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Part 8 Chief Executive's Report



Project Title:

Proposed Bantry Mill Culvert Upgrade Project

Planning & Development Act 2000 (as amended) - Part XI
Planning & Development Regulations 2001 (as amended) - Part 8



Comhairle Contae Chorcaí
Cork County Council

Roads & Transportation

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¹ Contents in accordance with the requirements of the Planning and Development Act 2000 Part XI S.179(3)b

1. Introduction

The Bantry Mill Culvert is located in the town of Bantry in County Cork, 85km west of Cork City. The culvert is located within the town centre and runs down Bridge Street, New Street and Wolfe Tone Square. The purpose of the Bantry Mill Culvert Upgrade Project (BMCUP) is to upgrade the existing Mill River culvert within Bantry town, remove the existing foul connections to the culvert and change these to discharge into an independent foul network.

This planning application has been made in accordance with Part XI of the Planning and Development Act 2000, as amended, and Part 8 of the Planning and Development Regulations, 2001 – 2021.

1.1 Purpose of this Report

The purpose of this report is to outline the proposals associated with the project “*Proposed Bantry Mill Culvert Upgrade Project*” which is considered under Part 8 of the Planning & Development Regulations 2001 (as amended).

The Part 8 Planning Process requires that notice of the proposed development be given in the public press and that a site notice be erected. The notice will set out where the plans and details of the proposal are available for inspection by the public and the dates for inspection and receiving submissions. The Part 8 advertisement is included in Appendix A.

Arising from consideration of the representations, the Part 8 Chief Executive's Report (this document) sets out whether or not it is proposed to proceed as originally planned or to proceed with a modified proposal. The decision to grant or refuse planning is then a reserved function of the Elected Members.

This is the Part 8 Chief Executive's Report for the “*Proposed Bantry Mill Culvert Upgrade Project*”, prepared pursuant to the Requirements of Section 179 of the Planning & Development Act 2000 (as amended) - Part XI. This Report lists the names of each member of the public or organisation that made a submission and provides a response to the main issues contained in those submissions. The Part 8 Chief Executive's Report is issued to each Elected Member of the electoral area in advance of the decision being taken by the Elected Members on whether or not to proceed with the scheme as proposed.

Subject to securing the approval of the Elected Members, Cork County Council proposes to progress the detailed design of this infrastructure project in 2025.

Public consultation for the Scheme, which is required under Planning & Development Regulations 2001 (as amended) - Part 8, commenced on **Friday 8th November 2024**. Details of this process are provided in this Report.

2. Nature and Extent of Proposed Development

2.1 Project Context and Existing Conditions

The proposed development is located in the town of Bantry in County Cork, 85km west of Cork City. The culvert is located within the town centre and runs down Bridge Street, New Street and Wolfe Tone Square. See Figure 1 below for the location of the Site. The proposed site is zoned BT-T-01 Town Centre/Neighbourhood Centres, within the Cork County Development Plan (CCDP) 2022-2028. The site is located within Flood Zone A. The site is also located within two Architectural Conservation Areas (ACA), namely the "Public and Commercial Centre ACA" and the 'Chapel ACA' as identified the CCDP. There are a number of protected structures and structures recorded on the National Inventory of Architectural Heritage (NIAH) located along the route of the proposed development.

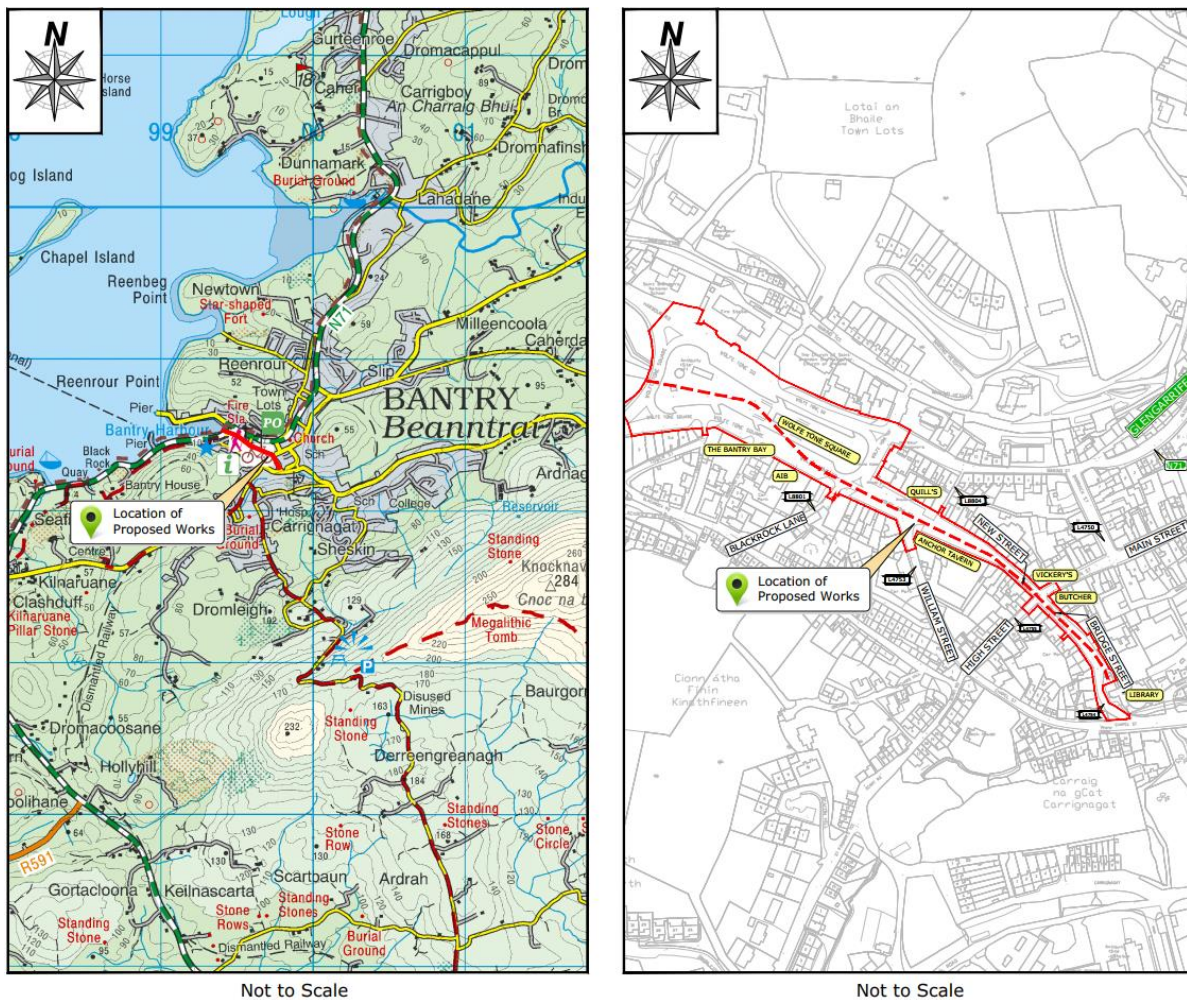


Figure 1: Site Location

Bantry's culverts consist of a main culvert and two side culverts. The main culvert is 445m long and carries the Mill River under the centre of Bantry along New Street until it outfalls west of Wolfe Tone Square. There is a 103m long side culvert from the south which carries the Scart Stream into the main culvert at Bridge Street approximately 440m upstream of the outfall. The other side culvert connects from the north and carries the Alley River into the Mill River approximately 309m upstream of the outfall.

There are surface water capacity issues with the Mill River and existing surface water culverts which contribute to flooding in the area. Foul water in the Bantry area is conveyed via a combined sewer system to the Bantry Wastewater Treatment Plant (WWTP), which has a design capacity of 6,000

population equivalent (PE) and is situated on the northern side of Bantry Harbour. Sewage treatment discharge locations were gathered from EPA maps (2024). The primary discharge location for foul water is in Inner Bantry Bay, approx. 2.6 km west of the Mill River outflow into Bantry Harbour. A secondary outflow is at the junction of Glengarriff Road and Barrack Street, while emergency outflows are located on the Scart Rd south of the Harbour, at Reenrou East north of the Harbour, and in Bantry Harbour itself, near the WWTP.

2.2 Project Objectives

The primary objective of this scheme is to upgrade the existing Mill River culvert within Bantry town, remove the existing foul connections to the culvert and change these to discharge into an independent foul network.

2.3 Project Specific Proposals

The proposed development comprises of the following:

- Reconstruction of a new Mill River Culvert along Bridge Street and New Street and Wolfe Tone Square and connection to the existing Mill River Culvert at chainage 80m. This includes:
 - A new Mill River Culvert of internal dimensions 5.2m wide, 1.5m high which will be constructed from tie in at Wolfe Tone Square, at Chainage 80m, to the Scart and Mill culvert overflow connection from William Street, at Chainage 242m.
 - A new Mill River Culvert of internal dimensions 3.6m wide, 1.5m high which will be constructed from William St. junction at Chainage 242m to the Mill on Bridge Street at Chainage 452m.
- Connect to existing drainage/services at William Street and Main Street.
- Repair/upgrade works to be carried out to the Mill River Culvert from Chainage 0 to 80m.
- Road and footpath reinstatement works .
- Removal and reinstatement of the central section of Wolf Tone Square architectural feature will be required to facilitate the tie in of the New Mill River culvert.
- A short extension (approximately 4m) of the Alley River culvert will be required so that it ties into the line of the new Mill River Culvert.
- Construction of new services and utilities including foul water drainage. Surface water drainage, watermain infrastructure, gas, electricity and communications will be required at Wolfe Tone Square, New Street and Bridge Street.
- Including modifications to existing services including foul, surface water and services generally to facilitate the proposed scheme
- Construction of 2 No. surface water pumping sumps in Wolfe Tone Square.

3. Part 8 Planning Process

Section 179 of Part XI of the Planning and Development Act 2000 (as amended) and Part 8 of the Planning and Development Regulations 2001 (as amended) set out the requirements in respect of certain classes of development by or on behalf of local authorities. Part 8 of the Regulations comprises 7 Articles – 79 to 85. Article 80(1) lists the type of developments which require Part 8 Planning. Part 8 Planning for the proposed development is required under the Article 80(1).

3.1 Public Notices

In accordance with the Article 81 the Local Authority shall:

- (a) give notice of proposed development in a newspaper.
- (b) erect site notices on the land on which the proposed development would be situated.

Cork County Council Published a notice of the proposals in the **Irish Examiner** on the **8th of November 2024** (see Appendix A).

Four site notices were erected at various locations across the study area and were maintained for the duration of the submission period. A copy of the Advertisement/Site Notice is attached (see Appendix B).

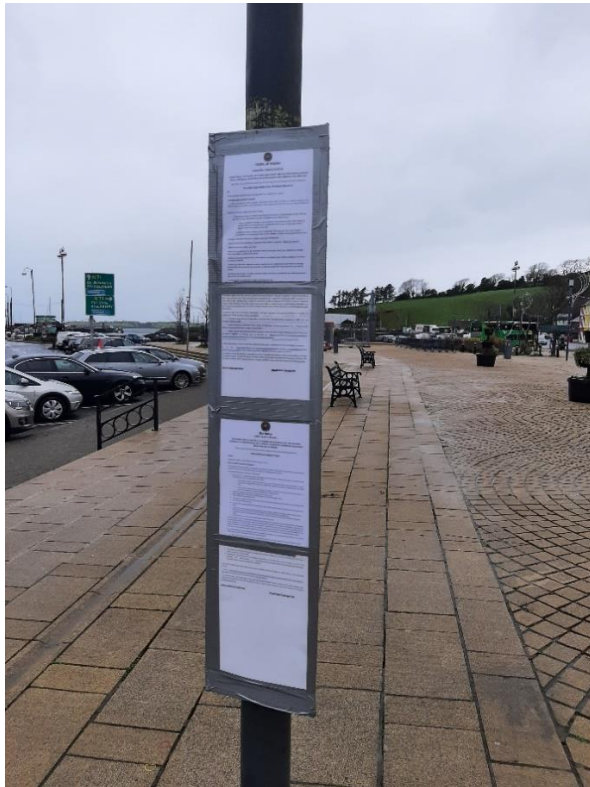


Figure 2- Site Notice #1 located on Wolfe Tone Square

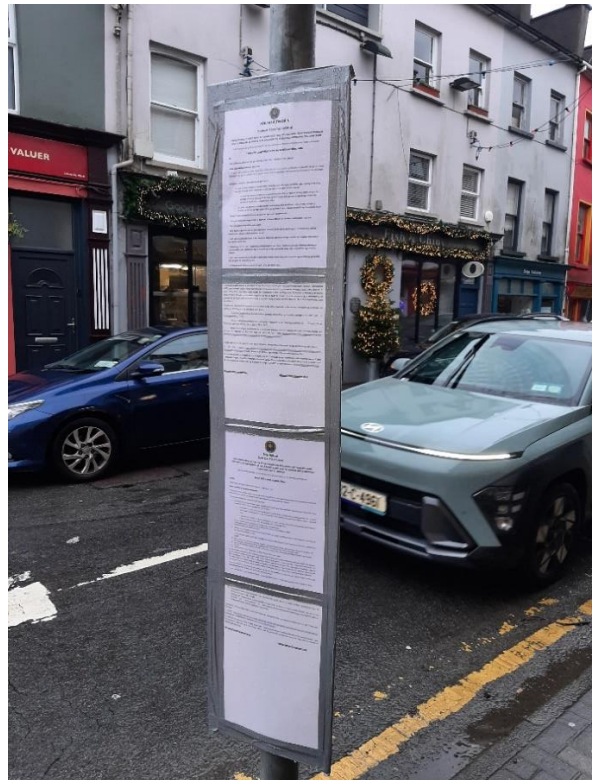


Figure 3- Site Notice #3 located on New Street

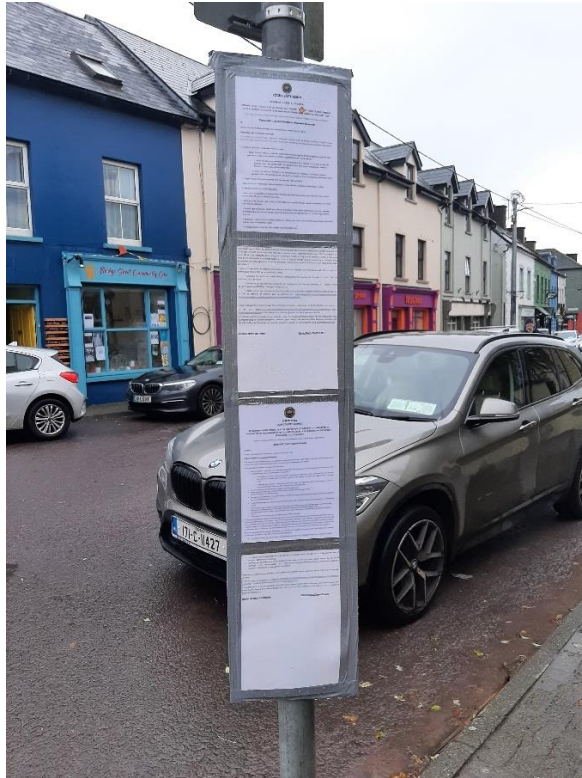


Figure 4- Site Notice #3 located on Bridge Street



Figure 5- Site Notice #4 located on New Steet

3.2 Planning Consultations with prescribed bodies

Article 82(3) prescribes Statutory and Non-Statutory bodies to which a local authority should send notice of proposed development. These are summarised in the Appendix C.

3.3 Part 8 Planning Documents

The following is the list of Part 8 Planning documents contained in the display pack:

- Appropriate Assessment Screening Report and Determination (MWP)
- Appropriate Assessment Screening Determination Report (CCC) [Refer to Appendix E]
- EIA Screening Determination Report (CCC) [Refer to Appendix E]
- EIA Screening Report and Determination (MWP)
- Construction Environmental Management Plan
- Ecological Impact Assessment Report
- Noise Impact Assessment
- Resource Waste Management Plan
- Archaeological Impact Assessment Report

- Architectural Heritage Impact Assessment
- Part 8 Planning Report (MWP)
- Senior Planners Report (CCC) [Refer to Appendix E]
- Preliminary Design Drawings (listed at Appendix D).

3.4 Public Consultation Process

Under Planning & Development Regulations 2001 (as amended) - Part 8, the Local Authority is required to carry out public consultation process.

The public consultation process for the “Proposed Bantry Mill Culvert Upgrade Project” commenced on **Friday 8th November 2024**.

3.4.1 Public Display & Inspection of Plans and Particulars

Cork County Council was required to make full plans and particulars of the proposed development available for inspection. These were made available from **Friday 8th November 2024** until **Friday 20th December 2024** at the following locations:

- County Hall, Carrigrohane Road, Cork, T12 R2NC.
- Cork County Council Roads Operations, Aras Beantraí, The Square, Bantry, Co. Cork. P75 TD 82

In addition to the above, all interested parties were directed to www.corkcoco.ie to view the plans and particulars online on the following link <https://www.corkcoco.ie/en/resident/planning-and-development/publicconsultations/active-part-8-development-consultation>. A hard copy of the documents could also be posted on request.

Submissions or Observations on the proposals could be made:

1. Using an online submission form at www.yourcouncil.ie; or
2. By sending an email to part8.rlrdo@corkcoco.ie; or
3. By sending a letter to Senior Engineer, Cork County Council, Regional & Local Roads Design Office, Floor 3, County Library Building, Carrigrohane Road, Cork, T12 K335.

All emails and letters were required to reach the Senior Engineer on or before 4pm on **Friday 20th December 2024**.

3.4.2 Planning consultation outcomes

All submissions or observations received by the Council are considered in the Part 8 Chief Executive's Report (this document). The Chief Executive's Report lists those who made a submission together with the summary of their points made. The Report addresses each point and forms the local authority's response.

Arising from consideration of the representations, the Chief Executive's Report sets out whether or not it is proposed to proceed as originally planned or to proceed with a modified proposal. It is a reserved function of the Elected Members to grant or refuse planning permission.

3.5 Submissions and observations received.

List of those who made submissions is detailed in table below.

Table 1 List of submitters

Submission Reference	Name
LAC664623424	John Hennessy
LAC666594750	Dermot Harrington
LAC669541653	Adrian O'Neill
LAC670901149	Transport Infrastructure Ireland
LAC671764988	RMLA on behalf of An Post
PB_004EPA043732	EPA
PN24000014179	Uisce Eireann
Email 17122024	Inland Fisheries Ireland
Part 8 Bantry Mill Culvert Upgrade	DAU - Dept of Housing, Local Government and Heritage

9 submissions have been received and The Design Team response to each has been prepared and is detailed in Table .

Table 2 List of submissions and responses

Submission Reference	Submission on Behalf of	Submission	CCC Design Team Response
LAC664623424	John Hennessy	The proposal to excavate and replace with similar vehicle-focused infrastructure represents a missed opportunity to reimagine our urban core for the benefit of residents, businesses, and visitors. Cities worldwide are recognising the value of transforming car-dominated spaces into vibrant, multi-functional areas that enhance economic vitality and improve quality of life. Instead of reinstating driving lanes and parking, this project could prioritise people over vehicles, creating a progressive town centre that fosters social interaction, supports local businesses, and attracts investment. A pedestrian-focused design incorporating green spaces, shaded seating, and social spaces would make the town centre a destination, increasing foot traffic for retailers and service providers.	Cork County Council acknowledges the potential opportunity for a public realm proposed works in urban areas following the significant construction works. Bantry Mill Culvert Upgrade project will consist of an intrusive civil engineering project within the town centre environment. Given the structural and hydraulic deficiencies of the Bantry Mill Culvert, Cork County Council's key objective and priority was given to the replacement of the culvert as a matter of urgency as a standalone project, in particular having regard to the most recent flooding event in October 2024. Therefore, this proposed change is outside the scope of the Bantry Mill Culvert Upgrade Project. Cork County Council will continue to consider possible public realm opportunities subject to available funding.
LAC666594750	Dermot Harrington	The proposed culvert works are obviously welcomed. Unfortunately there appears to be no consideration or confirmation towards 'what this will look like' when these works are complete. There is real opportunity for a consistent design solution and, if considered now, would be more cost effective and would also avoid 'rework'.	Cork County Council acknowledges the potential opportunity for a public realm proposed works in urban areas following the significant construction works. Bantry Mill Culvert Upgrade project will consist of an intrusive civil engineering project within the

			<p>town centre environment. Given the structural and hydraulic deficiencies of the Bantry Mill Culvert, Cork County Council's key objective and priority was given to the replacement of the culvert as a matter of urgency as a standalone project, in particular having regard to the most recent flooding event in October 2024. Therefore, this proposed change is outside the scope of the Bantry Mill Culvert Upgrade Project. Cork County Council will continue to consider possible public realm opportunities subject to available funding.</p>
<p>LAC669541653</p>	<p>Adrian O'Neill</p>	<p>Hello, Thanks for the opportunity to make a submission. I am in support of the scheme but I would ask that the Design Team take account of the historic nature of Bantry when selecting materials for construction works. Bantry is a beautiful historic town, and there is an opportunity to significantly improve the public realm of the area as part of this project. I note the drawings refer to potentially undergrounding cables as part of the works. Could I please request that you do underground the cables when undertaking construction. Similarly, when reinstating footpaths/street surfaces, please consider the use of stone setts/paving flags etc, which would have been used previously. Surrounding towns such as Kenmare and Clonakilty have been respectfully treated when construction works have been carried out and it makes them a great place to visit and spend time/money. I hope you afford the same benefit to Bantry. Thanks.</p>	<p>Cork County Council acknowledges the potential opportunity for a public realm proposed works in urban areas following the significant construction works. Bantry Mill Culvert Upgrade project will consist of an intrusive civil engineering project within the town centre environment. Given the structural and hydraulic deficiencies of the Bantry Mill Culvert, Cork County Council's key objective and priority was given to the replacement of the culvert as a matter of urgency as a standalone project, in particular having regard to the most recent flooding event in October 2024. Therefore, this proposed change is outside the scope of the Bantry Mill Culvert</p>

			Upgrade Project. Cork County Council will continue to consider possible public realm opportunities subject to available funding.
LAC670901149	Transport Infrastructure Ireland	<p>Transport Infrastructure Ireland (TII) acknowledges referral of the above proposed development and advise as follows:</p> <ul style="list-style-type: none"> • All works on, or in the vicinity of the national road network shall be undertaken in accordance with TII Publications. • Any damage caused to the pavement of the existing national road shall be rectified in accordance with TII Pavement Standards. 	Noted
PB_004 EPA043732	RMLA on behalf of An Post	<p>This submission has been prepared by RMLA, Unit 3B, Santry Avenue Industrial Estate, Santry Avenue, Santry, Dublin 9, D09 PH04, on behalf of An Post, Exo Building, North Wall Quay, Dublin 1 in response to the publication of the Part 8 - Proposed Bantry Mill Culvert Upgrade Project. An Post welcomes the opportunity to engage with the Local Authority on this project which will upgrade the existing Mill River culvert within Bantry town, remove the existing foul connections to the culvert and change these to discharge into an independent foul network, with proposed works to take place along Bridge Street, New Street and Wolfe Tone Square.</p> <p>Please note all correspondence in relation to this submission should be sent to the Agents, RMLA Limited, Unit 3B, Santry Avenue Industrial Estate, Santry Avenue, Santry, Dublin 9, D09 PH04. We would request that the Local Authority keep us informed on this project.</p> <p>An Post acknowledges and fully supports the need to upgrade and improve the Mill River Culvert proposal. The Local Authority is asked to consider this submission in the preparation and finalisation of the Mill River Culvert Upgrade Project, and it is specifically requested that the importance of maintaining safe access for all road users</p>	Cork County Council will liaise with An Post to ensure minimal disruption of postal operations during construction

during the planning and construction stages is prioritised. In this regard, An Post wish to take this opportunity to inform the Local Authority of their willingness to engage during the design, planning and construction phases of the project to ensure that operational impacts on the William Street postal facility are avoided or minimised as much as possible.

An Post Operational Requirements

As the Local Authority will be aware, An Post plays a central role in Irish life and society, providing an essential public service delivering mail and parcels to more than 2.2 million business and residential addresses six days a week. As such, the efficient operation of An Post's postal facilities and logistics is central to the successful provision of postal services for businesses and personal customers. It is imperative that, in order to protect the smooth operation of the existing postal service facilities in the area and the movement of mails and parcels, that unrestricted access for staff, customers and deliveries/collections are protected.

Given the nature of An Post's role, providing an essential public service delivering mail and parcels, they require the use of a significant number of small and large vehicles on a daily basis. Unrestricted vehicular access to postal facilities, e.g. the post office on William Street, is of critical importance to the operation of the service provided by An Post and any limitations and impacts, such as road closures etc, can have serious knock-on impacts on the ability of An Post to meet the postal needs of the public and service their legal agreements with the State.

While An Post welcomes the Bantry Mill Culvert Upgrade Project, it is requested that the Local Authority, during all stages of the planning and development process associated with the Project, carefully considers the operational requirements of An Post. In this regard, An Post would welcome and encourage the Local Authority to engage directly with An Post to ensure minimal disruption of postal operations during construction. If there is potential for planned closures during limited short periods, An Post would welcome advance notification of same to allow alternative routes to be investigated and communicated to their customers and colleagues (whose commute may also be affected by the construction works), including the driver fleet of affected routes, so that delays can be avoided as much as possible.

Request for Consultation

		<p>As outlined above, An Post welcomes this opportunity to comment and engage for the preparation of this project and expresses their interest in direct engagement with the Local Authority. In this regard, it is requested that the Local Authority carefully consider the operational requirements of An Post, specifically maintaining vehicular and pedestrian access to An Post facilities. It is further requested that advance notice of any planned closures is communicated to An Post to minimise as much as possible any disruption to An Post's operations and their employees in the area.</p> <p>Conclusion We trust that the matters outlined above will be taken into consideration by the Local Authority. We are available for discussion on any of the matters referred to above and welcome the opportunity for direct engagement with the Local Authority as part of the finalisation of this project. We would appreciate if you could confirm receipt of this submission by return.</p>	
PB_004 EPA043732	EPA	Thank you for contacting the Environmental Protection Agency (EPA). We note the contents of your correspondence and have no Submissions or Observations with respect to the proposed development.	Noted
PN24000014179	Uisce Eireann	<p>As per our previous correspondence, Uisce Éireann would note that our records indicate that there are multiple assets near or within the proposed development site. Uisce Éireann does not permit build over of its assets and the separation distances as per Uisce Éireann's Standards Codes and Practices must be achieved. Therefore, further information is requested as follows. The applicant must engage with Uisce Éireann's Diversions team to assess feasibility of build over and / or diversion. The outcome of the engagement with Uisce Éireann's diversions team shall be submitted as a response to this Further Information request.</p> <p>Alternatively The applicant shall submit revised plans and layouts clearly indicating separation distances as per Uisce Éireann's Standards and Code of Practices have been achieved to accommodate the existing infrastructure within the site. Information on UÉ Diversion and Build-Over Enquiry process Please engage with Uisce Éireann Diversions Team (Diversions@water.ie) and submit the diversion application form and relevant information if requested. Once Uisce Éireann completes the review and it is deemed to be acceptable, the applicant will be issued a Confirmation of Feasibility letter. Any proposal diversion/replacement/build over works must be in compliance with UÉ Standards and Code of Practices. This can be found on https://www.water.ie/connections/developer-services/standard-detailscodes/</p>	<p>Cork County Council notes the proximity of Uisce Éireann assets in and around the Bantry Mill Culvert. CCC will ensure to engage with Uisce Éireann Diversions Team to finalise Uisce Éireann asset layout as the project progresses through the detailed design stage of the project.</p>

		Information relation to the above can be found via the attached link https://www.water.ie/connections/developer-services/diversion-and-build-over/ Queries relating to the terms and observations above should be directed to planning@water.ie	
No Ref	Inland Fisheries Ireland	In terms of construction IFI would ask that the following apply. <ul style="list-style-type: none"> • Full cognisance is given to the IFI “Guidelines on protection of fisheries during construction works in and adjacent to waters”. https://www.fisheriesireland.ie/media/guidelines-on-protection-of-fisheries-during-construction-works-in-and-adjacent-to-waters • Instream works should be carried out in the dry. • Provision should be made for the control and disposal of contaminated site waters so that pollution of downstream water cannot occur. 	Noted
No Ref	DAU - Dept of Housing, Local Government and Heritage	I refer to correspondence received in connection with the above. Outlined below are heritage-related observations/recommendations of the Department coordinated by the Development Applications Unit under the stated heading: Underwater Archaeology The full Part VIII submission, including an Archaeological Impact Assessment (AIA) report (Mizen Archaeology October 2024) and Architectural Heritage Impact Assessment (AHIA) (Southgate Associates October 2024), has been reviewed and please find below the comments and recommendations of the Department, which are provided to support the local authority to comply with Irish legal codes for the protection of archaeological heritage and to manage the archaeological risk to the construction phase of the project. It is noted that the AIA records that the proposed development area is situated within an early modern plantation settlement and is proximal to a series of recorded monuments that are afforded protection by the National Monuments Acts 1930-2014. The proposed development area is also proximal to an area of high underwater cultural heritage potential, as evidenced by the numerous recorded protected wrecks from Bantry Bay. Section 3 of the National Monuments (Amendment) Act 1987 is the primary piece of legislation for the protection of wrecks over 100 years old and archaeological objects underwater, irrespective of age. Wrecks that are less than 100 years old and archaeological objects or the potential location of such a wreck or archaeological object can also be protected under Section 3 of the 1987 (Amendment) Act. Underwater cultural heritage also encompasses, for example, weirs, historic bridges, fording points, revetment walls, and culverts, such as the example that is included within the proposed development.	CCC notes the contents of the submission received on 20th Dec and the impact the works will have on the historic Bantry Culvert System. Initially as part of the design process the repair of the Bantry Mill Culvert was examined. Numerous issues were highlighted with this approach. These issues included: <ul style="list-style-type: none"> • Reduction in cross sectional capacity of the culvert in terms of hydrology [The culvert currently has capacity issues/hydraulic issues with regular flooding occurring within Bantry Town due to the insitu system] • Poor structural condition of the existing culvert

	<p>It is noted that the AIA records that ‘the Bantry culvert system is a valuable cultural heritage asset. It reflects what was likely the earliest municipal investment in water infrastructures in the town, a measure that was expected to alleviate flooding and water-borne-diseases as well as promoting economic development. It is preserved to varying degrees and displays a range of styles in stone building techniques including segmental arches, semi-circular arches and lintel culverts’.</p> <p>The Frameworks and Principles for the Protection of the Archaeological Heritage (Department of Arts, Heritage and the Gaeltacht and the Islands 1999, see section 3.6.1(3) and 3.6.4) sets out national policy on the protection of the archaeological heritage in the course of development. It includes emphasis on the non-renewable nature of the archaeological heritage, the need to always consider its preservation in-situ as the first option, and also the need to carry out appropriate levels and forms of archaeological assessment in advance of development. Similarly, the draft National Planning Framework states that ‘the protection of archaeological heritage is recognised as a core component to achieving sustainable development’.</p> <p>It is further noted that it is an objective in the Cork County Development Plan 2022-2028 (HE 16-2) to: <i>Secure the preservation (i.e. preservation in situ or in exceptional cases preservation by record) of all archaeological monuments and their setting included in the Sites and Monuments Record (SMR) (see www.archaeology.ie) and the Record of Monuments and Places (RMP) and of sites, features and objects of archaeological and historical interest generally. In securing such preservation, the planning authority will have regard to the advice and recommendations of the Development Applications Unit of the Department of Housing, Local Government and Heritage as outlined in the Frameworks and Principles for the Protection of the Archaeological Heritage policy document or any changes to the policy within the lifetime of the Plan.</i></p> <p>It is noted that the proposed upgrading works involve the installation of a pre-cast concrete culvert with internal dimensions of 5.2m in width and 1.5m in height along the Mill River culvert from the site of the former mill to the Bantry Harbour. These works will result in the demolition of the majority of the Mill River stone culvert and the AIA noted that ‘the nature of the impact is classified as direct, negative and irreversible’.</p> <p>In order to align the proposed Part VIII development to national policy for the protection of archaeological heritage and the local authority’s county development plan objective, as outlined above, this Department recommends that alternative engineering proposals are pursued that facilitate the preservation, rather than the wholesale demolition, of the culvert structure.</p>	<p>[Parts of the structure have become unstable over time and are at risk of further damage/collapse]</p> <ul style="list-style-type: none"> • Health and Safety aspect of the repair works [Works in a confined space would be classed as a high risk activity] • Continued maintenance issues due to the size and nature [differing cross sectional areas as highlighted in the Archaeological Impact Assessment (AIA) P:14] of the culvert system <p>Due to the above and the limited space between the building footprints, it was deemed more appropriate to replace the existing deteriorating asset. CCC will, as part of the detailed design stage and in conjunction with the project archaeologist, identify any proposals that facilitate the preservation of sections of the culvert structure. CCC notes Archaeological recommendations and will, (if granted planning permission)</p> <ul style="list-style-type: none"> • Update the AIA based upon conditions referred
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	<p>Should the local authority decide to approve the Part VIII planning application as submitted, the Department recommends that a programme of pre-development buildings archaeology investigation and archaeological testing (licensed under the National Monuments Acts 1930- 2014) be undertaken as set out below. These investigations should be completed well in advance of any construction contract to ensure the identification and protection (through mitigation measures or preservation in situ) of any surviving archaeological features and structures, within the proposed development area. The investigations should also seek to fully record and ascertain the extent, nature and date of the historic culvert which is proposed for demolition. This should be carried out at the earliest possible stage to facilitate the embedding of mitigation within the detailed design for the project, as necessary, in order to ensure the preservation in-situ of cultural heritage and to develop an informed archaeological strategy to be implemented in agreement with the Department.</p> <p>Archaeological Recommendations</p> <p>1. The developer shall commission an Archaeological Impact Assessment (AIA), as follows:</p> <p>a. A desktop assessment shall be compiled that addresses the cultural heritage (archaeological, built, vernacular, riverine and industrial heritage) of the proposed development area, to include a full inventory, mapping and surveys (photographic, descriptive, photogrammetric, as appropriate) of cultural heritage features and structures identified by fieldwork, cartographic analysis, historical research and prior archaeological investigations.</p> <p>b. The AIA shall include licenced test-excavations, accompanied by a hand-held metal detection survey, at areas of the development area where ground disturbances are proposed to take place. The archaeological test-excavation shall be carried out under a Section 26 (National Monuments Act 1930) licence from the Department and in accordance with an approved method statement. Licensed metal detection shall be undertaken in tandem with the test excavations. All test-excavations that have the potential to uncover human skeletal remains shall be undertaken in conjunction with a suitably qualified osteoarchaeologist. A Detection Device consent (Section 2 1987 National Monuments Act) will be required for the metal detection survey. Licenses should be applied for to the Department and should be accompanied by a detailed method statement. Note a period of 3-4 weeks should be allowed to facilitate processing and approval of the licence application and method statement.</p>	<p>to a to e and in agreement with the Department</p> <ul style="list-style-type: none"> • Implement all mitigation measures contained in the Archaeological Impact Assessment (AIA) and Architectural Heritage Impact Assessment (AHIA) • Update the CEMP to reflect the archaeology component under section 3 • Carry out the Archaeological monitoring in accordance with section 4
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	<p>c. The AIA shall include a comprehensive historical and architectural analysis and analytical assessment and record of all historic structures (including but not limited to the historic culvert) that will potentially be impacted upon by the proposed development. The assessment shall comprise of buildings archaeology investigation and recording (annotated plans, elevations, sections, details of features and interpretative drawings derived from measured surveys, photographic surveys, digital surveys, opening-up works) that secures an understanding of the development and phasing of all impacted architectural structures and features (including any reused architectural carved stones) and their condition and vulnerabilities.</p> <p>d. The outcome of the assessment shall inform recommendations, to be agreed with the Department, that prioritise the preservation in situ of identified structures and features and shall also inform the preparation, as required, of specifications (prepared in liaison with a conservation specialist and structural engineer as appropriate) that provide for their stabilisation, conservation and repair. Where identified historic features and structures are proposed for removal or part removal as part of the proposed development, the rationale and justification for this shall be described and mitigation measures shall be recommended and agreed with the Department. These may include, as appropriate, further archaeological investigations (including test-excavations aimed at securing a greater understanding of a feature or structure), surveys, conservation and engineering interventions, monitoring, and preservation by record, and interpretation. Any associated groundworks shall also be assessed and mitigatory measures outlined accordingly.</p> <p>e. A final AIA report that details the results of the assessment shall be furnished to the Department for review and comment. The report shall include a comprehensive Archaeological Impact Statement (AIS) that comments on the degree to which the extent, location and levels of all proposed works (flood relief structures, ground disturbances, foundations, service trenches and other sub-surface works including Site Investigation works) required for the development will impact upon any cultural heritage, archaeological materials, objects and/or areas of archaeological potential that have been identified. The AIS shall be illustrated with appropriate plans, sections and photographs that clearly describe any adverse effect(s) of the development on cultural heritage and proposals for their mitigation. Mitigation may include recommendations for redesign to allow for full or partial preservation in situ, test-excavations, excavations ('preservation by record') and/or monitoring, as deemed appropriate. No construction works shall commence until after the AIA has been submitted and reviewed. All recommendations will require the agreement of the Department.</p>	
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	<p>2. All mitigation measures in relation to archaeology and cultural heritage as set out in the Archaeological Impact Assessment (AIA) report (Mizen Archaeology October 2024) and Architectural Heritage Impact Assessment (AHIA) (Southgate Associates October 2024) shall be implemented in full.</p> <p>3. The Construction Environment Management Plan (CEMP) shall include the location of any and all archaeological or cultural heritage constraints relevant to the proposed development. The CEMP shall clearly describe all identified likely archaeological impacts, both direct and indirect, and all mitigation measures to be employed to protect the archaeological or cultural heritage environment during all phases of site preparation and construction activity.</p> <p>4. Archaeological monitoring shall be undertaken as follows.</p> <p>a. The services of a suitably qualified and suitably experienced archaeologist shall be engaged to carry out archaeological monitoring of all sub-surface works carried out within the development site, including demolition of historic structures and features, in-stream excavations, ground reduction works, service trenching and all other works as advised by the monitoring archaeologist.</p> <p>b. The archaeological monitoring shall be carried out under a Section 26 (National Monuments Act 1930) licence from the NMS and in accordance with an approved method statement. The method statement shall lay out the monitoring strategy for each location where works are proposed. All monitoring works that have the potential to uncover human skeletal remains shall be undertaken in conjunction with a suitably qualified osteoarchaeologist. Licensed metal detection shall be undertaken in tandem with the monitoring. The method statement shall contain a Finds Retrieval Strategy that includes for the spreading, systematic searching and metal detection of all excavated deposits in order to retrieve archaeological objects. A Detection Device consent (Section 2 1987 National Monuments Act) will be required for the metal detecting works. Note a period of 3-4 weeks should be allowed to facilitate processing and approval of licence applications and method statement.</p> <p>c. In order to ensure full communication is in place between the monitoring archaeologist and the works contractor at all times, a communication strategy shall be implemented that provides the monitoring archaeologist with adequate notice of all forthcoming works that require their attendance. Sufficient, suitably experienced and</p>	
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	<p>qualified, archaeological personnel shall be in place to cover all aspects of the monitoring works and any in-stream works shall be monitored by a suitably qualified and experience underwater archaeologist.</p> <p>d. Should archaeological material be found during the course of the archaeological monitoring, the archaeologist shall be authorised to suspend all construction works on the affected part of the site (as identified by the monitoring archaeologist) in order to facilitate investigative assessment, protection and prompt notification to the Department and other statutory authorities, as required. The developer shall be prepared to be advised by the Department with regard to any ensuing mitigating action. Mitigation may include recommendations for redesign to allow for full or partial preservation in situ, the institution of archaeological exclusion zones, test-excavations, excavations ('preservation by record') and/or monitoring, as deemed appropriate. No construction works should recommence within the affected area until after an amended method statement that describes the mitigation strategy has been submitted, reviewed and agreed in writing by the Department.</p> <p>e. The planning authority and this Department shall be furnished with a final archaeological report describing the results of all archaeological monitoring and any archaeological investigative work/excavation required, following the completion of all archaeological work on site and any necessary post-excavation specialist analysis. All resulting and associated archaeological costs shall be borne by the developer.</p>	
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4. Planning and Policy Context

4.1 National Policy

4.1.1 National Planning Framework

The Project Ireland 2040 - National Planning Framework (NPF) sets the vision and strategy for the development of the country to 2040. The National Planning Framework places sustainable management of water as a National Strategic Outcome 9 and similarly Water Infrastructure is cited as one of the ten Strategic Investment Priorities for the National Development Plan. The plan recognises that planning is critically important to the management of water resources, and that the planning system both directly and indirectly influences effective water management.

National Policy Objective **(NPO) 57** highlights the importance of consideration of future flood risk in the area of planning and development by ensuring flood risk management informs place-making by avoiding inappropriate development in areas at risk of flooding in accordance with The Planning System and Flood Risk Management Guidelines for Planning Authorities.

Water quality and the need for water infrastructure is highlighted in National Policy Objective **(NPO) 60** which states “Ensure the efficient and sustainable use and development of water resources and water services infrastructure in order to manage and conserve water resources in a manner that supports a healthy society, economic development requirements and a cleaner environment”.

4.2 Regional Policy

4.2.1 Southern Regional Assembly- Regional Spatial and Economic Strategy (RSES)

The Southern Regional Assembly is responsible for the preparation and implementation of a Regional Spatial and Economic Strategy (RSES) for the Southern Region. The RSES for the Southern Region came into effect on 31st January 2020 and the primary aim of the RSES is to implement Project Ireland 2040 - the National Planning Framework.

In terms of storm water infrastructure, it is an objective of the RSES under **RPO 217** to support the relevant local authorities (and Irish Water where appropriate) to improve storm water infrastructure to improve sustainable drainage and reduce the risk of flooding in the urban environment.

4.3 Local Policy

4.3.1 Cork County Council Development Plan (CDP) 2022-2028

The Cork County Development Plan 2022-2028 came into effect on the 6th of June 2022 and sets the overall strategy for the planning and sustainable development within the administration boundaries for County Cork. The site for the Bantry Mill Culvert Upgrade Project (MCUP) is situated in Bantry Town Centre Street and is part of a larger area designed as ‘Town Centre/Neighbourhood Centres i.e.

Objective No. BT-T-01 Town Centre. Promote the Town Centre as the primary area for retail and mixed-use development, encourage sensitive refurbishment/redevelopment of existing sites and promote public realm improvements whilst protecting the marine environment and built heritage.

Cork County Council has responsibility for the protection of all waters in the County. The Council also has an important role to play in the protection, maintenance, and improvement of water quality through the planning and management of future development.

County Development Plan Objective **WM 11-18**: Arterial Drainage Schemes and Flood Relief Schemes

- a) Ensure that access requirements are preserved for the maintenance of Arterial Drainage Schemes, Drainage Districts and Flood Relief Schemes.
- b) Where the construction, replacement or alteration of bridges and culverts over any watercourse is proposed, appropriate consent from the Commissioners is required under Section 50 of the Arterial Drainage Act 1945.

Section 50: Arterial Drainage Amendment Act, 1945 and EU (Assessment and Management of Flood Risks) Regulations SI 122 of 2010 - Restrictions on the construction or alteration of bridges and culverts. This requires all bodies and persons proposing to carry out any works to a bridge or culvert (new or alteration to an existing) to seek consent from the OPW prior to construction

Flood Risk

The Flood Risks Maps contained in the current 'County Development Plan Zoning Map' for Bantry indicate that the site under consideration here is located within Flood Zone A & B (see Fig.4 below).

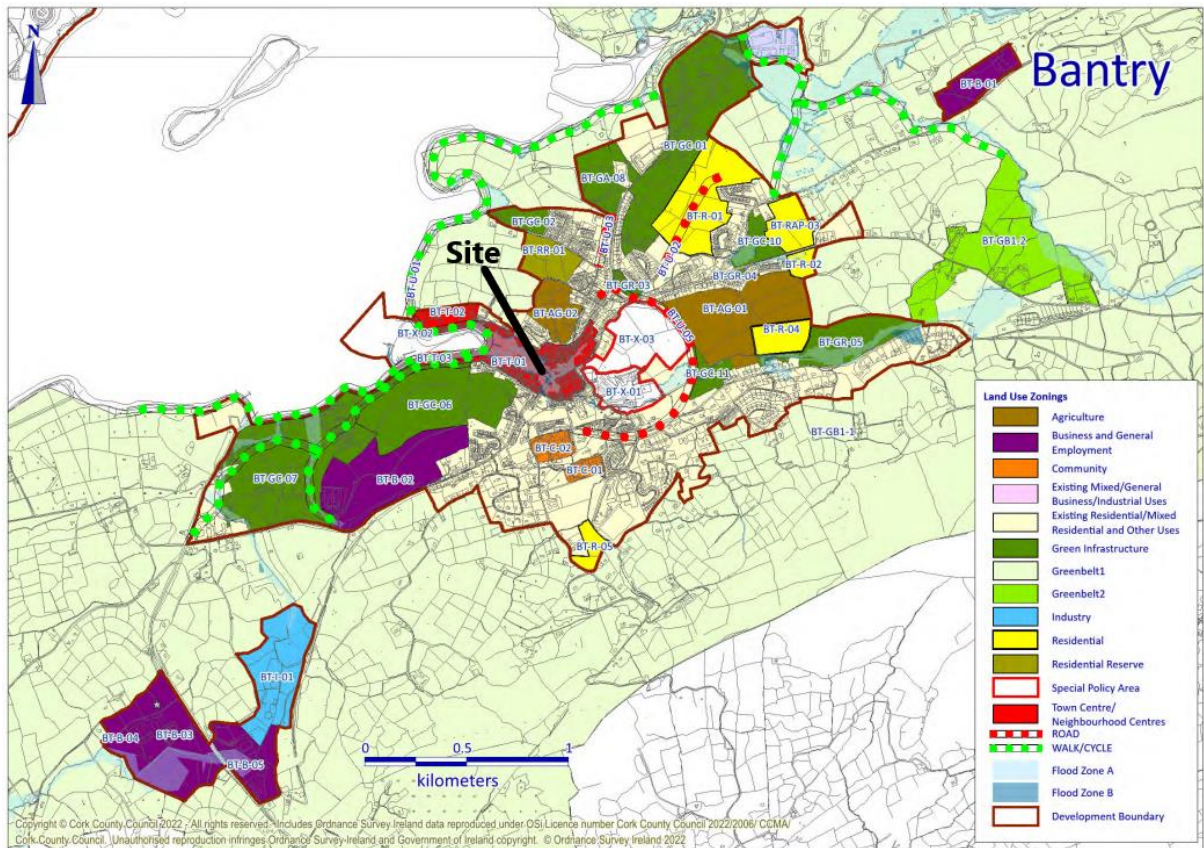


Figure 6 County Development Plan Map for Bantry illustrating the site, as well as Flood Zones A & B

Under County Development Plan Objective **WM 11-15** entitled 'Flood Risk Assessments' the following direction is given;

To require flood risk assessments to be undertaken for all new developments within the County in accordance with The Planning System and Flood Risk Management – Guidelines for Planning Authorities (2009) and the requirements of DECLG Circular P12/2014 and the EU Floods Directive.

- *For sites within Flood Zone A or B, a site-specific Flood Risk Assessment will be required.*
- *For sites within Flood Zone C, an examination of all potential sources of flooding, and consideration of climate change (flood risk screening assessment), will be required. In limited circumstances where the 'Flood Risk Screening assessment' identifies potential sources of flood risk, a site specific flood risk assessment may also be required.*
- *All proposed development must consider the impact of surface water flood risks on drainage design through a Drainage Impact Assessment. The drainage design should ensure no increase in flood risk to the site, or the downstream catchment.*

Accordingly, a Flood Risk Assessment is hereby undertaken in accordance with the requirements of the Ministerial Guidelines 'The Planning System and Flood Risk Management' and as required under County Development Plan Objective **WM 11-15**.

Requirements of Flooding Guidelines

The relevant sections of 'The Planning System and Flood Risk Management' guidelines are as follows;

- Section 3.5 of 'The Planning System and Flood Risk Management Guidelines for Planning Authorities' outlines the planning implication for development in Flood Zone A as follows;

*Most types of development would be considered inappropriate in this zone. Development in this zone should be avoided and/or only considered in **exceptional circumstances**, such as in city and town centres, or in the case of essential infrastructure that cannot be located elsewhere, and where the Justification Test has been applied. Only water-compatible development, such as docks and marinas, dockside activities that require a waterside location, amenity open space, outdoor sports and recreation, would be considered appropriate in this zone.*

- Under Table 3.1 of these same guidelines 'Classification of vulnerability of different types of development', the development under consideration here could be categorized as a 'Water-compatible development' i.e. i.e. flood control infrastructure.
- The 'Matrix of vulnerability versus flood zone' illustrated in Table 3.2 places no requirement on this development to meet the Justification Test and/or be subject to a flood risk assessment i.e. the development is designated as 'appropriate' for Flood Zone A .
- These works associated with the Bantry Mill Culvert Upgrade Project (MCUP) are therefore acceptable from a flood risk perspective and fully comply with the requirements specified in 'The Planning System and Flood Risk Management Guidelines for Planning Authorities'.

Cultural Heritage

The proposed Development is located within two Architectural Conservation Areas (ACA) as mentioned previously. Special planning controls can be developed for ACAs that set out development

objectives for the preservation and enhancement of the area. The designation of ACAs gives protection to the greater part of the built heritage that may not be suitable for inclusion in the Record of Protected Structures but contributes to or forms the particular character of an area. As set out in Objective **HE 16-18** the Council must conserve and enhance the special character of the ACA included in the Plan. The special character of an area includes its traditional building stock, material finishes, spaces, streetscape, shopfronts, landscape and setting.

There are a number of Protected Structures located along the route of the proposed development. Objective **16-14** seeks to protect all structure contain in the Record of Protected structures.

4.3.2 Volume 5- West Cork

Volume 5 of the Cork County Development relates to West Cork. It sets out the detailed planning strategy and land use zoning as appropriate for the towns and villages of the Municipal District and includes Bantry Town. With regards to Bantry Town the plan notes that there are existing surface water capacity issues with the Mill River and the existing surface water culverts in the town centre need to be upgraded. The Plan states that the Council are working with Irish Water, the Office of Public Works, and Transport Infrastructure Ireland to expediate the Council's proposed upgrade of the New Street Culvert which relates specifically to this application.

The plan also highlights the flooding issues that the Town faces in terms of the poor structural condition and flow capacity of culverts in the town. The following objective is of relevance to this project:

BT U-07 Seek the Upgrading of Existing Surface Water Culverts along the existing Mill River to deal with present surface water capacity issues.

4.3.3 Project Funding

The project will be funded by Cork County Council and other funding partners.

4.4 Planning Policy Compliance

In regard to policy objectives, the importance of upgrading the Mill River Culvert is recognised in the Cork County Development Plan, 2022 West Cork (Volume 5). Sections 2.7.58 and 2.7.59 note existing surface water capacity issues with the Mill River as well as the poor structural condition and flow capacity of culverts in the town with existing surface water culverts in the town centre identified for upgrading.

5. Screening for Appropriate Assessment

A Stage 1 Appropriate Assessment (AA) has been undertaken by both MWP and Cork County Council to determine the potential for likely significant effects of a project, individually, or in combination

with other plans or projects, in view of the conservation objectives of the site, on a European site or sites. It has been objectively concluded that there the European sites identified in the report are not likely to be affected by the proposal, individually or in-combination with other plans or projects and can therefore be screened out for appropriate assessment.

6. EIA Screening

An Environmental Impact Assessment (EIA) Screening Report was conducted by both MWP and Cork County Council which conclude that there is no real likelihood of significant effects on the environment arising from the proposed development and that an EIA is not required in this instance. Refer to the EIA Screening report included with this application for more details.

7. Scheme Design Modifications (Amendments)

Given the nature of the submissions, no scheme design modifications are required at this stage.

8. Conclusion

The proposals which are the subject of this Part 8 Planning process provide a unique opportunity to deliver a project to improve the surface water capacity issues associated with the Mill River in Bantry Town.

The proposed works are consistent with proper planning and sustainable development of the area in which it relates.

9. Recommendation

The works proposed are essential upgrade and reconstruction to the Bantry Mill River Culvert and associated services and as such, would be compatible with the Cork County Development Plan 2022 and would be in accordance with the proper planning and sustainable development of the area.

In conclusion, having considered all the submissions, Planners Reports, and having regard to the number of site constraints affecting the project, I am satisfied that the proposed design as detailed in the Part 8 Planning Report is the optimum solution available.

I recommend that the development should proceed as set out in the report.

Padraig Barrett

Padraig Barrett

Director of Services – CCC Roads & Transportation

07/02/2025

Date:

Niall Healy

Niall Healy

Divisional Manager – North

07/02/2025

Date:

10. Appendices

10.2 Appendix B: Site Notice



Site Notice CORK COUNTY COUNCIL

DEVELOPMENT UNDER SECTION 179 OF THE PLANNING AND DEVELOPMENT ACT, 2000 AND NOTICE PURSUANT TO THE REQUIREMENTS OF PART 8, ARTICLE 81 AND 83 OF THE PLANNING AND DEVELOPMENT REGULATIONS, 2001, AS AMENDED

Notice is hereby given that Cork County Council proposed to carry out the following development

Bantry Mill Culvert Upgrade Project

Location:

Bridge Street, New Street and Wolfe Tone Square in Bantry, Co. Cork

Nature and extent of proposed development:

The purpose of the proposed works is to upgrade the existing Mill River culvert within Bantry town and remove the existing foul connections to the culvert and change these to discharge into an independent foul network.

The proposed development comprises of the following:

- Reconstruction of a new Mill River Culvert along Bridge Street and New Street and Wolfe Tone Square and connection to the existing Mill River Culvert at chainage 80m. This includes:
 - A new Mill River Culvert of internal dimensions 5.2m wide, 1.5m high which will be constructed from tie in at Wolfe Tone Square, at Chainage 80m, to the Scart and Mill culvert overflow connection from William Street, at Chainage 242m.
 - A new Mill River Culvert of internal dimensions 3.6m wide, 1.5m high which will be constructed from William St. junction at Chainage 242m to the Mill on Bridge Street at Chainage 452m.
- Connect to existing drainage/services at William Street and Main Street.
- Repair/upgrade works to be carried out to the Mill River Culvert from Chainage 0 to 80m.
- Road and footpath reinstatement works.
- Removal and reinstatement of the central section of Wolf Tone Square architectural feature will be required to facilitate the tie in of the New Mill River culvert.
- A short extension (approximately 4m) of the Alley River culvert will be required so that it ties into the line of the new Mill River Culvert.
- Construction of new services and utilities including foul water drainage, surface water drainage, watermain infrastructure, electricity and communications will be required at Wolfe Tone Square, New Street and Bridge Street.
- Including modifications to existing services including foul, surface water and services generally to facilitate the proposed scheme
- Construction of 2 No. surface water pumping sumps in Wolfe Tone Square.

A screening determination has been made by Cork County Council that an Environmental Impact Assessment (EIA) is not required. A screening determination has also been made that an Appropriate Assessment is not required. In accordance with Article 120 (3), as amended by S.I. No. 296 of 2018, a person may, within 4 weeks from the date of this notice (8th of November) apply to An Bord Pleanála for a screening determination as to whether the development would be likely to have significant effects on the environment. Such a submission should be addressed to the Secretary, An Bord Pleanála, 64, Marlborough Street, Dublin 1.

Plans and particulars of the proposed development are available for inspection, or to purchase for a fee of €15 per set, from 8th of November to the 6th of December 2024 at the following venues:

- Cork County Council, County Hall Foyer, Carrigrohane Road, Cork, T12 R2NC [Between the hours of 09:00 to 16:00] Cork County Council Roads Operations, Aras Beanntraí, The Square, Bantry, Co. Cork. P75 TD 82 [Between the hours of 09:00 to 13:00 and 14:00 to 16:00]
- Drawings and documentation will be available to view online on the Cork County Council website. The link for the drawings and documentation is: <https://www.corkcoco.ie/en/resident/planning-and-development/public-consultations/active-part-8-development-consultation>

Submissions or Observations with respect to the proposed development may be made on or before 16:00 on 20th of December as follows:

1. Online: <https://www.corkcoco.ie/en/resident/planning-and-development/public-consultations/active-part-8-development-consultation> by using the online submission form on www.yourcouncil.ie
2. In writing, the letter should be headed: "Bantry Mill Culvert Upgrade Project" and be addressed to the "Senior Engineer, Cork County Council, Regional & Local Roads Design Office, Floor 10, County Hall, Carrigrohane Road, Cork, T12 R2NC" or emailed to part8info@corkcoco.ie.

Director of Roads & Transportation

Date of Notice: 8th November 2024



FÓGRA LÁITHREÁIN COMHAIRLE CONTAE CHORCAÍ

FORBAIRT FAOI ALT 179 DEN ACHT UM PLEANÁIL AGUS FORBAIRT, 2000 AGUS FÓGRA DE BHUN CEANGLAIS CHUID 8, AIRTEAGAL 81
AGUS 83 DE NA RIALACHÁIN PHEANÁLA AGUS FORBARTHA, 2001, ARNA LEASÚ

Tugtar fógra leis seo go bhfuil sé beartaithe ag Comhairle Contae Chorcaí an fhorbairt seo a leanas a dhéanamh

Tionscadal Uasghrádaithe linteár Mhuileann Bheantraí

Áit :

Sráid an Droichid, An tSráid Nua agus Cearnóg Wolfe Tone i mBeantraí, Co. Chorcaí

Cineál agus méid na forbartha Beartaithe :

Is é cuspóir na n-ábreacha molta uasghrádú a dhéanamh ar linteár reatha ag Abhainn an Mhuilinn laistigh de bhaile Bheantraí agus na naisc bhréan atá ann cheana leis an linteár a bhaint agus iad seo a athrú go líonra bréan neamhspleách.

Cuimsíonn an fhorbairt a bheartaítear iad seo a leanas:

- Atógáil ar linteár abhainn an mhuilinn feadh Shráid an Droichid agus an tSráid Nua agus Cearnóg Wolfe Tone agus nasc le linteár reatha abhainn an mhuilinn ag slabhraíocht 80m. Áirítear leis seo:
 - o Linteár nua abhainn an mhuilinn le toisí inmheánacha 5.2m ar leithead, 1.5m ar airde a thógfar ón gceangal isteach ag Cearnóg Wolfe Tone, ag Slabhraíocht 80m, go nasc na Scairte agus linteár an Mhuilinn ó Shráid Liam, ag Slabhraíocht 242m
 - o Linteár nua abhainn an mhuilinn le toisí inmheánacha 3.6m ar leithead, 1.5m ar airde a thógfar ó acomhal Shráid Liam ag Slabhraíocht 242m go dtí an Muileann ar Shráid an Droichid ag Slabhraíocht 452m.
- Ceangail le draenáil/seirbhísí reatha ag Sráid Liam agus ag an bPríomhsráid.
- Oibreacha deisiúcháin/uasghrádaithe le déanamh ar linteár Abhainn an Mhuilinn ó Slabhraíocht 0 go 80m.
- Oibreacha athchóirithe bóithre agus cosáin . • Beidh gá leis an gcuid lárnach de ghné ailtreachta Cearnóg Wolfe Tone a bhaint agus a athchóiriú chun ceangal isteach linteár Abhainn an Mhuilinn Nua a éascú.
- Beidh gá le síneadh gearr (thart ar 4m) de linteár Abhainn na caolsráide ionas go mbeidh sé ceangailte le líne linteár nua Abhainn an Mhuilinn.
- Seirbhísí agus fóntais nua a thógáil lena n-áirítear draenáil uisce bréan. Beidh draenáil uisce dromchla, bonneagar príomhphíobáin uisce, leictreachas agus cumarsáid ag teastáil ag Cearnóg Wolfe Tone, an tSráid Nua agus Sráid an Droichid.
- Ag áireamh mionathruithe ar sheirbhísí reatha lena n-áirítear uisce bréan, uisce dromchla agus seirbhísí go ginearálta chun an scéim atá beartaithe a éascú
- 2 sumpá pumpála d'uisce dromchla a thógáil i gCearnóg Wolfe Tone.

Tá cinneadh scagtha déanta ag Comhairle Contae Chorcaí nach bhfuil gá le Tuarascáil Measúnacht Tionchair Timpeallachta (MTT), agus cinneadh chomh maith nach bhfuil gá le measúnacht chúil . I gcomhréir le hAirteagal 120(3), arna leasú le I.R. Uimh. 296 de 2018 , féadfaidh duine, laistigh de 4 seachtaine ó dháta an fhógra seo (8 Samhain), iarratas a dhéanamh chuig an mBord Pleanála ar chinneadh scagtha ar cé acu an dóigh go mbeadh tionchar suntasach ag an bhforbairt ar an gcomhshaol. Ba cheart aighneacht dá leithéid a sheoladh chuig an Rúnaí, An Bord Pleanála, 64, Sráid Mhaoilbhríde, Baile Átha Cliath, 1.

Tá pleananna agus sonraí na forbartha a bheartaítear ar fáil lena n-íniúchadh, nó le ceannach ar tháille €15 an tsraith, ó 8 Samhain go 6 Nollaig 2024 ag na hionaid seo a leanas:

- Comhairle Contae Chorcaí, Forhalla Halla an Chontae, Bóthar Charraig Ruacháin, Corcaigh, T12 R2NC [idir na huaireanta 09:00 go 16:00]
- Oibríochtaí Bóithre Chomhairle Contae Chorcaí, Áras Beantraí, An Cearnóg, Beantraí, Co. Chorcaí. P75 TD 82 [idir na huaireanta 09:00 go 13:00 agus 14:00 go 16:00]
- Beidh línióchtaí agus doiciméid ar fáil le hiniúchadh ar líne ar shuíomh Gréasáin Chomhairle Contae Chorcaí. Is é an nasc le haghaidh na línióchtaí agus na doiciméid ná: <https://www.corkcoco.ie/en/resident/planning-anddevelopment/public-consultations/active-part-8-development-consultation>

Is féidir Aighneachtaí nó Tuairimí maidir leis an bhforbairt beartaithe, a dhéanamh faoi 16.00 20 Nollaig mar a leanas: 1. Ar líne: <https://www.corkcoco.ie/en/resident/planning-and-development/public-consultations/active-part-8-development-consultation> trí úsáid a bhaint as an bhfoirm aighneachta ar líne ar www.yourcouncil.ie 2. I scríbhinn, ba chóir go mbeadh an ceannideal ar an litir: "Tionscadal Uasghrádaithe linteár Mhuileann Bheantraí" agus í a sheoladh chuig an "Innealtóir Sínearach, Comhairle Contae Chorcaí, Oifig Dhearaidh Bóithre Réigiúnacha & Áitiúla, Urlár 10, Halla an Chontae, Bóthar Charraig Ruacháin, Corcaigh, T12 R2NC" nó seol ríomhphost chuig part8@rldo@corkcoco.ie .

Stiúthóir Bóithre agus Iompair

Dáta an Fhógra: 8 Samhain 202

10.3 Appendix C: Notification of Statutory Consultees

Prescribed Bodies
Arts Council
Fáilte Ireland
An Taisce
The Heritage Council
Inland Fisheries Ireland
Waterways Ireland
Environmental Protection Agency (EPA)
Transport Infrastructure Ireland (TII)
Department of Housing, Local Government & Heritage/NPWS
Department of Environment, Climate & Communications
Department of Tourism Culture, Arts, Gaeltacht, Sport and Media
Uisce Éireann
Southern Regional Assembly
Office of Public Works
National Transport Authority
ESB

10.4 Appendix D: Part 8 Planning Drawings

Drawing Schedule

DRAWING SCHEDULE		
Drawing No.	Drawing Title	Rev.
-----	COVER SHEET	-----
-----	DRAWING SCHEDULE	-----
-----	LOCATION MAP	-----
24349-MWP-ZZ-ZZ-DR-C-0001	EXISTING SITE PLAN	P01
24349-MWP-ZZ-ZZ-DR-C-0002	PROPOSED WORK ZONES	P01
24349-MWP-ZZ-ZZ-DR-C-1001	PROPOSED CULVERT LAYOUT PLAN (SHEET 1 OF 2)	P01
24349-MWP-ZZ-ZZ-DR-C-1002	PROPOSED CULVERT LAYOUT PLAN (SHEET 2 OF 2)	P01
24349-MWP-ZZ-ZZ-DR-C-1003	OVERALL PLAN & LONGITUDINAL SECTION	P01
24349-MWP-ZZ-ZZ-DR-C-1004	PROPOSED CULVERT CROSS SECTIONS	P01
24349-MWP-ZZ-ZZ-DR-C-1005	DETAILED CROSS SECTIONS	P01
24349-MWP-ZZ-ZZ-DR-C-1008	EXISTING ALLEY STREAM CONNECTION	P01
24349-MWP-ZZ-ZZ-DR-C-1009	PROPOSED ALLEY STREAM	P01
24349-MWP-ZZ-ZZ-DR-C-2001	EXISTING OVERALL WATERMAIN, SURFACE WATER AND FOUL SEWER LAYOUT	P01
24349-MWP-ZZ-ZZ-DR-C-2002	PROPOSED OVERALL WATERMAIN, SURFACE WATER AND FOUL SEWER LAYOUT	P01

10.5 Appendix E: Environmental Determination Reports / Senior Planners Report

See attached reports.

**Habitats Directive Appropriate Assessment
Screening Determination**

Bantry Mill Culvert Upgrade Project, Bantry, Co. Cork.



Cork County Council
Comhairle Contae Chorcaí

**Completed by: Kieran Murphy - Executive Ecologist
Cork County Council.**

Date: 07/11/2024

This document contains the Habitats Directive Screening Determination of Cork County Council in respect of a proposed upgrade works to a mill culvert in Bantry, Co. Cork. The assessment is based on project drawings and details prepared by the Roads Department and Malachy Walsh and Partners.

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 objectively ruled out during the screening stage.

Stage Two: Appropriate Assessment

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

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

Bantry Mill Culvert Upgrade Project

Description of the project

The purpose of the project is to upgrade the existing Mill Stream culvert within the town and remove the existing foul connections to the culvert and change these to discharge into an independent foul network. Reconstruction of a new Mill River Culvert along Bridge Street and New Street and Wolfe Tone Square and connection to the existing Mill River Culvert at chainage 80m. This includes: a new Mill River Culvert of internal dimensions 5.2m wide, 1.5m high which will be constructed from a tie in at Wolfe Tone Square, at Chainage 80m, to William Street, at Chainage 242m. A new Mill River Culvert of internal dimensions 3.6m wide, 1.5m high which will be constructed from William St. junction at Chainage 242m to the Mill on Bridge Street at Chainage 452m.

Including those changes noted above, the following will also be carried out: road and footpath reinstatement works, removal and reconstruction of the central section of Wolfe Tone Square architectural feature will be required to facilitate the tie in of the new Mill River culvert; construction of new services and utilities including foul water drainage; surface water drainage, watermain infrastructure, gas, electricity and communications will be required at Wolfe Tone Square, New Street, and Bridge Street; and the construction of two surface water pumping sumps in Wolfe Tone Square.

Mechanical machinery and electrical equipment typically used for construction projects will be required to facilitate the proposed development. The following is a non-exhaustive list of plant that is typical of civil engineering works and may be used in this proposed development. The exact equipment to be used is not known at this stage, however the plant and machinery listed below are typical of equipment that are commonly used in construction projects of this nature and scale.

- Telescopic Handler
- Mobile Crane
- 15-30T Hydraulic Excavator
- 12T Roller
- Dump truck
- Tractor & Trailer
- 15-20T Rubber Tired Excavator
- 3-10T mini digger
- Generators – with acoustic shielding
- Water pumps 100mm or 150mm with integral drip trays
- Settling Tanks
- Cement Mixers
- Handheld drilling equipment for grout holes
- Grout mixer and pump
- Formwork
- Hand tools
- Surfacing Equipment

The following personnel will be required during the duration of the construction phase:

- 1 no. Project Manager

- 1 no. Construction Manager
- 1 no. Environmental Manager
- Health and Safety Personnel
- Construction Personnel

The principal waste is the excavation material, which comprises of subsoils, rocks and tarmac, for the most part. Fine sediments may be released during excavations and general site works; however, these are likely to be most mobile in topsoil and subsoil layers above the culvert.

Site Context

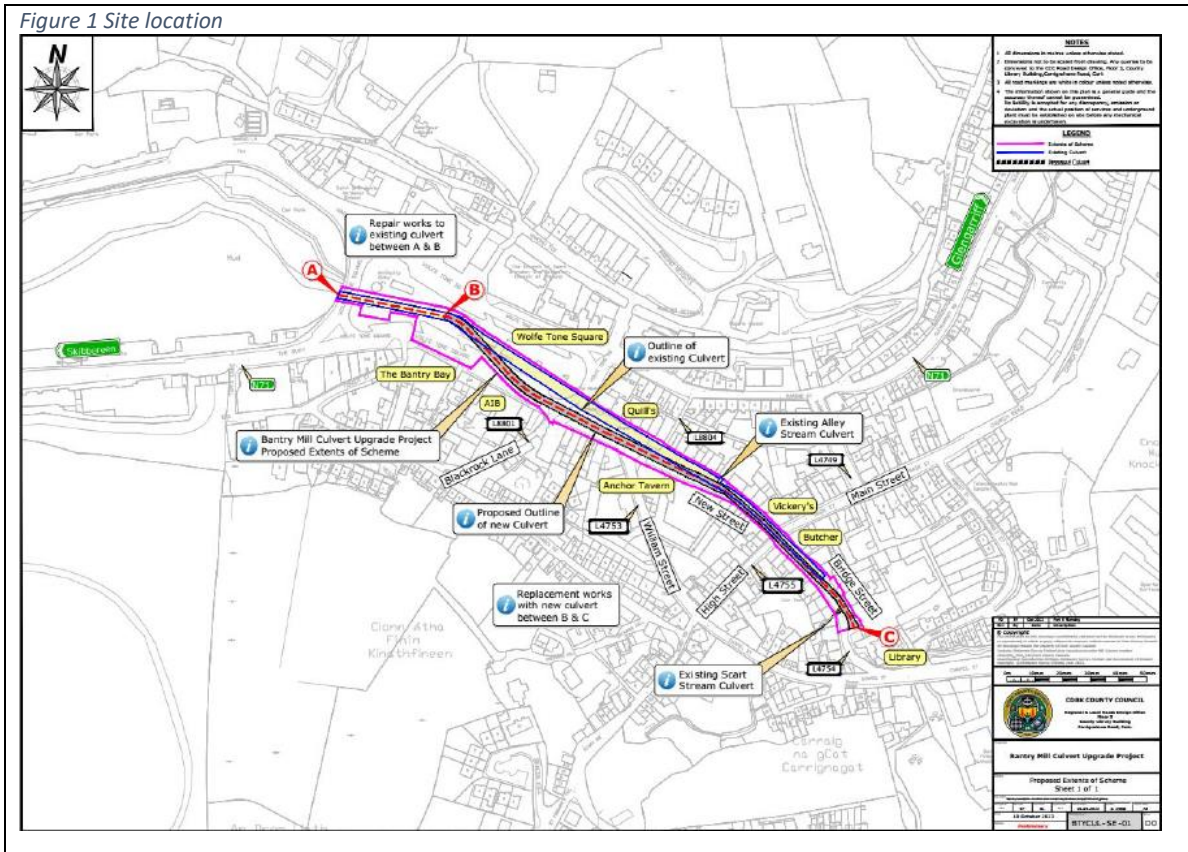
The proposed development will take place on the existing culvert that runs down Bridge Street and New Street and Wolfe Tone Square.

Drainage at Bantry is centred around the 2.2 km long River Mealagh, also known as the Bantry River, a high gradient watercourse. A distributary channel of the Doneelagh stream, which itself is a tributary of the River Mealagh, flows southwest to become the Mill Stream where it flows overland until entering a tidal culvert under Chapel Street in Bantry. The culvert passes under Bantry Town Centre and has an outfall into Bantry marina. There are multiple other tributaries which join the River Mealagh to the north: the Knocknaveagh, Sheskin East, Carrignagat, Alley River, and Scart. These are relatively steep and narrow, with many engineered sections including culverts, weirs, bridges, and aqueducts. The Alley River, also known as the Reenrou, has a shallower gradient, and is culverted in its lower reaches. Bantry Culverts' consists of a main culvert and two side culverts.

The main culvert is 445m long and carries the Mill Stream under the centre of Bantry along New Street until it outfalls west of Wolf Tone Square. There is a 103m long side culvert from the south which carries the Scart Stream into the main culvert at Bridge Street approximately 440m upstream of the outfall. The other side culvert connects from the north and carries the Alley River into the Mill Stream approximately 309m upstream of the outfall. There are surface water capacity issues with the Mill Stream and existing surface water culverts which contribute to flooding in the area.

Foul water in the Bantry area is conveyed via a combined sewer system to the Bantry Wastewater Treatment Plant (WWTP), which has a design capacity of 6,000 population equivalent (PE) and is situated on the northern side of Bantry Harbour. Sewage treatment discharge locations were gathered from EPA maps (2024). The primary discharge location for foul water is in Inner Bantry Bay, approx. 2.6 km west of the Mill Stream outflow into Bantry Harbour. A secondary outflow is at the junction of Glengarriff Road and Barrack Street, while emergency outflows are located on the Scart Rd south of the Harbour, at Reenrou East north of the Harbour, and in Bantry Harbour itself, near the WWTP.

Figure 1 Site location

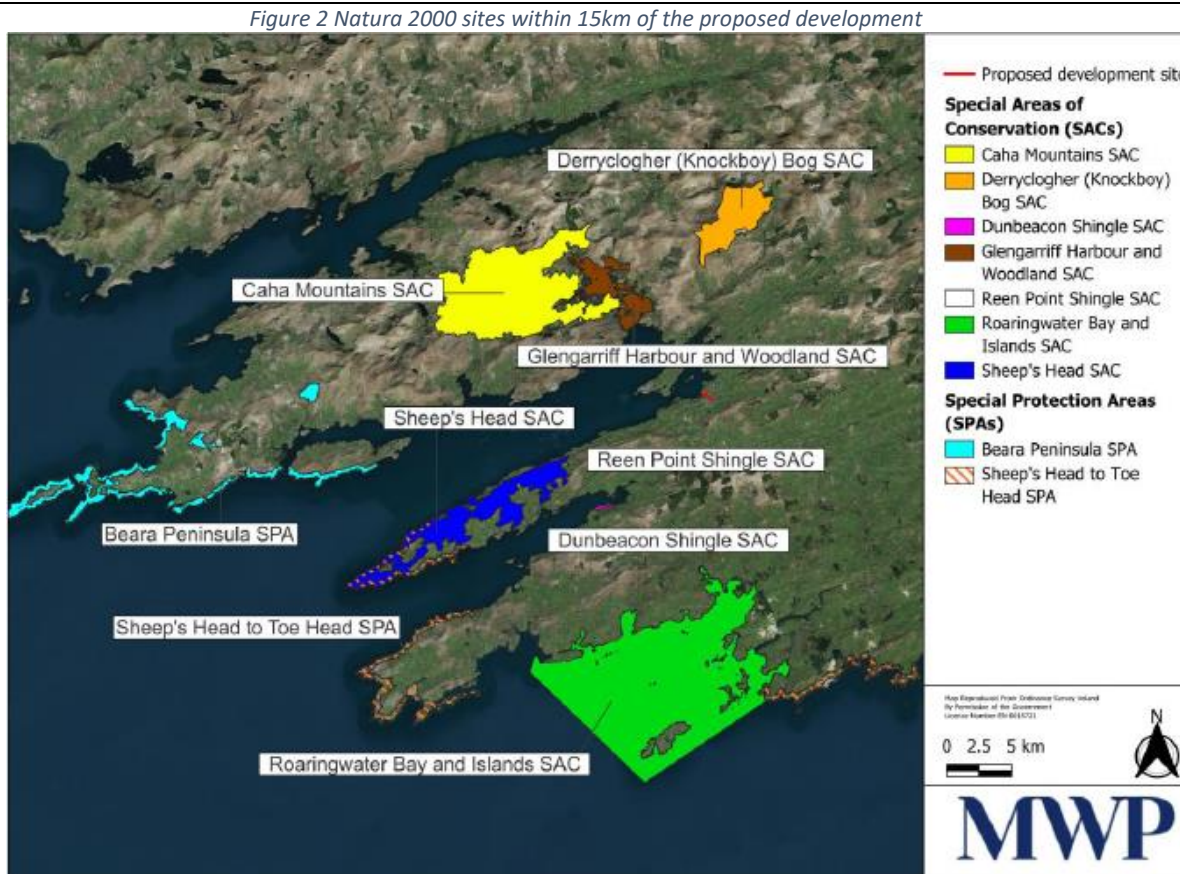


Name and location of EU sites subject to screening

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

1. Glengarriff Harbour and Woodland SAC (Site code: 000090) located approximately 7.5km northwest of the proposed development.
2. Caha Mountains SAC (Site code: 000093) located approximately 9.5km northwest.
3. Derryclogher (Knockboy) Bog SAC (Site code: 001873) located approximately 9.8km north.
4. Dunbeacon Shingle SAC (Site code: 002280) located approximately 11km southwest.
5. Sheep's Head SAC (site code: 000102) located approximately 11.5km southwest.
6. Reen Point Shingle SAC (site code: 2281) approximately 13.5km southwest.
7. Roaringwater Bay and Islands SAC (Site code: 000101) approximately 14km south.

Figure 2 Natura 2000 sites within 15km 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

There is limited hydrological connection and limited ecological connection between the proposed works and Glengarriff Harbour and Woodland SAC. There are no source-receptor pathways between the proposed site and any other European site. Therefore, likely significant effects to these EU site are screened out.

Regarding Glengarriff Harbour and Woodland SAC, potential negative effects could arise from impacts to water quality, habitat loss/alteration, disturbance/displacement of species, and habitat/species fragmentation.

Regarding impacts to water quality, standard water protection measures, including working in the dry will be employed. Given the distance, any sediment or pollutant released will be assimilated into Bantry Bay and not reach Glengarriff Harbour

There will be no direct or indirect loss of habitat from the European site as a result of the proposed works.

Due to the location of the proposed works, the intervening distance, and presence of nursery and spawning grounds for prey species for harbour seal (QI for the SAC) within the SAC, it is considered

unlikely for significant effects to occur which may result in the deterioration of key resources including prey availability for the designated species. Breeding, moulting and resting sites for harbour seal are entirely within the SAC.

The proposed works are located within the inner reaches of the marina at Bantry in the southeast of the bay and therefore due to its location in relation to the location of the Glengarriff Harbour and Woodland SAC in the north of the bay, habitat fragmentation is not considered likely to occur as a result of the proposed works.

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 effects on 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.

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

Comhairle Contae Chorcaí Cork County Council

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Suíomh Gréasáin: www.corkcoco.ie



Planning Section, Norton House,
Cork Road, Skibbereen,
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EIA	Screening Determination
Address	Bridge Street and New Street and Wolfe Tone Square.
Proposal	<p>Upgrade the existing Mill River culvert within Bantry town and remove the existing foul connections to the culvert and change these to discharge into an independent foul network. The proposed development comprises of the following:</p> <ul style="list-style-type: none"> • Reconstruction of a new Mill River Culvert along Bridge Street and New Street and Wolfe Tone Square and connection to the existing Mill River Culvert at chainage 80m. This includes: <ul style="list-style-type: none"> ○ A new Mill River Culvert of internal dimensions 5.2m wide, 1.5m high which will be constructed from tie in at Wolfe Tone Square, at Chainage 80m, to the Scart and Mill culvert overflow connection from William Street, at Chainage 242m. ○ A new Mill River Culvert of internal dimensions 3.6m wide, 1.5m high which will be constructed from William St. junction at Chainage 242m to the Mill on Bridge Street at Chainage 452m. • Connect to existing drainage/services at William Street and Main Street. • Repair/upgrade works to the Mill River Culvert from Chainage 0 to 80m. • Road and footpath reinstatement works. • Removal and reinstatement of central section of Wolf Tone Square architectural feature to facilitate the tie in of the New Mill River culvert. • A short extension (approximately 4m) of the Alley River culvert to tie into the line of the new Mill River Culvert. • Construction of new services and utilities including foul water drainage. Surface water drainage, watermain infrastructure, electricity and communications will be required at Wolfe Tone Square, New Street and Bridge Street. • Modifications to existing services including foul, surface water and services to facilitate the proposed scheme • Construction of 2 No. surface water pumping sumps in Wolfe Tone Square.

Cork County Council is proposing to upgrade the existing Mill River culvert within Bantry town, to remove the existing foul connections to the culvert and to change these to discharge into an independent foul network. The proposed works include reconstruction of a new Mill River Culvert along Bridge Street, New Street and Wolfe Tone Square and a connection to the existing Mill River Culvert at chainage 80m. This includes a new Mill River Culvert which will be constructed from a tie in at Wolfe Tone Square, at Chainage 80m, to the Scart and Mill culvert overflow connection from William Street, at Chainage 242m.

A new Mill River Culvert will be constructed from William Street junction at Chainage 242m to the Mill on Bridge Street at Chainage 452m. The proposed works also include connection to existing drainage/services at William Street and Main Street, repair/upgrade works to the Mill River Culvert from Chainage 0 to 80m, road and footpath reinstatement works, the removal and reinstatement of the central section of Wolf Tone Square architectural feature to facilitate the tie in of the New Mill River culvert and a short extension (approximately 4m) of the Alley River culvert to tie into the line of the new Mill River Culvert.

Construction of new services and utilities, including foul water drainage, surface water drainage, watermain infrastructure, electricity and communications are also proposed at Wolfe Tone Square, New Street and Bridge Street with modifications to existing services including foul, surface water and services also proposed to facilitate the planned scheme. Two surface water pumping sumps would also be constructed in Wolfe Tone Square.

A Habitats Directive Appropriate Assessment Screening Determination, which has been prepared for the proposed development, has screened out the requirement for a Stage 2 Appropriate Assessment.

A detailed description of the proposed development has been provided in a report by MWP to inform environmental impact assessment screening. The MWP 'Screening for Environmental Impact Assessment Report' has taken into consideration the requirements of Schedule 7A and Schedule 7 of the Planning and Development Regulations, 2001 as amended, and has concluded that an environment impact assessment would not be required for the proposal.

Further documentation accompanying the proposal include an Ecological Impact Assessment Report, an Architectural Heritage Impact Assessment, an Archaeological Impact Assessment, a Construction Environmental Management Plan and a Resource Waste Management Plan.

EIA Legislative Context

Planning and Development Regulations, 2001 as amended

In considering the requirement for Environment Impact Assessment, the proposed development has been assessed under Part 1 of Schedule 5 of the Planning and Development Regulations, 2001 as amended. As the proposed development would not fall under any of the relevant classes set out in Part 1 of Schedule 5, mandatory EIA is not required under Part 1 of Schedule 5 of the Regulations.

The proposed development was further reviewed against the classes of development specified in Part 2 of Schedule 5 of the Planning and Development Regulations, 2001 as amended. Relevant classes include Class 10(b)(iv) where mandatory EIA is required for urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere. Class 15 is also relevant.

In the case of the current proposal, the proposed works would provide for the upgrade, reconstruction and repair of the Mill River Culvert and associated works within the town centre of Bantry Town. With a site area of 1.9 hectares, the proposal would not equal or exceed the thresholds set out in Part 2 of Schedule 5 for urban development under Class 10(b)(iv). While a mandatory EIA is not required in this case under Class 10(b)(iv), the proposed development is considered to be sub-threshold and an Environment Impact Assessment Screening Report thus, accompanies the current proposal.

The Environment Impact Assessment Screening Report has had regard to the criteria set out in Schedule 7 of the Planning and Development Regulations, 2001 as amended, provides information on the characteristics of the proposed development and likely effects on the environment and has screened out the requirement for an Environment Impact Assessment Report.

The proposal is accompanied by an Appropriate Assessment Screening Report, a Habitats Directive Appropriate Assessment Screening Determination, an Architectural Heritage Impact Assessment, an Archaeological Impact Assessment, a Resource Waste Management Plan and a Construction Environmental Management Plan. The Habitats Directive Appropriate Assessment Screening Determination advises that no works are proposed within any European sites and the site of the proposed development is located sufficiently distant from any EU site that there is no risk of activities associated with the proposal causing disturbance to qualifying habitats or species.

Having reviewed and considered the drawings and documentation provided with the proposal and having regard to -

- a) the nature and scale of the proposed development which relates to the essential upgrade, reconstruction and repair of the Mill River Culvert and associated works,

- b) the urban location of the proposed development within Bantry Town,
- c) the existing pattern of development and existing services in the vicinity of the proposal,
- d) the Environmental Impact Assessment Screening Report,
- e) the accompanying documentation including the Ecological Impact Assessment Report, the Architectural Heritage Impact Assessment, the Archaeological Impact Assessment, the Resource Waste Management Plan and the Construction Environmental Management Plan,
- f) the lack of cumulative impacts arising when taken together with existing and permitted developments in the vicinity,
- g) the assessment and conclusions of the Habitats Directive Appropriate Assessment Screening Report and Screening Determination that the proposed works, individually or in combination with other plans/projects, are not likely to have a significant effect on a European site (Natura 2000 site),
- h) the criteria set out in a. 120(4)(a) of the Planning and Development Regulations, 2001 as amended, and
- i) the mitigation measures and good construction practice standards proposed in the reports,

it is considered that there is no real likelihood of significant effects on the environment arising from the proposed development and it is determined that an Environmental Impact Assessment report is, therefore, not required.



G.O'Mahony
Senior Planner
07/11/24

Appendix 1

EIAR Screening Determination		
A. Case Details		
Location	Bantry Town	
Proposal	<p>Upgrade the existing Mill River culvert within Bantry town and remove the existing foul connections to the culvert and change these to discharge into an independent foul network.</p> <p>The proposed development comprises of the following:</p> <ul style="list-style-type: none"> • Reconstruction of a new Mill River Culvert along Bridge Street and New Street and Wolfe Tone Square and connection to the existing Mill River Culvert at chainage 80m. This includes: <ul style="list-style-type: none"> ○ A new Mill River Culvert of internal dimensions 5.2m wide, 1.5m high which will be constructed from tie in at Wolfe Tone Square, at Chainage 80m, to the Scart and Mill culvert overflow connection from William Street, at Chainage 242m. ○ A new Mill River Culvert of internal dimensions 3.6m wide, 1.5m high which will be constructed from William St. junction at Chainage 242m to the Mill on Bridge Street at Chainage 452m. • Connect to existing drainage/services at William Street and Main Street. • Repair/upgrade works to the Mill River Culvert from Chainage 0 to 80m. • Road and footpath reinstatement works. • Removal and reinstatement of central section of Wolf Tone Square architectural feature to facilitate the tie in of the New Mill River culvert. • A short extension (approximately 4m) of the Alley River culvert to tie into the line of the new Mill River Culvert. • Construction of new services and utilities including foul water drainage. Surface water drainage, watermain infrastructure, electricity and communications will be required at Wolfe Tone Square, New Street and Bridge Street. • Modifications to existing services including foul, surface water and services to facilitate the proposed scheme • Construction of 2 No. surface water pumping sumps in Wolfe Tone Square. 	
	Yes / No / NA:	Comment
Does the application include information specified in Annex III of the EIA Directive	Yes	The proposal is supported by an Environmental Impact Assessment Screening report.
Other relevant information submitted	Yes	Habitats Directive Appropriate Assessment Screening Report, Habitats Directive Appropriate Assessment Screening Determination, Ecological Impact Assessment Report, Architectural Heritage Impact Assessment Report, Archaeological Impact

		Assessment Report, a Resource Waste Management Plan and a Construction Environmental Management Plan
Does the application include a NIS and/or other reports to enable AA screening?	Yes	The proposed project is supported by a Habitats Directive Appropriate Assessment Screening Report and a Habitats Directive Appropriate Assessment Screening Determination
Is an IED/IPC/Waste Licence or Waste Water Discharge Authorisation (or review of licence/ authorisation) required from the EPA for the subject development?	No	
If YES has the EPA been consulted?		
Have any other relevant assessments of the effects on the environment been carried out pursuant to other relevant Directives –for example SEA or AA?	Yes	Habitats Directive Appropriate Assessment Screening Determination has screened out the requirement for a Stage 2 Appropriate Assessment.
B. Examination		
1. Characteristics of proposed development <i>(including demolition, construction, operation, or decommissioning):</i>		
	If relevant, briefly describe the characteristics of the development (i.e. the nature and extent)	
(a) The size and design of the whole of the proposed development	The proposal relates to to the essential upgrade, reconstruction and repair of the Mill River Culvert including reinstatement works, new services and utilities and reconstruction of the Wolfe Tone Square architectural feature and associated works. The site area is 1.9	

	hectares. The anticipated construction period is between 12-18 months.
(b) Cumulation with other existing and/or permitted projects that could give rise to cumulative effects	The site of the proposal is located in the built up area of Bantry Town and the surrounding land use is primarily retail and commercial. There are no existing or permitted projects which could give rise to cumulative impacts.
(c) Use of natural resources, in particular land, soil, water and biodiversity	The Mill Culvert Upgrade would be largely confined to the route of the existing culvert. The proposal would include the localised excavation and removal of existing road and footpath surfaces and their reinstatement. Mitigation measures regarding construction practices, phasing, overpumping and the carrying out of construction works in the dry, which are set out in the Ecological Impact Assessment Report and the Construction Environmental Management Plan, would ensure no significant effects on the use of natural resources would arise.
(d) Production of waste	Production of waste would arise as a consequence of site preparation, excavation and removal of existing road and footpath surfaces. The proposal is accompanied by a Construction Environmental Management Plan which sets out the site management strategy for the proposal. All waste would be disposed of to a licenced facility.
(e) Pollution and nuisances	Potential impacts on water and air quality could arise in addition to impacts from noise, construction traffic and dust nuisances. The planned construction practices, hours of operation, phasing, overpumping and the carrying out of construction works in the dry would ensure that risk to water quality would be avoided. No significant risks to water quality have been identified in the Ecological Impact Assessment Report on implementation of the mitigation measures and best practice methods set out in the Ecological Impact Assessment Report and the Construction Environmental Management Plan. The risk from noise, construction traffic and dust nuisances, which would be a low level risk, would be mitigated as set out in the Construction Environmental Management Plan.
(f) the risk of major accidents and/or disasters which are relevant to the project concerned, including those caused by climate change, in accordance with scientific knowledge.	The Construction Environmental Management Plan sets out the site strategy in regard to accidents and disasters and includes an emergency response plan. Implementation of mitigation measures and best practice methods set out in both the Construction Environmental Management Plan and Ecological Impact Assessment Report would ensure no major risk of water pollution would arise.
(g) Risks to human health (for example due to water contamination or air pollution).	Potential effects would be limited to the construction period and include potential effects on water and air quality. No significant risks have been identified on implementation of the mitigation measures and best practice methods set out in the Construction Environmental Management Plan and Ecological Impact Assessment Report.
2. Location of proposed development	

<p>The environmental sensitivity of geographical areas likely to be affected by the proposed development:</p>	<p>If relevant, briefly describe the characteristics of the location.</p>
<p>(a) the existing and approved land use</p>	<p>The site of the proposal is located in the built up area of Bantry Town and the surrounding land use is primarily retail and commercial.</p>
<p>(b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground;</p>	<p>The proposal relates to the essential upgrade, reconstruction and repair of the Mill River Culvert including reinstatement works, new services and utilities and reconstruction of the Wolfe Tone Square architectural feature and associated works. Given that most of the planned works are upgrade works to an existing and operational culvert located under existing road and footpath surfaces and given the limited duration of the works and the implementation of best practice and mitigation measures set out in the Ecological Impact Assessment Report and the Construction Environmental Management Plan, the proposal would be unlikely to have significant effects on the relative abundance, availability, quality and regenerative capacity of natural resources in the area and its underground.</p>
<p>(c) the absorption capacity of the natural environment, paying particular attention to the following areas:</p> <ul style="list-style-type: none"> (i) wetlands, riparian areas, river mouths; (ii) coastal zones and the marine environment; (iii) mountain and forest areas; (iv) nature reserves and parks; (v) areas classified or protected under national legislation; Natura 2000 areas designated by Member States pursuant to Directive 92/43/EEC and Directive 2009/147/EC; (vi) areas in which there has already been a failure to meet the environmental quality standards, laid down in Union legislation and relevant to the project, or in which it is considered that there is such a failure; (vii) densely populated areas; (viii) landscapes and sites of historical, cultural or 	<p>The proposal relates to the essential upgrade, reconstruction and repair of the Mill River Culvert including reinstatement works, new services and utilities and reconstruction of the Wolfe Tone Square architectural feature and associated works. The planned works are upgrade works to an existing and operational culvert located under existing road and footpath surfaces.</p> <p>No works are proposed within any European designated sites and the site of the proposed development is located sufficiently distant from such sites that there is no risk of activities associated with the proposal causing disturbance to qualifying habitats or species.</p> <p>The Ecological Impact Assessment Report and the Construction Environmental Management Plan set out mitigation measures and controls to be implemented which would ensure that no significant impacts would arise from the proposed works on the absorption capacity of the natural environment.</p> <p>The proposal is located in an urban area and largely comprises of existing road and footpath surfaces which would be reinstated following completion of the development. The proposed development would not have any significant visual impacts on the landscape. Site compound(s) would be removed on completion of the proposed works.</p> <p>There are no recorded archaeological monuments in the immediate vicinity of the proposed works area and no new archaeological sites were identified in the preparation of the Archaeological Impact Assessment report. The likelihood of encountering in-situ unrecorded monuments during the construction phase is low. The proposed site area lies within two designated Architectural Conservation Areas (Public and Commercial Centre Architectural Conservation Area and Chapel Architectural Conservation Area). Visual impacts of the proposal on the designated Architectural Conservation Areas would be</p>

archaeological significance.	confined to the construction period and would be low and short-term in nature on implementation of the mitigation measures set out in the Architectural Heritage Impact Assessment. No significant adverse impacts are anticipated.
3. Type and characteristics of potential impacts	
The likely significant effects of projects on the environment must be considered in relation to criteria set out in points 1 and 2 of this Annex, with regard to the impact of the project on the factors specified in Article 3(1), taking into account:	
a) the magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected)	The magnitude and spatial extent of impacts arising from the proposed works would be localised, limited in duration and would be largely in the immediate vicinity of the existing culvert. No significant risks to water quality have been identified on implementation of the mitigation measures and best practice methods set out in the Ecological Impact Assessment Report and the Construction Environmental Management Plan. Water quality management measures would be carried out for the duration of the works and Construction and Environmental Manager(s) would supervise the works.
(b) the nature of the impact	<p><i>Human Beings, Population and Human Health</i></p> <p>The nature of impacts which could arise in regard to noise, dust, emissions from the operation of machinery and traffic disturbance would be low, temporary and limited in duration to the construction period.</p> <p><i>Biodiversity</i></p> <p>Potential impacts would be minor, localised and would be mitigated by measures set out in the Ecological Impact Assessment Report and the Construction Environmental Management Plan.</p> <p>The proposed works could give rise to potential impacts on water quality by way of pollution from hydrocarbons, wash-out facilities, contaminants and sedimentation during the period of the works. No invasive species were identified in the vicinity of the site during the ecological field surveys undertaken in 2024.</p> <p><i>Land, Soil, Water, Air and Climate</i></p> <p>Water quality impacts could arise from hydrocarbons, wash-out facilities, contaminants and sedimentation. Noise, dust and exhaust emissions could arise from the operation of machinery during the site operation period.</p> <p><i>Material Assets</i></p> <p>General nuisance from traffic congestion and noise during the site operation works could arise.</p> <p><i>Landscape & Cultural Heritage</i></p> <p>Impacts on the streetscape and cultural heritage would be temporary and confined to the construction period.</p>
(c) the transboundary nature of the impact;	Transboundary effects are not applicable to the proposed development.

<p>(d) the intensity and complexity of the impact;</p>	<p><i>Human Beings, Population and Human Health</i></p> <p>Potential impacts that could arise during the proposed works from noise, dust and traffic would be minor, temporary and localised in nature. Mitigation measures and controls are set out in the Construction Environmental Management Plan. On completion of the works, the upgraded Mill Culvert would have a positive impact on human health.</p> <p><i>Biodiversity</i></p> <p>Given the urban location of most of the proposed works, potential impacts on biodiversity would be associated with the construction works and would be minor, temporary and of low intensity.</p> <p>During the proposed works, there is potential for contaminants to affect water quality. Potential impacts on water quality would be avoided on implementation of the mitigation measures and controls set out in the Ecological Impact Assessment Report and the Construction Environmental Management Plan.</p> <p><i>Land, Soil, Water, Air and Climate</i></p> <p>Noise, dust and exhaust emissions that could arise from the operation of machinery during the construction period would be temporary, localised and of low intensity and would be mitigated on the implementation of the measures and controls set out in the Ecological Impact Assessment Report and the Construction Environmental Management Plan.</p> <p><i>Material Assets</i></p> <p>Impacts that could arise from noise, vibration, dust and traffic disruption during the site operation works would be low in intensity and temporary in nature. Mitigation measures and controls are set out in the Construction Environmental Management Plan.</p> <p><i>Landscape & Cultural Heritage</i></p> <p>The proposal would have a minimal, short-term impact on streetscape and cultural heritage which would be confined to the construction period. No impacts would arise in respect to known archaeological sites.</p>
<p>(e) the probability of the impact;</p>	<p><i>Human Beings, Population and Human Health</i></p> <p>Impacts associated with the construction period of the proposed works could arise but would be temporary and of a low level and would be mitigated on the implementation of the measures and controls set out in the Ecological Impact Assessment Report and the Construction Environmental Management Plan.</p> <p><i>Biodiversity</i></p> <p>Probable impacts on biodiversity and on mammals, bats, birds and aquatic species would be low upon implementation of the mitigation measures and controls set out in the Ecological Impact Assessment Report and Construction Environmental Management Plan.</p> <p>The probability of impacts on water quality would be avoided on implementation of the mitigation measures and controls set out in the Ecological Impact Assessment Report and the Construction Environmental Management Plan.</p> <p>The probability of impacts from the spread of the invasive species would be unlikely to occur on implementation of the appropriate mitigation and best practice measures set out in the Construction</p>

	<p>Environmental Management Plan.</p> <p><i>Land, Soil, Water, Air and Climate</i></p> <p>The probability of impacts arising from noise, dust and exhaust emissions may occur during the construction period but would be mitigated on implementation of the mitigation and best practice measures set out in the Construction Environmental Management Plan.</p> <p><i>Material Assets</i></p> <p>The probability of impacts arising during the construction period could arise but would be low and reduced on implementation of the mitigation and best practice measures set out in the Construction Environmental Management Plan.</p> <p><i>Landscape & Cultural Heritage</i></p> <p>Any probable visual impact that may arise would be temporary and would be confined to the construction period. No impacts would arise in respect to known archaeological sites or cultural landscapes on completion of the works.</p>
(f) the expected onset, duration, frequency and reversibility of the impact	<p><i>Human Beings, Population and Human Health</i></p> <p>Impacts which could arise would be temporary and of a low level associated with the construction period of the works proposed.</p> <p><i>Biodiversity</i></p> <p>Potential impacts on biodiversity would be temporary and of limited impact.</p> <p>Any potential impacts on water quality would be limited to the short duration of the proposed works. Such impacts would be unlikely to occur as the proposal would incorporate controls, best practice and mitigation measures set out in the Ecological Impact Assessment Report and the Construction Environmental Management Plan. The implementation of mitigation measures and controls outlined in the Construction Environmental Management Plan would also ensure the spread of invasive species would be unlikely to occur.</p> <p><i>Land, Soil, Water, Air and Climate</i></p> <p>Impacts arising from noise, dust and exhaust emissions would minor, of low intensity and would be confined to the short duration of the proposed works.</p> <p><i>Material Assets</i></p> <p>Any impacts would be low and limited to the short duration of the proposed works.</p> <p><i>Landscape & Cultural Heritage</i></p> <p>Any visual impact which would arise would be temporary and would have minimal impact on the streetscape and cultural landscape. No impacts would arise in respect to known archaeological sites.</p>
(g) cumulation of the impact with the impact of other existing and/or approved projects;	<p>No cumulative impacts would be likely to occur.</p>

(h) the possibility of effectively reducing the impact.	<p><i>Human Beings, Population and Human Health</i></p> <p>The mitigation measures and best practice controls set out in the Construction Environmental Management Plan would effectively reduce potential impacts.</p> <p><i>Biodiversity</i></p> <p>Impacts on biodiversity and water quality would be unlikely to occur on implementation of the controls, best practice and mitigation measures set out in the Ecological Impact Assessment Report and the Construction Environmental Management Plan.</p> <p><i>Land, Soil, Water, Air and Climate</i></p> <p>Mitigation measures and best practice controls are set out in the Construction Environmental Management Plan which would avoid any potential nuisance impacts.</p> <p><i>Material Assets</i></p> <p>None required.</p> <p><i>Landscape & Cultural Heritage</i></p> <p>None required.</p>
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C. Determination

Having regard to the above, the accompanying information and in particular to the nature and scale of the proposal, by itself and in combination with other plans and projects, it is considered that there is no real likelihood of significant effects on the environment and the preparation of an Environmental Impact Assessment Report is not required.

D. Main Reasons and Considerations

Having regard to the above and the following:

- j) the nature and scale of the proposed development which relates to the essential upgrade, reconstruction and repair of the Mill River Culvert and associated works,
- k) the urban location of the proposed development within Bantry Town,
- l) the existing pattern of development and existing services in the vicinity of the proposal,
- m) the Environmental Impact Assessment Screening Report,
- n) the accompanying documentation including the Ecological Impact Assessment Report, the Architectural Heritage Impact Assessment, the Archaeological Impact Assessment, the Resource Waste Management Plan and Construction Environmental Management Plan,
- o) the lack of cumulative impacts arising when taken together with existing and permitted developments in the vicinity,
- p) the assessment and conclusions of the Habitats Directive Appropriate Assessment Screening Report and Screening Determination that the proposed works, individually or in combination with other plans/projects, are not likely to have a significant effect on a European site (Natura 2000 site),
- q) the criteria set out in a. 120(4)(a) of the Planning and Development Regulations, 2001 as amended, and
- r) the mitigation measures and good construction practice standards proposed in the reports,

it is considered that the proposed development would not be likely to have significant effects on the environment and an environmental impact assessment report is, therefore, not required.



Part 8	Planning Report
Address	Bantry Town
Proposal	<p>Upgrade the existing Mill River culvert within Bantry town and remove the existing foul connections to the culvert and change these to discharge into an independent foul network.</p> <p>The proposed development comprises of the following:</p> <ul style="list-style-type: none"> • Reconstruction of a new Mill River Culvert along Bridge Street and New Street and Wolfe Tone Square and connection to the existing Mill River Culvert at chainage 80m. This includes: <ul style="list-style-type: none"> ○ A new Mill River Culvert of internal dimensions 5.2m wide, 1.5m high which will be constructed from tie in at Wolfe Tone Square, at Chainage 80m, to the Scart and Mill culvert overflow connection from William Street, at Chainage 242m. ○ A new Mill River Culvert of internal dimensions 3.6m wide, 1.5m high which will be constructed from William St. junction at Chainage 242m to the Mill on Bridge Street at Chainage 452m. • Connect to existing drainage/services at William Street and Main Street. • Repair/upgrade works to the Mill River Culvert from Chainage 0 to 80m. • Road and footpath reinstatement works. • Removal and reinstatement of central section of Wolf Tone Square architectural feature to facilitate the tie in of the New Mill River culvert. • A short extension (approximately 4m) of the Alley River culvert to tie into the line of the new Mill River Culvert. • Construction of new services and utilities including foul water drainage. Surface water drainage, watermain infrastructure, electricity and communications will be required at Wolfe Tone Square, New Street and Bridge Street. • Modifications to existing services including foul, surface water and services to facilitate the proposed scheme • Construction of 2 No. surface water pumping sumps in Wolfe Tone Square.

Mill River Culvert is located in the town centre of Bantry and extends down Bridge Street, New Street and into Wolfe Tone Square. The area is zoned Objective 'BT-T-01 Town Centre/Neighbourhood Centres' as set out in the Cork County Development Plan, 2022. The site is largely located within the designated 'Public and Commercial Centre Architectural Conservation Area' and extend into 'Chapel Architectural Conservation Area' at Bridge Street. There are a number of Protected Structures and structures included on the National Inventory of Architectural Heritage along the route of the proposed works. There are no known archaeological sites within the site of the proposed development. The site is located within Flood Zone A, as detailed in the Cork County Development Plan, 2022.

Cork County Council is proposing to upgrade the existing Mill River culvert within Bantry town, to remove the existing foul connections to the culvert and to change these to discharge into an independent foul network. The

proposed works include reconstruction of a new Mill River Culvert along Bridge Street, New Street and Wolfe Tone Square and a connection to the existing Mill River Culvert at chainage 80m. This includes a new Mill River Culvert which will be constructed from a tie in at Wolfe Tone Square, at Chainage 80m, to the Scart and Mill culvert overflow connection from William Street, at Chainage 242m. A new Mill River Culvert will be constructed from William Street junction at Chainage 242m to the Mill on Bridge Street at Chainage 452m. The proposed works also include connection to existing drainage/services at William Street and Main Street, repair/upgrade works to the Mill River Culvert from Chainage 0 to 80m, road and footpath reinstatement works, the removal and reinstatement of the central section of Wolf Tone Square architectural feature to facilitate the tie in of the New Mill River culvert and a short extension (approximately 4m) of the Alley River culvert to tie into the line of the new Mill River Culvert. Construction of new services and utilities, including foul water drainage, surface water drainage, watermain infrastructure, electricity and communications are also proposed at Wolfe Tone Square, New Street and Bridge Street with modifications to existing services including foul, surface water and services also proposed to facilitate the planned scheme. Two surface water pumping sumps would also be constructed in Wolfe Tone Square.

A Habitats Directive Appropriate Assessment Screening Determination has been prepared for the proposed development and has screened out the requirement for a Stage 2 Appropriate Assessment. The proposal has been screened for Environmental Impact Assessment and it has been determined that there is no real likelihood of significant effects on the environment arising from the proposed development and an environmental impact assessment report is, therefore, not required. Further documentation accompanying the proposal include an Ecological Impact Assessment Report, an Architectural Heritage Impact Assessment, an Archaeological Impact Assessment, a Resource Waste Management Plan and a Construction Environmental Management Plan.

In regard to policy objectives, the importance of upgrading Mill River Culvert is recognised in the Cork County Development Plan, 2022 West Cork (Volume 5). Sections 2.7.58 and 2.7.59 note existing surface water capacity issues with the Mill River as well as the poor structural condition and flow capacity of culverts in the town with existing surface water culverts in the town centre identified for upgrading. Relevant provisions contained within the Cork County Development Plan, 2022 West Cork (Volume 5) include:

Specific Development Objective for Bantry – West Cork, Volume 5

Utilities and Infrastructure
BT U-07 Seek the Upgrading of Existing Surface Water Culverts along the existing Mill River to deal with present surface water capacity issues.

Having reviewed the supporting documentation and the policies and objectives of the Cork County Development Plan 2022, there is no objection in principle to the proposed development. The proposal to upgrade the Mill River Culvert is supporting by national and regional planning policies in addition to development plan policies to address surface water capacity issues and future flood risk. The accompanying Architectural Heritage Impact Assessment report outlines mitigation measures to protect the character of the two designated Architectural Conservation Areas located within the site boundary during the construction phase while the Archaeological Impact Assessment notes that there are no known archaeological sites within the site area of the proposal.

The works proposed are essential upgrade and reconstruction to the Mill River Culvert and associated services and as such, would be compatible with the Cork County Development Plan, 2022 and would be in accordance with the proper planning and sustainable development of the area.



G.O'Mahony
Senior Planner
07/11/24



Comhairle Contae Chorcaí
Cork County Council

Roads & Transportation