



SCREENING REPORT FOR
APPROPRIATE ASSESSMENT

Residential Apartments

Skibbereen Geriatric Society

Doherty Environmental Consultants Ltd.

May 2024

RESIDENTIAL APARTMENTS

Skibbereen Geriatric Society

Screening Report for Appropriate Assessment

Document Stage	Document Version	Prepared by
Final	1	Pat Doherty MSc, MCIEEM

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1 INTRODUCTION

Doherty Environmental Consultants (DEC) Ltd. has been commissioned by Daly Barry Architects on behalf of the Skibbereen Geriatric Society. to prepare a Screening Report in support of an Appropriate Assessment (AA), under Article 6 of the EU Habitats Directive, for a proposed residential apartment development at Mardyke Road, Skibberreen, Co. Cork. The location of the project is shown on Figure 1.1 while an aerial view of the location of the project site is shown on Figure 1.2.

This Screening Report for Appropriate Assessment forms Stage 1 of the Habitats Directive Assessment process and is being undertaken in order to inform the competent authority's assessment under Article 6(3) of the Habitats Directive 92/43/EEC (as amended). The function of this Screening Report is to identify the potential for the project to result in likely significant effects to European Sites and to provide information so that the competent authority can determine whether a Stage 2 Appropriate Assessment is required for the project.

1.1 STATEMENT OF AUTHORITY

This Appropriate Assessment Screening Report has been prepared by Mr. Pat Doherty BSc., MSc, MCIEEM, of DEC Ltd. Mr. Doherty is a consultant ecologist with over 20 years' experience in completing ecological impact assessments and environmental impact assessments. Pat has been involved in the completion of assessment reports for proposed developments and land use activities under the EIA Directive and Article 6 of the Habitats Directive since 2003 and 2006 respectively. He has extensive experience completing such reporting for projects located in a variety of environments and has a thorough understanding of the biodiversity issues that may arise from proposed land use activities. Pat was responsible for completing one of the first Appropriate Assessment reports for large scale infrastructure developments in Ireland when he prepared the Appropriate Assessment for the N25 New Ross Bypass in 2006/07. Since then, Pat has completed multiple examinations of both plans and projects in Ireland. He has completed Natura Impact Statements for national scale plans such as Ireland's CAP Strategic Plan and National Seafood Development Plan and regional and county scale plans including County Development Plans, Local Area Plans, Tourism Strategies and Climate Action Plans. Pat has completed multiple Natura Impact Statements for a range of development types that include large scale infrastructure developments in sectors such as transport and energy as well as industrial, commercial and residential developments.

Pat has completed focused certified professional development training in Appropriate Assessment as well as in a range of ecological survey techniques and assessment processes. Training has been completed for National Vegetation Classification (NVC) and Irish Vegetation Classification (IVC) surveying, bryophyte survey for habitat assessment and identification, professional bat survey and assessment training, mammal surveying and specific training for bird and bat survey techniques. Ongoing training has been completed by approved training providers such as CIEEM, British Trust for Ornithology, the Botanic Gardens and the Field Studies Council.

1.2 LEGISLATIVE CONTEXT

Legislative protection for habitats and species is provided within the European Union by the Habitats Directive. The Habitats Directive has been implemented in Ireland and throughout Europe through the establishment of a network of designated conservation areas known as the Natura 2000 (N2K) network. The N2K network includes sites designated as Special Areas of Conservation (SACs), under the EU Habitats Directive and Special Protection Areas (SPAs) designated under the EU Birds Directive 2009/147/EC (as amended). SACs are designated in areas that support habitats listed on Annex I and/or species listed on Annex II of the Habitats Directive. SPAs are designated in areas that support: 1% or more of the all-Ireland population of bird species listed on Annex I of the EU Birds Directive; 1% or more of the population of a migratory species; and more than 20,000 waterfowl.

This Screening Report for Appropriate Assessment is being prepared in order to enable the competent authority to comply with Article 6(3) of Council Directive 92/43/EEC (The Habitats Directive). It is prepared to assess whether or not the project alone or in combination with other plans and projects is likely to have a significant effect on any European Site in view of best scientific knowledge and in view of the conservation objectives of the European Sites and specifically on the habitats and species for which the sites have been designated. Measures intended to avoid or reduce the harmful effects of the proposed project on European sites (i.e. “mitigation measures”) or best practice measures have not been taken into account in this screening stage appraisal.

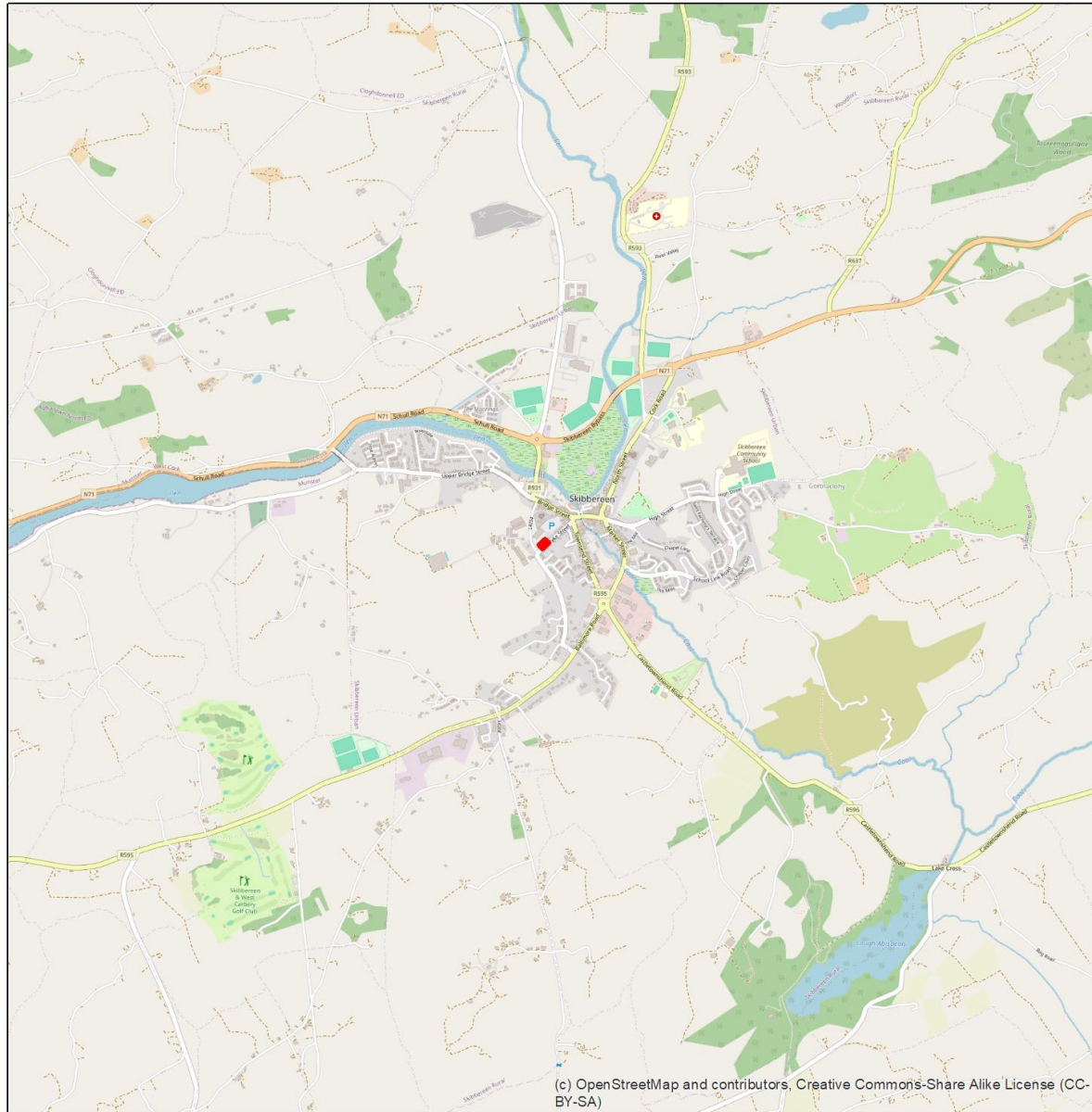
1.2.1 Requirement for an Assessment under Article 6 of the Habitats Directive

According to section 177U(1) of the Planning and Development Act 2000 (as amended) the competent authority has a duty to:

- Determine whether the proposed Project is directly connected to or necessary for the management of one of more European Sites; and, if not,
- Determine if the Project, either individually or in combination with other plans or projects, would be likely to have a significant effect on the European Site(s) in view of best scientific knowledge and the Conservation Objectives of the site(s).

This report contains information to support a Screening for Appropriate Assessment and is intended to provide information that assists the competent authority when assessing and addressing all issues regarding the construction, operation and decommissioning of the Project and to allow the competent authority to comply with the Habitats Directive. Article 6(3) of the Habitats Directive defines the requirements for assessment of projects and plans for which likely significant effects on European Sites may arise. The Birds Directive and the Habitats Directive together list habitats and species that are of international importance for conservation and require protection. The Habitats Directive requires competent authorities, to carry out a Screening for Appropriate Assessment of plans and projects that are not directly connected to or necessary for the management of a European Site, to assess whether the plan or project alone or in combination with other plans or projects, would be likely to have significant effects on European Sites in view of best scientific knowledge and the Site's conservation objectives. This requirement is transposed into Irish Law by, inter alia, Part XAB of the Planning and Development Act, 2000 (as amended). Section 177U(4) of Part XAB of the Planning and Development Act states:

"The competent authority shall determine that an appropriate assessment of a draft Land use plan or a proposed development, as the case may be, is required if it cannot be excluded, on the basis of objective information, that the draft Land use plan or proposed development, individually or in combination with other plans or projects, will have a significant effect on a European site. "

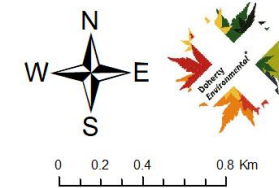


**Skibbereen Geriatric Society
 Residential Apartment**

Figure 1.1

Site Location

 Project Site



Drawn By	PD
Date	02/05/2024
Data Source	Maxar; NPWS

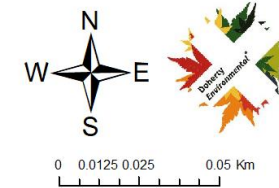


Skibbereen Geriatric Society Residential Apartment

Figure 1.2

Site Aerial

 Project Site



Drawn By	PD
Date	02/05/2024
Data Source	Maxar; NPWS

1.3 STAGE 1 SCREENING METHOD

This Screening Report has been prepared in order to comply with the legislative requirements outlined in Section 1.1 above and aims to establish whether or not the proposed project, alone or in combination with other plans or projects, would be likely to have significant effects on European Sites in view of best scientific knowledge and the Site's conservation objectives. In this context "likely" means a risk or possibility of effects occurring that **cannot** be ruled out based on objective information and "significant" means an effect that would undermine the conservation objectives of the European sites, either alone or in-combination with other plans and projects (Office of the Planning Regulator (OPR), 2021).

The nature of the likely interactions between the proposed development and the Conservation Objectives of European Sites will depend upon the:

- the ecological characteristics of the species or habitat, including their structure, function, conservation status and sensitivity to change; *and/or*
- the character, magnitude, duration, consequences and probability of the impacts arising from land use activities associated with the plan, in combination with other plans and projects.

In the event that land use activities result in effects that do not have the potential to compromise the conservation objectives of a European Site, and that the judgement of such an effect has been made in the absence of reasonable scientific doubt, then such an effect is considered to be representative of a de minimise effect and can be screened out for the need for Appropriate Assessment. This approach is supported by ECJ Case C/258/11 which states that:

“the requirement that the effect in question be ‘significant’ exists in order to lay down a de minimis threshold. Plans or projects that have no appreciable effect on a European site are thereby excluded. If all plans or projects capable of having any effect whatsoever on the site were to be caught by Article 6(3), activities on or near the site would risk being impossible by reason of legislative overkill”.

This Screening Report for Appropriate Assessment has been undertaken in accordance with respective National and European guidance documents: Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities (DEHLG 2010) and *Assessment of Plans and Projects Significantly Affecting Natura 2000 sites – Methodological Guidance of the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC*; Office of the Planning

Regulator – OPR Practice Note PN01: Appropriate Assessment Screening for Development Management (2021), and recent European and National case law. The following guidance documents were also of relevance during the preparation of this Screening Report:

- A guide for competent authorities. Environment and Heritage Service, Sept 2002. Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities (2010). DEHLG.
- Assessment of Plans and Projects Significantly Affecting Natura 2000 Sites – Methodological Guidance of the Provisions of Article 6(3) and (4) of the Habitats Directive 92/42/EEC. European Commission (EC) (2021).
- Managing Natura 2000 Sites – The provisions of Article 6 of the Habitats Directive 92/43/EEC. European Commission (2018).

The EC (2021) guidelines outline the stages involved in undertaking a Screening Report for Appropriate Assessment for projects. The methodology adopted during the preparation of this Screening Report is informed by these guidelines and was undertaken in the following stages:

1. Describe the project and determine whether it is necessary for the conservation management of European Sites;
2. Identify European Sites that could be influenced by the project;
3. Where European Sites are identified as occurring within the zone of influence of the project identify potential effects arising from the project and screen the potential for such effects to negatively affect European Sites identified under Point 2 above; and
4. Identify other plans or projects that, in combination with the project, have the potential to affect European Sites.

2 PROJECT DESCRIPTION

The proposed developments comprise the construction of 8 residential apartments. The site is within the existing Skibbereen development boundary and is zoned Town Centre/Neighbourhood Centres.

The proposed development constitutes a ‘highly vulnerable development’ in accordance with Table 3.1 of the 2009 Ministerial Guidelines for Planning Authorities.

2.1 SURFACE WATER MANAGEMENT

A Drainage Impact Assessment report has been prepared for the project by the project Engineers Crocon Engineers Ltd. and is provided under separate cover with the planning application documentation. The surface water management that form part of the design incorporates SuDS measures in accordance with Objective WM11-10 of the Cork County Development Plan 2022- 2028. The SuDS measures identified as appropriate for the project comprise:

- Water butt – 150L capacity or more (based water use demand) with means of overflow
- Permeable paving – consider for all hard paved areas without heavy traffic
- Bio-retention planter – disconnect downpipe connection into drains and allow roof runoff into planter with means of overflow
- Rain garden – disconnect downpipe/RWP into the planted flower bed.

3 DESCRIPTION OF THE PROJECT SITE

The proposed apartment development is located on Mardyke Street, Skibbereen. It is situated within the urban town centre of Skibbereen. The project site previously formed part of the lands associated with the Fairfield Mart site, located to the rear (southwest) of the main mart buildings. Aerial imagery from 1995 shows the site to be characterised by bare ground forming part of the open, outdoor space to the rear of the former mart buildings. Much of the outdoor lands to the rear of the mart buildings were previously developed as the now existing Aldi food store site. The project site and small section of land to the southwest of the project site, opposite the former mart entrance, represent the remaining area of undeveloped lands associated with the former mart site.

The land cover at the project site is representative of dry neutral grassland that has recolonised an area of previous bare ground associated with the mart.

The project site is located within the Bandon-Ilen surface water catchment and its Ilen_SC_30_subcatchment. No surface water features occur at or bounding the project site. The nearest surface water feature to the project site is the EPA named Rea Cross Stream (a tributary

of the River Ilen), located approximately 215m to the east. The main channel of the River Ilen is located approximately 325m to the north.

The site is some 50m from a Flood Zone A area as defined by the CDP 2022 flood mapping. The building itself and 94% of the site area are outside the flood Zone B as also defined by the CDP mapping.

The proposed FFL at 4.65m OD is more than 1m above the likely extreme flood water levels as identified by the OPW FRS and ICWWS studies. The lowest level on the site, in the eastern tip, is 3.9m OD which is 0.46m above the 1:200 year current climate flood level estimate. The proposed development lies mostly in a flood Zone C area and meets the requirements of the ministerial guidelines as a justifiable development.

The project site is not subject to any statutory nature designations. The nearest European Site to the project site is the Lough Hyne Nature Reserve and Environs SAC, located approximately 4.5km to the south of the project site.

4 IS THE PROJECT NECESSARY FOR THE CONSERVATION MANAGEMENT OF EUROPEAN SITES

The project has been described in Section 2 of this Screening Report and it is clear from the description provided that the project is not directly connected with or necessary for the future conservation management of any European Sites.

5 SCREENING FOR APPROPRIATE ASSESSMENT

5.1 WITHIN/ADJOINING EUROPEAN SITES

Current guidance (OPR, 2021) informing the approach to screening for Appropriate Assessment defines the zone of influence of a proposed development as the geographical area over which it could affect the receiving environment in a way that could have significant effects on the Qualifying Interests of a European site. It is recommended that this is established on a case-by-case basis. In order to identify European Sites that could potential be located within the zone of influence of the project, the current digital mapping (shapefile) of European Sites

in Ireland¹, as published by the NPWS, was reviewed to identify the European Sites that could conceivably be located within the zone of influence of the project. The OPR guidelines recommend that for projects that are located within or immediately adjacent to European Sites, the relevant European Site should be automatically selected for consideration in the screening exercise. As the project site does not overlap or adjoin any European Sites none are automatically selected for consideration in this screening exercise. As such this screening exercise will turn its attention to considering the potential for indirect impacts to European Sites to arise as a result of pathways connecting the project site to European Sites in the wider surrounding area. This examination is based on a Source-Pathway-Receptor model, described further in Section 5.2 below.

5.2 SOURCE-PATHWAY-RECEPTOR MODEL

To establish whether or not other European Sites occur within the zone of influence of the project, the OPR guidelines recommend that this is completed using a Source-Pathway-Receptor (SPR) model. This model provides the tools to identify the presence of an ecological pathway or functional link between the project and other European Sites.

Using the SPR framework the project, as described in Section 2 of this Screening Report, represents the source of potential impacts to European Sites.

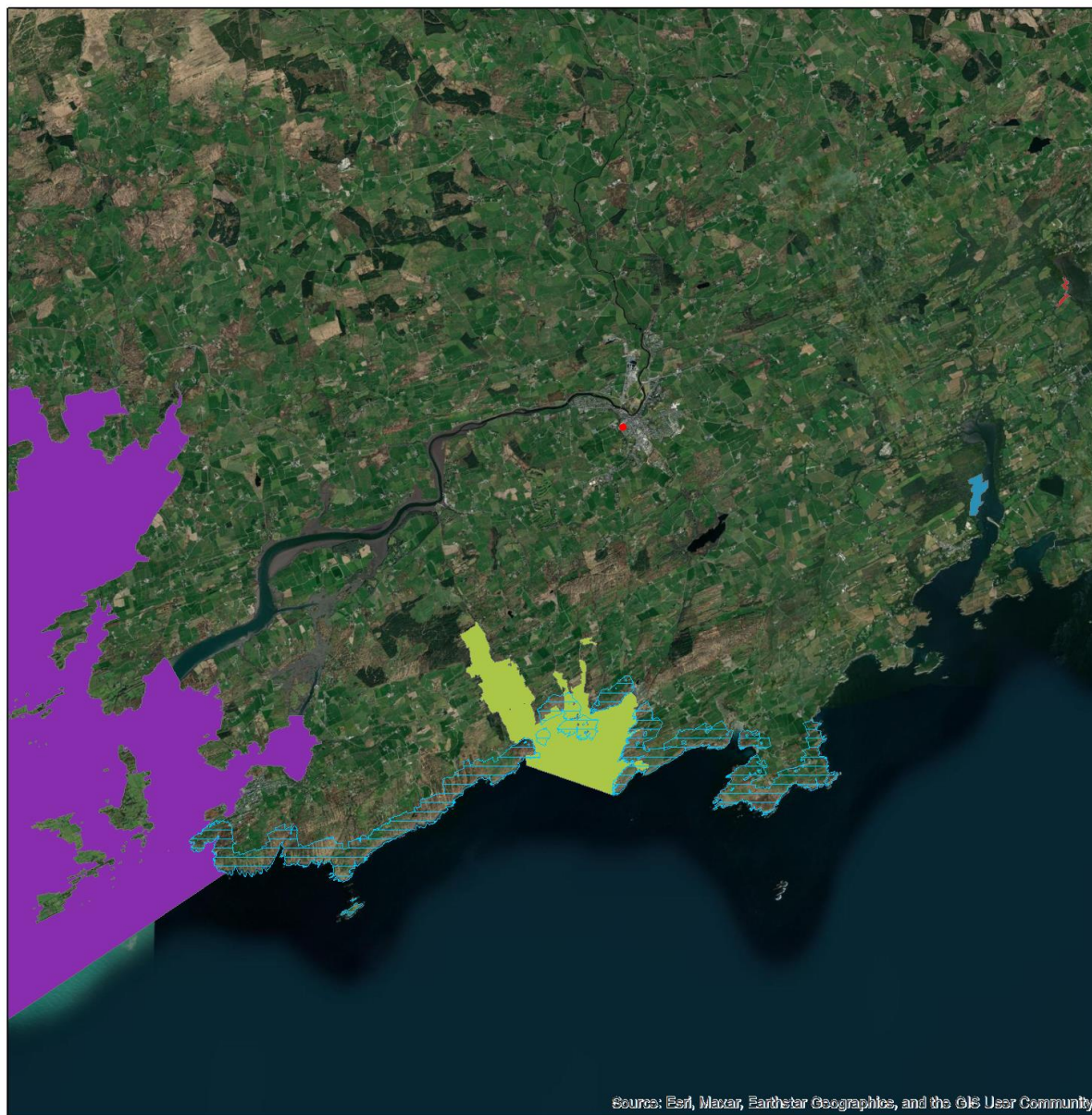
Potential pathways are defined by the OPR guidelines as ecological pathways and/or functional pathways. Ecological pathways relate to emission pathways, such as water, air, noise, light emissions that could connect a project to European Sites. Functional pathways relate to mobile qualifying species of a European Sites that may rely on a project site for a specific purpose e.g. special conservation interest bird species of an SPA foraging outside of the SPA within a project site.

The receptors represent European Sites and their associated qualifying features of interest.

¹ Current SAC & SPA shapefile layer dated July 2023

European Sites and their associated qualifying features are likely to occur in the zone of influence of the project only where pathways establish a link between the project and a European Site.

The European Sites occurring in the wider area surrounding the project site are shown on Figure 5.1. As can be seen on Figure 5.1 and noted in Section 3 above the nearest European Sites to the project site is the Lough Hyne Nature Reserve and Environs SAC, located approximately 4.5km to the south. As such all European Sites in the wider surrounding area are located at a remote distance from the project site. Section 5.3 below provides an examination of SPR model pathways with respect to the project site and European Sites in the wider surrounding area.



Skibbereen Geriatric Society Residential Apartment

Figure 5.1

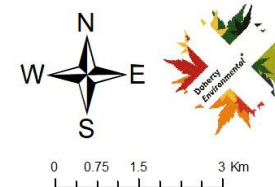
European Sites in the wider surrounding area

SPAs

Sheep's Head to Toe Head SPA

SACs

- Lough Hyne NR & Environs SAC
- Roaringwater Bay and Islands SAC
- Castletownshend SAC
- Myross Wood SAC
- Site Boundary



Drawn By	PD
Date	02/05/2024
Data Source	Maxar; NPWS

Sources: Esri, Maxar, Earthstar Geographics, and the GIS User Community

5.3 EXAMINATION OF PATHWAYS

Using the SPR model, ecological and functional pathways that can conceivably arise as a result of development projects are set out in Table 5.1 below and an examination as to whether these pathways connect the project to any European Sites is provided.

Table 5.1: Examination of Pathways

Pathway	Does the Pathway Connect the Project to Other European Sites	Reason
Hydrological – surface water	No	<p>The project site is located within the Ilen_SC_030 sub-catchment of the Ilen surface water catchment. There are no surface water features occurring at or adjacent to the project site with the nearest being over 200m to the northeast.</p> <p>As such there is no pathway connecting the project site to any surface waters. The River Ilen, which drains the catchment in which the site is located drains to the transitional waters of the Ilen Estuary. The nearest European Sites occurring downstream is the Roaringwater Bay and Islands SAC, which is located in the outer Ilen Estuary, approximately 12km downstream of Skibbereen. This SAC is designated for coastal and terrestrial habitats including reefs, tidal mudflats and sandflats, vegetated sea cliffs, caves and Alluvial woodland. The coastal habitats of the SAC are influenced by coastal waters as well as freshwater inputs from contributing freshwater catchments. Given the absence of any surface water features at the project site, the SuDS design measures which have been incorporated into the design as per Objectives WM11-10 of the Cork County Development Plan, the significant distance between the project site and this SAC downstream, and the low risk of polluted waters being generated at the project site as per the CIRIA C753 Simple Index Approach for a residential development, it is concluded that no surface water impact pathway connects the project site to any European Sites. As such a surface water hydrological pathway is ruled out.</p>

Pathway	Does the Pathway Connect the Project to Other European Sites	Reason
Hydrological – groundwater	No	For the reasons set out for the surface water pathway above it is considered that no groundwater impact pathway connects the project site to European Sites in the wider surrounding area. As such a groundwater impact pathway is ruled out.
Noise & Vibration	No	Noise and vibration emissions are considered to have the potential to result in negative impacts to biodiversity up to a 300m distance from the emission source. This distance is based on the maximum disturbance zone of 300m for wetland bird species, as specified by Cutts et al. (2013). Disturbance effects related to noise and vibration for other qualifying species as well as qualifying habitats of European Sites are less than 300m. For mammal species listed as qualifying features of interest for SACs this distance is set at 150m, as per the NRA (2009). For qualifying aquatic species, a potential noise and vibration impact pathway will only arise where works such as piling or blasting are proposed at instream or bankside locations within adjoining SACs. Given that all European Sites in the wider surrounding area are located well beyond the potential disturbance distances set out above, it is considered that no noise or vibration pathway occurs. As such a noise and vibration impact pathway is ruled out.
Air Emissions	No	Guidance outlined by Holman et al. (2014), provides a risk assessment for ecological impacts arising from air emissions associated with the construction and development projects. European Sites including SACs and SPAs are ranked as highly sensitive sites and the risk to high sensitive sites ranges from high (at less than 20m from source) and medium (at less than 50m from source). Given the location of the nearest European Sites is approximately 4.5km from the project site, the project site lies well outside the 50m zone of influence of air emissions and as such any air emissions generated at the project site will not have the potential to result in likely significant effects to European Sites in the wider surrounding area.. As such an air emission impact pathway is ruled out
Light Emissions	No	The project site is located at a significant distance from the nearest European Sites and will not have the

Pathway	Does the Pathway Connect the Project to Other European Sites	Reason
		potential to result in light emission to European Sites. As such a light emission impact pathway is ruled out.
Visual Emissions	No	The project site will be remote from other European Sites and will not have the potential to result in visual emissions to European Sites. As such a visual emission pathway is ruled out.
Mobile species pathway	No	The habitats occurring at the project site do not provide suitable habitat for any mobile species that are listed as qualifying interests of European Sites in the wider surrounding area. As such the project site is not relied upon as an ex-site site by such species and a mobile species pathway is ruled out.
Human Disturbance pathway	No	The project will not result in the generation of increased human activity within any other European Sites.

Following the examination of pathways that can typically function as vectors for indirect impacts between a project and European Sites, it has been found that no potential pathways occur to link the project to European Sites within the wider surrounding area. Given the absence of any functional impact pathways between the project and European Sites, all European Sites occurring in the wider surrounding area are not identified as occurring within the zone of influence of the project.

6 IN-COMBINATION EFFECTS

Given that no impact pathways connect the project site to European Sites and that all European Sites lie outside the zone of influence of the project, there will be no potential for the project to combine with other plans, projects or land use activities to result in cumulative negative effects to European Sites.

7 SCREENING CONCLUSION

During the Screening of the project at Mardyke Road it was found that no European Sites occur at or in the immediate vicinity of the project site. A total of 5 no. European Sites were identified

as occurring in the wider surrounding area with the nearest, the Lough Hyne Nature Reserve And Environs SAC, being located approximately 4.5km to the south.

Vectors that could function as pathways, as per the SPR model, between the project and European Sites in the wider surrounding area were examined in this screening exercise. No impact pathways have been identified as connecting the project to the European Sites occurring in the wider surrounding area and there will be no potential for the project to interact with them or their qualifying features of interest/special conservation interests.

In light of the findings of this report it is the considered view of the authors of this Screening Report for Appropriate Assessment that it can be concluded by Cork County Council that the project is not likely, alone or in-combination with other plans or projects, to have a significant effect on any European Sites in view of their Conservation Objectives and on the basis of best scientific evidence and there is no reasonable scientific doubt as to that conclusion.

This Screening has resulted in a Finding of No Significant Effects and as such a Stage II Appropriate Assessment is not required.

REFERENCES

Department of the Environment Heritage and Local Government (DEHLG) (2010). *Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities*. Second Edition, February 2010.

European Commission (2018). *Managing Natura 2000 sites. The provisions of Article 6 of the Habitats Directive 92/43/EEC*. Luxembourg.

European Commission (2021). *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*. Luxembourg.

OPR (2021). *Appropriate Assessment Screening for Development Management*. OPR Practice Note PN01.

