

**Habitats Directive Appropriate Assessment
Screening Determination**

Proposed Social Housing Development at Distillery Lane, Midleton, Co. Cork.



Cork County Council
Comhairle Contae Chorcaí

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This document contains the Habitats Directive Screening Determination of Cork County Council in respect of a proposed six storey apartment block containing 16no. dwelling in at Distillery Lane, Midleton, Co. Cork. The assessment is based on project drawings and details prepared by the Architects Department and O'Connor Sutton Cronin & Associates (OCSC).

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 European¹ 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 objective 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.

¹“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 Social Housing Development at Distillery Lane, Midleton, Co. Cork.

Description of the project

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.

Drinking water will be supplied from the public system.

The development is proposed to connect to the upgraded Midleton WWTP, due to be operational in 2025

Site Context

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 in area and is relatively flat. It is located less than 50m. from Main Street.

The site is located within the Lee, Cork Harbour and Youghal Bay WFD catchment. The Dungourney River is flows in a southwest direction approximately 130 south of the site, entering the Ballinacurra River, and Cork Harbour SPA and Great Island Channel SAC 450m further downstream.

Wastewater from the proposed development is proposed to be conveyed to the Coachford WWTP. Uisce Eireann has completed works on a new wastewater treatment plant in Coachford and indicated it has available capacity.

The majority of the site is located in Flood Zone A and B according to the Cork County Development Plan 2022-2028.

Figure 1 Aerial view of site



Figure 2 site location relative to Cork Harbour SPA (pink hatch) and Great Island Channel SAC (red hatch)



Name and location of EU sites subject to screening

Figure 3 Red buffer indicates all European sites within 15kms of the proposed development



There are four Natura 2000 (European) sites located within a 15km radius of the site, these include:

1. Cork Harbour SPA (site code: 4030) located approximately 430m southwest of the proposed development.
2. Great Island Channel SAC (site code: 1058) located approximately 430m southwest of the proposed development.
3. Ballycotton Bay SPA (Site Code: 4022) located approximately 12.2km southeast of the proposed development.
4. Blackwater River (Cork/Waterford) SAC (site code: 2170) located approximately 13.6km northwest of the proposed development.

Is the project directly connected with or necessary to the management of the sites listed above?

No.

Describe how the project (alone or in combination) is likely to affect the Natura 2000 Site

Cork Harbour SPA

There is an indirect source-receptor pathway to the SPA via Midleton WWTP and due to the site's location within Flood Zone A. 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. The SSFRA that was commissioned for the proposed

development indicates that the proposal will not cause risk of flooding elsewhere and will also benefit the from the Midleton Flood Relief Scheme.

Great Island Channel SAC

There is an indirect source-receptor pathway to the SPA via Midleton WWTP and due to the site's location within Flood Zone A. 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. The SSFRA that was commissioned for the proposed development indicates that the proposal will not cause risk of flooding elsewhere and will also benefit the from the Midleton Flood Relief Scheme

Ballycotton Bay SPA

The proposed site does not support suitable ex-situ foraging or roosting habitat for the SPA's special conservation interest species. There are no source-receptor pathways between the proposed site and the SPA.

Blackwater River SAC

The Blackwater River is in a separate catchment to proposed development. There are no source-receptor pathways between the proposed site and the SAC

Are there other projects or plans that together with the project being assessed that could affect these sites (provide details)?

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.

Cork County Council evaluation and overall conclusion that there are no significant effects on European Sites foreseen as a result of the proposal.

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:

- No works are proposed within any of the listed European sites.
- No direct loss, alteration or fragmentation of habitats will occur within any EU sites;
- The site is located sufficiently distant from any EU site to be satisfied that there is no risk of activities associated with the project causing disturbance to qualifying habitats or species.
- Wastewater is to be directed to the upgraded WWTP, due to be operational in 2025. Apartments will not be occupied until then.

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