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

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.	Residential development at Lehenaghmore, Co. Cork	
Development consent type	Part 8 Local Authority	
Development location	Lehenaghmore, Co. Cork	
Description of development	The proposed scheme involves the construction of 45 residential units, within a greenfield site at Lehenaghmore, Cork. The overall development consists of 12 no. 3 bed semi-detached, and 25 no. 3 bed townhouses and 8 no. 2 bedroom townhouses. Access to the site will be from the southwest on the existing Togher Road.	
Distance from cSAC	11km	
Distance from SPA	4.4km	
Relevant strategies or policies	Draft Cork City Heritage and Biodiversity Plan (2021-2026); Cork City Development Plan 2015-2021 (Cork City Council, 2015); Draft Cork City Development Plan 2022-2028 (Cork City Council 2021);	
EIS submitted?	No	

3. ASSESSMENT OF LIKELY DIRECT, INDIRECT AND CUMULATIVE EFFECTS Yes / 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.	3. Is the proposed development located within 100m of the SPA?	
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.	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?	
7.	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?	
8.	Does the proposed development involve the removal of significant amounts of topsoil within 100m of the SPA?	no

ASSESSMENT OF LIKELY DIRECT, INDIRECT AND CUMULATIVE EFFECTS

Yes / No

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
Coi	mments or notes	

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.		

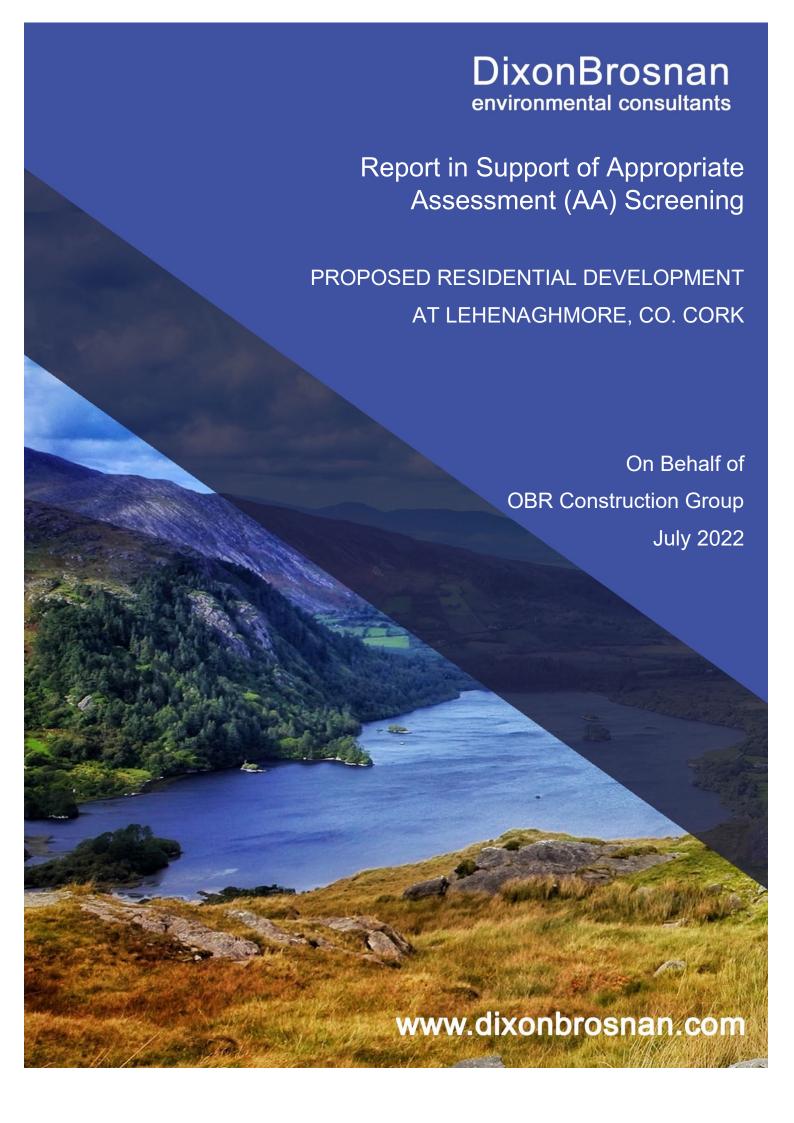
Name:	Niall Ó Donnabháin
Position:	Director of Services
Date:	06/07/2022

Please refer to Appendix A for report titled; Report in Support of Appropriate Assessment (AA) Screening for a proposed

residential development at Lehenaghmore, Co. Cork prepared by DixonBrosnan, dated July 5 2022.

Appendix A

Stage 1 Appropriate Assessment Screening



Project		Report in Support of Appropriate Assessment (AA) Screening for a proposed residential development at Lehenaghmore, Co. Cork		
Client	OBR Construction Group	OBR Construction Group		
Project Ref.	2266	2266		
Report No.	2266	2266		
Client Ref.	-	-		
Date	Revision	Prepared By		

Date	Revision	Prepared By
05/07/22	0 -Issue to client	Sorcha Sheehy BSc PhD
		Carl Dixon BSc MSc

DixonBrosnan Lios Ri Na hAoine, 1 Redemption Road, Cork.

Tel 086 851 1437| carl@dixonbrosnan.com | www.dixonbrosnan.com

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1. Introduction

1.1 Background

The information in this report has been compiled by DixonBrosnan Environmental Consultants, on behalf of the applicant. It provides information on and assesses the potential for the proposed development at Lehenaghmore, Co. Cork to impact on any Natura 2000 sites within its zone of influence. The information in this report forms part of and should be read in conjunction with the planning application documentation being submitted to Cork City Council in connection with the proposed development.

The Birds Directive (2009/147/EC) and the Habitats Directive (92/42/EEC) put an obligation on EU Member States to establish the Natura 2000 network of sites of highest biodiversity importance for rare and threatened habitats and species across the EU. In Ireland, the Natura 2000 network of European sites comprises Special Areas of Conservation (SACs, including candidate SACs) and Special Protection Areas (SPAs, including proposed SPAs). SACs are selected for the conservation of Annex I habitats (including priority types which are in danger of disappearance) and Annex II species (other than birds). SPAs are selected for the conservation of Annex I birds and other regularly occurring migratory birds and their habitats. The annexed habitats and species for which each site is selected correspond to the qualifying interests of the sites and from these the conservation objectives of the site are derived. The Birds and Habitats Directives set out various procedures and obligations in relation to nature conservation management in Member States in general, and of the Natura 2000 sites and their habitats and species in particular. A key protection mechanism is the requirement to consider the possible nature conservation implications of any plan or project on the Natura 2000 site network before any decision is made to allow that plan or project to proceed. Not only is every new plan or project captured by this requirement but each plan or project, when being considered for approval at any stage, must take into consideration the possible effects it may have in combination with other plans and projects when going through the process known as Appropriate Assessment (AA).

The obligation to undertake Appropriate Assessment (AA) derives from Article 6(3) and 6(4) of the Habitats Directive, and both involve a number of steps and tests that need to be applied in sequential order. Article 6(3) is concerned with the strict protection of sites, while Article 6(4) is the procedure for allowing derogation from this strict protection in certain restricted circumstances. As set out in Section 177U of the Planning and Development Act 2000 as amended, a screening for appropriate assessment of an application for consent for the proposed development must be carried out by the competent authority to assess, in view of best scientific knowledge, if the proposed development, individually or in combination with another plan or project is likely to have a significant effect on any European site. Each step in the assessment process precedes and provides a basis for other steps. The results at each step must be documented and recorded carefully so there is full traceability and transparency of the decisions made.

1.2 Aim of Report

The purpose of this report is to inform the AA process as required under the Habitats Directive (92/43/EEC) in instances where a plan or project may give rise to significant impacts on a Natura 2000 site. This report aims to inform the Appropriate Assessment process in

determining whether the development, both alone and in combination with other plans or projects, are likely to have a significant impact on the Natura 2000 sites in the study area, in the context of their conservation objectives and specifically on the habitats and species for which the sites have been designated.

- Managing Natura 2000 Sites: The Provision of Article 6 of the Habitats Directive 92/43/EEC (European Commission (EC), 2018);
- Assessment of Plans and Projects Significantly Affecting Natura 2000 sites: Methodical Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC (European Commission (EC), 2001);
- Guidance Document on Article 6(4) of the Habitats Directive 92/43/EEC (European Commission, (EC) 2007);
- Appropriate Assessment of Plans and Projects in Ireland Guidance for Planning Authorities (Department of Environment, Heritage and Local Government, 2010 revision);
- Appropriate Assessment under Article 6 of the Habitats Directive; Guidance for Planning Authorities. Circular NPW 1/10 and PSSP 2/10 (Department of Environment, Heritage and Local Government, 2010);
- Guidelines for Good Practice Appropriate Assessment of Plans under Article 6(3)
 Habitats Directive (International Workshop on Assessment of Plans under the Habitats
 Directive, 2011);
- Commission notice Guidance document on wind energy developments and EU nature legislation, (EC 2020);
- Communication from the Commission on the precautionary principle. European Commission (2000)
- Assessment of plans & projects in relation to N2K sites Methodological Guidance (EC 2021);
- Guidance document on the strict protection of animal species of Community interest under the Habitats Directive (EC 2021) and
- CJEU Case C 164/17 Edel Grace Peter Sweetman v An Bord Pleanála.

1.3 Authors of Report

This report was prepared by Sorcha Sheehy PhD (Ecology/ornithology) and Carl Dixon MSc (Ecological Monitoring).

Sorcha Sheehy PhD (ecology/ornithology) is an ecologist and ornithologist who has worked for 13 years in environmental consultancy. She has worked on Screening/NISs for a range of small and large-scale projects with expertise in assessing impacts on birds.

Sorcha's PhD research focused on bird behaviour at airports, where she studied bird avoidance behaviour and collision risk to aircraft. Her research involved field observations,

post-mortem analysis and radar surveys. Sorcha has worked on bird collision risk assessments at airports throughout Ireland including Dublin airport, Cork airport, Shannon airport and Kerry airport.

During her consultancy work Sorcha carried out field-based surveys and environmental reports including NIS, AA screening and EIARs. Notable projects include the Arklow Bank Wind Park, Indaver Ireland Waste Management Facility at Ringaskiddy, Irving Oil Whitegate Refinery (IOWR), Shannon LNG and Greenlink Interconnector.

Carl Dixon holds an Honours Degree (BSc) in Ecology and a Masters (MSc) in Ecological Monitoring from UCC. He is a senior ecologist who has over 25 years' experience in ecological assessment. Prior to setting up DixonBrosnan Environmental Consultants in 2000, Carl set up and ran Core Environmental Services which included REPS planning for landowners and ecological assessments.

Carl has particular experience in freshwater ecology including electrofishing fish stock assessments and water quality assessments. He also has considerable experience in habitat mapping and mammal ecology including survey work and reporting in relation to badgers and bats. Other competencies include surveys for invasive species and bird surveys.

Carl has extensive experience with regards to EIAR and NIS mitigation and impact assessment. He has particular experience in large-scale industrial developments with extensive experience in complex assessments as part of multi-disciplinary teams. Such projects include gas pipelines, incinerators, electrical cable routes, oil refineries and quarries.

2. Regulatory Context and Appropriate Assessment Procedure

2.1 Regulatory Context

The Habitats Directive (Council Directive 92/43/EEC on the *Conservation of Natural Habitats and of Wild Fauna and Flora*) aims to maintain or restore the favourable conservation status of habitats and species of community interest across Europe. The requirements of these directives are transposed into Irish law through the European Communities (Birds and Natural Habitats Regulations; S.I. No. 477 of 2011).

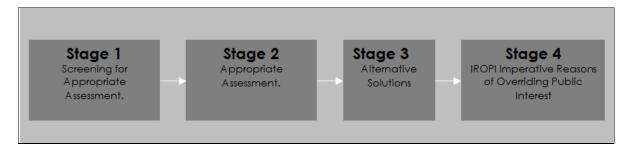
Under the Directive a network of sites of nature conservation importance have been identified by each Member State as containing specified habitats or species requiring to be maintained or returned to favourable conservation status. In Ireland the network consists of SACs and SPAs, and also candidate sites, which form the Natura 2000 network.

Article 6(3) of Council Directive 92/43/EEC of 21 May 1992 on the *Conservation of Natural Habitats and of Wild Fauna and Flora* (as amended) (hereafter 'the Habitats Directive') requires that, any plan or project not directly connected with or necessary to the management of a designated 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. A competent authority (e.g. the EPA or Local Authority) can only agree to a plan or project after having determined that it will not adversely affect the integrity of the site concerned.

The possibility of a significant effect on a designated or "European" site has generated the need for an appropriate assessment to be carried out by the competent authority for the purposes of Article 6(3). A Stage Two Appropriate Assessment is required if it cannot be excluded, on the basis of objective information, that the proposed development, individually or in combination with other plans or projects, will have a significant effect on a European site. The first (Screening) Stage for appropriate assessment operates merely to determine whether a (Stage Two) Appropriate Assessment must be undertaken on the implications of the plan or project for the conservation objectives of relevant European sites.

2.2 Appropriate Assessment Procedure

The assessment requirements of Article 6(3) establish a stage-by-stage approach. This assessment follows the stages outlined in the 2001 European Commission publications "Assessment of plans and projects significantly affecting Natura 2000 sites: methodological guidance on the provisions of Articles 6(3) and 6(4) of the Habitats Directive 92/43/EEC" (2001) and Managing Natura 2000 Sites: the provisions of Article 6 of the 'Habitats' Directive 92/43/EEC (Draft) Office for Official Publications of the European Communities, Luxembourg (EC, 2015);



The stages are as follows:

<u>Stage One</u>: Screening — the process which identifies any appreciable impacts upon a Natura 2000 site of a project or plan, either alone or in combination with other projects or plans, and considers whether these impacts are likely to be significant;

<u>Stage Two</u>: Appropriate assessment — the consideration of the impact on the integrity of the Natura 2000 site of the project or plan, either alone or in combination with other projects or plans, with respect to the site's structure and function and its conservation objectives. Additionally, where there are adverse impacts, an assessment of the potential mitigation of those impacts;

<u>Stage Three</u>: Assessment of alternative solutions: The process which examines alternative ways of achieving the objectives of the project or plan that avoid adverse impacts on the integrity of the Natura 2000 site. It is confirmed that no reliance is placed by the developer on Stage Three in the context of this application for development consent;

<u>Stage Four</u>: Assessment where no alternative solutions exist and where adverse impacts remain — an assessment of compensatory measures where, in the light of an assessment of imperative reasons of overriding public interest (IROPI), it is deemed that the project or plan should proceed (it is important to note that this guidance does not deal with the assessment of imperative reasons of overriding public interest). Again, for the avoidance of doubt, it is

confirmed that no reliance is placed by the developer on Stage Four in the context of this application for development consent.

It is the responsibility of the competent authority, in this instance Cork City Council, to make a decision on whether or not the proposed development should be approved, taking into consideration any potential impact upon any Natura 2000 site within its zone of influence.

3. Receiving Environment

3.1 Existing Site

The proposed development site is located in Lehenaghmore, Co. Cork approximately 3.9km northwest of Cork city centre. The site is bordered to the north and east by existing residential developments and agricultural lands to the south and west The site is bounded to the east by the Lehenaghmore Road and to the west by the Togher Road. The site location is shown in **Figure 1**. An overview of the proposed development is shown in **Figure 2**.

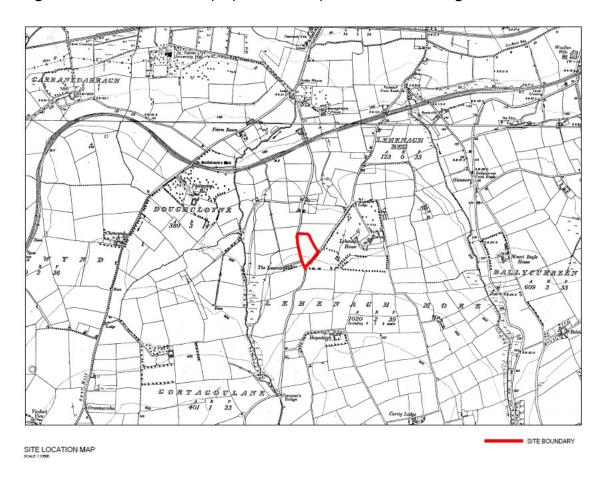


Figure 1. Site location | Source OSI.ie



Figure 2. Overview of proposed development site | Source DG Architecture

3.2 Proposed Development

The proposed scheme involves the construction of 45 residential units, within a greenfield site at Lehenaghmore, Cork. The overall development consists of 12 no. 3 bed semi-detached, and 25 no. 3 bed townhouses and 8 no. 2 bedroom townhouses.

Access to the site will be from the southwest on the existing Togher Road. Further detail on surface water and foul water design is provided in the report *Residential development at Lehenaghmore Cork – Infrastructural Report*, DOSA, 2022

3.2.1 Surface Water Design

The storm water system for the development will involve a network of underground pipelines and manholes discharging to the storm sewer at the junction of Alderbrook housing development and Togher Road via an attenuation system, which will be fitted with flow control devices to ensure no increase in peak flows and an oil interceptor to remove any traces of oil washed off road surfaces.

Surface water discharge rates from the proposed surface water drainage network will be controlled by a vortex flow control device (Hydrobrake or equivalent) and associated attenuation tank. Surface water discharge will also pass via a bypass fuel/oil separator (sized in accordance with permitted discharge from the site).

The proposed surface water drainage network will collect surface water runoff from the site via a piped network prior to discharging off site via the attenuation tank, flow control device and separator arrangement as noted above.

Stormwater attenuation and treatment measures utilising Sustainable Drainage Systems (SuDS) in addition to attenuation tanks and hydrocarbon interceptors, shall be incorporated into the proposed storm water system.

The SUDS selection process used for this site is in accordance with SUDS selection flow chart, Volume 3, Section 6.5, Figure 48 of the GDSDS. The characteristics of the site are utilised to select the various SUDS techniques that would be applicable.

The applicant has considered the use of all appropriate SUDS devices as part of the site SUDS strategy.

- Underground Attenuation -below the open space area
- Flow control device (e.g. hydrobrake) installed at the outfall manhole of each catchment
- Petrol Interceptor installed downstream of each flow control device manhole.

The effectiveness of each SUDS/ drainage mechanism proposed is outlined below

Tree Pits

It is also proposed, where possible to fit tree pits along the entrance road to drain and treat surface water runoff from the road network. This will allow for treatment of first flush and low flowsand high flows will discharge into the surface water network during extreme rainfall

events. Rain water gullies will still be provided downstream of any tree pit to drain runoff during an extreme rainfall event.

Underground Attenuation

The system attenuates surface water to restrict the outflow to the equivalent of an agricultural runoff. This ensures the development will not give rise to any impact downstream of the site.

Flow Control Device

It is proposed to provide a hydrobrake, or similar approved, at the outfall of the surface water catchment to restrict the outflow of water from the subject site. The hydro-brakes will be fitted with a pull cord bypass and a penstock valve installed on the inlet to the manhole for maintenance purposes.

Petrol Interceptor

It is proposed to provide a petrol interceptor upstream of both attenuation tanks to ensure that any remaining hydro-carbons or pollutants within the runoff from trafficked areas are treated prior to outfall to the existing combined sewer. It is proposed to provide a Conder Bypass Separator Type or similar approved.

In conclusion the water quality from this catchment should be of a high quality due to the above-mentioned measures, which are applied in a treatment train to treat the water before discharge at a restricted rate to the local network.

3.2.2 Foul Sewer Design

A Pre-Connection Enquiry was submitted to Irish Water. The Irish Water Reference Number for this enquiry is CDS20007706. The response to this Enquiry issued on the 8th January 2021 confirmed that connection to the network was feasible without any infrastructure upgrade. There are Irish Water pipes within and in close proximity of the site boundaries.

Development Breakdown: 45 No. Units

Section 3.6 of The Irish Water Code of Practice Wastewater Infrastructure states that for the gravity sewers shall be designed to carry a minimum wastewater volume of 6 times the dry weather flow (6DWF) which is to be taken as 446 litres per dwelling

Loading = (45) (446) / (24) (60) (60) = 0.232 litres/second

6DWF = 1.39 litres/second

The layout of the proposed foul sewer network is shown on the Proposed Stormwater & Foul Sewer Layout Plan 6159-5020 & 5021.

The foul waste within the development will be collected via an internal gravity network and will discharge to the existing public foul sewer on Main Street.

All works will be in accordance with Irish Water specifications and requirements.

All works will be in accordance with Irish Water Code of Practice for Wastewater Supply & the Wastewater Infrastructure Standard Details Document Number: IW-CDS-5030-01.

An overview of the proposed development is shown in Figure 2.

4. Screening

4.1 Introduction

This section contains the information required for the competent authority to undertake screening for AA for the proposed development.

The aims of this section are to:

- Determine whether the proposed development is directly connected with, or necessary to, the conservation management of any Natura 2000 Sites;
- Provide information on, and assess the potential for the proposed development to significantly effect on Natura 2000 Sites (also known as European sites); and
- Determine whether the proposed development, alone or in combination with other projects, is likely to have significant effects on Natura 2000 sites in view of their conservation objectives.

The proposed development is not directly connected with, or necessary to the conservation management of any Natura 2000 sites.

4.2 Zone of Influence

The Zone of Influence (ZoI) comprises the area within which the proposed development may potentially affect the conservation objectives or qualifying interests (QI) of a Natura 2000 site. There is no recommended zone of influence, and guidance from the National Parks and Wildlife Service (NPWS) and CIEEM (2018) recommends that the distance should 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 (cumulative).

In ecological and environmental impact assessment, for an effect to occur there must be a risk enabled by having a source (e.g. construction works at a proposed development site), a 'receptor' (e.g. SAC or other ecologically sensitive feature), and a pathway between the source and the receptor (e.g. a watercourse which connects the proposed development site to the SAC). A 'receptor' is defined as the Special Conservation Interest (SCI) of SPAs or Qualifying Interest (QI) of SACs for which conservation objectives have been set for the European sites being screened.

Consideration is therefore given to the source-pathway-receptor linkage and associated risks between the proposed development and Natura 2000 sites. For a significant effect to occur there needs to be an identified risk whereby a source (e.g. contaminant or pollutant arising from construction activities) affects a particular receptor (i.e. Natura 2000 site) through a particular pathway (e.g. a watercourse which connects the proposed development with the Natura 2000 site).

The identification of risk does not automatically mean that an effect will occur, nor that it will be significant. The identification of these risks means that there is a possibility of environmental or ecological damage occurring. The level and significance of the effect depends upon the nature of the consequence, likelihood of the risk and characteristics of the receptor.

The precautionary principle is applied for the purposes of screening to ensure that consideration and pre-emptive action is undertaken where there is a lack of scientific evidence. It is noted that mitigation measures are not taken into account in the AA screening assessment process.

4.3 Field Study

A site inspection was carried out on the 20th of June 2022 to identify the habitats, flora and fauna present at the site. The surveys assessed the potential for all Qualifying Interests (QIs)/ Special Conservation Interests (SCIs) of European sites and third schedule invasive species to occur within the proposed site.

4.4 Source-Pathway-Receptor Model

The likely effects of the proposed development on any European site has been assessed using a source-pathway-receptor model, where:

- A 'source' is defined as the individual element of the proposed works that has the
 potential to impact on a European site, its qualifying features and its conservation
 objectives.
- A 'pathway' is defined as the means or route by which a source can affect the ecological receptor.
- A 'receptor' is defined as the SCI of SPAs or QI of SACs for which conservation objectives have been set for the European sites being screened.

A source-pathway-receptor model is a standard tool used in environmental assessment. In order for an effect to be likely, all three elements of this mechanism must be in place. The absence or removal of one of the elements of the mechanism results in no likelihood for the effect to occur. The source-pathway-receptor model was used to identify a list of European sites, and their QIs/SCIs, with potential links to European sites. These are termed as 'relevant' European sites/QIs/SCIs throughout this report.

4.5 Likely Significant Effect

The threshold for a Likely Significant Effect (LSE) is treated in the screening exercise as being above a de minimis level. The opinion of the Advocate General in CJEU case C-258/11 outlines:

"the requirement that the effect in question be 'significant' exists in order to lay down a de minimis threshold. Plans or projects that have no appreciable effect on a European site are thereby excluded.

If all plans or projects capable of having any effect whatsoever on the site were to be caught by Article 6(3), activities on or near the site would risk being impossible by reason of legislative overkill."

In this report, therefore, 'relevant' European sites are those within the potential Zol of activities associated with the construction and operation of the proposed development, where LSE pathways to European sites were identified through the source-pathway-receptor model.

4.6 Screening Process

The Screening for Appropriate Assessment will incorporate the following steps:

Definition of the zone of influence for the proposed works;

- Identification of the European sites that are situated (in their entirety or partially or downstream) within the zone of influence of the proposed works;
- Identification of the most up-to-date QIs and SCIs for each European site within the zone of influence:
- Identification of the environmental conditions that maintain the QIs/SCIs at the desired target of Favourable Conservation Status;
- Identification of the threats/impacts actual or potential that could negatively impact the environmental conditions of the QIs/SCIs within the European sites;
- Highlighting the activities of the proposed works that could give rise to significant negative impacts; and
- Identification of other plans or projects, for which in-combination impacts would likely have significant effects.

4.7 Desktop Review

A desktop review facilitates the identification of the baseline ecological conditions and key ecological issues relating to Natura 2000 sites and facilitates an evaluation assessment of potential in-combination impacts. Sources of information used for this report include reports prepared for the Ballincrokig area and information from statutory and non-statutory bodies. The following sources of information and relevant documentation were utilised:

- National Parks & Wildlife Service (NPWS) www.npws.ie
- Environmental Protection Agency (EPA) www.epa.ie
- National Biodiversity Data Centre (NBDC) www.biodiversityireland.ie

- Draft Cork City Heritage and Biodiversity Plan (2021-2026);
- Cork City Development Plan 2015-2021 (Cork City Council, 2015);
- Draft Cork City Development Plan 2022-2028 (Cork City Council 2021);
- Birdwatch Ireland http://www.birdwatchireland.ie/
- Invasive Species Ireland http://www.invasivespeciesireland.com/
- Best Practice Guidance for Habitat Survey and Mapping (Heritage Council, 2011)
- Guidelines for Assessment of Ecological Impacts of National Road Schemes (National Roads Authority, 2009).
- Environmental Impact Assessment of Projects Guidance on the preparation of the Environmental Impact Assessment Report (Directive 2011/92/EU as amended by 2014/52/EU) European Union, 2017 and
- Cork City D0033-01 Wastewater Treatment Plant (WWTP) Annual Environmental Report 2020 (EPA 2021)

5. Natura 2000 Sites

5.1 Designated sites within Zone of Influence

In accordance with the European Commission Methodological Guidance (EC 2018), a list of Natura 2000 sites that can be potentially affected by the proposed development has been compiled. All candidate SAC's (cSAC) and SPAs sites within the zone of influence of the proposed development have been identified in **Table 1** and shown in **Figure 3**.

Therefore, the proposed development site is located approximately 4.5km upgradient of the Cork Harbour SPA. The stormwater system for the development will involve a network of underground pipelines and manholes discharging to the storm sewer at the junction of Alderbrook housing development. Stormwater will ultimately be discharge to Cork Harbour. Although significant effects are unlikely, surface water run-off during the construction or operational phase of the proposed development could potentially flow into Cork Harbour SPA. Wastewater from the site will ultimately discharge into Cork Harbour via the Cork City Wastewater treatment plant (WWTP). Habitats within or near the proposed development site could potentially provide *ex-situ* foraging grounds for SCI species outside the Cork Harbour SPA.

Therefore, a source-pathway-receptor link has been identified between the source (proposed residential development) and the receptor (Cork Harbour SPA) via a potential pathway (surface water runoff, the spread of invasive species and disturbance during construction/operational phase and wastewater discharge during the operational phase). Cork Harbour SPA is of conservation significance for the occurrence of good examples of species that are listed on Annex I of the Birds Directive. Further information on the Cork Harbour SPA is provided below and a full site synopsis included **Appendix 1**.

While the proposed development is potentially hydrologically connected to the Great Island Channel SAC via Cork Harbour, given the small scale of the proposed development, the dilution capacity available within Cork Harbour and the robust nature of the estuarine qualifying habitats for the Great Island Channel SAC, no pathway for impact has been identified. Given the distances involved and the lack of hydrological connection, no pathway for impact has been identified between the proposed development and any other Natura 2000 site.

Table 1. Natura 2000 sites and their location relative to the proposed development site

Natura 2000 Sites	Site Code	Distance at closest point and potential source- pathway-receptor link	Qualifying Interests (* denotes a priority habitat)
Special Area of Conse	ervation (S	AC)	
Great Island Channel SAC	001058	11km. No pathway exists.	Habitats 1140 Mudflats and sandflats not covered by seawater at low tide 1330 Atlantic salt meadows (Glauco-Puccinellietalia maritimae)
Special Protection Are	ea (SPA)		
Cork Harbour SPA	004030	4.4 km from the Cork Harbour SPA, A source-pathway-receptor link has been identified between the source (proposed development site) and the receptor (Cork Harbour SPA) via a potential pathway (impacts on water quality, disturbance or spread of invasive species during construction or operational phase and wastewater discharges during operation).	A056 Shoveler (Anas clypeata) A149 Dunlin (Calidris alpina) A140 Golden Plover (Pluvialis apricaria) A050 Wigeon (Anas penelope) A028 Grey Heron (Ardea cinerea) A069 Red-breasted Merganser (Mergus serrator) A142 Lapwing (Vanellus vanellus) A130 Oystercatcher (Haematopus ostralegus) A141 Grey Plover (Pluvialis squatarola) A052 Teal (Anas crecca) A054 Pintail (Anas acuta) A157 Bar-tailed Godwit (Limosa lapponica) A162 Redshank (Tringa totanus) A183 Lesser Black-backed Gull (Larus fuscus) A179 Black-headed Gull (Chroicocephalus ridibundus) A004 Little Grebe (Tachybaptus ruficollis) A160 Curlew (Numenius arquata) A182 Common Gull (Larus canus) A048 Shelduck (Tadorna tadorna) A017 Cormorant (Phalacrocorax carbo) A193 Common Tern (Sterna hirundo) A005 Great Crested Grebe (Podiceps cristatus) A156 Black-tailed Godwit (Limosa limosa)

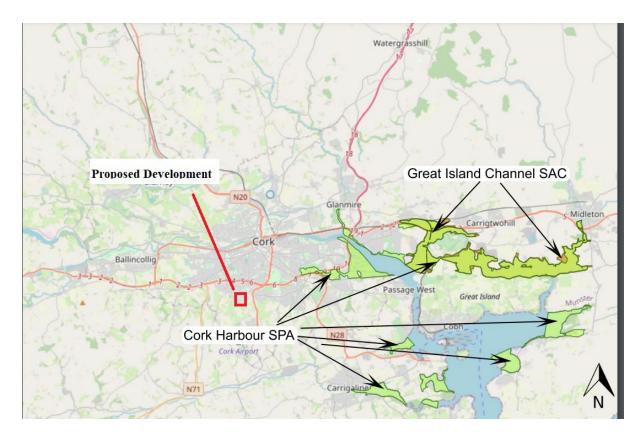


Figure 3. Natura 2000 sites within zone of influence of the proposed development site | Source EPA Envision Mapping | Not to scale

5.2 Cork Harbour SPA (site code 004030) Site Synopses

Cork Harbour is a large, sheltered bay system, with several river estuaries - principally those of the Rivers Lee, Douglas, Owenboy and Owennacurra. The SPA site comprises most of the main intertidal areas of Cork Harbour, including all of the North Channel, the Douglas River Estuary, inner Lough Mahon, Monkstown Creek, Lough Beg, the Owenboy River Estuary, Whitegate Bay, Ringabella Creek and the Rostellan and Poulnabibe inlets.

The site is a Special Protection Area (SPA) under the E.U. Birds Directive, of special conservation interest for the following species: Little Grebe, Great Crested Grebe, Cormorant, Grey Heron, Shelduck, Wigeon, Teal, Mallard, Pintail, Shoveler, Redbreasted Merganser, Oystercatcher, Golden Plover, Grey Plover, Lapwing, Dunlin, Black-tailed Godwit, Bar-tailed Godwit, Curlew, Redshank, Greenshank, Blackheaded Gull, Common Gull, Lesser Blackbacked Gull and Common Tern. The site is also of special conservation interest for holding an assemblage of over 20,000 wintering waterbirds. The E.U. Birds Directive pays particular attention to wetlands and, as these form part of this SPA, the site and its associated waterbirds are of special conservation interest for Wetland & Waterbirds.

Cork Harbour has a nationally important breeding colony of Common Tern (102 pairs in 1995). The birds have nested in Cork Harbour since about 1970, and since 1983 on various artificial structures, notably derelict steel barges and the roof of a Martello Tower. The birds are monitored annually and the chicks are ringed.

A full site synopsis for the Cork Harbour SPA is included as **Appendix 1** of this report.

5.3 Natura 2000 sites – Features of interests and conservation objectives.

The EU Habitats Directive contains a list of habitats (Annex I) and species (Annex II) for which SACs must be established by Member States. Similarly, the EU Birds Directive contains lists of important bird species (Annex I) and other migratory bird species for which SPAs must be established. Those that are known to occur at a site are referred to as 'qualifying interests' and are listed in the Natura 2000 forms which are lodged with the EU Commission by each Member State. A 'qualifying interest' is one of the factors (such as the species or habitat that is present) for which the site merits designation. The National Parks and Wildlife Service (NPWS) are responsible for the designation of SACs and SPAs in Ireland.

The overall aim of the Habitats Directive is to maintain or restore the favourable conservation status of habitats and species of community interest. These habitats and species are listed in the Habitats and Birds Directives and Special Areas of Conservation and Special Protection Areas are designated to afford protection to the most vulnerable of them. These two designations are collectively known as the Natura 2000 network. European and national legislation places a collective obligation on Ireland and its citizens to maintain at favourable conservation status sites designated as Special Areas of Conservation and Special Protection Areas. The Government and its agencies are responsible for the implementation and enforcement of regulations that will ensure the ecological integrity of these sites.

The maintenance of habitats and species within Natura 2000 sites at favourable conservation condition will contribute to the overall maintenance of favourable conservation status of those habitats and species at a national level. Favourable conservation status of a habitat is achieved when its natural range, and area it covers within that range, is stable or increasing, and the ecological factors that are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future, and the conservation status of its typical species is favourable.

The favourable conservation status of a species is achieved when population data on the species concerned indicate that it is maintaining itself, and the natural range of the species is neither being reduced or likely to be reduced for the foreseeable future, and there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

The conservation objectives for Cork Harbour SPA are included in *Cork Harbour Special Protection Area (Site Code 4030) Conservation Objectives version 1* (NPWS 2014a). The species listed as Special Conservation Interests (SCIs) for the Cork Harbour SPA are listed in **Table 2**.

Table 2. Special Conservation Interests (SCIs) for the Cork Harbour SPA

Species code	Species	Scientific name	Conservation objective
A004	Little Grebe	Tachybaptus ruficollis	Maintain
A005	Great Crested Grebe	Podiceps cristatus	Maintain
A017	Cormorant	Phalacrocorax carbo	Maintain
A028	Grey Heron	Ardea cinereal	Maintain
A048	Shelduck	Tadorna tadorna	Maintain
A050	Wigeon	Anas Penelope	Maintain
A052	Teal	Anas crecca	Maintain
A054	Pintail	Anas acuta	Maintain
A056	Shoveler	Anas clypeata	Maintain
A069	Red-breasted Merganser	Mergus serrator	Maintain
A130	Oystercatcher	Haematopus ostralegus	Maintain
A140	Golden Plover	Pluvialis apricaria	Maintain
A141	Grey Plover	Pluvialis squatarola	Maintain
A142	Lapwing	Vanellus vanellus	Maintain
A149	Dunlin	Calidris alpina	Maintain
A156	Black-tailed Godwit	Limosa limosa	Maintain
A157	Bar-tailed Godwit	Limosa lapponica	Maintain
A160	Curlew	Numenius arquata	Maintain
A162	Redshank	Tringa totanus	Maintain
A179	Black-headed Gull	Chroicocephalus ridibundus	Maintain
A182	Common Gull	Larus canus	Maintain
A183	Lesser Black-backed Gull	Larus fuscus	Maintain
A193	Common Tern	Sterna hirundo	Maintain
A999	Wetland and Waterbirds		Maintain

Restore = Restore favourable conservation condition, Maintain = Restore favourable conservation condition

To acknowledge the importance of Ireland's wetlands to wintering waterbirds, "Wetland and Waterbirds" may be included as a Special Conservation Interest for some SPAs that have been designated for wintering waterbirds and that contain a wetland site of significant importance to one or more of the species of Special Conservation Interest. Thus, a further objective is to maintain or restore the favourable conservation condition of the wetland habitat

within the Cork Harbour SPA as a resource for the regularly-occurring migratory waterbirds that utilise it.

5.4 Status of qualifying interests for the Cork Harbour SPA

The specific conservation objectives for species listed as conservation interests for the Cork Harbour SPA (**Table 3**) are to maintain a favourable conservation condition of the non-breeding/breeding waterbirds and to maintain the favourable conservation condition of the wetland habitat at Cork Harbour SPA as a resource for the regularly-occurring migratory waterbirds that utilise it.

The conservation objectives for the SCI species of the Cork Harbour SPA are to maintain their favourable conservation condition in the Cork Harbour SPA (NPWS 2014b). The favourable conservation condition of all the non-breeding SCI species are defined by the same two attributes and targets, which are shown in **Table 3**. The favourable conservation condition of the Common Tern SCI species is defined by six attributes and targets, which are shown in **Table 3**.

The conservation objective for the Wetlands SCI of the Cork Harbour SPA is "to maintain the favourable conservation condition of the wetland habitat in Cork Harbour SPA as a resource for the regularly-occurring migratory waterbirds that utilise it" (NPWS, 2014a). This is defined by a single attribute and target, which is shown in **Table 3**.

Table 3. SCI species for which a potential impact has been identified – specific targets

Species/Habitats	Attribute	Measure	Target
Little Grebe Great Crested Grebe Cormorant Grey Heron Shelduck	Population trend	Percentage change	Long term population trend stable or increasing
Wigeon Teal Pintail Shoveler Red-breasted Merganser Oystercatcher Golden Plover Grey Plover	Distribution	Range, timing and intensity of use of areas	No significant decrease in the range, timing or intensity of use of areas by each species, other than that occurring from natural patterns of variation

Species/Habitats	Attribute	Measure	Target
Lapwing			
Dunlin			
Black-tailed Godwit			
Bar-tailed Godwit			
Curlew			
Redshank			
Black-headed Gull			
Common Gull			
Lesser Black- backed Gull			
Common Tern	Breeding population abundance: apparently occupied nests (AONs)	Number	No significant decline
	Productivity rate: fledged young per breeding pair	Mean number	No significant decline
	Distribution: breeding colonies	Number; location; area (hectares)	No significant decline
	Prey biomass available	Kilogrammes	No significant decline
	Barriers to connectivity	Number; location; shape; area (hectares)	No significant increase
	Disturbance at the breeding site	Level of impact	Human activities should occur at levels that do not adversely affect the breeding common tern population
Wetlands	Habitat area	Hectares	The permanent area occupied by the wetland habitat should be stable and not significantly less

Species/Habitats	Attribute	Measure	Target
			than the area of 2,587 hectares, other than that occurring from natural patterns of variation

6. Water Quality data

6.1 River Basin Management Plan for Ireland 2018 – 2021 (2nd Cycle)

The Water Framework Directive (WFD) sets out the environmental objectives which are required to be met through the process of river basin planning and implementation of those plans. Specific objectives are set out for surface water, groundwater and protected areas. The challenges that must be overcome in order to achieve those objectives are very significant. Therefore, a key purpose of the River Basin Management Plan (RBMP) is to set out priorities and ensure that implementation is guided by these priorities.

The second-cycle RBMP aims to build on the progress made during the first cycle. Key measures during the first cycle included the licensing of urban waste-water discharges (with an associated investment in urban waste-water treatment) and the implementation of the Nitrates Action Programme (Good Agricultural Practice Regulations). The former measure has resulted in significant progress in terms both of compliance levels and of the impact of urban waste-water on water quality. The latter provides a considerable environmental baseline which all Irish farmers must achieve and has resulted in improving trends in the level of nitrates and phosphates in rivers and groundwater. It is acknowledged, however, that sufficient progress has not been made in developing and implementing supporting measures during the first cycle.

Overall, RBMP assesses the quality of water in Ireland and presents detailed scientific characterisation of our water bodies. The characterisation process also takes into account wider water quality considerations, such as the special water-quality requirements of protected areas. The characterisation process identifies those water bodies that are *At Risk* of not meeting the objectives of the WFD, and the process also identifies the significant pressures causing this risk. Based on an assessment of risk and pressures, a programme of measures has been developed to address the identified pressures and work towards achieving the required objectives for water quality and protected areas. Data relating to the watercourses within the study area is provided in **Table 4** and the location of these shown in **Figure 4**. It is noted that limited data on the 3rd cycle of the RBMP has been released through the EPA envision mapping portal. There has been no change in the WFD status in waterbodies in the vicinity of the proposed development site since the 2nd cycle.

Table 4. WFD Status

Catchment: Lee, Cork Harbour and Youghal Bay (Code 19) – 2nd Cycle (& 3rd cycle)

This catchment includes the area drained by the River Lee and all streams entering tidal water in Cork Harbour and Youghal Bay and between Knockaverry and Templebreedy Battery, Co. Cork, draining a total area of 2,153km². The largest urban centre in the catchment is Cork City. The other main urban centres in this catchment are Ballincollig, Macroom, Carrigaline, Crosshaven, Blarney, Glanmire, Midleton, Carrigtohill, Cobh, Passage West and Belvelly. The total population of the catchment is approximately 328,854 with a population density of 153 people per km².

Several small coastal rivers drain the area to the southeast of Cork Harbour and the area at the eastern extreme of the catchment is drained by the Womanagh River which flows into the sea on the western side of Youghal Bay.

The Lee-Cork Harbour catchment comprises 18 sub-catchments with 92 river water bodies, three lakes, 13 transitional, six coastal water bodies and 16 groundwater bodies. There are five heavily modified and no artificial water bodies in the catchment.

The proposed development site is located within the Sub catchment Glasheen[Corkcity]_SC_010. All four water bodies in this sub catchment are unassigned but AT RISK due to elevated phosphate concentrations. Further investigation is required to determine what is impacting nutrient conditions.

Wastewater discharges from the proposed development will discharge into Cork Harbour at Lough Mahon.

Waterbodies relevant to the proposed project					
Waterbody	WFD Risk	Significant Pressure	Pressure Category		
Moneygurney_010	Review	Yes	Anthropogenic pressures (unknown)		
Lee (Estuary) Lower	At risk	Yes	Urban wastewater/urban runoff		
Lough Mahon	At risk	Yes	Urban wastewater		

Source: EPA envision mapping and www.catchments.ie



Figure 4. WFD waterbodies in the vicinity of the proposed development | Source: EPA Envision mapping https://gis.epa.ie/EPAMaps/) | not to scale

6.2 Urban Wastewater Treatment Directive

The Waste Water Discharge (Authorisation) Regulations 2007 (S.I. 684 of 2007) gives effect to the requirements of the Urban Waste Water Treatment Directive (Directive 91/271/EEC) and the Water Framework Directive (2000/60/EC) in Ireland. The Urban Waste Water Treatment Directive (UWWTD) lays down the requirements for the collection, treatment and discharge of urban waste-water and specifies the quality standards which must be met — based on agglomeration size — before treated waste-water is released into the environment.

The priority objective for this river basin planning cycle is to secure compliance with the Urban Waste Water Treatment Directive and to contribute to the improvement and protection of waters in keeping with the water-quality objectives established by this Plan. Achieving this objective entails addressing waste-water discharges and overflows where protected areas (i.e. designated bathing waters, shellfish waters and Freshwater Pearl-Mussel sites) or high-status waters are at risk from urban waste-water pressures.

As part of the proposed development wastewater discharging from the proposed development will be conveyed to the Cork City WWTP (D0033-01) for treatment prior to discharging into the Cork Harbour at Lough Mahon. Cork Harbour is a Nutrient Sensitive Area listed in accordance with the Urban Waste Water Treatment (UWWT) Directive 91/271/EEC on Urban Waste Water Treatment Regulations 2001 (S.I. 48 of 2010).

7. Site Surveys

7.1 Habitat survey

A site survey was carried out on 30th June 2022. Habitat mapping was carried out in line with the methodology outlined in the Heritage Council Publication, *Best Practice Guidance for Habitat Survey and Mapping* (Heritage Council, 2011). The terrestrial and aquatic habitats within or adjacent to the proposed development site was classified using the classification scheme outlined in the Heritage council publication *A Guide to Habitats in Ireland* (Fossitt, 2000) and cross referenced with Annex I Habitats where required.

A current overview of habitats recorded within the site is shown in **Figure 5** and the habitats recorded on site are described in **Table 5**.

Table 5. Habitat present within the proposed development site.

Habitat	Comments
Improved agricultural grassland GA1	The site consists of one large field of agricultural grassland which is intensively managed and supports limited biodiversity. Common species noted include White Clover, Prickly Sow Thistle, Perennial Rye grass. Creeping Buttercup and Curled Dock. On the margins of the field there is some taller grassland with Yorkshire Fog, Cocksfoot, Common Bindweed, Red Fescue and Meadow Foxtail These habitats do not have links to Annex I habitats.

Habitat	Comments
Hedgerow WL Stonewalls and oth stonework BL1	



Figure 5. Habitat map of proposed development site. GA1= Improved agricultural grassland, Black line= Hedgerow WL1/ Stonewalls and other stonework BL1

7.2 Birds

A bird survey was carried out in conjunction with habitat surveys in June 2022. During the survey, all birds seen or heard within the development site were recorded. The majority of birds utilising the proposed works areas were common in the local landscape.

Bird species listed in Annex I of the Birds Directive are considered a conservation priority. During the survey, all birds seen or heard within the development site were recorded. Certain bird species are listed by BirdWatch Ireland as Birds of Conservation Concern in Ireland (BOCCI). These are bird species suffering declines in population size. BirdWatch Ireland and the Royal Society for the Protection of Birds have identified and classified these species by the rate of decline into Red and Amber lists (Gilbert *et al.* 2021). Red List bird species are of high conservation concern and the Amber List species are of medium conservation. Green listed species are regularly occurring bird species whose conservation status is currently considered favourable.

No Annex I bird species were recorded during the site survey in June 2022 survey. Species recorded during the survey are shown in **Table 6**.

Table 6. Bird Species recorded in January 2022

Species		Birds Directive Annex	ВО	CCI
		I	Red List	Amber List
Sturnusvulgaris	Starling			Х
Turdus merula	Blackbird			
Erithacus rubecula	Robin			
Troglodytes troglodytes	Wren			
Columba livia f. domestica	Feral Pigeon			
Turdus philomelos	Song Thrush			
Corvus frugilegus	Rook			
Parus caeruleus	Blue Tit			
Fringilla coelebs	Chaffinch			

The surrounding landscape is dominated by a mix of good quality agricultural land and residential development. The proposed development site is dominated by grassland Vegetation on the boundaries of the existing site, such as hedgerows, provide some feeding/nesting resources for birds.

Overall, most of the proposed development site is of low to moderate local value for terrestrial bird species that are relatively common in the Irish countryside. No species of high conservation status were recorded within the proposed development site. No signs of other significant nesting species were recorded. No birds listed as SCIs for the Cork Harbour SPA were recorded or are likely to utilise the proposed development site.

7.3 Invasive Species

Non-native plants are defined as those plants which have been introduced outside of their native range by humans and their activities, either purposefully or accidentally. Invasive non-native species are so-called as they typically display one or more of the following characteristics or features: (1) prolific reproduction through seed dispersal and/or re-growth from plant fragments; (2) rapid growth patterns; and, (3) resistance to standard weed control methods.

Where a non-native species displays invasive qualities and is not managed it can potentially: (1) out compete native vegetation, affecting plant community structure and habitat for wildlife; (2) cause damage to infrastructure including road carriageways, footpaths, walls and foundations; and, (3) have an adverse effect on landscape quality.

The Birds and Natural Habitats Regulations 2011 (SI 477 of 2011), Section 49(2) prohibits the introduction and dispersal of species listed in the Third Schedule, which includes Japanese Knotweed and Himalayan Balsam, as follows: "any person who plants, disperses, allows or causes to disperse, spreads or otherwise causes to grow [....] shall be guilty of an offence."

No third schedule species were recorded within the proposed development site.

8. Potential Impacts

Potential impacts could arise from the following:

- Potential impacts from loss of habitat.
- Potential impacts from noise and disturbance
- Potential impacts on water quality during construction
- Potential impacts on water quality during operation
- Spread of invasive species
- Cumulative Impacts

8.1 Potential impacts from loss of habitat

The proposed development site is located 4.4km from the Cork Harbour SPA. An ecological appraisal of the proposed development site indicates that it supports common habitats which are not of high value in the context of the Natura 2000 designation. The habitats recorded within the proposed development boundary do not correspond to habitats listed on Annex I of the Habitats Directive. There is nothing to differentiate the grassland habitats onsite from other similar habitats in the vicinity and they do not represent critical foraging or roosting habitat for the SCI birds of Cork Harbour SPA. No signs of SCI birds were recorded here, or in the fields surrounding the proposed development site during the June 2022 site survey. The vegetation onsite does not provide suitable foraging habitat for wading birds.

The proposed development will not result in any significant deterioration in habitat quality or loss of habitat within the Cork Harbour SPA. Therefore, it is concluded that the proposed development will not result in any loss, deterioration or fragmentation of habitat within Natura 2000 sites.

8.2 Potential impacts from noise and disturbance

Potentially increased noise and disturbance associated with the site works could cause disturbance/displacement of fauna. If of sufficient severity, there could be impacts on reproductive success. Disturbance can cause sensitive species, such as birds, to deviate from their normal, preferred behaviour, resulting in stress, increased energy expenditure and, in some cases, species mortality.

The potential effects and impacts of disturbance have been widely recognised in wildlife conservation legislation, as has the need to develop conservation measures for birds whilst taking human activities into account. Article 4.4 of the Bird's Directive (79/409/EEC) requires member states to "take appropriate steps to avoid... any disturbances affecting the birds, in so far as these would be significant having regard to the objectives of this Article". This specifically relates to conservation measures concerning Annex I species.

The wintering birds listed as qualifying interests for the Cork Harbour SPA are strongly associated with estuarine shoreline areas or wetlands - habitat types absent from the proposed development site.

It is noted that the proposed development site is located 4.4 km from the Cork Harbour SPA and is located adjacent to existing urban developments. This area is subject to noise disturbance and light pollution from existing residential developments. During the construction stage, there may be short-term increases in disturbance, but it will not be significant in the context of existing noise levels. During operation, noise levels will return to preconstruction levels.

No valuable habitat for SCI species was recorded within or adjacent to the proposed development site. The construction phase of the project will increase noise and disturbance. However, given the existing noise environment and the lack of valuable habitat for SCI species on or near the proposed development site no impact on birds listed as qualifying interests for the Cork Harbour SPA is predicted to occur.

8.3 Potential impacts on water quality during construction

Potential impacts on aquatic habitats which can arise from surface water emissions during the construction phase of the proposed development include increased silt levels in surface water run-off, inadvertent spillages of hydrocarbons from fuel and hydraulic fluid.

Inadvertent spillages of hydrocarbon and/or other chemical substances during construction could introduce toxic chemicals into the aquatic environment via direct means, surface water run-off or groundwater contamination. Some hydrocarbons exhibit an affinity for sediments and thus become entrapped in deposits from which they are only released by vigorous erosion or turbulence. Oil products may contain various highly toxic substances, such as benzene, toluene, naphthenic acids and xylene which are to some extent soluble in water; these penetrate into the fish and can have a direct toxic effect. The lighter oil fractions (including kerosene, petrol, benzene, toluene and xylene) are much more toxic to fish than the heavy fractions (heavy paraffins and tars). In the case of turbulent waters, the oil becomes dispersed as droplets into the water. In such cases, the gills of fish can become mechanically contaminated and their respiratory capacity reduced (Svobodova *et al.* 1993).

High levels of silt can also impact on fish species. If of sufficient severity, adult fish could theoretically be affected by increased silt levels as gills may become damaged by exposure to elevated suspended solids levels. If of sufficient severity, aquatic invertebrates may be smothered by excessive deposits of silt from suspended solids. In areas of stony substrate, silt deposits may result in a change in the macro-invertebrate species composition, favouring less diverse assemblages and impacting on sensitive species. Cement can also affect fish, plant life and macroinvertebrates by altering pH levels of the water.

Aquatic plant communities may also be affected by increased siltation. Submerged plants may be stunted and photosynthesis may be reduced. Significant impacts on fish stocks could impact on piscivorous birds i.e., Little Grebe, Great Crested Grebe, Cormorant, Grey Heron and Common Tern due to a reduction in prey availability. Such run-off if severe could potentially result in changes in the ecology of the estuary.

Given the large size of the Cork Harbour SPA, the dilution provided in the estuarine environment and naturally fluctuating levels of silt within these estuarine habitats, impacts are only likely to arise from extremely severe levels of siltation or major spills of hydrocarbons. The small scale of the proposed development means there is no significant risk of severe silt levels being generated or major spills of hydrocarbons. It is noted that environmental control measures will be implemented during construction in line with standard guidelines. Whilst the implementation of such measures during construction will assist in minimising impacts on the local environment, the implementation of these measures has not been taken into consideration in this screening report when reaching a conclusion as to the likely impact of the development on Natura 2000 sites.

The proposed development site is located a considerable distance from the Cork Harbour SPA (4.4 km). Given the small scale of the proposed development and the dilution within Cork Harbour, there is no significant risk silt or hydrocarbon contamination within Cork Harbour SPA. Therefore, no impact on water quality within Natura 2000 sites during construction is predicted to occur.

8.4 Impacts on water quality from discharges of wastewater and surface water during operation

The proposed residential development could potentially result in an increase in nutrients discharging to Cork Harbour via the Cork City Wastewater Treatment Plant (WWTP). Increased nutrients can potentially impact on estuarine habitats by changing baseline ecological conditions and increasing algal growth.

The proposed residential development could potentially result in an increase in nutrients discharging to Cork Harbour via the Lough Mahon discharge for the Cork City WWTP. Increased nutrients can potentially impact on estuarine habitats by changing baseline ecological conditions and increasing algal growth, which in turn could impact on feeding success for birds listed as qualifying interests for the Cork Harbour SPA.

The Cork City WWTP has a design capacity i.e Population Equivalent (P.E.) of 413,200. The WWTP obtained a discharge licence (Reg: D0033-01) from the EPA and has assigned emission limit values (ELV's) for a range of parameters to ensure a high degree of protection to the Lough Mahon and surrounding waters.

Treated effluent from the proposed development will discharge from the Cork City WWTP via the main treated effluent line. The discharge licence assigns ELV's for biochemical oxygen demand (BOD), chemical oxygen demand (COD), total suspended solids (TSS), Total Nitrogen (Total N), Total Phosphorous (Total P), Ammonia Total (as N), orthophosphate (As P) and pH. The ELVs are set based on the full design capacity (P.E 413,200) and are aimed at providing a high degree of protection to the receiving water body and to ensure the receiving waterbody is capable of accommodating the proposed discharge without causing or exacerbating a breach in the relevant standards.

Based on the planned occupancy, the P.E. for the proposed development has been conservatively calculated at 127. This would increase the current WWTP load from 241,480 (based on 2020 EPA data) to 241,607 which is well within the 413,200 P.E. design capacity. Therefore, with the addition of emissions from the proposed residential development to the WWTP it would increase its operational load to 58.5% of its design capacity with a residual capacity of 41.5%. Thus, given the limited scale of the proposed development and the ability of the WWTP to cater for the additional loading, no impact is expected.

The 2020 Annual Environmental Report for Cork City WWTP (D0033-01) was reviewed. **Table 8** provides a summary of the current operating conditions for the WWTP from the main effluent discharge obtained from the most recent Environmental Protection Agency Annual Environment Report (2021).

Table 8. Effluent Monitoring

	COD (mg/l)	TSS (mg/l)	BOD (mg/l)	Total Nitrogen (mg/l)	Total P (mg/l)
WWDL ELV (Schedule A1)	125	35	25	10	2.5
ELV with Condition 2 Interpretation	250	87.5	50	12	3
No. of Samples	261	261	261	25	25
No. of Exceedances	N/A	2	N/A	24	2
No Samples above ELV with condition 2 interpretation	N/A	N/A	N/A	22	1
Annual Mean	64.47	14.71	8.64	16.6	1.73
Overall Compliance	Pass	Pass	Pass	Fail	Fail

The AER notes that the final effluent from the Primary Discharge Point was non-compliant with the Emission Limit Values in 2020. The noncompliance's with the ELVs were in relation to Total P (mg/l) and Total N (mg/l). This non-compliance was because nutrient removal does not form part of the WWTP process. In relation to ongoing monitoring of water quality, the 2020 AER concluded the following:

The WWTP discharge was not compliant with the ELV's set in the wastewater discharge licence.

- The ambient monitoring results does not meet the required EQS. The EQS relates to the Oxygenation and Nutrient Conditions set out in the Surface Water Regulations 2009.
- The discharge from the wastewater treatment plant does not have an observable impact on the water quality.
- The discharge from the wastewater treatment plant does not have an observable negative impact on the Water Framework Directive status.

Overall, the discharge from the WWTP does not have an observable negative impact on receiving water quality nor a negative impact on the Water Framework Directive Status. The addition of the effluent discharge from the proposed residential development to the Cork City WWTP is well within its design capacity and will not comprise the operational capability of the WWTP to treat effluent to comply with emission limit values. Therefore, the impacts from the proposed development will be negligible given the current operating conditions at the WWTP.

As per Sustainable Drainage Systems (SuDS) principles, management of surface water runoff during operation of the residential development has been built into the plans as detailed in section 3.2.1 Surface Water Design of this report. No impact from operational surface water runoff is predicted to occur. Therefore, there will be no impact on Cork Harbour SPA from operational surface water discharges.

8.5 Spread of Invasive Species

No high-risk invasive species were recorded within the proposed development. This species does not present a significant risk to the Cork Harbour SPA. Therefore, no risk from the spread of invasive species will occur. Therefore, there is no risk to Cork Harbour SPA via impacts from the spread of invasive species.

8.6 Cumulative Impacts

Cumulative impacts refer to a series of individually modest impacts that may in combination produce a significant impact. The underlying intention of this in combination provision is to take account of cumulative impacts from existing or proposed plans and projects and these will often only occur over time.

High negative threats, pressures and activities identified for the Cork Harbour SPA include roads, motorways, port areas, industrial or commercial areas, urbanised areas, human habitation and marine and freshwater aquaculture. Other developments near the proposed development site and their potential cumulative impacts are listed in **Table 9**.

Table 9. Other developments near site and potential cumulative impacts

Plans and Projects	Key Policies/Issues/Objectives Directly Related to the Conservation of the Natura 2000 Network	Impact
River Basin Management Plan 2018-2021	The project should comply with the environmental objectives of the Irish RBMP which are to be achieved generally by 2021. • Ensure full compliance with relevant EU legislation • Prevent deterioration • Meeting the objectives for designated protected areas • Protect high status waters • Implement targeted actions and pilot schemes in focus sub-catchments aimed at: targeting water bodies close to meeting their objective and addressing more complex issues which will build knowledge for the third cycle.	The implementation and compliance with key environmental policies, issues and objectives of this management plan will result in positive incombination effects to European sites. The implementation of this plan will have a positive impact for the biodiversity. It will not contribute to incombination or cumulative impacts with the proposed development.
Inland Fisheries Ireland Corporate Plan 2016 -2020	To ensure that Ireland's fish populations are managed and protected to ensure their conservation status remains favourable. That they provide a basis for a sustainable world class recreational angling product, and that pristine aquatic habitats are also enjoyed for other recreational uses. To develop and improve fish habitats and ensure that the conditions required for fish populations to thrive are sustained and protected. To grow the number of anglers and ensure the needs of IFI's other key stakeholders are being met in a sustainable conservation focused manner. EU (Quality of Salmonid Waters) Regulations 1988. All works during development and operation of the project must aim to conserve fish and other species of fauna and flora habitat; biodiversity of inland fisheries and ecosystems and protect spawning salmon and trout.	The implementation and compliance with key environmental issues and objectives of this corporate plan will result in positive oncombination effects to European sites. The implementation of this corporate plan will have a positive impact for biodiversity of inland fisheries and ecosystems. It will not contribute to incombination or cumulative impacts with the proposed works.
Irish Water Capital Investment Plan 2014- 2016 Proposals to upgrade and secure water serv water treatment services countrywide.		Likely net positive impact due to water conservation and more effective treatment of water.
Water Services Strategic Plan (WSSP, 2015)	Irish Water has prepared a Water Services Strategic Plan (WSSP, 2015), under Section 33 of the Water Service No. 2 Act of 2013 to address the delivery of strategic objectives which will contribute towards improved water quality and biodiversity requirements through reducing:	The WSSP forms the highest tier of asset management plans (Tier 1) which Irish Water prepare and it sets the overarching framework for subsequent detailed implementation plans

Plans and Projects	Key Policies/Issues/Objectives Directly Related to the Conservation of the Natura 2000 Network	Impact
	 Habitat loss and disturbance from new / upgraded infrastructure; Species disturbance; Changes to water quality or quantity; and Nutrient enrichment /eutrophication. 	(Tier 2) and water services projects (Tier 3). The WSSP also sets out the strategic objectives against which the Irish Water Capital Investment Programme is developed. The current version of the CAP outlines the proposals for capital expenditure in terms of upgrades and new builds within the Irish Water owned assets. Therefore, no adverse significant in-combination effects are envisaged.
NPWS Conservation Management Plans	Conservation Management Plans have not been fully prepared for the European sites being assessed. However, conservation objectives along with supporting documents for the Cork Harbour SPA	The overall aim of the Habitats Directive is to maintain or restore the favourable conservation status of habitats and species of community interest. A site-specific conservation objective aims to define favourable conservation condition for a particular habitat or species at that site. The maintenance of habitats and species within Natura 2000 sites at favourable conservation condition will contribute to the overall maintenance of favourable conservation status of those habitats and species at a national level. The resultant effects of conservation objectives are a net positive and there is no potential for in combination effects on European sites.
WWTP discharges	Carrigtwohill and Environs WWTP, Carrigrennan (Cork City) WWTP, Midleton WWTP, Whitegate-Aghada WWTP, Midleton WWTP, Ringaskiddy Village WWTP's,	Discharges from municipal WWTPs are required to meet water quality standards. Irish Water Capital Investment

Plans and Projects	Key Policies/Issues/Objectives Directly Related to the Conservation of the Natura 2000 Network	Impact
	Cobh & North Cobh WWTP's, Passage-Monkstown WWTP.	Plan proposes to upgrade water treatment services countrywide (see above). The long-term cumulative impact is predicted to be negligible.
Draft City Development Plan 2022-2028	In the Draft City Development Plan 2022-2028, the following is noted. In addition to road enhancements in this area of the city this contains a suite of measures aimed at improving pedestrian connectivity including new footpaths, pedestrian crossings and a new pedestrian cycling bridge which will link to the planned Greenway on the former Cork-Bandon railway line. This scheme will provide connectivity between the Togher and Lehanaghmore and further on the City Centre and western suburban and will address the infrastructural deficit which has been more acute as the area developed in recent years.	Future developments will only be granted permission where discharges from same meet with relevant water quality standards. The long-term cumulative impact is predicted to be negligible.
Planning Applications	Planning applications in the wider landscape relate to small and larger scale residential development.	Future developments will only be granted permission where discharges from same meet with relevant water quality standards. The long-term cumulative impact is predicted to be negligible.

The area surrounding the proposed development is populated with a mixture of residential estates and one-off dwellings and roads. Wastewater is also discharged to Cork Harbour from other settlements (e.g. Blarney, Douglas, Ringaskiddy) and local industry. However, in the absence of any significant impact associated with this project no cumulative impacts on water quality have been identified. Similarly, no significant cumulative impacts in relation to noise and disturbance have been identified.

9. Screening conclusion and statement

This AA screening report has been prepared to assess whether the proposed development, individually or in-combination with other plans or projects, and in view of best scientific knowledge, is likely to have a significant effect on any European site(s).

The screening exercise was completed in compliance with the relevant European Commission guidance, national guidance, and case law. The potential impacts of the proposed development have been considered in the context of the European sites potentially affected, their qualifying interests or special conservation interests, and their conservation objectives.

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

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Appendices

Appendix 1 Site synopses

Cork Harbour Special Protection Area (Site Code 004030)

Cork Harbour is a large, sheltered bay system, with several river estuaries - principally those of the Rivers Lee, Douglas, Owenboy and Owennacurra. The SPA site comprises most of the main intertidal areas of Cork Harbour, including all of the North Channel, the Douglas River Estuary, inner Lough Mahon, Monkstown Creek, Lough Beg, the Owenboy River Estuary, Whitegate Bay and the Rostellan and Poulnabibe inlets.

Owing to the sheltered conditions, the intertidal flats are often muddy in character. These muds support a range of macro-invertebrates, notably Macoma balthica, Scrobicularia plana, Hydrobia ulvae, Nepthys hombergi, Nereis diversicolor and Corophium volutator. Green algae species occur on the flats, especially Ulva lactua and Enteromorpha spp. Cordgrass (Spartina spp.) has colonised the intertidal flats in places, especially where good shelter exists, such as at Rossleague and Belvelly in the North Channel. Salt marshes are scattered through the site and these provide high tide roosts for the birds. Salt marsh species present include Sea Purslane (Halimione portulacoides), Sea Aster (Aster tripolium), Thrift (Armeria maritima), Common Saltmarsh-grass (Puccinellia maritima), Sea Plantain (Plantago maritima), Laxflowered Sea-lavender (Limonium humile) and Sea Arrowgrass (Triglochin maritima). Some shallow bay water is included in the site. Cork Harbour is adjacent to a major urban centre and a major industrial centre. Rostellan Lake is a small brackish lake that is used by swans throughout the winter. The site also includes some marginal wet grassland areas used by feeding and roosting birds.

The site is a Special Protection Area (SPA) under the E.U. Birds Directive, of special conservation interest for the following species: Little Grebe, Great Crested Grebe, Cormorant, Grey Heron, Shelduck, Wigeon, Teal, Pintail, Shoveler, Red-breasted Merganser, Oystercatcher, Golden Plover, Grey Plover, Lapwing, Dunlin, Blacktailed Godwit, Bar-tailed Godwit, Curlew, Redshank, Black-headed Gull, Common Gull, Lesser Black-backed Gull and Common Tern. The site is also of special conservation interest for holding an assemblage of over 20,000 wintering waterbirds. The E.U. Birds Directive pays particular attention to wetlands and, as these form part of this SPA, the site and its associated waterbirds are of special conservation interest for Wetland & Waterbirds.

Cork Harbour is an internationally important wetland site, regularly supporting in excess of 20,000 wintering waterfowl, for which it is amongst the top five sites in the country. The two-year mean of summed annual peaks for the entire harbour complex was 55,401 for the period 1995/96 and 1996/97. Of particular note is that the site supports internationally important populations of Black-tailed Godwit (905) and Redshank (1,782) - all figures given are average winter means for the two winters 1995/96 and 1996/97. At least 18 other species have populations of national importance, as follows: Little Grebe (51), Great Crested Grebe (204), Cormorant (705), Grey Heron (63), Shelduck (2,093), Wigeon (1,852), Teal (922), Pintail (66), Shoveler (57), Red-breasted Merganser (88), Oystercatcher (1,404), Golden Plover (3,653), Grey Plover (84), Lapwing (7,688), Dunlin (10,373), Bartailed Godwit (417), Curlew (1,325) and Greenshank (26). The Shelduck population is the largest in the country (over 10% of national total). The site has regionally or locally important populations of a range of other species, including Whooper Swan (10), Pochard (145) and Turnstone (79). Other species using the site include Gadwall (13), Mallard (456), Tufted Duck (113), Goldeneye (31), Coot (53), Mute Swan (38), Ringed Plover (34) and Knot (38). Cork Harbour is a nationally important site for gulls in winter and autumn, especially Black-headed Gull (4,704), Common Gull (3,180) and Lesser Black-backed Gull (1,440).

A range of passage waders occurs regularly in autumn, including such species as Ruff (5-10), Spotted Redshank (1-5) and Green Sandpiper (1-5). Numbers vary between years and usually a few of each of these species overwinter.

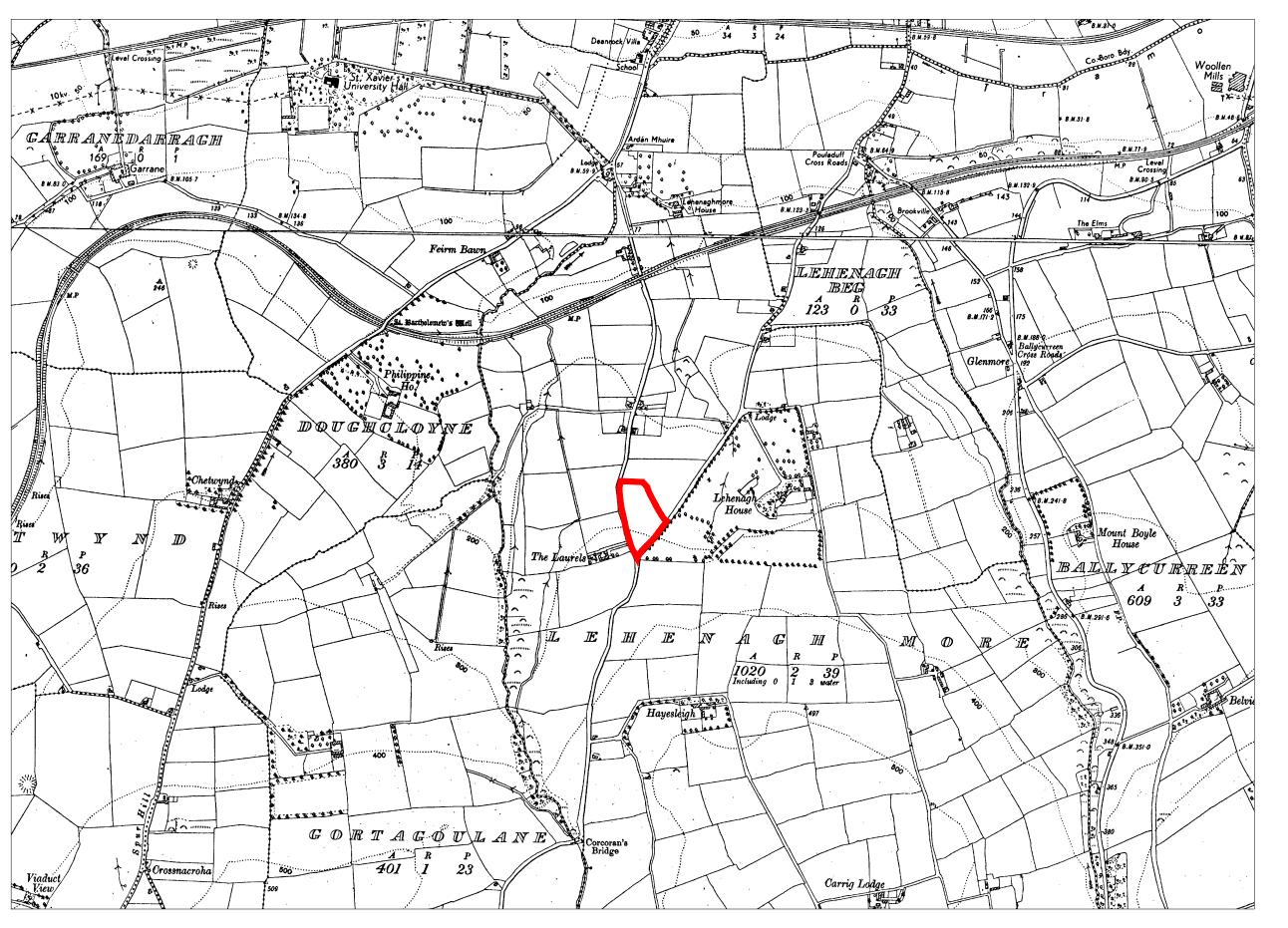
The wintering birds in Cork Harbour have been monitored since the 1970s and are counted annually as part of the I-WeBS scheme.

Cork Harbour has a nationally important breeding colony of Common Tern (3-year mean of 69 pairs for the period 1998-2000, with a maximum of 102 pairs in 1995). The birds have nested in Cork Harbour since about 1970, and since 1983 on various artificial structures, notably derelict steel barges and the roof of a Martello Tower. The birds are monitored annually and the chicks are ringed.

Extensive areas of estuarine habitat have been reclaimed since about the 1950s for industrial, port-related and road projects, and further reclamation remains a threat. As Cork Harbour is adjacent to a major urban centre and a major industrial centre, water quality is variable, with the estuary of the River Lee and parts of the Inner Harbour being somewhat eutrophic. However, the polluted conditions may not be having significant impacts on the bird populations. Oil pollution from shipping in Cork Harbour is a general threat. Recreational activities are high in some areas of the harbour, including jet skiing which causes disturbance to roosting birds.

Cork Harbour is of major ornithological significance, being of international importance both for the total numbers of wintering birds (i.e. > 20,000) and also for its populations of Black-tailed Godwit and Redshank. In addition, there are at least 18 wintering species that have populations of national importance, as well as a nationally important breeding colony of Common Tern. Several of the species which occur regularly are listed on Annex I of the E.U. Birds Directive, i.e. Whooper Swan, Golden Plover, Bar-tailed Godwit, Ruff and Common Tern. The site provides both feeding and roosting sites for the various bird species that use it.

Appendix 2. Drawings



Digital Cartographic Model (DCM) Publisher / Source: Ordnance Survey Ireland (OSi) PRIME2 File Format: Autodesk AutoCAD (DWG_R2013) 59867.0,569725.5 LRX,LRY= 560697.0,569725.5 ULX,ULY= 559867.0,570340.5 URX,URY= 560697.0,570340.5 Projection / Spatial Reference: Projection= IRENET95_Irish_Transverse_Mercator Centre Point Coordinates: X,Y= 560282.0,570033.0 Reference Index: Map Sheet 1:2,500 | 6426-A 1:2,500 | 6425-B 1:1,000 | 6380-25 1:2,500 | 6381-C Data Extraction Date: Date= 04-Dec-2018 Copyright Licence 2022
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MAP DETAILS

n Name and Address

EASTGATE VILLAGE, LITTLE ISLAND, CORK T: 021 4355016 W:WWW.DGARCHITECTS.IE EMAIL:INFO@DGARCHITECTS.IE

PROPOSED RESIDENTIAL DEVELOPMENT AT LEHENAGHMORE, CO. CORK

Site Location Map 13.07.21

Drawing No. Drawn 20185/P/001 SF

Scale Scale 1:10560 @ A3 1 of 2

SITE BOUNDARY

SITE LOCATION MAP

SCALE 1:105



