

**Habitats Directive Appropriate Assessment  
Screening Determination**

**Proposed Residential Development at Coolmucky, Cloughduv, Co. Cork.**



**Cork County Council**  
Comhairle Contae Chorcaí

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**Cork County Council.**

Date: 25/03/2024

This document contains the Habitats Directive Screening Determination of Cork County Council in respect of a proposed residential development for 8 dwellings at Coolmucky, Cloughduv, Co. Cork. The assessment is based on project drawings and details prepared by the Architects Department and Walsh Design Group.

In accordance with Regulation 250 of the Planning and Development Regulations, Local Authorities are required to carry out screening for appropriate assessment of proposed development 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 one or more European<sup>1</sup> sites. The Local Authority is required to determine that appropriate assessment of the proposed development 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 one or more European sites.

These requirements derive from Article 6(3) of the Habitats Directive which states that

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

EU and National Guidance sets out two main stages to the assessment process which are as follows:

### **Stage One: Screening**

The process which identifies what might be likely impacts arising from a plan or project on a European site, either alone or in combination with other projects or plans and considers whether these impacts are likely to be significant. No further assessment is required where the risk of significant impacts on European sites can be objectively ruled out during the screening stage.

### **Stage Two: Appropriate Assessment**

Where the possibility of significant impacts has not been discounted by the screening process, a more detailed assessment is required. This is called an Appropriate Assessment and requires the compilation of a **Natura Impact Statement** by the project proponent, which is a report of scientific evidence and data relating to European sites for which significant negative impacts have not been previously screened out. This is used to identify and classify any implications of the plan or project for these sites in view of their Conservation Objectives. The Appropriate Assessment must include a determination as to whether or not the project would adversely affect the integrity of any European site or sites. The plan or project may only be consented if adverse effects on the integrity of European sites can be objectively ruled out during the Appropriate Assessment process. The plan or project may not be consented on foot of an Appropriate Assessment, if it is found that it will give rise to adverse impacts on one or more European sites, or if uncertainty remains in relation to potential impacts on one or more European sites.

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<sup>1</sup>“European Site” means— (a) a candidate site of Community importance; (b) a site of Community importance; (c) a candidate special area of conservation; (d) a special area of conservation; (e) a candidate special protection area, or (f) a special protection area.

**Name of the project**

Proposed residential development at Coolmucky, Cloughduv, Co. Cork.

**Description of the project**

The proposed project is for a residential development consisting of 8 dwelling units including 4 no. 1 bed single storey houses, 2 no. 2 bed storey houses and 2 no. 3 bed 2 storey houses. Access to the site is proposed off the L-2216 Local Road.

**Site Context**

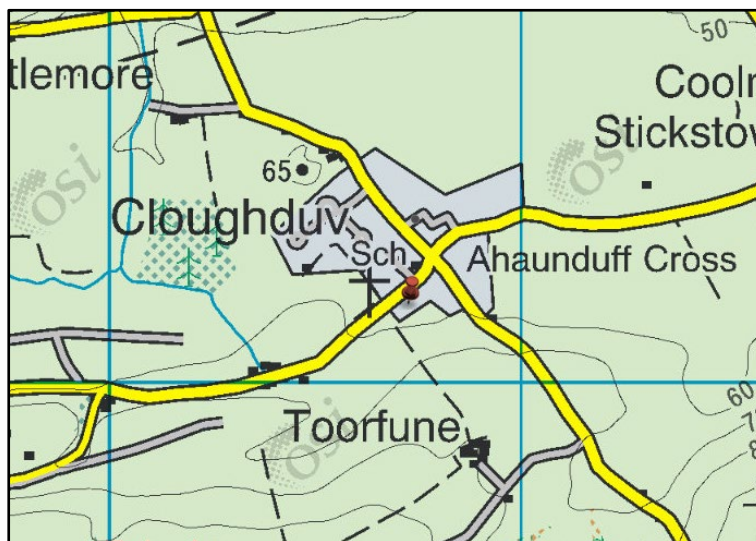
The proposed project is located on a greenfield site to the south of the centre of Cloughduv Village. The proposed site area is 0.38ha. Cloughduv is a village within the Macroom Municipal District. The site is relatively flat. To the east and west of the site are residential dwellings while to the south of the site is agricultural land. The site is bound to the north by the L 2216 local road.

The site is not identified to be located in flood zone A or B according to the Cork County Development Plan 2022 flood risk map. This site is therefore located in flood zone C where residential development can be considered appropriate.

The site is located within the Lee, Cork harbour and Youghal Bay WFD catchment. The Bride River, a tributary of the River Lee, is located approximately 340m west of the proposed site. The River Lee has been assigned good water quality status.

Wastewater from the proposed development is proposed to be conveyed to the Cloughduv Public WWTP. Uisce Eireann Wastewater Treatment Capacity Register has indicated that this plant has available capacity. There are issues relating to license compliance, however, the latest AER indicates that the treated effluent is not having an observable impact on water quality or WFD water quality status. Treated effluent from the WWTP discharges to the Bride River which ultimately discharges to Cork Harbour.

Drinking water will be supplied from the public system via a connection to the existing Uisce Eireann Infrastructure along the L-226 road.



**Figure 1: Red pin indicates site location.**

<p><b>Name and location of EU sites subject to screening</b></p> <p>The proposed development has a distant hydrological connection to two Natura 2000 sites which are located within Cork Harbour. These are the Cork Harbour SPA (Site Code: 4030) and the Great Island Channel SAC (Site Code: 1058). Further consideration is required in respect of these sites.</p> <p>There are two other EU sites which are located within a 15km radius of the site, these are, the Gearagh SAC (Site Code: 108) located approximately 12km north west of the proposed development and the Gearagh SPA (Site Code: 4109) located approximately 13.6km north west of the proposed development. No potential pathway for impact which would link the proposed development to these sites has been identified.</p>
<p><b>Is the project directly connected with or necessary to the management of the sites listed above?</b></p> <p>No.</p>
<p><b>Describe how the project (alone or in combination) is likely to affect the Natura 2000 Site</b></p> <p><b>Cork Harbour SPA and Great Island Channel SAC</b></p> <p>The EU sites have a hydrological connection to the proposed development via the Rivers Bride and Lee. Treated wastewater from the public WWTP in Cloughduv is discharged to the Bride which ultimately discharges to the River Lee and Cork Harbour. However, the discharge point for the WWTP is approx.. 35km upstream of the SAC and the SPA. While there have been recorded breaches of the WWTP license conditions, the UE Annual Environmental Report for 2022 indicates that treated effluent from the Cloughduv WWTP is not having an observable impact on water quality or WFD status in the Bride River. It is also noted that the river is assigned good water quality status downstream of the discharge point and that the WWTP has capacity to accept the additional loading which would be generated by this development.</p> <p>Having regard to all of the above, it is considered that the proposed development does not pose a risk of contributing to negative impacts on water quality in Cork Harbour or to associated estuarine habitats or linked species.</p>
<p><b>Are there other projects or plans that together with the project being assessed that could affect these sites (provide details)?</b></p> <p>No potential for impacts identified, therefore the proposed project does not pose a threat of contributing to effects which could be significant when considered in combination with other impact sources.</p>
<p><b>Cork County Council evaluation and overall conclusion that there are no significant effects on European Sites foreseen as a result of the proposal.</b></p> <p>In accordance with Section 177S of the Planning and Development Act 2000 (as amended) and on the basis of the objective information provided in this report, it is concluded that the proposed project does not pose a risk of causing significant negative any EU site for the following reasons:</p> <ul style="list-style-type: none"> <li>• No works are proposed within any of the listed European sites.</li> <li>• No direct loss, alteration or fragmentation of habitats will occur within any EU sites;</li> </ul>

- The site is located sufficiently distant from designated sites to be satisfied that there is no risk of activities associated with the project causing disturbance to qualifying interests of European sites.
- No discharges of surface water to watercourses are proposed;
- Wastewater is to be directed to the Cloughduv WWTP which has capacity to take the loading which will be generated from this development. Given that the treated effluent is observed not to be having an impact on water quality or the WFD status in the Bride River and having regard also to distance of the discharge point from the EU sites it can be concluded that there will be no impact on these European Sites as a result of this development.

It is therefore determined that a Stage 2 Appropriate Assessment under Section 177V of the Planning and Development Act 2000 is not required.