

**Habitats Directive Appropriate Assessment
Screening Determination**

**Gallanes Amenity Area (Phase 2),
Gallanes, Clonakilty, Co. Cork**

**Completed by – Ecology Office
Cork County Council.**

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Cork County Council
Comhairle Contae Chorcaí

This document contains the Habitats Directive screening determination of Cork County Council in respect of the proposed Phase 2 of the Gallanes Amenity Area at Gallanes, Clonakilty, Co. Cork. The determination is based on the information provided in the Screening for Appropriate Assessment Report which has been prepared by DixonBrosnan Environmental Consultants for Cork County Council and which is appended to this document. This screening determination should be read in conjunction with that report.

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

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.

European sites, or if uncertainty remains in relation to potential impacts on one or more European sites.

<p>Part 1: Description of the project and local site characteristics</p>
<p>Project Name: Gallanes Amenity Area (Phase 2), Gallanes, Clonakilty, Co. Cork</p>
<p>Project Details: The proposed project relates to the continuation of the Clonakilty Greenway in which phase 1 of the development has been partly completed. Phase 2 of the development, to which this Habitats Directive Appropriate Assessment Screening Determination relates comprises of the following:</p> <ul style="list-style-type: none"> • Extension of the existing amenity area which incorporates the Joe Walsh Walkway to link it with the existing pathways within the West Cork Technology Park; • Provision for the creation of a walkway along the N71 towards the Rugby Grounds in the event of the pathways within the West Cork Technology Park being unavailable. A walkway through the rugby grounds is proposed which exits onto local road L-80611; • A 3m wide spur connecting the walkway/cycleway to the Technology Park; • Black-top surface finish to the proposed pathway; • Medium height level public lighting using low spillage LED lights to be provided along the route; • The development of a 53-space carpark at the south western corner of the Clonakilty Rugby Grounds; • Public lighting using low spillage LED lights to be provided to the proposed carpark; • The development of an amenity area towards the east of the existing amenity area; • The demolition of the existing dwelling house (in ruins) and adjoining outhouses (in ruins) at the north end of the site; • The construction of low-level feature stone walls using the stone reclaimed from the demolition of the buildings on the site; and • The development of hard surface hiking trails from the east of the site towards the north of the site to a number of viewing points at a higher level. <p><i>Surface water disposal:</i> Surface water disposal during will be via over the edge disposal to ground. Given that the proposal relates to a walkway / cycleway pollution control i.e. hydrocarbon interceptors etc. are not deemed necessary.</p> <p>Full details of the proposed project can be consulted in project documents including the Ecological Impact Assessment Report, Screening for Appropriate Assessment Report, as well as in the project drawings.</p>
<p>Site Characteristics: The proposed development includes walkway/cycle pathway within Cork County Council owned lands which run parallel to the N71 approximately 1.5km north of Clonakilty town. The works area passes an area of farmland, and through the West Cork Business and Technology Park, before crossing a local road L-4032 and passing through Clonakilty Rugby Club.</p> <p>The existing Clonakilty Greenway and Gallanes Lake are located to the southwest of the site.</p> <p>The proposed site is located in the Bandon-Ilen Catchment, Catchment ID 20, sub-catchment Argideen SC 010. The Templebryan South stream runs along the southern boundary of the West Cork Business and Technology Park. The Templebryan South Stream joins the Argideen River north of the proposal site which in turn discharges into the transitional waters of the Argideen Estuary in Timoleague approximately 8.9km downstream of the proposed development. The Argideen Estuary forms part of the Courtmacsherry Estuary</p>

Special Area of Conservation (Site Code: 001230) and Courtmacsherry Bay Special Protection Area (Site Code: 004219).

Part 2: Identification of relevant Natura 2000 sites using Source-Pathway-Receptor model and compilation of associated information.

A potential source-pathway-receptor link has been identified between the proposed development site and two European designated sites i.e. Courtmacsherry Estuary SAC and Courtmacsherry Bay SPA via potential discharge of surface water runoff during construction to the Templebryan South Stream which in turn joins the Argideen River which discharges into Argideen Estuary / Courtmacsherry Estuary SAC / Courtmacsherry Bay SPA at Timoleague.

Furthermore, the Clonakilty Bay SPA (Site Code: 004081) has been identified within the zone of influence of the proposal as qualifying species of the SPA could potentially forage within the proposed development site. Therefore, these species could be impacted by *ex situ* disturbance and/or loss of habitat.

Courtmacsherry Estuary SAC (001230) – This European Designated Site is located approximately 7km southeast of the proposal site at its closest point. The conservation objective of this site is to maintain or restore the favourable conservation condition of the followings qualifying interests:

- Estuaries [1130]
- Mudflats and sandflats not covered by seawater at low tide [1140]
- Annual vegetation of drift lines [1210]
- Perennial vegetation of stony banks [1220]
- *Salicornia* and other annuals colonising mud and sand [1310]
- Atlantic salt meadows (*Glauco-Puccinellietalia maritima*) [1330]
- Mediterranean salt meadows (*Juncetalia maritimi*) [1410]
- Embryonic shifting dunes [2110]
- Shifting dunes along the shoreline with *Ammophila arenaria* (white dunes) [2120]
- Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]

Targets associated with these qualifying interests are included in the [Courtmacsherry Estuary SAC Conservation Objectives document](#).

Courtmacsherry Bay SPA (004219) - This European Designated Site is located approximately 7km southeast of the proposal site at its closest point. The conservation objective of this site is to maintain the favourable conservation condition of the followings qualifying interests:

- Great Northern Diver (*Gavia immer*) [A003]
- Shelduck (*Tadorna tadorna*) [A048]
- Wigeon (*Anas penelope*) [A050]
- Red-breasted Merganser (*Mergus serrator*) [A069]
- Golden Plover (*Pluvialis apricaria*) [A140]
- Lapwing (*Vanellus vanellus*) [A142]
- Dunlin (*Calidris alpina*) [A149]
- Black-tailed Godwit (*Limosa limosa*) [A156]
- Bar-tailed Godwit (*Limosa lapponica*) [A157]
- Curlew (*Numenius arquata*) [A160]
- Black-headed Gull (*Chroicocephalus ridibundus*) [A179]
- Common Gull (*Larus canus*) [A182]
- Wetland and Waterbirds [A999]

Targets associated with this qualifying interest are included in the [Courtmacsherry Bay SPA Conservation Objectives document](#).

Clonakilty Bay SPA (004081) - This European Designated Site is located approximately 2km southwest of the proposal site at its closest point. The conservation objective of this site is to maintain the favourable conservation condition of the followings qualifying interests:

- Shelduck (*Tadorna tadorna*) [A048]
- Dunlin (*Calidris alpina*) [A149]
- Black-tailed Godwit (*Limosa limosa*) [A156]
- Curlew (*Numenius arquata*) [A160]
- Wetland and Waterbirds [A999]

Targets associated with these qualifying interests are included in the [Clonakilty Bay SPA Conservation Objectives document](#).

Favourable conservation status of a habitat is achieved when:

- its natural range, and area it covers within that range, are stable or increasing, and
- the specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future, and
- the conservation status of its typical species is favourable.

The favourable conservation status of a species is achieved when:

- population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats, and
- the natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future, and
- there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

Part 3: Assessment of Likely Significant Effects

Activities which

- require direct intervention within the SAC or SPA's i.e. loss of habitat;
- generate noise or visual disturbance stimuli at locations which could cause disturbance to qualifying interest bird species;
- could cause release of toxic contaminants or other pollutants to watercourses hydrologically linked to the SAC or SPA's;
- increase the risk of spread of invasive alien species within the SAC or the SPA's; or
- act in-combination with other plans or projects generating in-combination impacts,

could have the potential to interfere with the achievement of the Conservation Objectives established for these sites.

The AA screening report considers the potential risks of impact to the SAC and the SPA's and rules out risk of significant impacts arising for the following reasons:

Potential impacts from loss of habitat: The proposed works are not located within a Natura 2000 site and therefore no direct habitat loss will occur. Furthermore, proposed development will not result in any significant deterioration in habitat quality, loss of habitat or loss of connectivity with the Courtmacsherry Estuary SAC, Courtmacsherry Bay SPA and Clonakilty Bay SPA or any other Natura 2000 site.

The habitats recorded within the proposed development boundary do not correspond to habitats listed on Annex I of the Habitats Directive nor are they considered to provide foraging grounds for species of conservation interest of the Courtmacsherry Bay SPA and Clonakilty Bay SPA. It is stated that there is nothing to differentiate the habitats onsite from other similar habitats in the vicinity.

Impacts from noise and disturbance on qualifying species: The report notes that wintering birds listed as qualifying interests for the Courtmacsherry Bay SPA and Clonakilty Bay SPA are strongly associated with estuarine shoreline areas or wetlands, habitat types absent from the proposed development site. Furthermore, given the intervening distances (1.9km from Clonakilty Bay SPA and 7.0km from the Courtmacsherry Bay SPA) and existing ambient noise levels generated by the road network, industrial park and sports grounds, any increase in disturbance during the construction phase is expected to be short-term and not significant in the context of existing noise levels.

Overall, given the existing noise environment and the lack of valuable habitat for SCI species on or near the proposed development site, no impact on birds listed as qualifying interests for the Courtmacsherry Bay SPA and Clonakilty Bay SPA is predicted to occur.

Surface water impacts: Given the scale of the proposed works, natural tolerance/robustness of estuarine habitats and the assimilation capacity available in marine/estuarine environment, there is no likelihood of effects on the conservation objectives of the Courtmacsherry Estuary SAC and Courtmacsherry Bay SPA.

Impacts as a result of the spread of invasive species: While Japanese Knotweed was recorded adjacent to the proposed development site, no excavation works will take place within 7m of the stand. Furthermore, given the distance from Natura 2000 sites and the weak hydrological or other connection with these sites, no significant risk from the spread of invasive species to these sites has been identified.

In Combination Effects: The AA screening report states that in the absence of any significant impact associated with this project no cumulative impacts on habitat loss have been identified. Similarly, no significant cumulative impacts in relation to noise and disturbance have been identified.

Part 3: Assessment of Likely Significant Effects

The report concludes that the *'proposed development at Gallanes, Clonakilty, Co. 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'*.

Part 4: Screening Determination Statement

On the basis of the information contained in the AA Screening Report, which is considered adequate to undertake a screening assessment and to make a screening determination Cork County Council is satisfied that the proposed project poses no likelihood of causing significant effects on any EU site for the following reasons:

- No direct interventions are proposed within any European Designated Sites, therefore no associated risk of direct damage to qualifying interest habitats and associated species will occur;
- No elements of the proposal will generate noise to significant levels above ambient levels that could impact qualifying interest species occurring within Courtmacsherry Bay SPA and Clonakilty Bay SPA, or any other European Designated Site.
- There are no features or habitats of value within the proposed works areas which would differentiate it as a critical resource for ex-situ qualifying interest species from similar habitats in the surrounding area.
- The risk of surface water emissions associated with the proposed development is considered low during the construction phase and imperceptible during the post construction phase. It is noted that silting up or accretion are natural processes in estuarine and marine environments, with estuarine/marine habitats experiencing fluctuations in sediment on a daily basis. Sediment movement is a natural process that occurs within the estuarine environment and associated organisms will be adapted to the natural processes of sediment movement, erosion and deposition, including the increased levels of sediment movement reached during storms. Therefore, the habitats as a whole will naturally adjust or reach equilibrium in response to any minor local changes. As such, taking this into consideration, while also noting the scale of the proposal and intervening distance to Courtmacsherry Estuary SAC and Courtmacsherry Bay SPA, or any other European Designated Site, any potential for significant effects to the estuarine/marine habitats and associated species can be ruled out;
- The potential risk related to accidental spillage of hydrocarbons and waste from construction plant and equipment would likely to be localized to the immediate area of the site and adjoining watercourses. Should contaminants reach Argideen Estuary, given the assimilation and dilution capacity of the estuarine waters, the risk for potential significant effects to the Courtmacsherry Estuary SAC and Courtmacsherry Bay SPA, or any other European Designated Site can be ruled out;
- No alteration or fragmentation of habitats will occur within any European Designated Site.
- No works undertaken will directly impact any high-risk invasive species listed under European Communities (Birds and Natural Habitats) Regulations 2011 (SI 477 of 2011, as amended) recorded within or proximal to the site i.e. Japanese knotweed. Furthermore, given the distance of the proposed development site to European Designated Sites and the weak hydrological or other connection with these sites, no significant risk from the spread of invasive species to these sites has been identified. Therefore, the proposed development does not pose a risk of causing the spread of invasive alien species to the Courtmacsherry Estuary SAC and Courtmacsherry Bay SPA, or any other European Designated Site, which could negatively impact their qualifying interest habitats and/or species.
- No potential for in-combination effects have been identified

It is therefore determined that Appropriate Assessment is not required.

