelly v. An Bord Pleanála (IEHC 84) and Heather Hill (IEHC 450).

3.2. Desk Study

A desk study was carried out to collate information available on European sites in the vicinity of the proposed scheme. These areas were viewed using Google Earth, Google maps³ and Bing maps⁴ (last accessed on 16/02/2024).

The National Parks and Wildlife Service (NPWS) and National Biodiversity Data Centre (NBDC) online databases were reviewed concerning European sites and their features of interest in the vicinity of the proposed scheme.

The Environmental Protection Agency (EPA) mapping⁵ system was used to identify any hydrological connection between the proposed project and European sites.

Locations and boundaries of all European sites within the zone of influence of the proposed project were identified and reviewed using the NPWS online map viewer.

Desktop information on relevant European sites were reviewed on the NPWS website, including the site synopsis for each SAC/SPA, the conservation objectives, the site boundaries as shown on the NPWS online map viewer,

² https://www.npws.ie/development-consultations

³ https://www.google.ie/maps

⁴ http://www.bing.com/maps/

⁵ https://gis.epa.ie/EPAMaps/



the standard Natura 2000 Data Form for the SAC/SPA which details conditions and threats of the sites, and published information and unpublished reports on the relevant European sites.

Relevant planning information for the surrounding area was reviewed using the planning enquiry systems of Cork City County Council. Search criteria were implemented to determine whether such projects or plans would not be relevant to this study. This reviewed information was used to determine potential cumulative impacts from other plans / projects with the proposed works.

3.3. Statement of Authority

The Screening for Appropriate Assessment report was prepared by Daniel Blake and Colin Wilson with technical support and peer review provided by Kevin Mc Caffrey.

Daniel Blake (Atkins Dublin) has a degree in Wildlife Biology and has been working in the environmental consultancy sector for the past six years. He has worked in both large scale government infrastructure projects as well as domestic projects across the UK and Ireland conducting both environmental and ecological roles. Primarily conducting protected species surveys such as bats, badgers, birds, reptiles, small mammals and amphibians as well as invasive species surveys. He has also earned a Natural England licence for the survey of Great crested newt. He has been involved in habitat surveying and assisted in the writing of Appropriate Assessments, Preliminary ecological appraisals and protected species reports. Throughout his career he has acted as an ECoW for numerous sites to ensure environmental laws and practices are met. He has been involved in water and soil sampling surveys, levelling surveys and creation of hibernaculum.

Colin Wilson (Atkins Dublin) has a BSc (Hons) in Environmental Science and is a Full Member of the Chartered Institute of Ecology and Environmental Management (MCIEEM). He has over 16 years working in the fields of ecology and environmental management. He is a Senior Ecologist with experience in ecological surveying, environmental assessment, on-site ecological supervision and mitigation. He has experience on multiple infrastructure projects regarding all elements of surface and groundwater management, monitoring, sampling and associated reporting. Colin also has a broad range of experience in invasive species management, biosecurity and control. Colin has prepared AA screening reports, Natura Impact Statements and has also been involved in the development of Environmental Operating Plans and Construction Environmental Management Plans for a number of national infrastructure projects. Colin is the author of this report.

Kevin Mc Caffrey (Atkins Galway) has a BSc (Hons) in Applied Freshwater and Marine Biology and a MSc in Environmental Sustainability. He is a Senior Ecologist with over 10 years' experience in freshwater and marine ecology, environmental surveying, impact assessment and as an Ecological clerk of Works. He has prepared and reviewed a wide range of technical reports including Environmental Impact Assessment, AA screening, Natura Impact Assessment and sanitary surveys.



4. Existing Environment

The project site is comprised of a halting site and associated dwellings on Spring Lane (east side of project site) and a large hardstanding / concrete area (3000m²) at Ellis Yard directly west of Spring Lane halting site. The entire site historically was a gravel quarry. In addition, there are two green field areas within the project site; to the north of the halting site and to the south of Ellis Yard hardstanding area. The Ellis Yard portion of the project site has been subject to illegal dumping over recent years with Cork City Council undertaking a large scale cleanup operation of the waste materials in 2022.

Figure 4.1 below illustrates the hardstanding, greenfield and halting site areas of the project site.



Figure 4-1 - Hardstanding, greenfield and halting site areas of the proposed development site.

A review of EPA⁶ datasets identifies the project site is within the Kiln subcatchment (Kiln_SC_10, Id 19_1). There are no watercourses within or connecting to the project site. There are 2no. watercourses within 200m of the project site; the Ballincolly Stream is located c. 160 east of the project site and is separated from the project site by Park Court residential estate. The Ballincolly Stream is a tributary of the Glen Stream which flows ca. 170m to the south of the project site. The Glen Stream is separated from the project site by Ballyvolane Road, the North Ring Road and the parklands of Glen Park. The Ballincolly and Glen streams combine with the Bride Stream to form Kiln River (located c. 1km southwest) which outfalls into the River Lee in the centre of Cork City.

The Ballincolly Stream and the Glen Stream are identified within EPA datasets as having 'Poor' Water Framework Directive (WFD) status for the 2016-2021 monitoring period and are noted to be 'At Risk' of failing to meet the objectives of the WFD.

The location of the watercourses within the environs of the project site ae illustrated in Figure 4.2 below.

⁶ https://gis.epa.ie/EPAMaps/



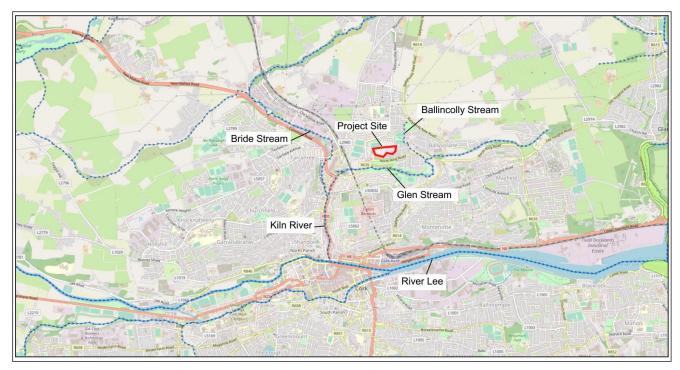


Figure 4-2 – Watercourses withing the environs of the project site.



5. Appropriate Assessment Screening

5.1. Connectivity to European Sites (Natura 2000 sites)

The 'zone of influence' (ZoI) for the proposed scheme is the area over which ecological features may be subject to significant effects as a result of the proposed scheme and associated activities. This is likely to extend beyond the scheme site extents, for example where there are ecological or hydrological links beyond the site boundaries. The zone of influence will vary for different ecological features depending on their sensitivity to an environmental change (CIEEM, 2018).

A distance of 15km has been recommended in the case of plans, as a potential ZoI and this distance is derived from UK guidance (Scott Wilson *et al.*, 2006). However, for projects/schemes the distance could be much less or greater, and in some cases less than 100m. NPWS and OPR guidance⁷ advises that this must be evaluated on a case-by-case basis with reference to the nature, size and location of the project, the sensitivities of the ecological receptors, and the potential for in-combination effects.

Thus, given the nature, scale and extent of the proposed scheme, the potential ZoI will consider European sites with regard to the location of a European site, the Qualifying Interests (QIs) of the site and their potential mobility outside that European site, the source-pathway-receptor model and potential environmental effects of the proposed project.

Consideration has also been given to species which may occur at a distance from a SAC or SPA for which they are a Qualifying Interest. Many SPA waterbird species have a wide geographical range, therefore, the mobility of QI species and their potential to range outside of the delineated boundaries of their respective European sites has also been considered as part of this assessment.

2no. European sites were reviewed to identify if they are within the zone of influence of the proposed project. The closest European sites are Cork Harbour SPA (004030) which is located ca. 4.4km east of the project site and Great Island Channel SAC (001058) which is located ca. 7.9km east of the project site. There are no watercourses within the project site which could provide indirect connectivity to Cork Harbour SPA or Great Island Channel SAC. The watercourses located within 200m of the project site; Ballincolly Stream and Glen Stream combine to outfall to the River Lee in Cork City which flows into Lough Mahon and Cork Harbour within which Cork Harbour SPA and Great Island Channel SAC are situated.

In the wider environs, Blackwater River SAC is located c. 13.5km north of the project site. There is no potential indirect / hydrological connectivity to this SAC.

Table 5-1 below lists the designated European sites within the potential zone of influence of the proposed project site and details their distance from the proposed project site along with the features of interest for which these conservation sites have been designated.

The nearest European sites to the proposed development are illustrated in Figures 5-1 and 5-2 below.

Table 5-1 - European Sites within the zone of influence of the proposed project

ODEHLG (2009). Appropriate Assessment of Plans and Projects in Ireland. Guidance for Planning Authorities. Department of Environment, Heritage and Local Government, Dublin, Ireland.
OPR (2021). Appropriate Assessment Screening for Development Management. OPR Practice Note PN01. Office of the Planning Regulator. Dublin, Ireland.



European Site (Site Code)	Distance from Scheme	Qualifying Interests	Screening Comment		
Cork Harbour SPA	4.4km east	 Little Grebe (<i>Tachybaptus ruficollis</i>) [A004] Great Crested Grebe (<i>Podiceps cristatus</i>) [A005] Cormorant (<i>Phalacrocorax carbo</i>) [A017] Grey Heron (<i>Ardea cinerea</i>) [A028] Shelduck (<i>Tadorna tadorna</i>) [A048] Wigeon (<i>Anas penelope</i>) [A050] Teal (<i>Anas crecca</i>) [A052] Pintail (<i>Anas acuta</i>) [A054] Shoveler (<i>Anas clypeata</i>) [A056] Red-breasted Merganser (<i>Mergus serrator</i>) [A069] Oystercatcher (<i>Haematopus ostralegus</i>) [A130] Golden Plover (<i>Pluvialis apricaria</i>) [A140] Grey Plover (<i>Pluvialis squatarola</i>) [A141] Lapwing (<i>Vanellus vanellus</i>) [A142] Dunlin (<i>Calidris alpina</i>) [A149] Black-tailed Godwit (<i>Limosa limosa</i>) [A156] Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] Curlew (<i>Numenius arquata</i>) [A160] Redshank (<i>Tringa totanus</i>) [A162] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] Common Gull (<i>Larus canus</i>) [A182] Lesser Black-backed Gull (<i>Larus fuscus</i>) [A183] Common Tern (<i>Sterna hirundo</i>) [A193] Wetland and Waterbirds [A999] 	The project site doesn't lie within nor is it adjacent to this SPA, as such there is no direct connectivity to Cork Harbour SPA. There are no watercourses within the project site nor will the proposed development interact with or outfall to any local watercourses. There is no indirect connectivity from the proposed project to this SPA via surface water features, groundwater pathways or by any other vectors. The project site does not provide for suitable habitats for SPA birds that may forage or feed outside of the SPA site extents. As such there will be no disturbance or displacement impacts to ex-situ SPA birds.		
Great Island Channel SAC	7.9km east	 Mudflats and sandflats not covered by seawater at low tide [1140] Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330] 	The project site doesn't lie within nor is it adjacent to this SAC, as such there is no direct connectivity to Great Island Channel SAC. There are no watercourses within the project site nor will the proposed development interact or outfall to any local watercourses. There is no indirect connectivity from the proposed project to this SAC via surface water features, groundwater pathways or by any other vectors.		



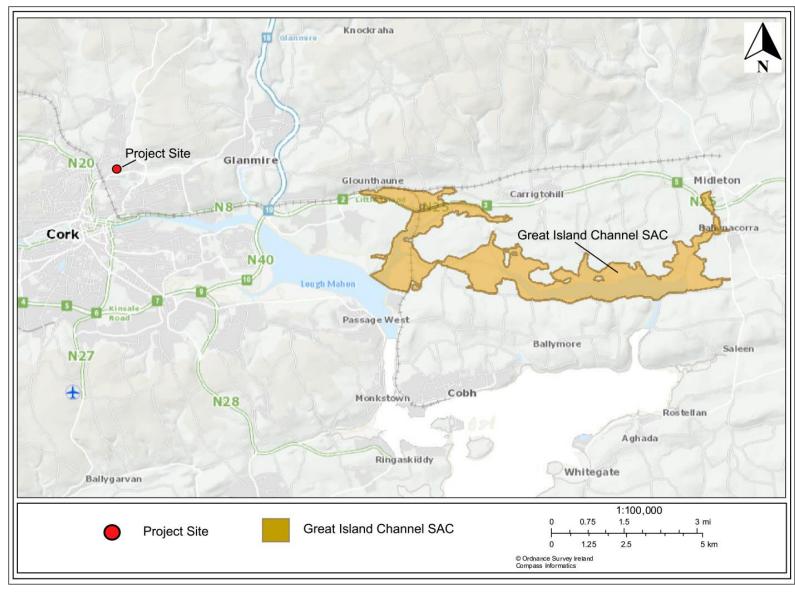


Figure 5-1 – Great Island Channel SAC ca. 7.9km from the project site.



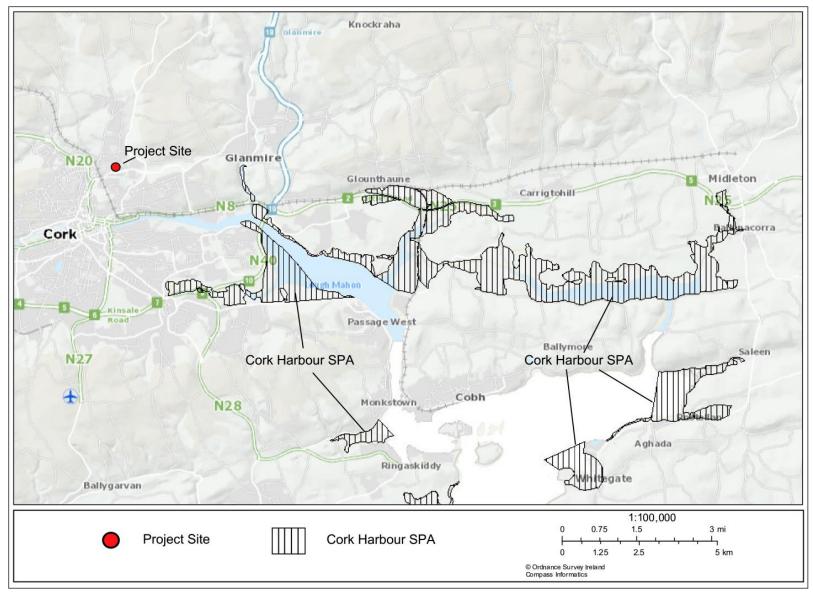


Figure 5-2 – Cork Harbour SPA located ca. 4.4km from the project site.



5.2. Identification of Potential Impacts on European Sites

5.2.1. Construction Phase

Direct Impacts

The proposed project does not necessitate any works within or adjacent to Cork Harbour SPA, Great Island Channel SAC or any other European site. As such the proposed project will not result in any direct impacts on any European site.

Indirect Impacts

There are no watercourses, drains or ditches within the project site which could provide potential hydrological connectivity from the proposed development site to Cork Harbour SPA, Great Island Channel SAC or any other European site. As such there will be no likely significant effects Cork Harbour SPA, Great Island Channel SAC or any other European site via hydrological pathways.

The proposed development site is ca. 4.4km and ca. 7.9km from Cork Harbour SPA and Great Island Channel SAC respectively. Given these distances and considering the nature of the project there will be no indirect impacts to these European sites, or any other European sites, via hydrogeological pathways / groundwater bodies.

Some of the Species of Conservation Interest (SCI) associated with Cork Harbour SPA are known to feed and forage outside the SPA site extents (e.g. lapwing and plovers), and as such the usage of the project site by SCI must be considered. The project site does not proffer habitats highly suitable for these species. In addition the project site is subject to high levels of human and animal (horses and dogs) usage and as such would not be highly favoured by ex-situ SPA birds. Given the nature and location of the project site there will be no likely significant effects, in the form of disturbance or displacement, on SPA birds that may be using lands outside the site extents of Cork Harbour SPA.

It is considered that the location, scale and duration of the construction phase of the proposed project is such that they will not contribute to direct or indirect impacts on species and habitats for which Cork Harbour SPA and Great Island Channel SAC have been designated and, during the construction phase, the proposed project does not have the potential to affect the conservation objectives of the species and habitats associated with the Cork Harbour SPA and Great Island Channel SAC or any other European site.

5.2.2. Operational Phase

During the operational phase emissions from the proposed development, i.e. storm water and foul water drainage, will outfall to the local storm water network and foul water network for treatment. Given that the development drainage will be to the local networks, and given the relatively small scale nature of the housing development project, there will be no likely significant effects on Cork Harbour SPA, Great Island Channel SAC or any other European site from emissions from the housing development when it is in usage.

The location and scale the proposed development project is such that they will not contribute to direct or indirect impacts on species and habitats for which Cork Harbour SPA and Great Island Channel SAC have been designated during the developments operational phase. The proposed project does not have the potential to affect the conservation objectives of the species and habitats associated with the Cork Harbour SPA and Great Island Channel SAC or any other European site when the development site is in usage.



5.3. Cumulative Impacts

5.3.1. Requirement for Assessment

The requirement for AA arising out of Article 6(3) of the Habitats Directive covers plans and projects that, "either individually or in combination with other plans or projects", are likely to have a significant effect on one or more Natura 2000 sites. This means that AA is required for any plan or project that, in combination with other plans or projects, would have a significant effect on one or more Natura 2000 sites, irrespective of the presence or absence of such effects from that plan or project on its own. Therefore, regardless of the significance of the effects of the plan or project individually, the potential for significant effects in combination with other plans and projects must be considered in all cases.

5.3.2. Approach and Methodology

The objective of this requirement is to capture significant effects potentially arising from the cumulation or other interaction of non-significant effects from multiple plans and projects. Consequently, the assessment of potential in-combination effects is not a pair-wise assessment, rather, it considers the totality of the effects arising from all plans and projects affecting the Natura 2000 site(s) in question. In identifying the plans and projects to be included in this assessment, it is important to define an appropriate geographical scope and timescale over which potential in-combination effects are to be considered and the sources of information to be consulted, as described below. It is also important to consider the nature of the interactions between effects, which may be additive, antagonistic, synergistic or complex.

5.3.3. Geographical Scope

In defining the geographical scope for identifying potential in-combination effects, it is important to remember that effects are evaluated in view of the conservation objectives of the Natura 2000 site(s) concerned. As such, two or more effects relating to the same conservation objective for a given Natura 2000 site would combine even if their geographical extents did not overlap. For example, the loss of a small area of an Annex I habitat type listed as a qualifying interest of a Natura 2000 site would combine with the loss of an entirely unconnected area of the same habitat type from a remote part of the same site to produce an in-combination effect, the significance of which would need to be evaluated in view of the relevant conservation objective. On that basis, the scope of the assessment of in-combination effects extends to all plans and projects affecting the same conservation objectives as the plan or project under consideration, irrespective of whether those effects are significant or not.

In this case, however, given the scale of the proposed project and sensitivities of the Natura 2000 sites in its ZoI, it was deemed most appropriate to include areas in close proximity to the proposed project and its ZoI (as described in Section 5.1) within the geographical scope for identifying potential in-combination effects.

5.3.4. Timescale

The timescale over which potential in-combination effects were considered in this case covered plans and projects from 5 years ago (i.e. 2018) to the present and all reasonably foreseeable future plans and projects, i.e. published draft plans and projects which are already in the planning system or have received planning permission.

5.3.5. Sources of Information

The following sources of information were consulted to gather information on other plans and projects:

- Cork City Council Planning Data viewed through; https://www.corkcity.ie/en/council-services/planning/search-for-a-planning-application/ and https://www.corkcity.ie/en/council-services/planning/search-for-a-planning-application/ and https://www.corkcity.ie/en/council-services/planning/search-for-a-planning-application/ and Hother Indianning-application/ and https://www.corkcity.ie/en/council-services/planning-application/ and https://www.corkcity.ie/en/council-services/planning-application/ and Hother Indianning-application/ and <a href="https://www.corkcity.ie/en/council-services/planni
- An Bord Pleanála Planning Applications viewed through; https://housinggovie.maps.arcgis.com/apps/webappviewer/index.html?id=d7d5a3d48f104ecbb206e7e5 f84b71f1
- Cork City Development Plan 2022-2028



- Transport Infrastructure Ireland⁸
- Irish Water⁹

5.3.6. Assessment

Cork City Development Plan (CCDP) set out policies and objectives for the development of the city. The CCDP aims to promote the sustainable development and improvement of the economic, environmental, cultural and social aspects of Cork City. The CCDP also requires that any developments must be subject to AA process and that permitted developments comply with the requirements of the WFD, the relevant River Basin Management Plans and the Habitats Directive. A Strategic Environmental Assessment (SEA) was prepared for the CCDP and it was also subject to the AA process. The findings of which were integrated into the objectives of the CCDP resulting in a plan that afford high levels of protection to the environment and Natura 2000 sites.

A review of Transport Infrastructure Ireland (TII) publicly available planned projects ¹⁰ did not identify any major road projects within 5km of the project site.

A review of Uisce Éireann projects¹¹ identified 1no. water project in the vicinity of the proposed project. This project is detailed in Table 5-2 below.

A search of Cork City Council planning and An Bord Pleanála planning applications has been undertaken for applications submitted within the last 5 years in the vicinity the proposed project (last accessed 27/09/2023). Near the proposed works, projects that have been granted planning permission include; retention of existing developments, typical extensions to domestic dwellings or the construction of new domestic dwellings. Regarding potential impacts to water quality, these projects will have to comply with the EPA's Code of Practice for Wastewater Treatment Systems for Single Houses (EPA, 2009, 2018). These developments have conditions attached to their planning permission relating to sustainable development, such as siting of septic tanks, foul surface water and effluent drainage facilities, and clean surface water run-off drainage facilities. Therefore, it is not anticipated that the developments that have been granted permission will have any significant effects in combination with the proposed project.

Key developments which shall be considered are large-scale developments in the region of the proposed project which have been further assessed in terms of in-combination effects with the proposed project and are presented in Table 5-2 below.

It is considered that there are no An Bord Pleanála or council approved developments or projects that will act in combination with the proposed housing development project to give rise to significant in-combination effects on Cork Harbour SPA, Great Island Channel SAC or any other European site.

⁸ https://www.tii.ie/projects/

⁹ https://www.water.ie/projects/

¹⁰ https://www.tii.ie/public-transport/projects-and-improvements/

¹¹ https://www.water.ie/projects/?map=our-projects&id=627



Table 5-2 – Plans and projects near the proposed project.

Planning Ref.	Decision Date	Description	Assessment
1838040	21/05/2019	Permission and permission for retention for development at this site. The development will consist of: completion of development commenced under planning ref: 13/35651 subject to the following changes: (1) permitted extension along south elevation to be reduced in size from 453 sqm to 252 sqm including associated elevation changes; (2) amendments to permitted mall entrance (mall entrance to be retained in it original location); (3) amendments to Dunnes Stores permitted grocery floor area including provision of an instore off-licence (internal works completed but subject to change by proposed modified extension); (4) amendments to Dunnes Stores permitted textile floor area (internal works completed but subject to changed by proposed modified extension); (5) retain existing pharmacy and butcher shop units in original locations; (6) retention of existing café unit; (7) omission of rear stockroom extension (355 sqm); (8) modification to site car park including new pedestrian priority circulation routes; (9) replacement elevation signage; (10) provision of 1no. additional sign along eastern elevation; (11) amendments to permitted totem signage; and (12) all other associated site/development works including the repainting of existing brick elevations grey. Permission for 5 year duration is sought.	This commercial development project is remote from the proposed housing project and has no connectivity to the proposed project. Based on the location, scale and nature of this project, in-combination effects associated with the proposed Spring Lane and Ellis Yard Housing Development project on the receiving environment are unlikely.
1838126	01/04/2019	Permission for retention for modifications to planning permission TP15/36588 1) Changes to forecourt building layout resulting in increases to ground floor area of 27.43sqm and to first floor area of 12.88sqm including following additions: new porch, new electric room, new drive thru kiosk, altered north-east corner, all at ground floor level and new water tank room at first floor level. 2) Alterations to elevations of forecourt building including: new porch to south elevation, new electric room to west elevation, new drive thru kiosk to north elevation and changes to fenestration detail on east elevation. 3) New ESB MV substation with customer switchroom.	This commercial development project is remote from the proposed housing project and has no connectivity to the proposed project. Based on the location, scale and nature of this project, in-combination effects associated with the proposed Spring Lane and Ellis Yard Housing Development project on the receiving environment are unlikely.
1938452	02/08/2019	Permission for the construction of a two storey extension to the South of the Existing Two Storey School Building which will contain a Fire Escape Stairway from the first floor Classrooms with a Store under at Ground Floor Level and provision of Pitched Roof over an Existing Flat Roof linking 2 Storey and Single Storey Buildings at Scoil Oilibheir, Ballincollie Road, Ballyvolane, Cork by the Board Of Management of Scoil Oilibheir.	This school development project is remote from the proposed housing project and has no connectivity to the proposed project. Based on the location, scale and nature of this project, in-combination effects associated with the proposed Spring Lane and Ellis Yard Housing Development project on the receiving environment are unlikely.



Planning Ref.	Decision Date	Description	Assessment
ABP Ref: 312076	25/03/2022	275 no. residential units (205 no. houses, 70 no. apartments), creche and associated site works.	This development is located ca. 570m north east of the proposed project. Based on the location, scale and nature of this project, cumulative impacts associated with the proposed redevelopment project on the receiving environment are unlikely.
ABP Ref: 311414	17/01/2022	Demolition of existing structures on site, construction of 114 no. Build to Rent apartments and associated site works.	This development is located ca. 560m west of the proposed project. Based on the location, scale and nature of this project, cumulative impacts associated with the proposed redevelopment project on the receiving environment are unlikely.
Uisce Éireann Growth and Development Programme		Uisce Éireann in partnership with Cork City Council has commenced works to install new water and wastewater infrastructure to cater for the future growth and development of the Ballyvolane area of Cork City. These works are being carried out as part of Uisce Éireann's Growth and Development Programme. The construction of new watermains, new wastewater network, and associated wastewater pumping station, in addition to the upgrade of existing aged watermains, will ensure required capacity of the water and wastewater infrastructure to support future development in the area. The works are being carried out on behalf of Uisce Eireann by Geda Construction Ltd. and are expected to be completed in Q1 2024.	This water supply project is currently under construction and will be completed by Q1 2024. As such this water project will be completed in advance of the proposed housing development project. Based on the location, scale and nature of this project, in-combination effects associated with the proposed Spring Lane and Ellis Yard Housing Development project on the receiving environment are unlikely.
Cork City Council Part 8 Planning	08/07/2022	The Ballincrokig proposed development, comprises the construction of a residential development of 72 no. dwelling units, all designed to consider the existing urban architecture. The development site is approximately 2.91 hectares (of which 1.26 hectare is developable). The site is located in Ballincrokig, Ballyhooly Road, Ballyvolane, Co. Cork, to the North of Cork City Centre. Access to the development will be via Ballyhooly Road. The proposed development will comprise of: Construction of 72 No. dwelling units in 6 no. three-storey blocks comprising: 28 no. one-storey 1-bedroom apartments, 8 no. one-storey 2-bedroom duplex units, 8 no. two-storey 2-bedroom duplex units. Provision of 93 no. car parking spaces and 124 no. covered bicycle spaces. All ancillary site works and signage as outlined in the plans and particulars.	This housing development project has been subject to the Appropriate Assessment process which concludes; <i>The findings of the AA screening noted that no significant effects on any Natura 2000 sites is likely and it was not necessary to undertake any further stage of the Appropriate Assessment process.</i> Based on the location, scale and nature of this project, in-combination effects associated with the proposed Spring Lane and Ellis Yard Housing Development project on the receiving environment are unlikely.



5.4. Likelihood of Significant Effects on Natura 2000 Sites

The proposed project is not located within or adjacent to any European site. There is no indirect connectivity from the project site to the Cork Harbour SPA and Great Island Channel SAC via surface water pathways, groundwater pathways or any other vectors.

Given the lack of any potential connectivity to any European site and considering the location, duration and scale of the works and the nature and scale any construction related impacts that the proposed project could potentially generate, it is considered that the proposed project will not result in any likely significant effects to Cork Harbour SPA, Great Island Channel SAC or any other European site.

6. Conclusion

This Screening for Appropriate Assessment report is based on the best available scientific information. It is concluded by the authors of this report that the proposed Spring Lane and Ellis Yard Housing Redevelopment Project in Cork City, either alone or in-combination with other plans or projects, will not result in likely significant effects on Cork Harbour SPA, Great Island Channel SAC or any other European site. Thus, it is recommended that the competent authority may determine that Appropriate Assessment is not required in this case.

Should the scope, nature or extent of the project change, a new Screening for Appropriate Assessment report would be required.



7. References

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