

# Appropriate Assessment Screening Report

Kinsale Road LRD

Former Vita Cortex Facility

Kinsale Road and Pearse Road

Cork

Report prepared for BML Duffy Property Group Limited

By Karen Banks MCIEEM

5<sup>th</sup> June 2025



Tel: 0834218641  
Email: [greenleafecology@outlook.com](mailto:greenleafecology@outlook.com)

## Contents

1	Introduction .....	1
1.1	Statement of Authority.....	1
1.2	Legislative Context for Appropriate Assessment .....	1
2	Methodology.....	3
2.1	Stages of Appropriate Assessment.....	3
2.2	Information consulted for this report .....	4
2.3	Screening Protocol.....	4
2.3.1	Screening Determination .....	4
2.3.2	Zone of Influence .....	5
2.3.3	Likely Significant Effects .....	5
3	Project Description.....	6
3.1	Description of the Project.....	6
3.1.1	Surface Water.....	6
3.1.2	Foul Water.....	6
3.1.3	Flood Risk .....	6
3.2	Existing Environment.....	7
3.2.1	Surface Water.....	8
3.2.2	Soils, Geology and Hydrogeology.....	8
3.3	Description of the European Sites .....	8
3.3.1	Conservation Objectives of European Sites .....	12
4	Screening Assessment Criteria.....	13
4.1	Management of European Sites .....	13
4.2	Direct, Indirect or Secondary Impacts .....	13
4.2.1	In-combination Impacts with Other Plans and Projects in the Area.....	13
4.2.2	In-combination Impact Assessment Conclusion .....	17
4.3	Screening Assessment .....	17
4.4	Likely Changes to the European Site(s) .....	18
4.4.1	Elements of the Project where the Impacts are Likely to be Significant .....	18
5	Conclusion.....	19
6	Bibliography .....	20

## List of Figures

Figure 1-1: Site Location .....	1
Figure 2-1: Stages of Appropriate Assessment - Taken from Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities (2010) .....	3
Figure 3-1: OPW flood risk mapping of the proposed site and its environs .....	7
Figure 3-2: European Sites within 15km of the Proposed Development .....	11

## List of Tables

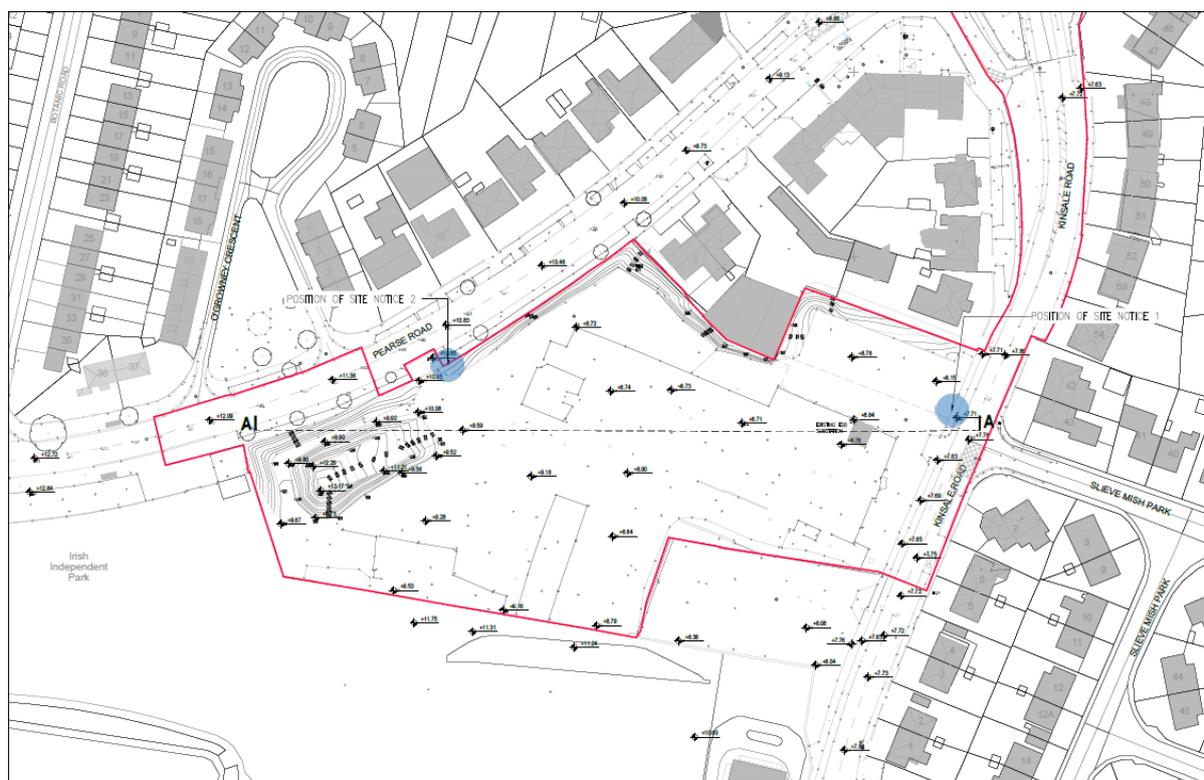
Table 3-1: EPA Waterbody Codes .....	8
Table 3-2: WFD and Risk Status for Regional Waterbodies .....	8
Table 3-3: European Sites within 15km of the Proposed Development.....	9
Table 4-1: Plans and projects which may contribute to in-combination impacts .....	14
Table 4-2: Potential significant effects on European Sites from the Proposed Development .....	18
Table 4-3: Likely changes to European Sites.....	18

## 1 Introduction

Greenleaf Ecology has been commissioned by BML Duffy Property Group Limited to undertake a report to inform screening for Appropriate Assessment (AA) for a Large-Scale Residential Development on the site of the Former Vita Cortex Facility, Kinsale Road and Pearse Road, Cork. The location of the Proposed Development is illustrated in Figure 1-1.

This report comprises information in support of screening for AA to be undertaken by the competent authority in line with the requirements of Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC) on the Conservation of Natural Habitats and of Wild Fauna and Flora; the Planning and Development Act (as amended), and the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477/2011) as amended.

Figure 1-1: Site Location



### 1.1 Statement of Authority

This AA Screening was carried out by Karen Banks, MCIEEM. Karen is an ecologist with Greenleaf Ecology and has 19 years' experience in the field of ecological assessment. Karen has extensive experience in the production of reports to inform screening for Appropriate Assessment and Natura Impact Statements including those for transport infrastructure, small to large scale housing and mixed-use developments, flood alleviation schemes, solar farms and wind farms.

### 1.2 Legislative Context for Appropriate Assessment

The Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora, better known as "The Habitats Directive", provides legal protection for habitats and species of European importance. Articles 3 to 9 provide the legislative means to protect habitats and species of Community interest through the establishment and conservation of an EU-wide network of sites known as Natura 2000.

The Habitats Directive has been transposed into Irish law by Part XAB of the Planning and Development Act (as amended) and the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. 477/2011) as amended. In the context of the proposed development, the governing legislation is the Birds and Habitats Regulations.

Articles 6(3) of the Habitats Directive set out the decision-making tests for plans and projects likely to adversely affect the integrity of European sites (Annex 1.1). Article 6(3) establishes the requirement for AA:

*Any plan or project not directly connected with or necessary to the management of the [Natura 2000] site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subjected to 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.*

Natura 2000 sites are defined under the Habitats Directive (Article 3) as a coherent European ecological network of special areas of conservation, composed of sites hosting the natural habitat types listed in Annex I and habitats of the species listed in Annex II, shall enable the natural habitat types and the species' habitats concerned to be maintained or, where appropriate, restored at a favourable conservation status in their natural range. In Ireland, these sites are designated as European sites and include Special Protection Areas (SPAs), established under the EU Birds Directive (79/409/EEC, as codified by 2009/147/EC) for birds and Special Areas of Conservation (SACs), established under the Habitats Directive 92/43/EEC for habitats and species.

The competent authority is obliged to consider, in view of best scientific knowledge, whether the proposed works are likely to have a significant effect either individually or in combination with other plans and projects. If screening determines that there is likely to be significant effects on a European site, then AA must be carried out for the proposed works at Cork, including the compilation of a Natura Impact Statement (NIS) to inform the decision making.

## 2 Methodology

### 2.1 Stages of Appropriate Assessment

The Department of the Environment, Heritage and Local Government guidelines (DELHG, 2009, rev. 2010) outlines the European Commission's methodological guidance (EC, 2002) promoting 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.

The four stages are summarised diagrammatically in Figure 2-1. Stages 1-2 deal with the main requirements for assessment under Article 6(3) and Regulation 42 of the European Communities (Birds and Natural Habitats) Regulations 2011 as amended. Stage 3 may be part of the Article 6(3) Assessment or may be a necessary precursor to Stage 4. Stage 4 is the main derogation step of Article 6(4).

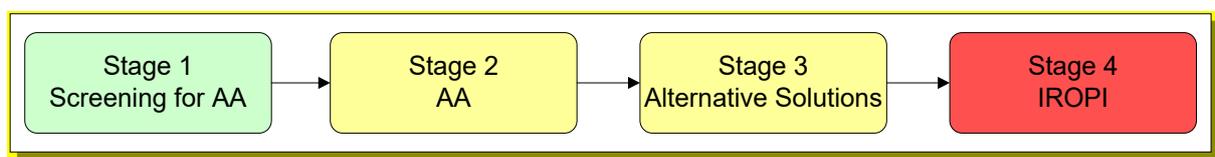


Figure 2-1: Stages of Appropriate Assessment - Taken from *Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities (2010)*

Stage 1 - Screening is the process that addresses and records the reasoning and conclusions in relation to the first two tests of Article 6(3):

- i. whether a plan or project (in this instance the proposed project) is directly connected to or necessary for the management of the European sites, and
- ii. whether a plan or project, alone or in combination with other plans and projects, is likely to have significant effects on the European sites in view of their conservation objectives.

If the effects are deemed to be significant, potentially significant, or uncertain, or if the screening process becomes overly complicated, then the process must proceed to Stage 2 (AA). This report fulfils the information necessary to enable the competent authority to screen the proposal for the requirement to prepare an AA.

This report forms Stage 1 of the AA process and sets out the following information:

- Description of the proposed works;
- Characteristics of the proximal European sites; and
- Assessment of significance of the proposed works on the European sites in question.

The methodology followed in relation to this assessment has had regard to the following guidance and legislation:

- European Union Habitats Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora 92/43/EEC;
- *Appropriate Assessment of Plans and Projects in Ireland Guidance for Planning Authorities (DOEHLG 2009, rev 2010)*;
- The Planning and Development Act (as amended);
- *Managing Natura 2000 Sites: the provisions of Article 6 of the 'Habitats' Directive 92/43/EEC*, Office for Official Publications of the European Communities, Luxembourg (EC, 2018);
- *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*, Office for Official Publications of the European Communities, Luxembourg (EC, 2021);

- Interpretation Manual of European Union Habitats. Version EUR 28. European Commission 2013;
- The European Union (Environmental Impact Assessment and Habitats) Regulations 2011; and
- The European Communities (Birds and Natural Habitats) Regulations, S.I. No. 477 of 2011 (as amended).

## 2.2 Information consulted for this report

The Screening assessment had regard to the following sources of data and information:

- Information on the location, nature and design of the proposed project;
- Department of Housing, Planning, and Local Government – online land use mapping [www.myplan.ie/en/index.html](http://www.myplan.ie/en/index.html);
- Department of Housing, Planning, and Local Government- EIA Portal <https://www.housing.gov.ie/planning/environmental-assessment/environmental-impact-assessment-eia/eia-portal>
- Environmental Protection Agency (EPA) – Water Quality [www.epa.ie](http://www.epa.ie), <http://gis.epa.ie/Envision>;
- Geological Survey of Ireland – Geology, soils and Hydrogeology [www.gsi.ie](http://www.gsi.ie);
- [Water Framework Directive website – www.catchments.ie](http://www.catchments.ie);
- National Parks and Wildlife Service – online European site network information, including site conservation objectives [www.npws.ie](http://www.npws.ie);
- National Parks and Wildlife Service – Information on the status of EU protected habitats in Ireland (NPWS 2019a, 2019b);
- National Biodiversity Data Centre – [www.biodiversityireland.ie](http://www.biodiversityireland.ie);
- Ordnance Survey of Ireland – Mapping and Aerial photography [www.osi.ie](http://www.osi.ie); and
- Site survey, undertaken on 12<sup>th</sup> April 2025 by Ms K. Banks (see Section 3.2).

## 2.3 Screening Protocol

The sequence of events when completing the AA Screening process is provided below:

- Ascertain whether the plan or project is connected with, or is necessary to the management of the European site;
- Description of the plan or project and its impact factors;
- Definition of the likely zone of influence for the proposed works;
- Identification of the European sites that are situated (in their entirety or partially or downstream) within the likely zone of influence of the proposed works;
- Identification of the most up-to-date QIs and SCIs for each European site within the zone of influence;
- Identification of the environmental conditions that maintain the QIs/SCIs at the desired target of Favourable Conservation Status;
- Identification of the threats/impacts - actual or potential that could negatively impact the environmental conditions of the QIs/SCIs within the European sites;
- Highlighting the activities of the proposed works that could give rise to significant negative impacts; and
- Identification of other plans or projects, for which in-combination impacts would likely have significant effects.

### 2.3.1 Screening Determination

The proposed development is one to which Part XAB of the Planning and Development Act, 2000 as amended applies. In accordance with Part XAB of the Planning Acts as amended, and Section 177U thereof:

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

This report is to inform Screening for Appropriate Assessment.

### 2.3.2 Zone of Influence

In accordance with 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*, identification of the European 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 European 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 European 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 European 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;
- European 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);
- European sites whose connectivity or ecological continuity can be affected by the plan or project.
- The range of European 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.

### 2.3.3 Likely Significant Effects

The threshold for a likely significant effect is treated in the screening exercise as being above a *de minimis* level<sup>1</sup>. The opinion of the Advocate General in CJEU case C-258/11 outlines:

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

In this report, therefore, ‘relevant’ European sites are those within the potential zone of influence of the construction and / or operation of the proposed development, and to which likely significant effect pathways were identified through the source-pathway-receptor model.

---

<sup>1</sup> *Sweetman v. An Bord Pleanála* (Court of Justice of the EU, case C-285/11). A *de minimis* effect is a level of risk that is too small to be concerned with when considering ecological requirements of an Annex I habitat or a population of Annex II species present on a European site necessary to ensure their favourable conservation condition. If low level effects on habitats or individuals of species are judged to be in this order of magnitude and that judgment has been made in the absence of reasonable scientific doubt, then those effects are not considered to be likely significant effects.

## 3 Project Description

### 3.1 Description of the Project

The proposed development will consist of a Large-Scale Residential Development (LRD), comprising 170no. residential units (158no. apartments and 12no. townhouse apartments, to include 51no. 1-bed units, 84no. 2-bed units, 35no. 3-bed units) arranged in 4no. blocks varying in height from four to nine storeys over ground. The proposed development also includes a crèche; café; management office; 4no. retail units; car parking and cycle parking provided on surface and within an undercroft; the provision of private, communal and public open space and all associated site development, landscaping and drainage works on the site of the Former Vita Cortex Facility, Kinsale Road and Pearse Road, Cork.

#### 3.1.1 Surface Water

A new surface water sewer network shall be provided for the proposed development which will be entirely separated from the foul water sewer network. It has been agreed with the Water Services (Drainage) Department of Cork City Council that all existing surface water gullies along Kinsale Road (from the development site to the connection point to the 900mm diameter storm water to the north) that currently connect to the combined sewer will instead be picked up by the new dedicated surface water gravity main, as detailed within the Engineering Report (Punch Engineering, 2025) accompanying the planning application.

SuDS features selected for the proposed development include:

- Permeable pavement
- Green roofs
- Bio-retention
- Blue roofs

A series of attenuation tanks are also proposed to provide a total of 1320m<sup>2</sup> of storage. All surface water run-off from the commercial yard will outfall via a Class 1 Bypass Separator.

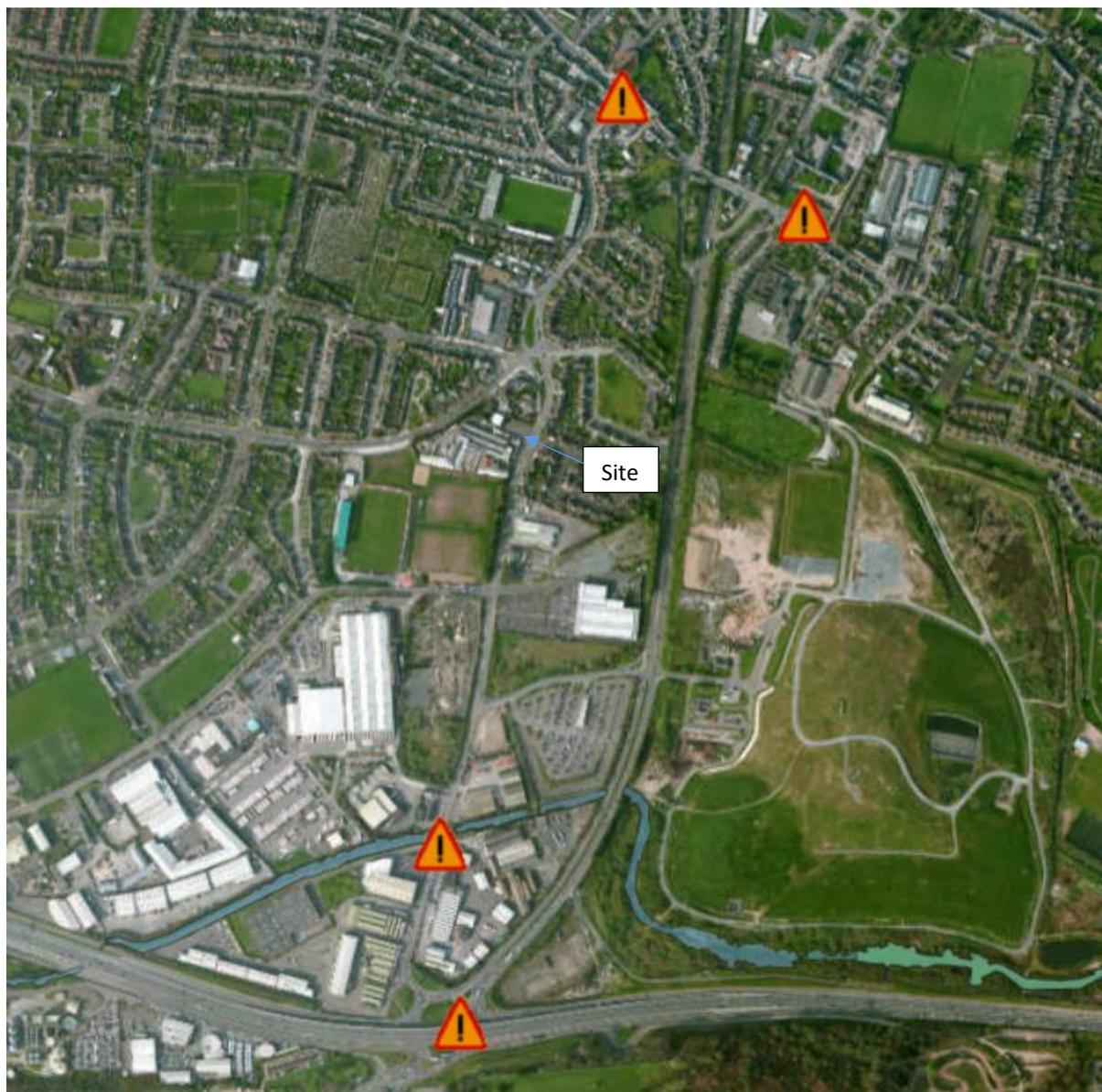
#### 3.1.2 Foul Water

It is proposed that the foul sewer will discharge by gravity to the existing 450mm combined sewer which flows northwards along Kinsale Road to the east of the site. The proposed connection to the external existing wastewater network is feasible without any infrastructure upgrade by Uisce Éireann.

#### 3.1.3 Flood Risk

Office of Public Works (OPW) mapping (<http://www.floodinfo.ie/map/floodmaps/>) indicates the CFRAM flood extents for the Tramore River, coastal flooding and instances of historic flooding in the vicinity of the site. As illustrated in Figure 3-1, the flood extents do not reach the proposed site.

Figure 3-1: OPW flood risk mapping of the proposed site and its environs



The site-specific flood risk assessment completed by Punch (2025) concluded that the development is at low risk of flooding and the development is deemed appropriate within the proposed site location.

### 3.2 Existing Environment

The proposed development is located on a brownfield site comprised of bare ground and spoil heaps (ED2) with a short line of Cypress trees (WL2), with some Bramble, Ivy, grasses and occasional Butterfly Bush (*Buddleja davidii*) along the fence line. Butterfly Bush is listed as being of 'Medium Impact' by Invasive Species Ireland<sup>2</sup> and is not listed in the Third Schedule of the European Communities (Birds and Natural Habitats) Regulations 2011 (SI 477 of 2011) or First Schedule of The European Union (Invasive Alien Species) Regulations 2024 (S.I. No. 374 of 2024).

There are no active drains, watercourses or waterbodies present within the proposed site and its immediate environs.

<sup>2</sup> <http://invasivespeciesireland.com>

No Annex I habitats were recorded at the proposed site.

### 3.2.1 Surface Water

#### 3.2.1.1 Water Bodies

The proposed site is located within the Moneygurney\_010 River Sub Basin. Lough Mahon transitional water body is situated c.2.2km to the east of the proposed site.

The proposed project overlies the Waste Facility Ground Waterbody (GWB).

The EPA waterbody codes for the proposed site and its environs are included in Table 3-1.

Table 3-1: EPA Waterbody Codes

EPA Waterbody Name	Waterbody Type	EPA Code	EPA Waterbody Code
Lough Mahon	Transitional	n/a	IE_SW_060_0750
Waste Facility	Groundwater	n/a	IE_SW_G_091

#### 3.2.1.2 Surface Water Quality and Risk Characterisation

The WFD status for Lough Mahon transitional waterbody is ‘Moderate’ and ‘At Risk’ of failing to achieve WFD objectives. The Waste Facility ground waterbody is of Poor status and is considered to be at risk under the 2016-2021 WFD round ([www.catchments.ie](http://www.catchments.ie)).

A summary of the WFD and Risk status<sup>3</sup> is shown below in Table 3-2.

Table 3-2: WFD and Risk Status for Regional Waterbodies

EPA Waterbody Name	Code	Risk	WFD Status 2016-2021
Lough Mahon	IE_SW_060_0900	At Risk	Moderate
Waste Facility	IE_SW_G_091	At Risk	Poor

### 3.2.2 Soils, Geology and Hydrogeology

The GSI soils map ([Geological Survey Ireland Spatial Resources \(arcgis.com\)](http://Geological Survey Ireland Spatial Resources (arcgis.com))) indicates that the site is overlain by made ground. In terms of bedrock geology, Waulsortian Limestones, described as massive unbedded lime-mudstone, underlies the site. The bedrock which underlies the site is mapped by the GSI as part of the Regionally important aquifer- karstified (diffuse). Groundwater vulnerability is a term used to represent the intrinsic geological and hydrogeological characteristics that determine the ease at which groundwater may be contaminated. The proposed site is of ‘Moderate’ groundwater vulnerability. There are no karst features in the vicinity of the site.

### 3.3 Description of the European Sites

This stage of the screening for AA process describes European sites within the likely zone of influence of the proposed development. The methodology for establishing the likely zone of influence is described in Section 2.3.2.

Connectivity between the proposed development and European sites has been reviewed. Connectivity is identified via the potential source-pathway-receptor model which identifies the potential impact pathways such as land, air, hydrological, hydrogeological pathways etc. which may support direct or indirect connectivity of the proposed development to European sites and/or their qualifying features.

<sup>3</sup> <https://www.catchments.ie/maps/>

In view of the location of the proposed development in relation to European sites (see Figure 3-2) and the characteristics of the proposed development (large-scale residential development, see Section 3) and the source, pathway and receptors of potential impacts, a 15km radius is considered an appropriate zone of influence to screen all likely significant effects that might impact upon the European sites. The establishment of the likely zone of influence is in line with *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*.

The European sites located within 15km of the proposed development are outlined in Table 3-3 and Figure 3-2. There are 2 European sites located within 15km of the proposed works:

1. Great Island Channel SAC (Site Code: 001058); and
2. Cork Harbour SPA (Site Code: 004030).

Connectivity between the sites and the proposed development has been reviewed. Connectivity is identified via the potential source-pathway-receptor model which identifies the potential impact pathways such as land, air, hydrological, hydrogeological pathways etc. which may support direct or indirect connectivity of the proposed development to European sites and/or their qualifying features.

The proposed development does not support hydrological or hydrogeological connectivity to Cork Harbour SPA and Great Island Channel SAC.

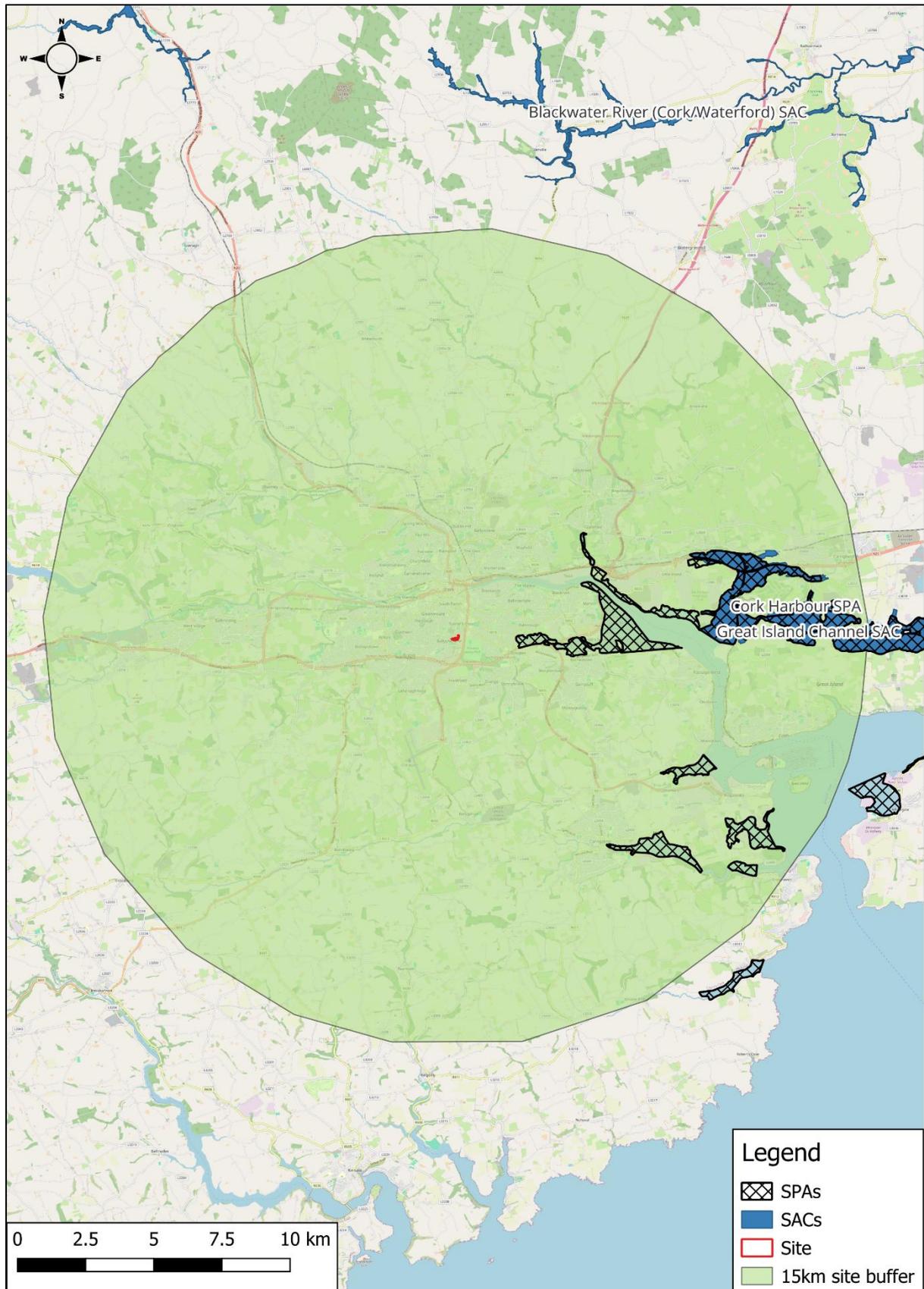
Table 3-3: European Sites within 15km of the Proposed Development

Site Name and Site Code	Qualifying Interests	Distance from Proposed Site (km) <sup>4</sup>	Connectivity
<b>Great Island Channel SAC (001058)</b>	<b>Annex I Habitats</b> Mudflats and sandflats not covered by seawater at low tide (1140) Atlantic salt meadows (Glauco-Puccinellietalia maritima) (1330)	8.9km	There is no connectivity via surface water, groundwater or any other pathway.
<b>Cork Harbour SPA (004030)</b>	Bird Species: Little grebe ( <i>Tachybaptus ruficollis</i> ) [wintering] Great crested Grebe ( <i>Podiceps cristatus</i> ) [wintering] Cormorant ( <i>Phalacrocorax carbo</i> ) [wintering] Grey heron ( <i>Ardea cinerea</i> ) [wintering] Shelduck ( <i>Tadorna tadorna</i> ) [wintering] Wigeon ( <i>Anas penelope</i> ) [wintering] Teal ( <i>Anas crecca</i> ) [wintering] Pintail ( <i>Anas acuta</i> ) [wintering] Shoveler ( <i>Anas clypeata</i> ) [wintering] Red-breasted Merganser ( <i>Mergus serrator</i> ) [wintering] Oystercatcher ( <i>Haematopus ostralegus</i> ) [wintering] Golden Plover ( <i>Pluvialis apricaria</i> ) [wintering] Grey Plover ( <i>Pluvialis squatarola</i> ) [wintering] Lapwing ( <i>Vanellus vanellus</i> ) [wintering] Dunlin ( <i>Calidris alpina</i> ) [wintering]	2.1km	There is no connectivity via surface water, groundwater or any other pathway.

<sup>4</sup> Direct line distance

Site Name and Site Code	Qualifying Interests	Distance from Proposed Site (km) <sup>4</sup>	Connectivity
	Black-tailed Godwit ( <i>Limosa limosa</i> ) [wintering] Bar-tailed Godwit ( <i>Limosa lapponica</i> ) [wintering] Curlew ( <i>Numenius arquata</i> ) [wintering] Redshank ( <i>Tringa totanus</i> ) [wintering] Black-headed Gull ( <i>Chroicocephalus ridibundus</i> ) [wintering] Common Gull ( <i>Larus canus</i> ) [wintering] Lesser Black-backed Gull ( <i>Larus fuscus</i> ) [wintering] Common Tern ( <i>Sterna hirundo</i> ) [breeding] Wetlands		

Figure 3-2: European Sites within 15km of the Proposed Development



### 3.3.1 Conservation Objectives of European Sites

The integrity of a European site (referred to in Article 6.3 of the EU Habitats Directive) involves its ecological functions. The decision as to whether it is adversely affected therefore focuses on, and is limited to, conservation objectives set for a particular site (EC, 2018).

European and national legislation places a collective obligation on Ireland and its citizens to maintain at favourable conservation status areas designated as SAC and SPA. The Government and its agencies are responsible for the implementation and enforcement of regulations that will ensure the ecological integrity of these sites.

The qualifying features for each site have been obtained through a review of the conservation objectives available from the NPWS: <http://www.npws.ie/protected-sites>. Site specific conservation objectives (CO's) are available for Great Island Channel SAC and Cork Harbour SPA; these were accessed in May 2025. For brevity, the site specific CO's are summarised thus:

- To maintain or restore the favourable conservation condition of Annex I habitats for which the SAC has been selected; and
- To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for the SPA.

## 4 Screening Assessment Criteria

### 4.1 Management of European Sites

Appropriate Assessment is not required where the proposed development is connected with, or necessary to, the management of any European site. In this case, the proposed development is not directly connected with, or necessary to, the management of any European site(s).

### 4.2 Direct, Indirect or Secondary Impacts

Table 3-3 lists the European sites within 15km of the proposed development. There are two sites in all, one SAC and one SPA. The proposed works are not situated within any SACs or SPAs, therefore no direct impacts will occur through land take or fragmentation of habitats.

Cork Harbour SPA is of special conservation interest for wetlands and waterbirds. The proposed site predominantly comprises spoil and bare ground; there are no waterbodies within the proposed site and its immediate environs. As such, the proposed site does not provide suitable habitat for the Qualifying Interests of Cork Harbour SPA. Further, the proposed site is separated from Cork Harbour SPA by c.2.1km of amenity areas and built-up land, including housing, commercial buildings and roads. In consideration of the factors described above, it is considered that any disturbance/ displacement or ex-situ impacts to the qualifying interests of Cork Harbour SPA as a result of the proposed development is unlikely. The qualifying interests of Great Island Channel are habitats, not species, therefore ex-situ disturbance impacts are not relevant to this European site.

Lough Mahon and Cork Harbour SPA are located c.2.1km to the east of the proposed site and Great Island Channel SAC is located within Cork Harbour c.8.9km to the east of the proposed site. There are no watercourses or active drainage channels present at the proposed site and Lough Mahon and Cork Harbour SPA are buffered from the proposed site by c.2.1km of amenity areas and built land, as described previously. Therefore, there is no potential connectivity between the proposed site and Lough Mahon and Cork Harbour SPA, and in turn, Great Island Channel SAC via surface water connectivity or overland flow.

During the operational phase, the proposed development will incorporate SuDS features including permeable paving, bio-retention, green roofs and blue roofs. It is proposed that the foul network for the development will discharge to the existing foul sewer network. Uisce Éireann (Irish Water) was engaged with regards to the proposed foul layout and discharge for the development, and a Confirmation of Feasibility has been issued.

Remediation works have been completed at the site (Planning Ref: 2442868), including demolition, excavation and off-site disposal of impacted soils, pump and treatment of groundwater, and importation of stone/soil for backfilling. As such, the risk of contamination of groundwater during construction is low and no likely significant effects on Cork Harbour SPA or Great Island Channel SAC as a result of degradation of groundwater quality are expected to occur.

No potential for likely significant effects on European sites as a result of degradation of surface or groundwater during the construction or operational phase has been identified.

#### 4.2.1 In-combination Impacts with Other Plans and Projects in the Area

As part of the screening for an AA, in addition to the proposed residential development, other relevant projects and Plans in the area must also be considered at this stage. These Plans and projects are considered further in this respect in Table 4-1.

Table 4-1: Plans and projects which may contribute to in-combination impacts

Plans and Projects	Key Policies/Issues/Objectives Directly Related to the Conservation of the Natura 2000 Network	Impact
<b>Cork City Development Plan 2022-2028</b>	<p>The Cork City Development Plan includes Objective 6.23:</p> <p>To protect and enhance designated sites and areas of natural heritage and biodiversity and the habitats, flora and fauna for which it is designated, and to protect, enhance and conserve designated species.</p>	<p>The policies and objectives of the Cork City Development Plan 2022-2028 ensure that local planning applications comply with proper planning and sustainability and with the requirements of relevant EU Directives and environmental considerations, there is no potential for adverse in-combination effects on European Sites.</p>
<b>Water Action Management Plan 2024</b>	<p>The Water Action Plan includes targeted measures for all water bodies, with the objective of either protecting water bodies at good or high status or restoring water bodies to at least good status.</p> <p>Where further specific measures are needed in addition to those set in this plan, integrated catchment planning approaches will be used to identify and decide on further specific measures for each water body. This will be reported in 46 Catchment Management Work Plans. These will be used to locate measures within each catchment.</p> <p>The list of water bodies and their associated status, significant pressures/issues and targeted measures, which are to be included in the Catchment Management Work Plans, will include targets for the third-cycle, along with Key Performance Indicators to monitor progress and outcomes.</p>	<p>The implementation and compliance with key environmental policies, issues and objectives of this management plan will result in positive in-combination effects to European sites. The implementation of this plan will have a positive impact for the biodiversity. It will not contribute to in-combination effects with the proposed development.</p>
<b>IPPC Programme</b>	<p>P0343-01 Brooks Haughton Limited, no AER on record.</p> <p>P0391-01 Galco (Cork) Limited, AER available for 2024.</p>	<p>Discharges from these facilities are governed by strict limits to ensure compliance with quality standards. The long-term in-combination impact is predicted to be negligible.</p>
<b>Local Planning Applications Under consideration<sup>5</sup></b>		
<b>Demolition of buildings and structures at Former Vita Cortex Plant (Ref: 2140647).</b>	<p>Permission for the demolition of buildings and associated structures at the Former Vita Cortex plant on the Kinsale Road and Pearse Road, Ballypnehane, Cork, County Cork. The proposed development comprises the demolition of the former Vita Cortex factory structures and outbuildings (floor area: c. 5,976 sq.m) as well as areas of hardstanding and car parking. The existing ESB Substation on the site will remain in situ. The overall site area of the proposed development is 12,062 sq.m).</p>	<p>The Planning Report found that: <i>The relevant European sites are the Cork Harbour SPA (site code 004030) and the Great Island Channel cSAC (sit ecode 001058). Having regard to the location of the proposed development site relative to these European sites and related watercourses and to the nature and scale of the proposed development it is considered that the proposed development would not affect</i></p>

<sup>5</sup> Planning applications made and not yet determined or granted within the past five years that may contribute to potential cumulative impacts on the European sites of concern. Search of [ArcGIS Web Application](#) undertaken on 04/06/2025

		<p><i>the integrity of the European sites referred to above. Accordingly, it is considered that appropriate assessment is not required.</i></p> <p>No potential for likely in-combination effects on European sites has been identified.</p>
<b>IRFU Munster Branch (Ref: 2341944)</b>	<p>Permission for the construction of an indoor training facility development which will contain a synthetic all-weather playing surface, gymnasium, changing rooms, treatment rooms, storage, office/administration space, staff welfare areas and new signage. Permission is also sought for a new pedestrian access from Pearse Road, and shared car parking area on Pearse Road, new parking area within the site and all other ancillary site works including a ticketing booth and bicycle parking. The proposed development is a change of plan from that previously permitted by Cork City Council planning reference 18/38083.</p>	<p>The Planning Report found that: <i>The relevant European sites are the Cork Harbour SPA (site code 004030) and the Great Island Channel cSAC (sit ecode 001058). Having regard its nature, scale and location it is considered that the proposed development would not affect the integrity of the European sites referred to above. Accordingly, it is considered that a Natura Impact Statement for the purposes of Article 6 of the Habitats Directive is not required.</i></p> <p>No potential for likely in-combination effects on European sites has been identified.</p>
<b>Dolphin RFC (Ref: 2140418)</b>	<p>Permission for erection of 6 no. floodlight poles, each 15m high to light their playing pitch.</p>	<p>The Planning Report found that: <i>The relevant European sites are the Cork Harbour SPA (site code 004030) and the Great Island Channel cSAC (sit ecode 001058). Having regard to the location of the proposed development site relative to these European sites and related watercourses and to the nature and scale of the proposed development it is considered that the proposed development would not affect the integrity of the European sites referred to above. Accordingly, it is considered that appropriate assessment is not required.</i></p> <p>No potential for likely in-combination effects on European sites has been identified.</p>
<b>IRFU Munster Branch (Ref: 2442842)</b>	<p>Permission for the erection of new frame mounted signage onto the roof of the existing eastern terrace.</p>	<p>The Planning Report found that: <i>The relevant European sites are the Cork Harbour SPA (site code 004030) and the Great Island Channel cSAC (sit ecode 001058). Having regard to the location of the proposed development site relative to these European sites and related watercourses and to the nature and scale of the proposed development it is considered that the proposed</i></p>

		<p><i>development would not affect the integrity of the European sites referred to above. Accordingly, it is considered that appropriate assessment is not required.</i></p> <p>No potential for likely in-combination effects on European sites has been identified.</p>
<p><b>Musgrave Retail Partners Ireland (Ref: 2442663)</b></p>	<p>Permission for an 744Kw solar photovoltaic (PV) array to be mounted on the southern side of the cladded roof over the existing Ambient Warehouse Building at Tramore Road, Cork. T12N799. The solar PV array will generate on site green electricity which will be fully used to reduce the carbon footprint of the building.</p>	<p>The Planning Report found that: <i>The relevant European sites are the Cork Harbour SPA (site code 004030) and the Great Island Channel cSAC (sit ecode 001058). Having regard its nature, scale and location it is considered that the proposed development would not affect the integrity of the European sites referred to above. Accordingly, it is considered that a Natura Impact Statement for the purposes of Article 6 of the Habitats Directive is not required.</i></p> <p>No potential for likely in-combination effects on European sites has been identified.</p>
<p><b>Musgrave Operating Partners Ltd (Ref: 2241147)</b></p>	<p>Permission for an 899KWp solar photovoltaic (PV) array to be mounted on the cladded roofs over the existing Chill Foods Building adjoining the Main Ambient Warehouse Building at Tramore Road, Cork. T12N799. The solar PV array will generate on site green electricity which will be fully used to reduce the carbon footprint of the building.</p>	<p>The Planning Report found that: <i>The relevant European sites are the Cork Harbour SPA (site code 004030) and the Great Island Channel cSAC (sit ecode 001058). Having regard to the location of the proposed development site relative to these European sites and related watercourses and to the nature and scale of the proposed development it is considered that the proposed development would not affect the integrity of the European sites referred to above. Accordingly, it is considered that appropriate assessment is not required.</i></p> <p>No potential for likely in-combination effects on European sites has been identified.</p>
<p><b>Watfore Ltd. Creamfields SHD (ABP Ref: 312866)</b></p>	<p>Demolition of existing structures, construction of 352 no. apartments, 257 no. Build to Rent apartments, creche and associated site works.</p>	<p>The AASR completed for the proposed development (DixonBrosnan, 2022) found that there is potential for degradation of water quality and spread of invasive species within Cork Harbour SPA during the construction phase.</p> <p>The NIS concluded that: <i>It has been objectively concluded following an examination,</i></p>

		<p><i>analysis and evaluation of the relevant information, including in particular the nature of the predicted effects from the proposed development and with the implementation of the mitigation measures proposed, that the construction and operation of the proposed development will not adversely affect (either directly or indirectly) the integrity of any European site, either alone or in combination with other plans or projects. There is no reasonable scientific doubt in relation to this conclusion. The competent authority will make the final determination in this regard.</i></p> <p>No potential for likely in-combination effects on European sites has been identified.</p>
<p><b>Ringdeen Investments Ltd (Ref: 2039158)</b></p>	<p>Permission to refurbish existing storage unit to provide showroom with new glazed entrance, repositioned roller shutter door to replace existing dock leveller, the construction of new access ramps and steps, and for the application of cladding to the exterior wall.</p> <p>These planning applications have been subject to either screening for Appropriate Assessment, Habitats Directive Assessment and/or EIA screening as appropriate. These assessments have found that, where required, construction phase measures and operational designs will be implemented to avoid likely significant effects to the environment. Each of the assessments completed for these projects have concluded that the project will not have the potential to combine with other projects to result in likely significant effects on the environment. In light of this, the proposed LRD does not have potential to result in in-combination or cumulative negative effects on the environment.</p>	<p>The Planning Report found that: <i>The relevant European sites are the Cork Harbour SPA (site code 004030) and the Great Island Channel cSAC (sit ecode 001058). Having regard to the location of the proposed development site relative to these European sites and related watercourses and to the nature and scale of the proposed development it is considered that the proposed development would not affect the integrity of the European sites referred to above. Accordingly, it is considered that appropriate assessment is not required.</i></p> <p>No potential for likely in-combination effects on European sites has been identified.</p>

#### 4.2.2 In-combination Impact Assessment Conclusion

All possible sources of effects from the proposed development and any other effects likely to arise from other proposed projects or Plans have been identified. No other pathway has been identified by which any Plan or project could have a significant in-combination effect on European sites. Therefore, no significant adverse cumulative or in-combination effects are anticipated to European sites.

#### 4.3 Screening Assessment

Table 4-2 identifies the potential direct, indirect and secondary impacts of the proposed development on European sites within a 15 km radius.

Table 4-2: Potential significant effects on European Sites from the Proposed Development

Site Name	Direct Impacts	Indirect / Secondary Impacts	Resource Requirements	Emissions (Disposal to land, Water or Air)	Excavation Requirements
<b>Great Island Channel SAC (001058)</b>	No impact on QI	No impact on QI	No impact on QI	No impact on QI	No impact on QI
<b>Cork Harbour SPA (004030)</b>	No impact on QI	No impact on QI	No impact on QI	No impact on QI	No impact on QI

#### 4.4 Likely Changes to the European Site(s)

The likely changes that could arise from the proposed development have been examined in the context of a number of factors that could have a significant effect on the relevant European sites (Table 4-3).

Table 4-3: Likely changes to European Sites

Site Name	Reduction of Habitat Area	Disturbance to Key Species	Habitat or Species fragmentation	Reduction in Species Density	Changes in Key Indicators of Conservation Value (Water Quality, etc.)	Climate Change
<b>Great Island Channel SAC (001058)</b>	None	None	None	None	None	None
<b>Cork Harbour SPA (004030)</b>	None	None	None	None	None	None

##### 4.4.1 Elements of the Project where the Impacts are Likely to be Significant

No elements of the proposed development are likely to cause significant effects to the relevant European sites.

## 5 Conclusion

This report to inform AA screening has been prepared to assess whether the proposed development, individually or in-combination with other plans or projects, and in view of best scientific knowledge, is likely to have a significant effect on any European site(s).

The screening exercise was completed in compliance with the relevant European Commission guidance, national guidance and case law. The potential impacts of the proposed development have been considered in the context of the European sites potentially affected, their qualifying interests or special conservation interests, and their conservation objectives.

Through an assessment of the source-pathway-receptor model, which considered the zone of influence of effects from the proposed development and the potential in-combination effects with other plans or projects, the following findings were reported:

- The proposed Kinsale Road LRD, Cork, either alone or in-combination with other plans and/or projects, does not have the potential to significantly affect any European site, in light of their conservation objectives. Therefore, a Stage 2 Appropriate Assessment is deemed not to be required.

## 6 Bibliography

Council of the European Communities (1992) *Council Directive of 21 May 1992 on the Conservation of Natural Habitats and of Wild Fauna and Flora (92/43/EEC)*. OJL 206/35, 1992

DoEHLG (2010). *Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities* (Department of Environment, Heritage and Local Government, Rev. Feb 2010).

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

DEHLG (2010b) Department of the Environment, Heritage and Local Government Circular NPW1/10 and PSSP 2/10 on Appropriate Assessment under Article 6 of the Habitats Directive – Guidance for Planning Authorities. Department of the Environment, Heritage and Local Government, Dublin.

Environmental Protection Agency online environmental information portal (<https://gis.epa.ie/EPAMaps/>)

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 Interest, Compensatory Measures, Overall Coherence*. Opinion of the European Commission.

European Commission (2019). *Managing Natura 2000 Sites: the provisions of Article 6 of the ‘Habitats’ Directive 92/43/EEC*. Office for Official Publications of the European Communities, Luxembourg.

European Commission (2000b) *Communication from the Commission on the Precautionary Principle*. Office for Official Publications of the European Communities, Luxembourg.

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*, Office for Official Publications of the European Communities, Luxembourg.

European Parliament and European Council (2009). *Directive 2009/147/EC of 30<sup>th</sup> November 2009 on the Conservation of Wild Birds (2009/147/EC)*. Official Journal L20/7, 2010.

EU Habitats Directive (92/43/EEC)

Geological Survey of Ireland (2011). *GIS datasets Public Viewer*. Online at [http://spatial.dcenr.gov.ie/imf/imf.jsp?site=GSI\\_Simple](http://spatial.dcenr.gov.ie/imf/imf.jsp?site=GSI_Simple)

NPWS (2010). *Circular NPW 1/10 & PSSP 2/10 Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities*. (Department of Environment, Heritage and Local Government, 2010).

NPWS (2019a) *The Status of EU Protected Habitats and Species in Ireland. Volume 2: Habitats Assessments*. Unpublished Report, National Parks and Wildlife Service.

NPWS (2019b) *The Status of EU Protected Habitats and Species in Ireland. Volume 3: Species Assessments*. Unpublished Report, National Parks and Wildlife Service.