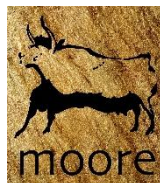


Report for the purposes of
Appropriate Assessment Screening

OPW Modular Homes Charleville

Prepared by: Moore Group – Environmental Services

27 November 2023



On behalf of The Commissioners of Public Works in Ireland on behalf of the Department for
Children, Equality, Disability, Integration and Youth

Project Proponent	Office of Public Works
Project	OPW Modular Homes Charleville
Title	Report for the purposes of Appropriate Assessment Screening OPW Modular Homes Charleville



Project Number	22161	Document Ref	22161 OPW Charleville AAS1 Rev0	
Revision	Description	Author	Date	
Rev0	Issued to Client	G. O'Donohoe		13 July 2023
Rev1	Final	G. O'Donohoe		27 November 2023
Moore Archaeological and Environmental Services Limited				

Table of Contents

1. Introduction	1
1.1. General Introduction.....	1
1.2. Legislative Background - The Habitats and Birds Directives	1
2. Methodology.....	2
2.1. Guidance	3
2.2. Data Sources	4
3. Description of the Proposed Development.....	4
4. Identification of Natura 2000 Sites	9
4.1. Description of Natura Sites Potentially Significantly Affected.....	9
4.2. Ecological Network Supporting Natura 2000 Sites	12
5. Identification of Potential Impacts & Assessment of Significance.....	12
5.1. Assessment of Likely Significant Effects.....	12
5.2. Assessment of Potential In-Combination Effects.....	14
6. Conclusion.....	16
7. References	17

Abbreviations

AA	Appropriate Assessment
ABP	An Bord Pleanála
CEMP	Construction Environmental Management Plan
EEC	European Economic Community
EPA	Environmental Protection Agency
EU	European Union
FWPM	Freshwater Pearl Mussel
GIS	Geographical Information System
LAP	Local Area Plan
NHA	Natural Heritage Area
NIS	Natura Impact Statement
NPWS	National Parks and Wildlife Service
OSI	Ordnance Survey Ireland
pNHA	proposed Natural Heritage Area
SAC	Special Area of Conservation
SPA	Special Protection Area
SuDS	Sustainable Drainage System
UÉ	Uisce Éireann
WFD	Water Framework Directive

1. Introduction

1.1. General Introduction

This report for the purposes of Appropriate Assessment (AA) Screening contains information required for the competent authority to undertake screening for Appropriate Assessment (AA) in respect of the construction and operation of residential development of modular homes at Charleville, Co. Cork (hereafter referred to as the Proposed Development) to determine whether it is likely individually or in combination with other plans or projects to have a significant effect on any European sites, in light of best scientific knowledge.

Having regard to the provisions of the Planning and Development Act 2000 – 2021 (the “Planning Acts”) (section 177U), the purpose of a screening exercise under section 177U of the PDA 2000 is to assess, in view of best scientific knowledge, if the proposed development, individually or in combination with other plans or projects is likely to have a significant effect on a European site.

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 a European site then it is necessary to carry out a Stage 2 appropriate assessment under section 177V of the Planning Acts.

When screening the project, there are two possible outcomes:

- the project poses no potential for the possibility of a significant effect and as such requires no Stage 2 assessment; or
- the project has potential to have a significant effect (or this is uncertain and therefore cannot be excluded) and therefore a Stage 2 Appropriate Assessment of the project is necessary.

This report has been prepared by Moore Group - Environmental Services to enable the competent authority to carry out AA screening in relation to the Proposed Development. The report was compiled by Ger O’Donohoe B.Sc. Applied Aquatic Sciences (ATU Galway, 1993) & M.Sc. Environmental Sciences (TCD, 1999) who has 30 years’ experience in environmental impact assessment and has completed numerous Appropriate Assessment Screening Reports and Natura Impact Statements on terrestrial and aquatic habitats for various development types.

1.2. Legislative Background - The Habitats and Birds Directives

Article 6(3) and 6(4) of the Habitats Directive are transposed into Irish Law inter alia by the Part XAB of the Planning Acts (in particular section 177U and 177V) which governs the requirement to carry out appropriate assessment screening and appropriate assessment, where required, per Section 1.1 above.

The Habitats Directive (Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora) is the main legislative instrument for the protection and conservation of biodiversity in the European Union (EU). Under the Habitats Directive, Member States are obliged to designate Special Areas of Conservation (SACs) which contain habitats or species considered important for protection and conservation in a EU context.

The Birds Directive (Council Directive 2009/147/EC on the conservation of wild birds), transposed into Irish law by the Bird and Natural Habitats Regulations 2011 as amended, and the Wildlife Act 1976, as amended, is concerned with the long-term protection and management of all wild bird species and their habitats in the EU. Among other things, the Birds Directive requires that Special Protection Areas (SPAs) be established to protect migratory species and species which are rare, vulnerable, in danger of extinction, or otherwise require special attention.

SACs designated under the Habitats Directive and SPAs, designated under the Birds Directive, form a pan-European network of protected sites known as Natura 2000. The Habitats Directive sets out a unified system for the protection and management of SACs and SPAs. These sites are also referred to as European sites.

Articles 6(3) and 6(4) of the Habitats Directive set out the requirement for an assessment of proposed plans and projects likely to have a significant effect on Natura 2000 sites.

Article 6(3) establishes the requirement to screen all plans and projects and to carry out an appropriate assessment if required (Appropriate Assessment (AA)). Article 6(4) establishes requirements in cases of imperative reasons of overriding public interest:

Article 6(3): *“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 subjected to an appropriate assessment of its implications for the site in view of the site’s conservation objectives. In 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.”*

2. Methodology

The Commission’s methodological guidance (EC, 2002, 2018, 2021 see Section 2.1 below) promotes a four-stage process to complete the AA and outlines the issues and tests at each stage. An important aspect of the process is that the outcome at each successive stage determines whether a further stage in the process is required.

Stages 1 and 2 deal with the main requirements for assessment under Article 6(3). Stage 3 may be part of Article 6(3) or may be a necessary precursor to Stage 4. Stage 4 is the main derogation step of Article 6(4).

Stage 1 Screening: This stage examines the likely effects of a project either alone or in combination with other projects upon a Natura 2000 site and considers whether it can be objectively concluded that these effects will not be significant. In order to screen out a project, it must 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 a European site.

Stage 2 Appropriate Assessment: This stage examines whether it is likely that the project, either alone or in combination with other projects or plans, will have a significant effect upon a European site. In order to 'screen out' a project (i.e. in order to conclude that it is not necessary to move to the 'Stage 2' appropriate assessment stage (see immediately below), the possibility that the Proposed Development (individually or in combination with other plans or projects), will have a significant effect on a European site must be excluded on the basis of objective information.

Stage 3 Assessment of Alternative Solutions: This stage examines alternative ways of implementing the project that, where possible, avoid any adverse impacts on the integrity of the Natura 2000 site.

Stage 4 Assessment where no alternative solutions exist and where adverse impacts remain: Where imperative reasons of overriding public interest (IROPI) exist, an assessment to consider whether compensatory measures will or will not effectively offset the damage to the sites will be necessary.

To ensure that the Proposed Development complies fully with the requirements of Article 6 of the Habitats Directive and all relevant Irish transposing legislation, Moore Group compiled this report to enable the competent authority to carry out AA screening in relation to the Proposed Development to determine whether it can 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 a European site(s).

2.1. Guidance

This report has been compiled in accordance with guidance contained in the following documents:

- Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities. (Department of Environment, Heritage and Local Government, 2010 rev.).
- Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities. Circular NPWS 1/10 & PSSP 2/10.
- Managing Natura 2000 Sites: The Provisions of Article 6 of the Habitat's Directive 92/43/EEC (EC, 2018).
- Guidance document on the strict protection of animal species of Community interest under the Habitats Directive (EC, 2021).
- Assessment of plans and projects in relation to Natura 2000 sites - Methodological guidance on Article 6(3) and (4) of the Habitats Directive 92/43/EEC (EC, 2021).

- Office of the Planning Regulator (OPR) Practice Note PN01 Appropriate Assessment Screening for Development Management (OPR, 2021).

2.2. Data Sources

Sources of information that were used to collect data on the Natura 2000 network of sites, and the environment within which they are located, are listed below:

- The following mapping and Geographical Information Systems (GIS) data sources, as required:
 - National Parks & Wildlife (NPWS) protected site boundary data;
 - Ordnance Survey of Ireland (OSI) mapping and aerial photography;
 - OSI/Environmental Protection Agency (EPA) rivers and streams, and catchments;
 - Digital Elevation Model over Europe (EU-DEM);
 - Google Earth and Bing aerial photography 1995-2023;
- Online data available on Natura 2000 sites as held by the National Parks and Wildlife Service (NPWS) from www.npws.ie including:
 - Natura 2000 - Standard Data Form;
 - Conservation Objectives;
 - Site Synopses;
- National Biodiversity Data Centre records;
 - Online database of rare, threatened and protected species;
 - Publicly accessible biodiversity datasets.
- Status of EU Protected Habitats in Ireland. (National Parks & Wildlife Service, 2019); and
- Relevant Development Plans;
 - Cork County Development Plan 2022-2028

3. Description of the Proposed Development

The Proposed Development consists of the construction and operation of a residential development of modular houses on a site at Charleville Co. Cork. The development will consist of 66 semidetached units in 3 blocks, with access roads and ancillary services.

The wastewater strategy for the proposed development will involve the construction of a 150/225mm uPVC pipe network to convey the discharge to the existing public wastewater infrastructure near the site boundary. DBFL Consulting Engineers have calculated that the average wastewater discharge from the proposed development will be 29.436 m³/day. Consultation has taken place with UÉ to confirm capacity, and Uisce Éireann have confirmed the Charleville Town WWTP has capacity to deal with the additional demand.

A habitat survey was carried out by Moore Group on 30 May 2023. Areas which were highlighted during desktop assessment were investigated in closer detail according to the Heritage Council Best Practice Guidance for Habitat Survey and Mapping (Smith et al., 2011). Habitats in the proposed development area were classified according to the Heritage Council publication "A Guide to Habitats in Ireland" (Fossitt, 2000). This publication sets out a standard scheme for identifying, describing and classifying wildlife habitats in Ireland. This form of classification uses codes to classify different habitats based on the plant species present. Species recorded in this report are given in both their Latin and English names. Latin names for plant species follow the nomenclature of "An Irish Flora" (Parnell & Curtis, 2012).

Signs of mammals such as badgers and otters were searched for while surveying the study area noting any sights, signs or any activity in the vicinity especially along adjacent boundaries.

Birds were surveyed using standard transect methodology and signs were recorded where encountered during the field walkover surveys.

The proposed development site consists of a field of Improved grassland (GA1). No flora or terrestrial fauna species or habitats of national or international conservation importance were noted on site during the survey.

Charleville is drained by the Charleville Stream which joins the River Maigue which is designated as part of the Lower River Shannon SAC at Adare, but at over 35 river km downstream, it is not in the zone of influence of the Proposed Development.

There were no invasive species recorded at the proposed development site.

Figure 1 shows the Proposed Development location and Figure 2 shows a detailed view of the Proposed Development boundary on recent aerial photography. Figure 3 shows the layout of the Proposed Development.

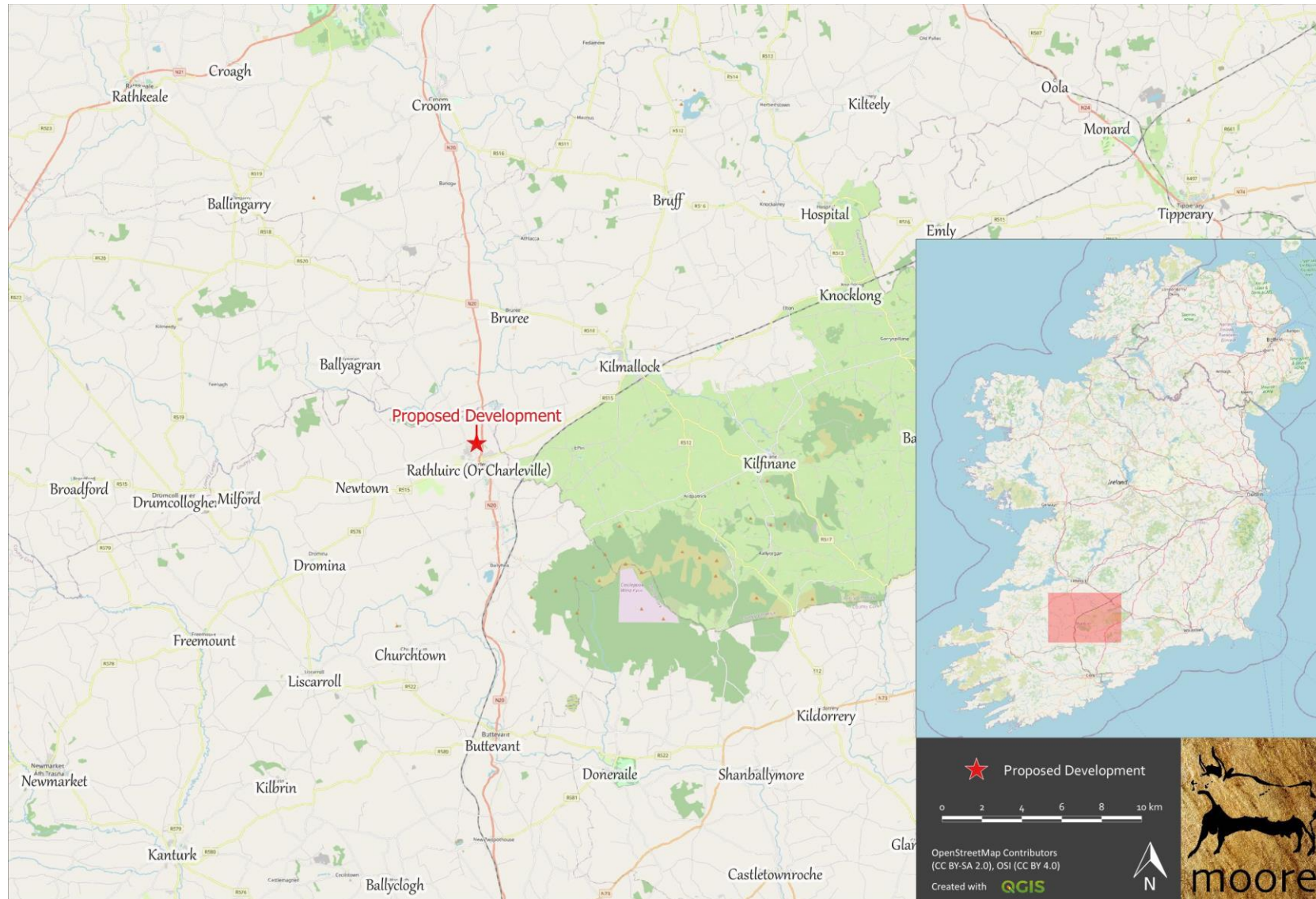


Figure 1. Showing the Proposed Development location at Charville, Co. Cork.



Figure 2. Showing the Proposed Development boundary on recent aerial photography.



Figure 3. Plan of the Proposed Development showing redline boundary.

4. Identification of Natura 2000 Sites

4.1. Description of Natura Sites Potentially Significantly Affected

A Zone of Influence (Zoi) of a proposed development is the geographical area over which it could affect the receiving environment in a way that could have significant effects on the Qualifying Interests of a European site. In accordance with the OPR Practice Note (2021), PN01, the Zoi should be established on a case-by-case basis using the Source- Pathway-Receptor framework.

The European Commission's "Assessment of plans and projects in relation to Natura 2000 sites guidance on Article 6(3) and (4) of the Methodological Habitats Directive 92/43/EEC" published 28 September 2021 states at section 3.1.3, that:

"Identifying the Natura 2000 sites that may be affected should be done by taking into consideration all aspects of the plan or project that could have potential effects on any Natura 2000 sites located within the zone of influence of the plan or project. This should take into account all of the designating features (species, habitat types) that are significantly present on the sites and their conservation objectives. In particular, it should identify:

- *any Natura 2000 sites geographically overlapping with any of the actions or aspects of the plan or project in any of its phases, or adjacent to them;*
- *any Natura 2000 sites within the likely zone of influence of the plan or project Natura 2000 sites located in the surroundings of the plan or project (or at some distance) that could still be indirectly affected by aspects of the project, including as regards the use of natural resources (e.g. water) and various types of waste, discharge or emissions of substances or energy;*
- *Natura 2000 sites in the surroundings of the plan or project (or at some distance) which host fauna that can move to the project area and then suffer mortality or other impacts (e.g. loss of feeding areas, reduction of home range);*
- *Natura 2000 sites whose connectivity or ecological continuity can be affected by the plan or project".*

The range of Natura 2000 sites to be assessed, i.e. the zone in which impacts from the plan or project may arise, will depend on the nature of the plan or project and the distance at which effects may occur. For Natura 2000 sites located downstream along rivers or wetlands fed by aquifers, it may be that a plan or project can affect water flows, fish migration and so forth, even at a great distance. Emissions of pollutants may also have effects over a long distance. Some projects or plans that do not directly affect Natura 2000 sites may still have a significant impact on them if they cause a barrier effect or prevent ecological linkages. This may happen, for example, when plans affect features of the landscape that connect Natura 2000 sites or that may obstruct the

movements of species or disrupt the continuity of a fluvial or woodland ecosystem. To determine the possible effects of the plan or project on Natura 2000 sites, it is necessary to identify not only the relevant sites but also the habitats and species that are significantly present within them, as well as the site objectives.

The Zone of Influence may be determined by considering the Proposed Development's potential connectivity with European sites, in terms of:

- Nature, scale, timing and duration of all aspects of the proposed works and possible impacts, including the nature and size of excavations, storage of materials, flat/sloping sites;
- Distance and nature of potential pathways (dilution and dispersion; intervening 'buffer' lands, roads etc.); and
- Location of ecological features and their sensitivity to the possible impacts.

The potential for source pathway receptor connectivity is firstly identified through GIS interrogation and detailed information is then provided on sites with connectivity. European sites that are located within a potential Zone of Influence of the Proposed Development are presented in Figure 4 below. Spatial boundary data on the Natura 2000 network was extracted from the NPWS website (www.npws.ie) on 13 July 2023. This data was interrogated using GIS analysis to provide mapping, distances, locations and pathways to all sites of conservation concern including pNHAs, NHA and European sites.

The Proposed Development is situated on the northern edge of the town of Charleville, Co. Cork. A review of aerial photography, Ordnance Survey Ireland (OSI) mapping and OSI Geographical Information System (GIS) data for rivers and streams indicates that there are no notable surface water features onsite and no direct hydrological pathways to offsite surface water bodies. This was confirmed by a site visit on the 30 May 2023.

The nearest European site to the Proposed Development is the Blackwater River (Cork/Waterford) SAC (Site Code 002170) just over 5km to the south; this site lies within a separate hydrological catchment and there is thus no connectivity to the Proposed Development.

Charleville is drained by the Charleville Stream which joins the River Maigue which is designated as part of the Lower River Shannon SAC at Adare, but at over 35 river km downstream, it is not in the zone of influence of the Proposed Development.

There is no connectivity to any other European sites.

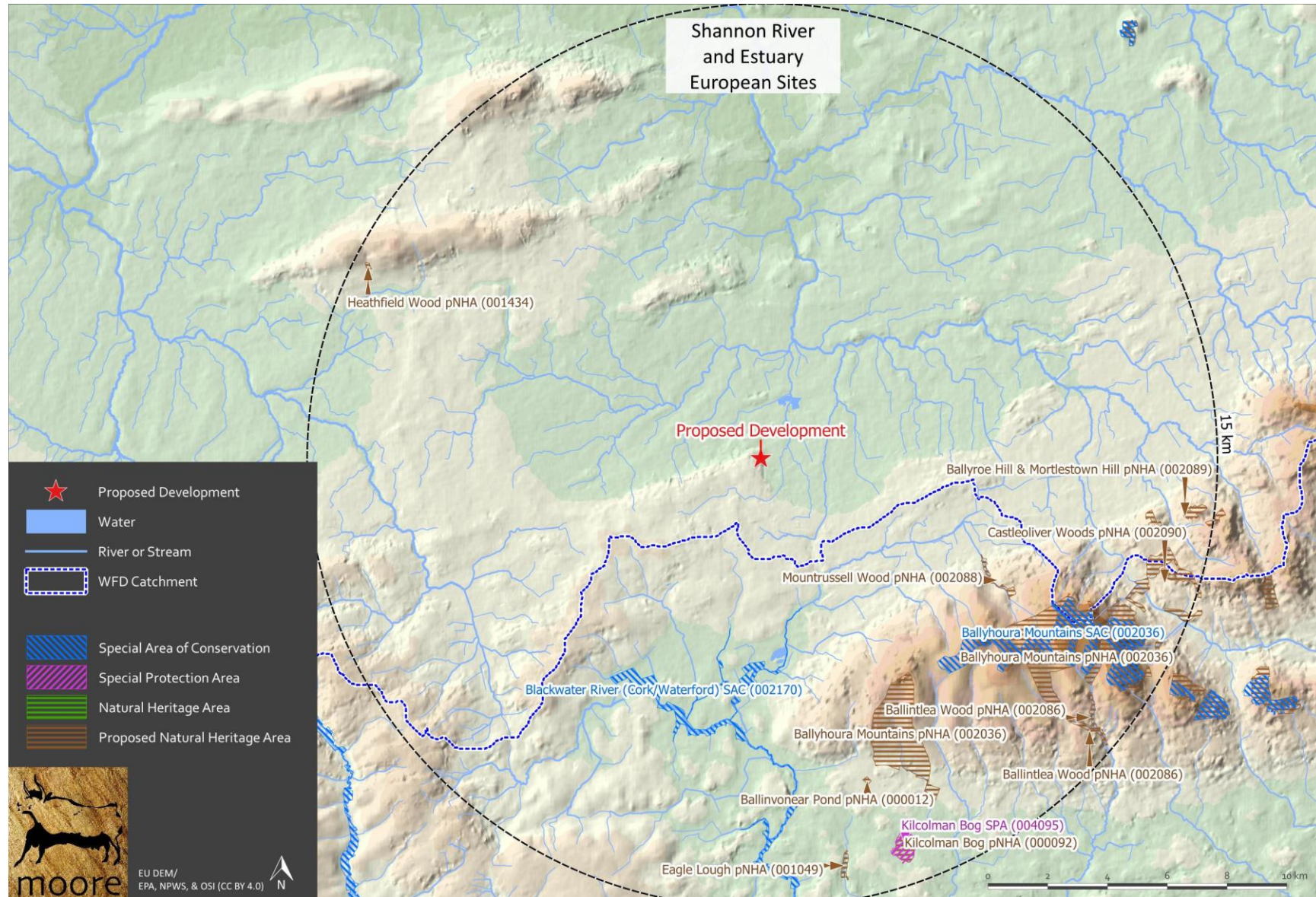


Figure 4. Showing European sites and NHAs/pNHAs within the wider Potential Zone of Influence of the Proposed Development.

4.2. Ecological Network Supporting Natura 2000 Sites

A concurrent GIS analysis of the proposed Natural Heritage Areas (pNHA) and designated Natural Heritage Areas (NHA) in terms of their role in supporting the species using Natura 2000 sites was undertaken along with GIS investigation of European sites. These supporting roles mainly relate to mobile fauna such as mammals and birds which may use pNHAs and NHAs as ecological corridors or “stepping stones” between Natura 2000 sites.

Article 10 of the Habitats Directive and the Habitats Regulations 2011 place a high degree of importance on such non-Natura 2000 areas as features that connect the Natura 2000 network. Features such as ponds, woodlands and important hedgerows were taken into account in the decision process and during the preparation of this AA Screening report.

The NHAs and pNHAs identified in Figure 4 are located outside the Zone of Influence.

5. Identification of Potential Impacts & Assessment of Significance

The Proposed Development is not directly connected with or necessary to the management of the sites considered in the assessment and therefore potential impacts must be identified and considered.

5.1. Assessment of Likely Significant Effects

There is no connectivity to any European sites within or outside the potential Zone of Influence.

The consideration of all potential direct and indirect impacts that may result in significant effects on the conservation objectives of a European site, taking into account the size and scale of the Proposed Development are presented in Table 1.

Table 1. Assessment of Likely Significant Effects.

Identification of all potential direct and indirect impacts that may result in significant effects on the conservation objectives of a European site, taking into account the size and scale of the project.	
Impacts:	Significance of Impacts:
Construction phase e.g. Vegetation clearance Demolition	None The Proposed Development site is located within the boundary of a field of improved grassland.

<p>Surface water runoff from soil excavation/infill/landscaping (including borrow pits)</p> <p>Dust, noise, vibration</p> <p>Lighting disturbance</p> <p>Impact on groundwater/dewatering</p> <p>Storage of excavated/construction materials</p> <p>Access to site</p> <p>Pests</p>	<p>There is no connectivity to any European sites within or outside the potential Zone of Influence.</p>
<p>Operational phase e.g.</p> <p>Direct emission to air and water</p> <p>Surface water runoff containing contaminant or sediment</p> <p>Lighting disturbance</p> <p>Noise/vibration</p> <p>Changes to water/groundwater due to drainage or abstraction</p> <p>Presence of people, vehicles and activities</p> <p>Physical presence of structures (e.g. collision risks)</p>	<p>All foul and surface water runoff, once the facility is operational, will be contained on site and discharged to urban drainage systems.</p> <p>There is no real likelihood of any significant effects on European Sites in the wider catchment area.</p> <p>The facility is located at a distance of removal such that there will be no disturbance to qualifying interest species in any European sites.</p>
<p>Describe any likely changes to the European site:</p>	
<p>Examples of the type of changes to give consideration to include:</p> <p>Reduction or fragmentation of habitat area</p> <p>Disturbance to QI species</p> <p>Habitat or species fragmentation</p> <p>Reduction or fragmentation in species density</p> <p>Changes in key indicators of conservation status value (water quality etc.)</p> <p>Changes to areas of sensitivity or threats to QI</p> <p>Interference with the key relationships that define the structure or ecological function of the site</p> <p>Climate change</p>	<p>None.</p> <p>The Proposed Development site is not located adjacent or within a European site, therefore there is no risk of habitat loss or fragmentation or any effects on QI habitats or species directly or ex-situ.</p>

5.2. Assessment of Potential In-Combination Effects

In-combination effects are changes in the environment that result from numerous human-induced alterations. In-combination effects can be thought of as occurring through two main pathways: first, through persistent additions or losses of the same materials or resource, and second, through the compounding effects as a result of the coming together of two or more effects.

As part of the Screening for an Appropriate Assessment, in addition to the Proposed Development, other relevant plans and projects in the area must also be considered at this stage. This step aims to identify at this early stage any possible significant in-combination effects of the Proposed Development with other such plans and projects on European sites.

A review of the National Planning Application Database was undertaken. The database was then queried for developments granted planning permission within 500m of the Proposed Development within the last three years, these are presented in Table 2 below.

Table 2. Planning applications granted permission in the vicinity of the Proposed Development.

Planning Ref.	Description of development	Comments
204749	Development at a site of approximately 0.315 ha. The proposed development will consist of a secure vehicle reception and storage compound, comprising of a paved surface area, boundary treatments (including security fencing), hard and soft landscaping, and all other ancillary and associated site development works above and below ground level.	No potential for in-combination effects given the there are no predicted effects on biodiversity from the Proposed Development.
204751	Development comprising the demolition of the existing Lidl licenced discount foodstore (1,741 sq m gross floor area with 1,286 sq m net retail sales area) and the construction of a new mono-pitched licensed discount foodstore with ancillary infrastructure and associated site development works (all totalling 2,324.5 sq m gross floor area and ranging in height equivalent from 1 to 2 storeys), at a site of approximately 0.866 hectares at Limerick Road (N20), Rathgoggan Middle, Charleville, Co. Cork. The construction of the proposed replacement licenced discount foodstore (2,268 sq m gross floor area) comprises of: a retail sales area with ancillary off-license use and bakery (total net retail sales area of 1,420 sq m), entrance pod, public facilities (incl. lobby and toilets), staff facilities (incl. lobbies, operation office, meeting room, staff room, showers and toilets), storage (incl. cold storage), IT room, plant room, delivery area, and plant deck; rooftop photovoltaic solar panel array extending to a maximum of 1,017 sq m; corporate signage consisting of 2 no. building mounted corporate internally illuminated sign, 1 no. free standing internally illuminated flag pole sign at entrance, 3 no. wall mounted externally illuminated poster panel display boards, and 1 no. free standing externally illuminated poster display boards; 1 no. covered trolley bay structure (56.5 sq m gross floor area); surface car park providing a total of 115 no. car parking spaces (consisting of 6 no. disabled, 12 no. parent and child, and 97 no. regular) and 12 no. motorcycle parking spaces; 24 no. bicycle parking spaces; primary vehicular and pedestrian access to the proposed replacement licensed discount foodstore will be maintained via the existing site entrance onto the Limerick Road (N20), to be enhanced as part of the proposed development; secondary pedestrian access will be provided via the existing dedicated pedestrian access onto the Limerick Road; and boundary treatments, hard and soft landscaping, services (including 1 no.	No potential for in-combination effects given the there are no predicted effects on biodiversity from the Proposed Development.

Planning Ref.	Description of development	Comments
	below ground attenuation tanks) and all other ancillary and associated site development works above and below ground level.	
206078	Permission for retention for an existing single storey rear extension to the existing dwellinghouse, retention of an existing domestic garage and a domestic store and workshop.	No potential for in-combination effects given the there are no predicted effects on biodiversity from the Proposed Development.
206603	The construction of a 37 unit housing development consisting of the following: 23 number two storey 3 bedroom dwelling houses made up of 20 semi-detached and 3 mid-terrace units, 14 number two storey 2 bedroom dwelling houses made up of 6 semi-detached and 8 mid-terraced units, new vehicular entrance off Cedar Court, new site access and circulation road-way with related footpaths and parking, storm and surface water sewers including attenuation system, public lighting, boundary walls, footpaths, open spaces and related hard and soft landscaping, together with all other ancillary site works.	No potential for in-combination effects given the there are no predicted effects on biodiversity from the Proposed Development.
214872	A residential development comprising 98 no. residential units, (44 no. semi-detached houses and 48 no. terrace houses and 6 no. one bedroom apartments), and a creche building and all ancillary site development works. Ancillary site development works include connection to the public water main and foul sewer, surface water drainage and attenuation, and access roads, footpaths, vehicle parking, landscaping, boundary treatments and site development works above and below ground.	No potential for in-combination effects given the there are no predicted effects on biodiversity from the Proposed Development.
224226	The development will consist of A) construction of a production building (approx. floor area 4200 sq.m) which will also include employee welfare facilities, plantrooms and storage area to facilitate additional capacity for the production of their existing Cheestrings product at this site and B); site works ancillary to the above including demolition of a store building (approx. floor area 37 sq.m), works to service roads, footpaths, car park and truck loading bay facilities, installation of drainage and utility services together with installation of external CIP storage tanks and pipe bridge structure, all in the vicinity of the proposed building. The development works relate to an activity on a site for which an Industrial Emissions Licence has been granted by the EPA (Reg No. P0386-04). A protected structure (RPS Ref. No. 01193) is located within lands adjoining the site of the proposed development which are under the control of Kerry Ingredients (Ireland) Ltd.	No potential for in-combination effects given the there are no predicted effects on biodiversity from the Proposed Development.

The Cork County Development Plan in complying with the requirements of the Habitats Directive requires that all Projects and Plans that could affect the Natura 2000 sites in the same potential Zone of Influence of the Proposed Development site would be initially screened for Appropriate Assessment and if requiring Stage 2 AA, that appropriate employable mitigation measures would be put in place to avoid, reduce or ameliorate negative impacts. In this way any, in-combination impacts with Plans or Projects for the proposed development area and surrounding townlands in which the proposed development site is located, would be avoided.

The listed developments have been granted permission in most cases with conditions relating to sustainable development by the consenting authority in compliance with the relevant Local Authority Development Plan and in compliance with the Local Authority requirement with regard to the Habitats Directive. The development cannot have received planning permission without having met the consenting authority requirement in this regard.

There are no predicted in-combination effects given that it is predicted that the Proposed Development will have no effect on any European site.

Any new applications for the Proposed Development area will be assessed on a case by case basis *initially* by Cork County Council which will determine the requirement for AA Screening as per the requirements of Article 6(3) of the Habitats Directive.

6. Conclusion

There is no connectivity to any European sites within or outside the potential Zone of Influence.

There are no predicted effects on any European sites given:

- The distance between the Proposed Development and any European Sites.
- The lack of direct connectivity between the Proposed Development and any hydrological pathways; there are no watercourses within the Proposed Development boundary and there is no connectivity between the Proposed Development site and any watercourses that lead to any European sites;
- The Proposed Development involved the construction of onsite wastewater infrastructure which will connect to the existing public sewer network near the site boundary.
- There are no predicted emissions to air, water or the environment during the construction or operational phases that would result in significant effects.

It has been objectively concluded by Moore Group Environmental Services that:

1. The Proposed Development is not directly connected with, or necessary to the conservation management of the European sites considered in this assessment.
2. The Proposed Development is not likely to either directly or indirectly significantly affect the Qualifying interests or Conservation Objectives of the European sites considered in this assessment.
3. The Proposed Development, either alone or in combination with other plans or projects, is not likely to have significant effects on a European site.
4. It is possible to conclude that significant effects can be excluded at the screening stage.

It can 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 a European site.

An appropriate assessment is not, therefore, required.

A final determination will be made by the competent authority in this regard.

7. References

Department of the Environment, Heritage and Local Government (2010) Guidance on Appropriate Assessment of Plans and Projects in Ireland (as amended February 2010).

European Commission (2007) Guidance document on Article 6(4) of the 'Habitats Directive' 92/43/EEC: Clarification of the concepts of: alternative solutions, imperative reasons of overriding public interests, compensatory measures, overall coherence and opinion of the Commission. European Commission, Brussels.

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

European Commission (2021) Assessment of plans and projects in relation to Natura 2000 sites - Methodological guidance on Article 6(3) and (4) of the Habitats Directive 92/43/EEC, Brussels 28.9.21.

European Commission (2021) Guidance document on the strict protection of animal species of Community interest under the Habitats Directive, Brussels 12.10.21.

NPWS (2019) The Status of EU Protected Habitats and Species in Ireland. National Parks and Wildlife Service, Department of the Environment, Heritage and Local Government, Dublin.

NPWS (2023) National Parks and Wildlife Service Metadata available online at <https://www.npws.ie/maps-and-data>

Office-of-the-Planning-Regulator (2021) Appropriate Assessment Screening for Development Management OPR Practice Note PN01. March 2021