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**OCSC**

O'CONNOR · SUTTON · CRONIN  
MULTIDISCIPLINARY CONSULTING ENGINEERS

**C1058: DISTILLERY LANE APARTMENTS, MIDLETON**

# **AA SCREENING REPORT**

**For  
Cork County Council**

**11 July 2024**

# NOTICE

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# 1 INTRODUCTION

## 1.1 PROJECT CONTRACTUAL BASIS & PARTIES INVOLVED

This report has been prepared by O'Connor Sutton Cronin & Associates Ltd. (OCSC) at the request of their Client, Cork County Council. The proposal relates to the construction under a Part 8 application of 16no. housing units and a community room on an existing walled garden site off Distillery Lane in Midleton's town centre.

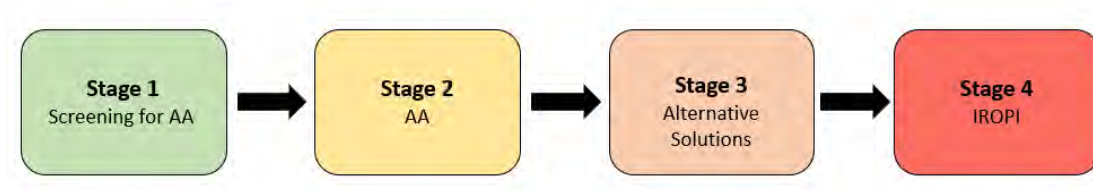
## 1.2 LEGISLATIVE CONTEXT

The Habitats Directive provides legal protection for habitats and species of European importance. The overall aim of the Habitats Directive is to maintain or restore the "favourable conservation status" of habitats and species of European Community Interest. These habitats and species are listed in the Habitats and Birds Directives (Habitats Directive as above and Directive 2009/147/EC on the conservation of wild birds) with Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) designated to afford protection to the most vulnerable of them. These two designations are collectively known as European Sites. Articles 6(3) and 6(4) of the Habitats Directive set out the decision-making tests for plans and projects likely to affect such sites. Article 6(3) establishes the requirement for AA. These requirements are implemented in the Republic of Ireland by the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended) and the Planning Development Act 2000 (as amended).

This AA screening is based on the best scientific knowledge and has utilised ecological and hydrological expertise. In addition, a detailed online review of published scientific literature and 'grey' literature was conducted. This included a detailed review of the National Parks and Wildlife Service (NPWS) website, including mapping and available reports for relevant sites and, in particular, sensitive qualifying interests/special conservation interests described and their conservation objectives. The Environmental Protection Agency (EPA) EnVision map viewer and available reports were also reviewed, as was the NPWS (2019) publication "The Status of Protected EU Habitats and Species in Ireland".

The ecological desktop study completed for the AA screening of the proposed development is comprised of the following elements:

- Identification of European sites with 15 km of the proposed project boundary with identification of potential pathway links for specific sites (if relevant) greater than 15 km from the proposed project boundary.
- Review of the NPWS site synopses and conservation objectives for European sites within 15 km and for which potential pathways from the proposed site have been identified; and
- Examination of available information on protected species.



IROPI: imperative reasons of overriding public interest (IROPI)

### Stage One: Screening

The process identifies the likely impacts upon a European site of a project, either alone or in combination with other projects or plans and considers whether these impacts are likely to be significant.

### Stage Two: Appropriate Assessment

The consideration of the impact on the integrity of the European site of the project, either alone or in combination with other projects or plans, concerning the site's structure and function and its conservation objectives. Additionally, where there are adverse impacts, an assessment is made of the potential mitigation of those impacts. If adequate mitigation is proposed to ensure no significant adverse impacts on European sites, then the process may end at this stage. However, if the likelihood of significant impacts remains, then the process must proceed to Stage Three.

### Stage Three: Assessment of Alternative Solutions

The process examines alternative ways of achieving the objectives of the project or plan that avoids adverse impacts on the integrity of the European site.

### Stage Four: 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 should proceed.

The Habitats Directive promotes a hierarchy of avoidance, mitigation, and compensatory measures. This approach aims to avoid any impacts on European sites by identifying possible impacts early in the plan or project-making process and avoiding such impacts. Secondly, the approach involves the application of mitigation measures, if necessary, during the AA process to the point where no adverse impacts on the site(s) remain. If potential impacts on European sites remain and no further practicable mitigation is possible, the approach requires the consideration of alternative solutions. If no alternative solutions are identified and the plan or project is required for imperative reasons of overriding public interest, then compensation measures are required for any remaining adverse effects.

Ecological impact assessment of potential effects on European sites is conducted following a standard source-pathway-receptor model where all three elements of this mechanism must be in place for an effect to be

established. The absence or removal of one of the elements of the mechanism is sufficient to conclude that a potential effect is of any relevance or significance. The elements of this model consist of the following:

- Source(s) – e.g. pollutant run-off from proposed works;
- Pathway(s) – e.g. groundwater connecting to nearby qualifying wetland habitats; and
- Receptor(s) – qualifying aquatic habitats and species of European sites.

In relation to this report, receptors are the ecological features that are known to be utilised by the qualifying interests or special conservation interests of a European site. A source is any identifiable element of the proposed development that is known to interact with ecological processes. The pathways are any connections or links between the source and the receptor. This report provides information on whether direct, indirect, and/or cumulative adverse effects could arise from the proposed development.

### 1.3 METHODOLOGY AND APPROACH

The AA Screening has been prepared taking into account the aforementioned and following legislation and guidance:

- Appropriate Assessment of Plans and Projects in Ireland. Guidance for Planning Authorities. Department of the Environment, Heritage and Local Government, 2009; 11 February 2010 revision.
- Commission Notice: Managing Natura 2000 sites – The provisions of Article 6 of the Habitats Directive 92/43/EEC. European Commission, 2018.
- Assessment of plans and projects significantly affecting Natura 2000 sites: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC. European Commission Environment DG, 2002.
- Managing Natura 2000 sites: the Provisions of Article 6 of the Habitats Directive 92/43/EEC. European Commission, 2000.
- Appropriate Assessment Screening for Development Management. Office of the Planning Regulator, March 2021.

The above documents have been used to carry out a desktop AA Screening based on the best available guidance and operating within the applicable legislation.

### 1.4 SCOPE OF WORKS

To meet the project objectives, the following scope of works were completed:

- Present a discussion of the proposed development and its potential effects on its receiving environment;
- Present a discussion of the current site status and key environmental influences around the site;
- Undertake and present a review of European sites in the region of the proposed development;



- Conduct and present a discussion on the screening of the identified European sites in relation to the potential effects arising from the project; and
- Provide a conclusion as to whether or not the proposed development is likely to, either alone or in combination with other plans or projects, have a significant effect on any European site.

## 1.5 LIMITATIONS

This Appropriate Assessment Screening Report has been prepared for the sole use of Cork County Council (“the Client”). No other warranty, expressed or implied, is made as to the professional advice included in this report or any other services provided by OCSC.

This assessment is based on a review of available historical information, environmental records, consultations, relevant guidance information, and reports from third parties. All information received has been taken in good faith as being true and representative.

This report has been prepared in line with the best industry standards. The methodology adopted and the sources of information used by OCSC in providing its services are outlined in this Report. The assessment undertaken by OCSC and described was undertaken in February 2024 and is based on the information available during that period. The scope of this report and the services are accordingly factually limited by these circumstances.

OCSC disclaim any undertaking or obligation to advise any person of any change in any matter affecting the Report which may come or be brought to OCSC’s attention after the date of the Report.

The conclusions presented in this report represent OCSC’s best professional judgement based on a review of the relevant information available at the time of writing. The opinions and conclusions presented are valid only to the extent that the information provided was accurate and complete.



## 2 DESCRIPTION OF THE EXISTING ENVIRONMENT

### 2.1 PROJECT DESCRIPTION

This Appropriate Assessment (AA) Screening report has been prepared for the proposed construction of 16no. housing units and a community room on an existing walled garden site off Distillery Walk, in Midleton. The housing scheme has been designed as a 6-storey apartment building with 3no. one bed units on each floor except the ground floor which contains a community room and a single, one bed apartment. The intention is that this housing scheme would be allocated to accommodate elderly residents specifically. The remainder of the site is designed as a public garden space that also allows for management of storm water drainage on the site. The project is being developed in collaboration with the local Lions Club. This subject site has been identified by Cork County Council's Housing Directorate as a key site within the town suitable for redevelopment.

### 2.2 SITE SETTING AND LOCATION

The site is located on Distillery Walk in Midleton town centre, Co. Cork. It is rectangular in shape and enclosed on all sides by an old stone wall. It measures 0.109Ha (0.27 acres) in area and is relatively flat. It is located less than 50m. from Main Street and circa 25km. east of Cork City centre. The regional site location is shown in Figure 2.1, and the study area is shown in Figure 2.2.

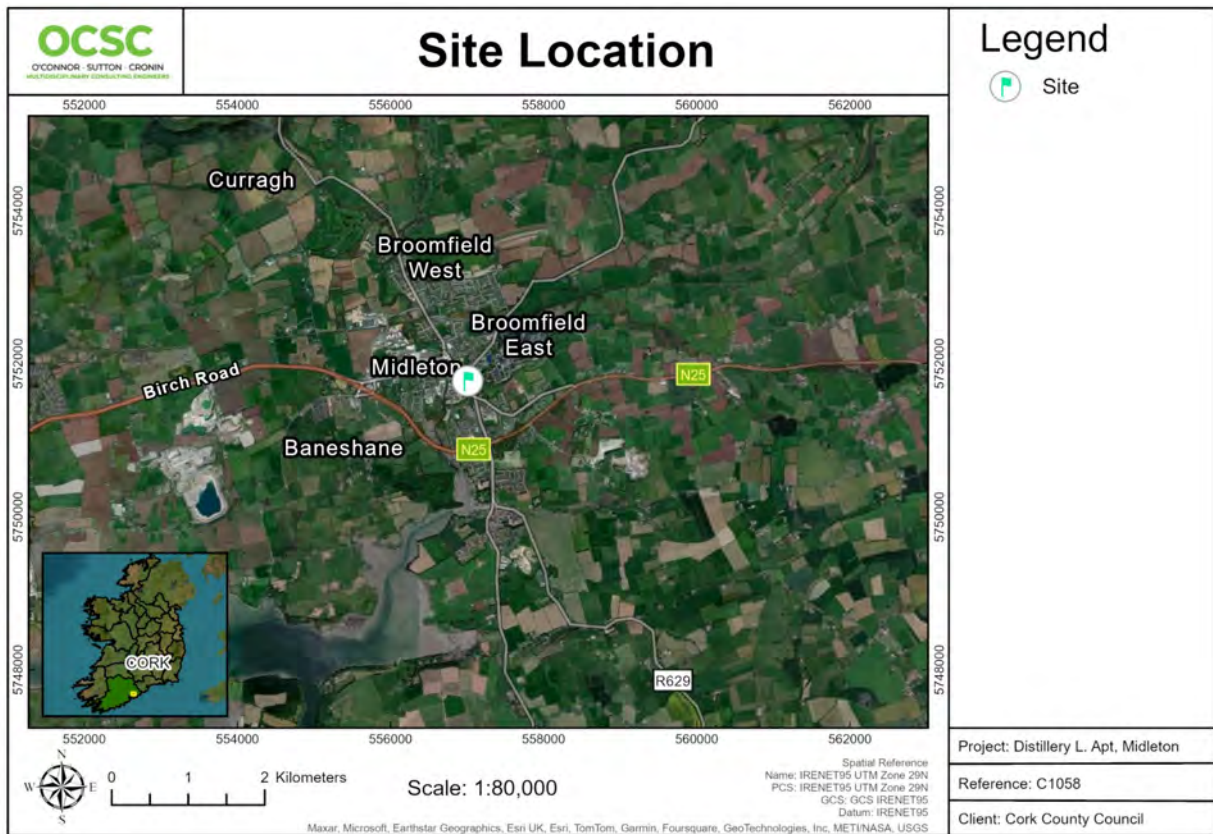


Figure 2.1: Regional Site Location (GIS, 2024)

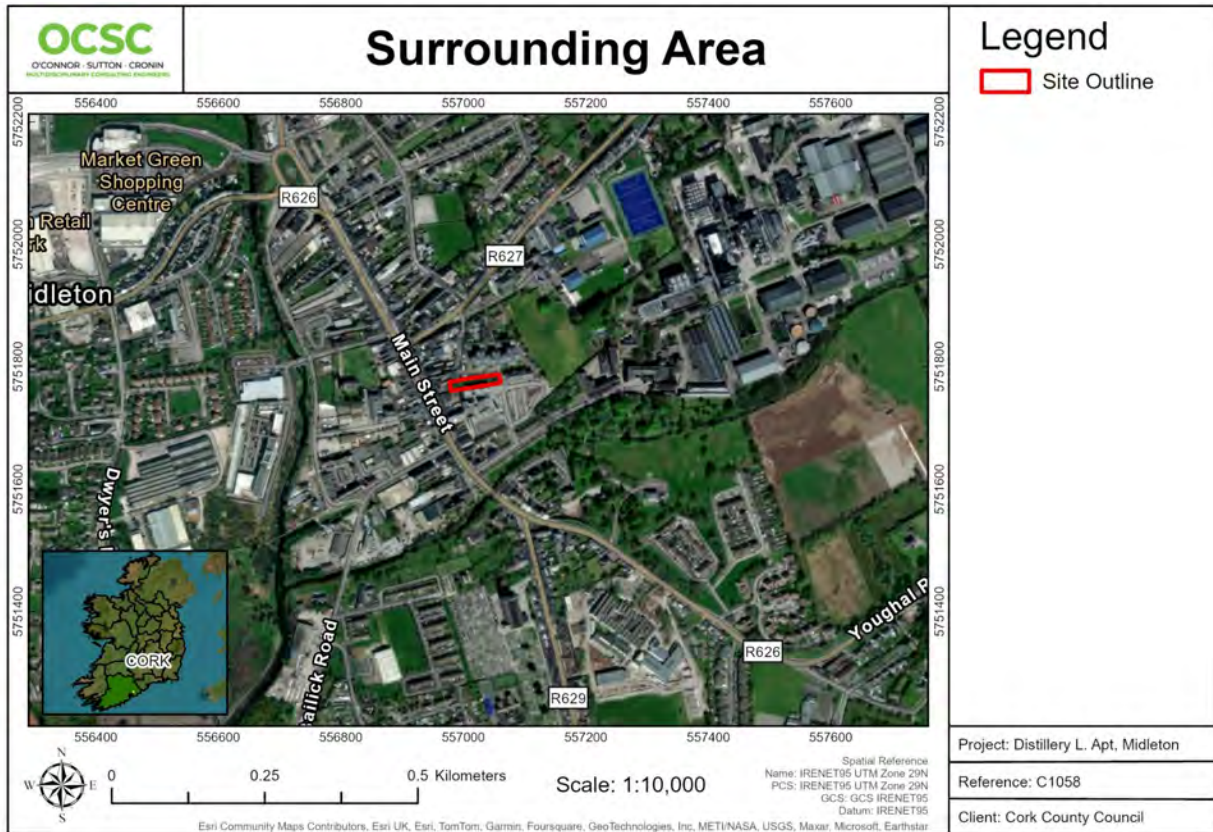


Figure 2.2: Study Area (GIS, 2024)

### 2.3 SURROUNDING LAND USE

The area immediately surrounding the site is in residential and commercial land use as shown in Figure 2.2. To the north of the site are residential and commercial premises. East of the site are commercial units, open green space, and the Midleton Distillery. To the south and west are commercial premises. Further to the south is the River Dungourney. See Table 2.1 for adjacent land uses.

Table 2.1: Adjacent Land Uses

BOUNDARY	LAND USE
North	Residential commercial land use
South	Commercial premises and the River Dungourney
East	Commercial units, open green space, and the Midleton Distillery
West	Commercial premises



## 2.4 HYDROLOGY

There are no surface water features within the site boundary. The nearest surface waterbody is the River Dungourney\_020 (Dungourney\_020 (IE\_SW\_19D070700)) which is located approximately 140m south of the site at its nearest point. The river Dungourney\_020 flows in a south-westerly direction before discharging to the River Owennacurra\_040 (Owennacurra\_040 (IE\_SW\_19O030500)) which is the second nearest waterbody and is located approximately 240m west of the site at its nearest point. The River Owennacurra\_040 flows in a southerly direction and discharges into the Owenacurra Estuary. See Figure 2.3 and Figure 2.4 for waterbody locations.

Based on the most recent water quality information (2016-2021), the River Dungourney\_020 has an overall Water Framework Directive (WFD) status of 'Poor' in the vicinity of the site, and the River Owennacurra\_040 has an overall WFD status of 'Moderate' as shown in Figure 2.3.

The EPA spatial dataset indicates that the River Dungourney\_020 and the River Owennacurra\_040 are at risk of failing to meet their WFD objectives by 2027 (EPA 2023) as shown in Figure 2.4. WFD summary information for these waterbodies is summarised in Table 2.2.

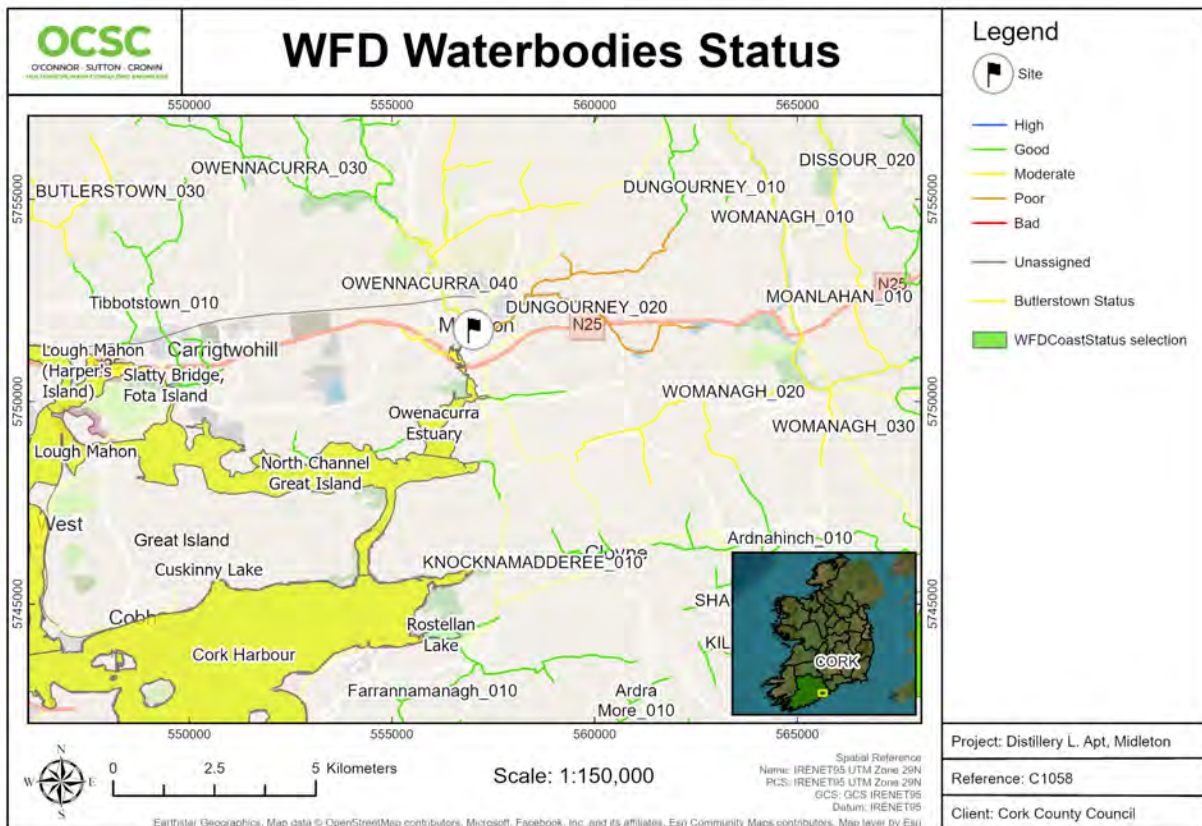


Figure 2.3: River Waterbody WFD Status (EPA Maps, 2024)

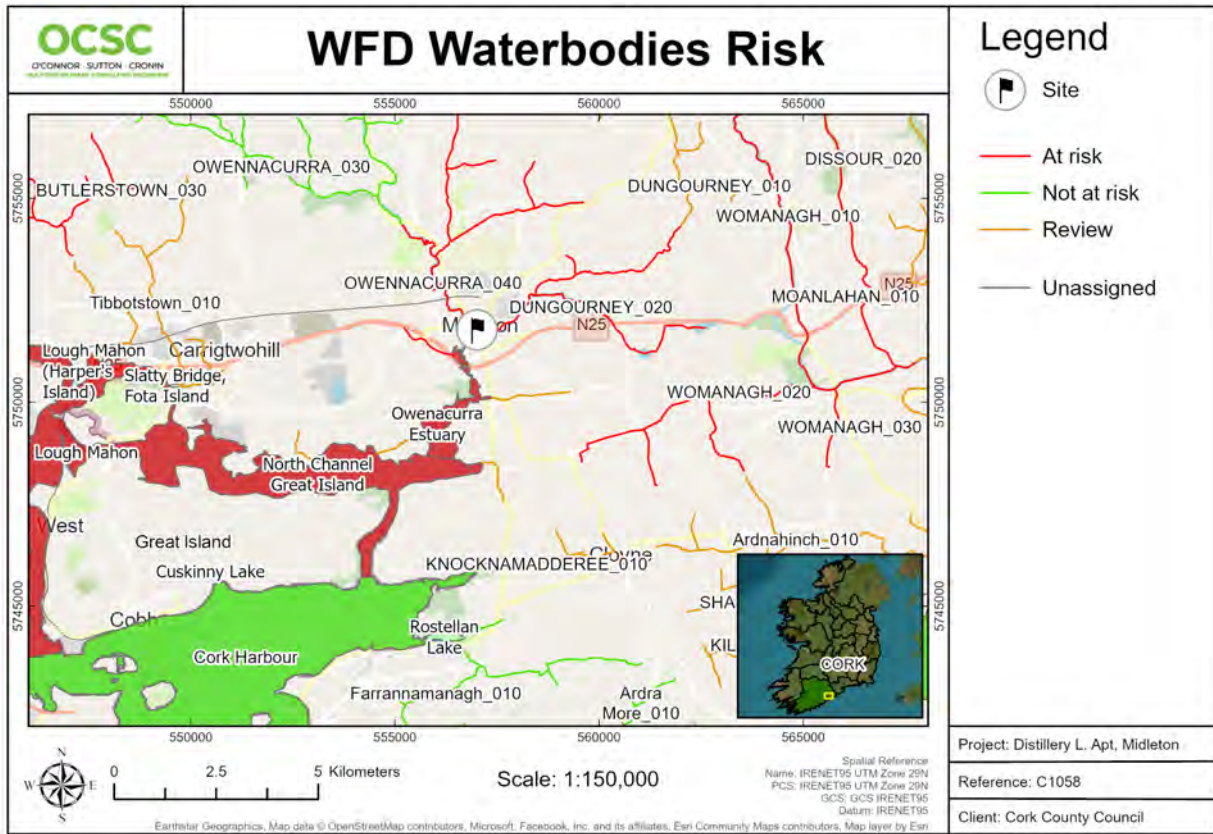


Figure 2.4: River Waterbodies Risk (EPA Maps, 2024)

Table 2.2: WFD Summary Information

WFD Summary Information		
Name	River Dungourney_020	River Owennacurra_040
Waterbody Code	IE_SW_19D070700	IE_SW_19O030500
Waterbody Name	Dungourney_020	Owennacurra_040
Waterbody Type	River	River
Iteration	SW 2016-2021	SW 2016-2021
Status	Poor	Moderate
Risk	At Risk	At Risk

## 3 SCREENING FOR APPROPRIATE ASSESSMENT

### 3.1 SCREENING PROCESS

This stage of the process identifies any likely significant effects to European sites from a project or plan, either alone or in combination with other projects or plans. The screening phase was progressed in stages during which a series of questions were asked to determine:

- Whether a plan or project can be excluded from AA requirements because it is directly connected with or necessary to the management of a European Site.
- Whether the project will have a potentially significant effect on a European Site, either alone or in combination with other projects or plans, in view of the site's conservation objectives or if residual uncertainty exists regarding potential impacts.

An important element of the AA process is the identification of the “conservation objectives”, “Qualifying Interests” (QIs), and/ or “Special Conservation Interests” (SCIs) of European sites requiring assessment. QIs are the habitat features and species listed in Annexes I and II of the Habitats Directive for which each European Site has been designated and afforded protection. SCIs are wetland habitats and bird species listed within Annexes I and II of the Birds Directive. It is also vital that the threats to the ecological/environmental conditions that are required to support QIs and SCIs are considered as part of the assessment.

Site-Specific Conservation Objectives (SSCOs) have been designed to define favourable conservation status for a particular habitat or species at that site. Paragraph 4.6(3) of the European Commission interpretation document ‘Managing Natura 2000 sites: The provisions of Article 6 of the Habitats Directive 92/43/EEC’ states:

*“The significant effects on any European Site, in view of the site’s conservation objectives, involves its ecological functions. The decision as to whether it is adversely affected should focus on and be limited to the site’s conservation objectives.”*

Favourable conservation status of habitat is achieved when:

- Its natural range, and area it covers within that range, are stable or increasing;
- The specific structure and functions which 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 dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats;

- The natural range of the species is neither being reduced nor is 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.

### 3.2 IDENTIFICATION OF RELEVANT EUROPEAN SITES

This section of the screening process describes the European sites located within the Zone of Influence (ZOI) of the site. The Department of the Environment (2010 revised) Guidance on AA recommends a 15 km buffer zone to be considered for Natura 2000 sites, but projects are evaluated on a case-by-case basis. A review of all sites within the ZOI has allowed a determination to be made that, in the absence of significant hydrological links, the characteristics of the proposed works will not impose effects beyond the 15 km ZOI. Designated sites located within 15km of the site are shown in Figure 3.1 and Figure 3.2.

To determine the potential for effects from the proposed works, information on the qualifying features, known vulnerabilities, and potential impacts which are likely to have significant effects on any European Site, in view of the site's conservation objectives, were reviewed. Background information on threats to individual sites and vulnerability of habitats and species that were used during this assessment included the following:

- Ireland's Article 17 Report to the European Commission "Status of EU Protected Habitats and Species in Ireland" (NPWS, 2021);
- Site Synopses (NPWS 2019a); and
- NATURA 2000 Standard Data Forms (NPWS 2019b).

The assessment takes consideration of the SSCOs of each of the sites within the ZOI. Since the conservation objectives for the European sites focus on maintaining the favourable conservation condition of the QIs/SCIs of each site, the screening process focused on assessing the potential effects of the proposed works against the QIs/SCIs of each site. The conservation objectives for each site were consulted throughout the assessment process. QIs/SCIs for Natura sites within 15km of the site are detailed in Table 3.1.

Conservation objectives that have been considered by this assessment are included in the following NPWS documents:

- NPWS (2014) Conservation Objectives: Cork Harbour SPA [004030]. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage, and the Gaeltacht
- NPWS (2014) Conservation Objectives: Great Island Channel SAC [001058]. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage, and the Gaeltacht.
- NPWS (2014) Conservation Objectives: Ballycotton Bay SPA [004022]. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage, and the Gaeltacht.

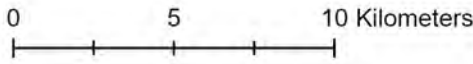
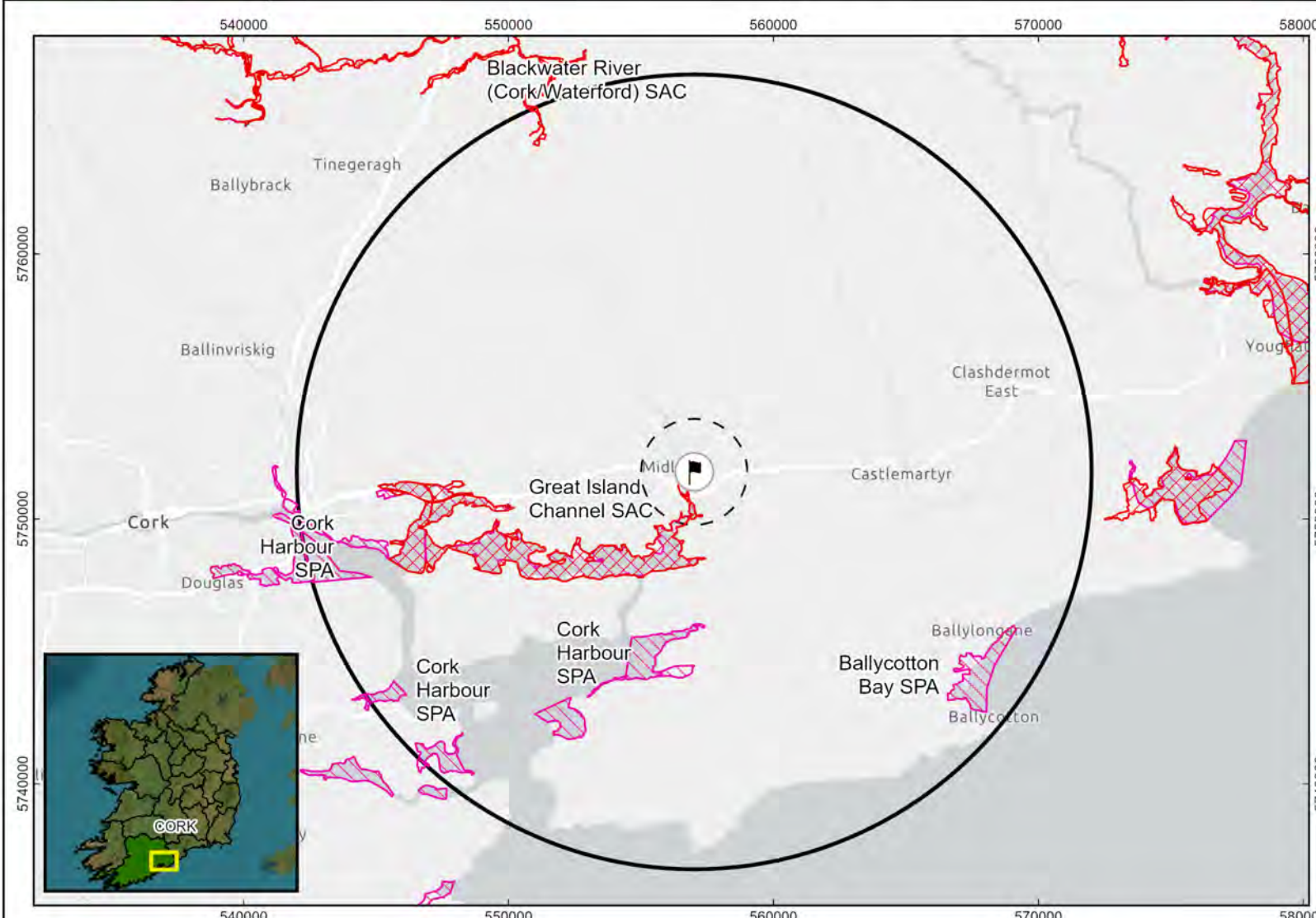


- NPWS (2012) Conservation Objectives: Blackwater River (Cork/Waterford) SAC [002170]. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage, and the Gaeltacht.

# NPWS Designated Sites

## Legend

- Site
- 2km Buffer
- 15km Buffer
- SAC
- SPA



Scale: 1:220,000

Spatial Reference  
Name: IRENET95 UTM Zone 29N  
PCS: IRENET95 UTM Zone 29N  
GCS: GCS IRENET95  
Datum: IRENET95  
Projection: Transverse Mercator

Earthstar Geographics, Esri UK, Esri, TomTom, Garmin, Foursquare, METI/NASA, USGS

Project: Distillery Lane Apartments, Midleton

Reference: C1058

Client: Cork County Council

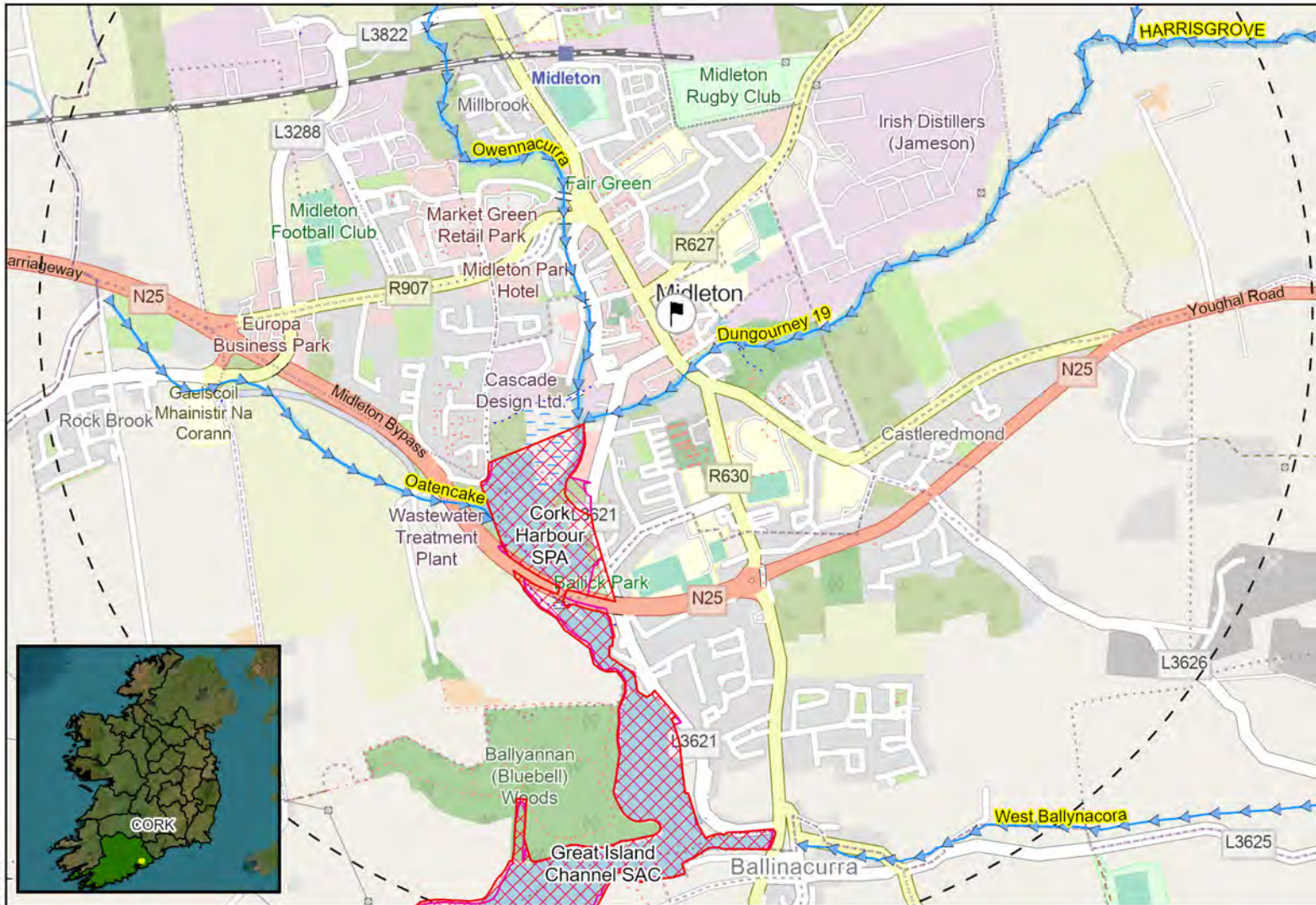
Figure 3.1. NPWS Designated Sites



# Flow Network and NPWS Designated Sites

## Legend

-  Site
-  2km Buffer
-  15km Buffer
-  SAC
-  SPA
-  Flow Network
-  Flow Direction



0 0.5 1 Kilometers

Scale: 1:19,000

Spatial Reference  
Name: IREN95 UTM Zone 29N  
PCS: IREN95 UTM Zone 29N  
GCS: GCS IREN95  
Datum: IREN95  
Projection: Transverse Mercator

Project: Distillery Lane Apartments, Midleton

Reference: C1058

Client: Cork County Council

Figure 3.2: Flow Network and NPWS Designated Sites.

**Table 3.1: European Sites Within 15 km of the Proposed Works**

Site Code	Site Name	Distance (km)	Sensitive Receptors	Site Code
001058	Great Island Channel SAC	0.45 SW	[1140] Mudflats and sandflats not covered by seawater at low tide [1330] Atlantic salt meadows ( <i>Glauco-Puccinellietalia maritimae</i> )	<p>The Great Island Channel stretches from Little Island to Midleton, with its southern boundary being formed by Great Island. It is an integral part of Cork Harbour which contains several other sites of conservation interest. Geologically, Cork Harbour consists of two large areas of open water in a limestone basin, separated from each other and the open sea by ridges of Old Red Sandstone. Within this system, Great Island Channel forms the eastern stretch of the river basin and, compared to the rest of Cork Harbour, is relatively undisturbed. Within the site is the estuary of the Owennacurra and Dungourney Rivers. These rivers, which flow through Midleton, provide the main source of freshwater to the North Channel.</p> <p>The site is of major importance for the two habitats listed on Annex I of the E.U. Habitats Directive, as well as for its important numbers of wintering waders and wildfowl. It also supports a good invertebrate fauna.</p>
004030	Cork Harbour SPA	0.45 SW	<p>[A004] Little Grebe (<i>Tachybaptus ruficollis</i>) [A005] Great Crested Grebe (<i>Podiceps cristatus</i>) [A017] Cormorant (<i>Phalacrocorax carbo</i>) [A028] Grey Heron (<i>Ardea cinerea</i>) [A048] Shelduck (<i>Tadorna tadorna</i>) [A050] Wigeon (<i>Anas 15enelope</i>) [A052] Teal (<i>Anas crecca</i>) [A054] Pintail (<i>Anas acuta</i>) [A056] Shoveler (<i>Anas clypeata</i>) [A069] Red-breasted Merganser (<i>Mergus serrator</i>) [A130] Oystercatcher (<i>Haematopus ostralegus</i>) [A140] Golden Plover (<i>Pluvialis apricaria</i>) [A141] Grey Plover (<i>Pluvialis squatarola</i>) [A142] Lapwing (<i>Vanellus vanellus</i>) [A149] Dunlin (<i>Calidris alpina alpina</i>) [A156] Black-tailed Godwit (<i>Limosa limosa</i>) [A157] Bar-tailed Godwit (<i>Limosa lapponica</i>) [A160] Curlew (<i>Numenius arquata</i>) [A162] Redshank (<i>Tringa tetanus</i>) [A179] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A182] Common Gull (<i>Larus canus</i>) [A183] Lesser Black-backed Gull (<i>Larus fuscus</i>) [A193] Common Tern (<i>Sterna hirundo</i>) [A999] Wetlands and Waterbirds</p>	<p>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 Poul nabibe inlets.</p> <p>Cork Harbour is of major ornithological significance, being of international importance both for the total numbers of wintering birds (i.e. &gt; 20,000) and also for its populations of Black-tailed Godwit and Redshank. In addition, it supports nationally important wintering populations of 22 species, 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, Little Egret, Golden Plover, Bar-tailed Godwit, Ruff, Mediterranean Gull and Common Tern. The site provides both feeding and roosting sites for the various bird species that use it. Cork Harbour is also a Ramsar Convention site and part of Cork Harbour SPA is a Wildfowl Sanctuary.</p>

Site Code	Site Name	Distance (km)	Sensitive Receptors	Site Code
004022	Ballycotton Bay SPA	12.2 SE	[A052] Teal ( <i>Anas crecca</i> ) [A137] Ringed Plover ( <i>Charadrius hiaticula</i> ) [A140] Golden Plover ( <i>Pluvialis apricaria</i> ) [A141] Grey Plover ( <i>Pluvialis squatarola</i> ) [A142] Lapwing ( <i>Vanellus vanellus</i> ) [A156] Black-tailed Godwit ( <i>Limosa limosa</i> ) [A157] Bar-tailed Godwit ( <i>Limosa lapponica</i> ) [A160] Curlew ( <i>Numenius arquata</i> ) [A169] Turnstone ( <i>Arenaria interpres</i> ) [A182] Common Gull ( <i>Larus canus</i> ) [A183] Lesser Black-backed Gull ( <i>Larus fuscus</i> ) [A999] Wetland and Waterbirds	Situated on the south coast of Co. Cork, Ballycotton Bay is an east-facing coastal complex, which stretches northwards from Ballycotton to Ballynamona, a distance of c. 2 km. The site comprises two sheltered inlets which receive the flows of several small rivers. The southern inlet had formerly been lagoonal (Ballycotton Lake) but breaching of the shingle barrier in recent times has resulted in the area reverting to an estuarine system. The principal habitat within the site is inter-tidal sand and mudflats. These are mostly well-exposed and the sediments are predominantly firm sands. In the more sheltered conditions of the inlets, sediments contain a higher silt fraction. The inter-tidal flats provide the main feeding habitat for the wintering birds. Sandy beaches are well represented. Salt marshes fringe the flats in the sheltered inlets and these provide high tides roosts. A small area of shallow marine water is also included. The site is a Special Protection Area (SPA) under the E.U. Birds Directive, of special conservation interest for the following species: Teal, Ringed Plover, Golden Plover, Grey Plover, Lapwing, Black-tailed Godwit, Bar-tailed Godwit, Curlew, Turnstone, Common Gull and Lesser Black-backed Gull. 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.
002170	Blackwater River SAC	13.6 NE	[1130] Estuaries [1140] Tidal Mudflats and Sandflats [1220] Perennial Vegetation of Stony Banks [1310] Salicornia Mud [1330] Atlantic Salt Meadows [1410] Mediterranean Salt Meadows [3260] Floating River Vegetation [91A0] Old Oak Woodlands [91E0] Alluvial Forests* [1029] Freshwater Pearl Mussel ( <i>Margaritifera margaritifera</i> ) [1092] White-clawed Crayfish ( <i>Austropotamobius pallipes</i> ) [1095] Sea Lamprey ( <i>Petromyzon marinus</i> ) [1096] Brook Lamprey ( <i>Lampetra planeri</i> ) [1099] River Lamprey ( <i>Lampetra fluviatilis</i> ) [1103] Twaite Shad ( <i>Alosa fallax</i> ) [1106] Atlantic Salmon ( <i>Salmo salar</i> ) [1355] Otter ( <i>Lutra lutra</i> ) [1421] Killarney Fern ( <i>Trichomanes speciosum</i> )	The River Blackwater is one of the largest rivers in Ireland, draining a major part of Co. Cork and five ranges of mountains. In times of heavy rainfall the levels can fluctuate widely by more than 12 feet on the gauge at Careysville. The peaty nature of the terrain in the upper reaches and of some of the tributaries gives the water a pronounced dark colour. The site consists of the freshwater stretches of the River Blackwater as far upstream as Ballydesmond, the tidal stretches as far as Youghal Harbour and many tributaries, the larger of which include the Licky, Bride, Flesk, Chimneyfield, Finisk, Araglin, Awbeg (Buttevant), Clyda, Glen, Allow, Dalua, Brogeen, Rathcool, Finnow, Owentaraglin and Awnaskirtaun. The portions of the Blackwater and its tributaries that fall within this SAC flow through the counties of Kerry, Cork, Limerick, Tipperary and Waterford. Nearby towns include Rathmore, Millstreet, Kanturk, Banteer, Mallow, Buttevant, Doneraile, Castletownroche, Fermoy, Ballyduff, Rathcormac, Tallow, Lismore, Cappoquin and Youghal.



### **3.3 ASSESSMENT CRITERIA**

#### **3.3.1 EXCLUSION FROM APPROPRIATE ASSESSMENT**

As set out in the provisions of the Habitats Directive, plans or projects that are directly connected with or necessary to the management of a European Site do not require AA. For this exception to apply, management is required to be interpreted narrowly as nature conservation management in the sense of Article 6(1) of the Habitats Directive. This refers to specific measures to address the ecological requirements of annexed habitats and species (and their habitats) present on a site(s). The relationship should be shown to be direct and not a by-product of the plan, even if this might result in positive or beneficial effects for a site(s).

In this case, however, the proposed Distillery Lane Apartments is neither necessary for nor directly connected with the management of a European Site. As such, the proposed development cannot be excluded from AA.

#### **3.3.2 ELEMENTS OF THE WORKS WITH THE POTENTIAL TO GIVE RISE TO EFFECTS**

The construction phase of the proposed works has the potential to introduce effects such as disturbance due to noise and vibrations, surface water run-off, and sedimentation. These effects are examined in detail in relation to the sensitive receptors of each of the European sites identified with regard to the conservation objectives and the potential pathways for effects.

#### **3.3.3 IDENTIFICATION OF POTENTIAL EFFECTS AND SCREENING OF SITES**

This section documents the final stage of the screening process. It uses the information collected on the sensitivity of each European Site and describes any impact to have likely significant effects on any European Site, in view of the site's conservation objectives, resulting from the proposed works. This assessment assumes the absence of any controls, conditions, or mitigation measures. In determining the potential for effects, a number of factors have been considered including the sensitivity and reported threats to the European Site and the individual elements of the proposed works and the potential effect they may cause to the site.

Sites are screened out based on one or a combination of the following criteria:

- Where it can be shown that there are no significant pathways such as hydrological links between activities of the proposed works and the site to be screened;
- Where the site is located at such a distance from proposed works that effects are not foreseen; and/ or

- Where it is that known threats or vulnerabilities at a site cannot be linked to potential impacts that may arise from the proposed works.

### 3.4 ASSESSMENT OF SIGNIFICANCE OF POTENTIAL EFFECTS

Assessment is the process of evaluating the importance or significance of project/plan effects (whether negative or positive). The following parameters are described when characterising impacts (following guidance from the Chartered Institute of Ecology and Environmental Management, the Environmental Protection Agency, and Transport Infrastructure Ireland/ National Roads Authority):

**Direct and Indirect Impacts** – An impact can be caused either as a direct or as an indirect consequence of proposed development.

**Magnitude** - Magnitude refers to size, amount, intensity, and volume. It should be quantified if possible and expressed in absolute or relative terms (e.g., the amount of habitat lost, percentage change to habitat area, percentage decline in a species population). Magnitude measures the size of an impact which is described as high, medium, low, very low, or negligible.

**Extent** - The extent is the spatial or geographical area over which the impact/effect may occur under a suitably representative range of conditions (e.g. noise transmission underwater).

**Duration** - The time for which the effect is expected to last prior to recovery or replacement of the resource or feature.

- Temporary: the effects would take up to 1 year to be mitigated;
- Short Term: the effects would take 1-7 years to be mitigated;
- Medium Term: the effects would take 7-15 years to be mitigated;
- Long Term: the effects would take 15-60 years to be mitigated; and
- Permanent: the effects would take 60+ years to be mitigated.

**Likelihood** – The probability of an impact/effect occurring taking into account all available information.

- Certain/Near Certain: >95% chance of occurring as predicted;
- Probable: 50-95% chance as occurring as predicted;
- Unlikely: 5-50% chance as occurring as predicted; and
- Extremely Unlikely: <5% chance as occurring as predicted.

The document 'Assessment of plans and projects significantly affecting Natura 2000 sites: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC, European Commission



Environment DG, 2001' outlines the types of effects that may impact European sites. These include effects from the following activities:

- Land take
- Resource requirements (drinking water abstraction, etc.)
- Emissions (disposal to land, water, or air)
- Excavation requirements
- Transportation requirements
- Duration of construction, operation, and decommissioning

In addition, the guidance outlines the following likely changes that may occur at a designated site which may result in significant effects on any European Site and its function, in view of its conservation objectives:

- Reduction of habitat area
- Disturbance to key species
- Habitat or species fragmentation
- Reduction in species density
- Changes in key indicators of conservation value (water quality, etc.)
- Climate change

The elements detailed above were considered with reference to each of the European sites identified within a 15km radius of the site (

Table 3.1).

### **3.4.1 LAND TAKE/HABITAT LOSS**

As there is no spatial overlap between the site and any European site, there is no anticipated impact on the land take or habitat loss posed to European sites from the proposed works.

### **3.4.2 RESOURCE REQUIREMENTS**

There are no resource requirements (i.e. mineral/drinking water abstractions, etc.) for the proposed works which will be additional to existing requirements. Therefore, there will be no interactions with resources necessary for the maintenance of the ecological integrity of any European sites.

### 3.4.3 DURATION OF WORKS

The construction phase of the proposed works is anticipated to be short term. Given the relatively small-scale of these works, the duration of the works is extremely unlikely to impact on nearby European sites.

### 3.4.4 EMISSIONS (DISPOSAL TO LAND, WATER OR AIR)

#### Construction Phase:

Works undertaken during the construction phase may create potential localised impacts such as increased risks to water quality due to siltation, turbidity, and pollution resulting from accidental spillages of oils or fuels from machinery and runoff during construction works. The nearest surface water feature is the River Dungourney\_020 (Dungourney\_020 (IE\_SW\_19D070700)) which is located approximately 140m south of the site and flows into the Great Island Channel SAC and the Cork Harbour SPA.

Therefore it is imperative that surface water and stormwater runoff during construction are managed appropriately. Reducing topsoil erosion prevents sedimentation, increases infiltration and slows the spread of surface water runoff. This can be managed during construction using erosion control blankets on exposed topsoil and installing mulch to slopes.

There is no direct or indirect hydrological link between the site and the Great Island Channel SAC or the Cork Harbour SPA which are directly located approximately 0.45km southwest of the site. Therefore, given the lack of connectivity between the site and the river and the distance between the proposed site and the closest European sites, and the small scale of the development, construction phase effects are predicted to be temporary, negligible, and unlikely.

No other European sites within the ZOI are hydrologically connected to the proposed site. Therefore, due to the scale and duration of the proposed works, the distance from the study area to these sites, and the lack of hydrological connection, impact on these European sites is determined to be extremely unlikely and not significant.

Construction phase elements of the plan may also give rise to increased temporary site effects such as noise or dust. However, due to the scale and short duration of the project and the implementation of a site-specific CEMP, these potential effects are not predicted to have a significant impact on any European sites.

#### Operational Phase:

A new surface water drainage system consisting of a wet swale channel and an additional storm sewer is proposed for the project. The surface water drainage will be designed in accordance with all best practice requirements, including design in accordance with the CIRIA C753 The SUDS Manual. The surface water design will be carried out so that all rainfall runoff is collected from hard surfaces and its release to the existing

storm sewer controlled to decrease the risk of flooding. Given the proposed design specifications and the probable small magnitude of discharge which will not contribute to additional surface water to rivers, it is considered that the surface water drainage from the site will not have a significant impact on nearby European sites during the operational phase.

Stormwater often contains sediment and chemical pollutants that require filtration before they can be discharged into the environment. During the operational phase, the installation of downpipes will direct stormwater into storm drains. The swale will treat, slow the flow of runoff and reduce any pollutants in the stormwater. Wildflower and grass species such as Common Reed (*Phragmites australis*), Bulrush (*Typha latifolia*), Branched Bur-reed (*Sparganium erectum*), Water Mint (*Mentha aquatica*) and Brookwell (*Veronica beccabunga*) will improve the filtration process.

### 3.4.5 FOUL WATER

A new foul drainage network will be required for the development and will be designed in accordance with IS EN 752, the Building Regulations Part H and the Irish Water Code of Practice for Wastewater.

It is proposed that foul effluent from the proposed development will flow by gravity via a 150mm dia uPVC pipe network along the southern boundary wall within the site and will be tied into the existing manhole outside of the site boundary at the southwest corner.

The new foul sewer layout has been designed to ensure that tying into the existing sewer will be located under the existing gate that will be retained without undermining the existing wall, thereby avoiding any negative impact on the historical stone boundary wall. All gravity foul sewer pipes shall be designed to achieve a minimum self-cleansing velocity of 0.75m/s with a maximum velocity of 3.0m/s. Self-cleansing is considered to be satisfied by a 150mm diameter sewer having a gradient not flatter than 1 in 150. The foul sewers shall be designed in accordance with the "Recommendations for Site Development Works for Housing Areas". This development will in effect be connected to the public foul network in Middleton under Uisce Éireann's control. Uisce Éireann, in partnership with Cork County Council is progressing with the construction of new wastewater infrastructure in Midleton to cater for the future growth and development of the wider Midleton area. These works are being carried out as part of Uisce Éireann's Growth and Development Programme and commenced in late June 2022. The construction of over 7km of new wastewater pipes and the construction of two new Wastewater Pumping Stations will provide the required wastewater infrastructure capacity to support future social and economic growth in the area. The works are being carried out on behalf of Uisce Éireann and are expected to be complete in 2025.

### **3.4.6 EXCAVATION REQUIREMENTS/EROSION/SEDIMENTATION**

The proposed development is expected to require excavation works for the installation of pile foundations etc. However, given the scale of the development and distance to European sites, the impacts due to erosion and/or sedimentation arising from these works are considered to be temporary, extremely unlikely, and not significant.

### **3.4.7 TRANSPORTATION REQUIREMENTS**

There will be a short-term increase in traffic during the construction phase and a permanent increase in traffic during the operational phase. However, these effects are considered to be not significant with regard to European sites due to the small scale and short duration of the construction works, the limited traffic contribution during the operations phase, and the distances observed.

### **3.4.8 DURATION OF CONSTRUCTION, OPERATION, DECOMMISSIONING**

The construction phase of the proposed project is short term and will have no significant effects on European sites given the small scale of the works and the distances observed. The Distillery Lane Apartments in Midleton, Co. Cork will be a permanent feature with no decommissioning phase and is predicted to have no significant effects on European sites due to the nature of its use and the distances to the nearest sites.

### **3.4.9 HABITAT REDUCTION**

The nearest European site or qualifying habitat feature is located approximately 0.45km direct from the site. As such, there will be no reduction of the habitat of European sites resulting from the proposed development.

### **3.4.10 SPECIES DISTURBANCE**

The Cork Harbour SPA and the Great Island Channel SAC are the two nearest European sites and are located 0.45km southwest of the proposed development. As such, disturbance to species within the SAC and SPA from construction phase noise, vibrations, lighting, etc. are not predicted to be significant due to the distance between the proposed development and these European sites.

### 3.4.11 HABITAT OR SPECIES FRAGMENTATION

Given the scale and duration of the construction phase, the long-term use of the proposed project, and the distance from the nearest European sites, the project is considered to have no potential effects on any European site with regard to habitat or species fragmentation.

### 3.4.12 INVASIVE SPECIES

Six invasive species have been previously identified within the 2km grid square (W87W) that the site is located in (Biodiversity Maps); Cherry Laurel (*Prunus laurocerasus*), Japanese Knotweed (*Fallopia japonica*), Butterfly-bush (*Buddleja davidii*), Himalayan Honeysuckle (*Leycesteria formosa*), Sycamore (*Acer pseudoplatanus*), and Three-cornered Garlic (*Allium triquetrum*). A site visit was not conducted as part of this assessment. Given the requirement for excavation and other construction works, if any invasives species are present on site, there is potential for further spread. However, based the distance to these European sites, impacts to nearby European sites arising from the proposed project is expected to be extremely unlikely and not significant.

### 3.4.13 CHANGES IN KEY INDICATORS OF CONSERVATION VALUE

The Cork Harbour SPA and the Great Island Channel SAC are the two nearest European sites and are located 0.45km southwest of the proposed project. Given the scale and duration of the proposed works, the long-term use of the proposed project, and the distance to these European sites, impacts to key indicators of conservation value at these and other European sites arising from the proposed project is expected to be extremely unlikely and not significant.

### 3.4.14 CLIMATE CHANGE

Due to the nature and scale of the proposed work, the effects of the proposed development on climate and Ireland's obligations under the Kyoto Protocol are not anticipated to be significant.

### 3.4.15 COMBINATION EFFECTS WITH OTHER PROJECTS

Grants of planning in the vicinity of the site were reviewed to identify works of a significant scale which may produce in-combination effects with the proposed works. The following planning grants of larger than single domestic scale were identified:

- ❖ **234228 (Irish Distillers International Limited):** permission for the retention and completion of alterations to the heritage centre permitted by Cork County Council planning reference no. 20/5582. The proposed

alterations to the existing building 2 consist of a two-storey extension to provide for a new stairwell and lift core, elevational changes including the removal of an existing external metal staircase and internal modifications to relocate existing staircase, replace permitted store, plant/services and mezzanine areas with 'tasting' areas and alterations to the internal layout including installation of fire rated flooring at level 01. The proposed amendments will provide for changes to permitted fenestration and doorways, alterations to the roof including the replacement of roof trusses and roof finishes, the relocation of permitted, and the addition of new roof lights and all ancillary site development works. The proposed development also includes alterations to the southern part of existing building 25 which comprise a change of use from storage to substation use, with associated MCC room and comms room and related internal layout changes. The proposed alterations include replacement of the roof materials and the addition of a new fire exit in the eastern elevation and a new entrance in the southern elevation. The proposed development consists of the carrying out of works on protected structures.

- ❖ **234467 (Emporium Coppinger's Limited):** permission for the development of site at JJ Coppinger's, Protected Structure. The building is a licensed premises. The development will consist of : 1) the restoration work to the main original building, including the re-pointing and repair of all internal and external walls and chimney stack, repair to all rainwater goods, and to repair the existing roof structure, 2) the installation of new windows within the main original building, 3) the construction of a new fire staircase with associated AOV - automatic openable vent, within the roof structure, 4) the installation of new floor finishes throughout the upper floors, 5) the installations of kitchens and staff area at the first floor level and ancillary office and plant room at the second floor level, 6) undertaking all associated site works and provision of services.
- ❖ **234756 (EquiSisk Community Care Partnership Ltd.):** permission for the development will consist of the temporary removal of a 7m section of historic boundary walling and later reinstatement of same, to facilitate the construction of a previously approved development (register reference: 19/6013) The development is proposed within the curtilage of our Lady of Lourdes Hospital and the Southern Health Board Health Centre, both protected structures.
- ❖ **236119 (John Walsh, Niall Walsh):** permission to convert existing two storey detached dwelling house to three, 2- bedroomed, terraced dwellings, by subdivision of and re-ordering of existing layout, together with rear two storey extension and entrance door with canopy to front elevation for each dwelling and construction of new N/E gable wall within site curtilage to extend the building into space occupied by buttress wall, as well as elevational changes to all elevations. Provision of shared landscaped garden area paved pedestrian access and all associated site development works.
- ❖ **204811 (Irish Distillers International Limited):** permission for the refurbishment, modification and change of use of existing warehouse buildings (Buildings 19, 20, 21) to form part of the Jameson Experience at The Jameson Experience Heritage Centre. The proposed works will include alterations to the existing facades and internal layout to facilitate the temporary relocation of the existing visitor centre which will consist of reception area, auditorium, whiskey tasting rooms and retail shop including off-trade whiskey sales. The temporary heritage centre will be a licensed premises, including bar, cafe/restaurant

with covered outdoor seating area and a temporary structure to accommodate public toilets adjacent to the existing warehouses. The building will continue to form part of the Jameson Experience and be used for tourism uses once the temporary use ceases. The proposed development consists of the carrying out of works to a protected structure.

- ❖ **204293 (The Rock Development Partnership):** permission for the development for A new residential development on a site of circa 1.1 hectares located between The Rock and Bailick Road on the south bank of the Dungourney River, in Midleton, Co. Cork, with frontage to the Rock and Church View at the rear of Fr. Murphy Place. The site is adjacent to Midleton House, (A Protected Structure) and has frontage onto The Rock, abutting the Lewis Bridge (A Protected Structure). The site is subject to Appropriate Screening and a Natura Impact Statement (NIS) will be submitted to the Planning Authority with the application. The development will consist of the demolition of a derelict house on the site and the construction of 55 residential units located in 5 separate blocks with a gross floor area of 4,619 m<sup>2</sup>. Blocks 1&2 are 3 storey blocks of apartments for older persons, located to the rear of the Rock and north of the Holy Rosary Church, consisting of 6 no. 1 bed units and 24 no. 2 bed units. Each block has its own staircase and lift with shared walkways accessing the apartments and private balconies to apartments at each floor level. Blocks 3&4 are 3 storey residential blocks consisting of 2 no. 1 bed units, 14 no. 2 bed units, and 6 no. 3 bed units. Each block has ground floor duplex units with garden terraces facing the Dungourney River, with apartments at second floor above with private balconies, the upper units being accessed from a common stair. Block 5 is a 3 storey residential block consisting of 1 no. 2 bed ground floor apartment and 2 no. 3 bed apartments to each floor above with private balconies, accessed from a common stair. A new access road serving the development is provided, with vehicular access from Father Murphy Place and Church View on the south west corner of the site. Space for turning vehicles is provided within the site. Pedestrian access only is provided in two separate locations onto the Rock on the eastern site boundary. A total of 30 car parking spaces are provided at various points along the access road. Permission is also sought for all associated site development works including drainage, soft landscaping works including amenity areas and hard landscaping including paved areas, bin and bicycle storage, and new fenced boundaries to part of the eastern and western boundaries of the site.
- ❖ **224298 (Cork Co-Operative Marts Limited):** permission for the demolition of the former Sluagh Hall building [638.39m<sup>2</sup>] and the construction of 17 no. residential housing units and 1 no. retail/office unit [190.6m<sup>2</sup>] comprising of 3 no. 1 bed units, 10 no. 2 bed units and 4 no. 3 bed units [apartments and duplex units]. The development also includes drainage works, bin storage, bike storage, landscaping, boundary treatments, surface treatments and all ancillary site development works. A Natura Impact Statement will be submitted to the planning authority with this application.

Other granted planning permissions in the vicinity of the site pertain primarily to small-scale constructions, change of use, or retention of works. Although several larger planning grants were identified in the vicinity of the site, due to the distance to the nearest designated European sites, in-combination effects with the proposed



project are considered to be extremely unlikely and not significant with regard to their impact on the Natura network.

**Table 3.2: Screening assessment of the potential effects arising from the proposed works.**

Site Code	Site Name	Distance (km)	Sensitive Receptors (Qualifying Interest & Special Conservation Interests) [including the relevant code for the qualifying feature]	Characterisation of Potential Effects	Potential Significant Effects	Potential In-Combination Effects
001058	Great Island Channel SAC	0.45 SW	[1140] Mudflats and sandflats not covered by seawater at low tide [1330] Atlantic salt meadows ( <i>Glauco-Puccinellietalia maritimae</i> )	Threats to the site include: J02.01.02 (reclamation of land from sea, estuary or marsh), A08 (fertilisation), E01 (urbanised area, human habitation), I01 (invasive non-invasive species), K02.03 (eutrophication (natural)), A04 (grazing), F01 (marine and freshwater aquaculture), D01.02 (roads, motorways).  There is no spatial overlap, no direct impact on habitats, and no hydrological link. Given the scale and nature of the works, construction phase effects will be localised and unlikely to cause significant impact on the SAC.	Unlikely	Unlikely
004030	Cork Harbour SPA	0.45 SW	[A004] Little Grebe ( <i>Tachybaptus ruficollis</i> ) [A005] Great Crested Grebe ( <i>Podiceps cristatus</i> ) [A017] Cormorant ( <i>Phalacrocorax carbo</i> ) [A028] Grey Heron ( <i>Ardea cinerea</i> ) [A048] Shelduck ( <i>Tadorna tadorna</i> ) [A050] Wigeon ( <i>Anas 27enelope</i> ) [A052] Teal ( <i>Anas crecca</i> ) [A054] Pintail ( <i>Anas acuta</i> ) [A056] Shoveler ( <i>Anas clypeata</i> ) [A069] Red-breasted Merganser ( <i>Mergus serrator</i> ) [A130] Oystercatcher ( <i>Haematopus ostralegus</i> ) [A140] Golden Plover ( <i>Pluvialis apricaria</i> ) [A141] Grey Plover ( <i>Pluvialis squatarola</i> ) [A142] Lapwing ( <i>Vanellus vanellus</i> ) [A149] Dunlin ( <i>Calidris alpina alpina</i> ) [A156] Black-tailed Godwit ( <i>Limosa limosa</i> ) [A157] Bar-tailed Godwit ( <i>Limosa lapponica</i> ) [A160] Curlew ( <i>Numenius arquata</i> ) [A162] Redshank ( <i>Tringa tetanus</i> ) [A179] Black-headed Gull ( <i>Chroicocephalus ridibundus</i> )	Threats to the site include: G01.06 (skiing, off-piste), A08 (fertilisation), F01 (marine and freshwater aquaculture), D03.02 (shipping lanes), E01.03 (dispersed habitation), D03.01 (port areas), E01 (urbanised area, human habitation), D01.02 (roads, motorway), G01.01 (nautical sports), G01.02 (walking, horseriding and non-motorised vehicles), F02.03 (leisure fishing), E02 (industrial or commercial areas).  There is no spatial overlap, no direct impact on habitats, and no hydrological link. Given the scale and nature of the works, construction phase effects will be localised and unlikely to cause significant impact on the SPA.	Unlikely	Unlikely

Site Code	Site Name	Distance (km)	Sensitive Receptors (Qualifying Interest & Special Conservation Interests) [including the relevant code for the qualifying feature]	Characterisation of Potential Effects	Potential Significant Effects	Potential In-Combination Effects
			[A182] Common Gull ( <i>Larus canus</i> ) [A183] Lesser Black-backed Gull ( <i>Larus fuscus</i> ) [A193] Common Tern ( <i>Sterna hirundo</i> ) [A999] Wetlands and Waterbirds			
004022	Ballycotton Bay SPA	12.2 SE	[A052] Teal ( <i>Anas crecca</i> ) [A137] Ringed Plover ( <i>Charadrius hiaticula</i> ) [A140] Golden Plover ( <i>Pluvialis apricaria</i> ) [A141] Grey Plover ( <i>Pluvialis squatarola</i> ) [A142] Lapwing ( <i>Vanellus vanellus</i> ) [A156] Black-tailed Godwit ( <i>Limosa limosa</i> ) [A157] Bar-tailed Godwit ( <i>Limosa lapponica</i> ) [A160] Curlew ( <i>Numenius arquata</i> ) [A169] Turnstone ( <i>Arenaria interpres</i> ) [A182] Common Gull ( <i>Larus canus</i> ) [A183] Lesser Black-backed Gull ( <i>Larus fuscus</i> ) [A999] Wetland and Waterbirds	Threats to the site include: J02.01.02 (reclamation of land from sea, estuary or marsh), G01.02 (walking, horseriding and non-motorised vehicles), E01 (urbanised areas, human habitation), K01.01 (erosion), A08 (fertilisation), A04 (grazing).  There is no spatial overlap, no direct impact on habitats, and no hydrological link. Given the scale and nature of the works, construction phase effects will be localised and unlikely to cause significant impact on the SPA.	Unlikely	Unlikely
002170	Blackwater River SAC	13.6 NE	[1130] Estuaries [1140] Tidal Mudflats and Sandflats [1220] Perennial Vegetation of Stony Banks [1310] Salicornia Mud [1330] Atlantic Salt Meadows [1410] Mediterranean Salt Meadows [3260] Floating River Vegetation [91A0] Old Oak Woodlands [91E0] Alluvial Forests* [1029] Freshwater Pearl Mussel ( <i>Margaritifera margaritifera</i> ) [1092] White-clawed Crayfish ( <i>Austropotamobius pallipes</i> ) [1095] Sea Lamprey ( <i>Petromyzon marinus</i> ) [1096] Brook Lamprey ( <i>Lampetra planeri</i> ) [1099] River Lamprey ( <i>Lampetra fluviatilis</i> ) [1103] Twait Shad ( <i>Alosa fallax</i> ) [1106] Atlantic Salmon ( <i>Salmo salar</i> )	Threats to the site include: G01.01 (nautical sports), J02.01 (landfill, land reclamation, and drying out, general), E01 (urbanised areas, human habitation), C01.01 (sand and gravel extraction), E02 (industrial or commercial areas), A04 (grazing), B (silviculture, forestry), K01.01 (erosion), D01.02 (roads, motorway), B (silviculture), E03.01 (disposal of household/recreational facility waste), A08 (fertilisation), A03 (mowing/cutting of grassland), G02 (sport and leisure structures), A04 (grazing), D01.04 (railway lines, TGV), I01 (invasive non-native species), F02.02 (professional active fishing).  There is no spatial overlap, no direct impact on habitats, and no hydrological link. Given the scale and nature of the works, construction phase effects will be localised and unlikely to cause significant impact on the SAC.	Unlikely	Unlikely

Site Code	Site Name	Distance (km)	Sensitive Receptors (Qualifying Interest & Special Conservation Interests) [including the relevant code for the qualifying feature]	Characterisation of Potential Effects	Potential Significant Effects	Potential In-Combination Effects
			[1355] Otter ( <i>Lutra lutra</i> ) [1421] Killarney Fern ( <i>Trichomanes speciosum</i> )			

## 4 SUMMARY AND CONCLUSION

### 4.1 SUMMARY

The Habitats Directive provides legal protection for habitats and species of European importance and establishes the requirement for an AA. This AA screening is based on best scientific knowledge and has utilised ecological and hydrological expertise. In addition, a detailed online review of published scientific literature and 'grey' literature was conducted.

This AA has been prepared for the proposed construction of the Distillery Lane Apartments in Midleton, County Cork. Works include the construction of 16no. housing units and a community room on an existing walled garden site.

There is no spatial overlap between the study area and the closest European Sites. The two nearest European designated sites are the Cork Harbour SPA and the Great Island Channel SAC which are located 0.45km southwest of the site at their closest points. Due to the scale and duration of the proposed construction works, the nature of the site operations, and the distance to the nearest designated sites, impact to these and other European sites within the ZOI from the proposed works is considered to be not significant.

There are no surface water features mapped within the site area. The nearest surface water feature is the River Dungourney\_020 located approximately 140 metres south of the site. There is no indirect or direct hydrological link between the proposed development and the Cork Harbour SPA or the Great Island Channel SAC. Due to the scale and duration of the proposed construction works, the nature of the site operations, and the distance to the nearest designated sites, impact to these and other European sites within the ZOI is predicted to be not significant.

No changes are predicted to occur at any designated sites which may result in effects on the conservation objectives of those sites with regard to the following:

- reduction in habitat area
- habitat or species fragmentation
- climate change
- disturbance to key species
- reduction in species density
- changes in key indicators of conservation value

## 4.2 CONCLUSION

This stage 1 screening for AA has been undertaken for the proposed development of the Distillery Lane Apartments. The nearest European sites or qualifying habitat features are the Cork Harbour SPA and the Great Island Channel SAC which are located 0.45km southwest of the proposed development site.

The AA screening process has considered potential effects which may arise during the construction and operational phases as a result of the implementation of the project.

Through an assessment of the pathways for effects and an evaluation of the project characteristics, taking account of the processes involved and the distance of separation from European sites, it has been evaluated that there are no likely significant adverse effects on the qualifying interests, special conservation interests, or the conservation objectives of any designated European site. The ecological integrity of the European sites is not foreseen to be significantly affected by the project.

Given the nature of the development, its scale, and the localised and temporary nature of the construction effects identified as potential sources, the proposed development will not lead to a significant in-combination effect with any other granted or existing plans or projects.

It is concluded that the project is not foreseen to give rise to any significant adverse effects on any designated European sites, alone or in combination with other plans or projects. This evaluation is made in view of the conservation objectives of the habitats or species for which these sites have been designated. Consequently, a Stage Two AA is not required for the project.

## 5 VERIFICATION

This report was compiled by Aideen O'Rourke, BSc, Environmental Consultant; reviewed by Luis Iemma, BSc, MSc, Ph. D, CEcol, MCIEEM, Principal Ecologist, and Glenda Barry, BSc, MS, PGeo, EurGeol, Principal Consultant; and approved by Eleanor Burke, BSc, MSc, DAS, MIEEnvSc, CSci, and OCSC Director (Environmental).



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