

CHIEF EXECUTIVE ORDER

COMHAIRLE CATHRACH CHORCAI

CORK CITY COUNCIL

ORDER NO:

5084/23

SUBJECT: Determination on requirement for Appropriate Assessment for Glen Ryan and Cattle Market Area Active Travel Improvement Works

Order:

I have considered the document titled "Glen Ryan and Cattle Market Area Active Travel Improvement Works Appropriate Assessment Screening Report" for this project.

I have noted that the Appropriate Assessment Screening report contains a comprehensive analysis in accordance with the EU Habitats Directive (92/43/EEC) and Section 177 of the Planning and Development Act 2000 as amended.

I am satisfied that the proposed development is unlikely to have an effect on any Natura 2000 sites, including the Cork Harbour SPA (004030), the Great Island Channel SAC (001058), the Blackwater River (Cork/Waterford) SAC and The Gearagh SAC (000108), and therefore deem that it is not necessary to undertake any further stage of the Appropriate Assessment Process.


Accordingly, the proposed development shall proceed subject to the provisions of Section 38 of the Road Traffic Act 1994, as amended.

JD 28/3

Dated

30th

Day of November 2023


ANN DOHERTY, CHIEF EXECUTIVE



Infrastructure Development
Cork City Council
City Hall
Cork
Ireland

Ann Doherty
Chief Executive
Cork City Council

29th November 2023

Ref: Glen Ryan and Cattle Market Area ATIW_CE Order Recommendation_AA Screening Recommendation

Re: Glen Ryan and Cattle Market Area Active Travel Improvement Works – Determination on the Requirement for Appropriate Assessment

Ann,

We refer to the above and confirm that we have considered the document titled “Glen Ryan and Cattle Market Area Active Travel Improvement Works Appropriate Assessment Screening Report” for this project.

We have noted that the Appropriate Assessment Screening report contains a comprehensive analysis in accordance with the EU Habitats Directive (92/43/EEC) and Section 177 of the Planning and Development Act 2000 as amended.

We are satisfied that the proposed development is unlikely to have an effect on any Natura 2000 sites, including the Cork Harbour SPA (004030), the Great Island Channel SAC (001058), the Blackwater River (Cork/Waterford) SAC and The Gearagh SAC (000108), and recommend that a determination be made that it is not necessary to undertake any further stage of the Appropriate Assessment Process.

Accordingly, we recommend that the proposed development shall proceed subject to the provisions of Section 38 of the Road Traffic Act 1994, as amended.

Yours sincerely,

Edith Roberts
Senior Engineer
Infrastructure Development

Gerry O'Beirne
Director of Services
Infrastructure Development

1. EUROPEAN SITE DATA

Great Island Channel 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.	Glen Ryan and Cattle Market Area Active Travel Improvement Works
Development consent type	Local Authority own development – Section 38 of the Road Traffic Act 1994.
Development location	Cattle Market Avenue, Glen Ryan Road, St. Theresa’s a Road and Mary Aikenhead Place
Description of development	Provision of cycling, pedestrain and junction improvement works.
Distance from SAC	Approximately 9.3km
Distance from SPA	Approximately 3.6km
Relevant strategies or policies	Cork City Development Plan 2022 - 2028 Cork Metropolitan Area Transport Strategy 2040 Cycle Design Manual 2023 Design Manual for Urban Roads and Streets Cork City Walking Strategy 2013-2018 NTA Cycle Design Manual 2023
EIS submitted?	No
Screening report/NIS submitted?	Yes

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 SAC? (If yes, no further assessment required. If no, screening required.)	No
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

3. ASSESSMENT OF LIKELY DIRECT, INDIRECT AND CUMULATIVE EFFECTS

Yes / 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.	Does the proposed development involve the removal of significant amounts of topsoil within 100m of the SPA?	No
9.	Does the existing wastewater treatment system have the capacity to treat any additional loading?	N/A
10.	Would the proposed development result in direct surface water or other discharge to water bodies in or feeding into the SPA or SAC? <i>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?</i>	Yes
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 SAC?	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
Comments or notes Q.9 No wastewater loading associated with this project. Q.10 Surface water will be collected, as is currently the case, in the existing drainage system for the city.		

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 not 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 not 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

	Name	Position	Signature	Date
Prepared by	C. Ní Mhurchú	Executive Engineer	<i>Cloadhna Ní Mhurchú</i>	27/11/2023
Approved by	G. O'Beirne	Director of Services		<i>29/11/23</i>