

**Cork County Council Carrigaline Compound Depot**  
**Appropriate Assessment Screening Report and Determination**



**Cork County Council**  
Comhairle Contae Chorcaí

**Completed by Tony Nagle**  
**Capital Projects Implementation Unit**  
**Cork County Council**

**Date: 26/08/2022**

## Contents

Introduction .....	3
Maps showing the Location of the Proposed Development Site, nearby Natura 2000 Sites and a photograph of the site. ....	6
Description of the project and local site characteristics.....	9
Identification of relevant Natura 2000 sites and Qualifying Interests .....	10
Assessment of Likely Significant Effects.....	11
Screening Determination Statement .....	15
References .....	16

## Introduction

This document includes the Habitats Directive Screening Assessment and Screening Determination by Cork County Council of the proposed construction of a new Cork County Council Compound Depot at Estuary Business Park, Kilnagleary, Carrigaline. The assessment is based on project drawings and details prepared by Denis O'Sullivan & Associates Consulting Engineers, a site visit on 25/08/2022 and referral to published sources.

Part XAB of the Planning and Development Act as amended, provides for the implementation of the EU Habitats Directive, and Section 177 of the Act, requires Planning Authorities to assess the impacts of land use plans and proposed developments on sites that are designated for the protection of Natura 2000 (European Sites<sup>1</sup>) prior to giving consent for the development of such projects. This process is undertaken to determine whether a proposed development could have negative consequences for the habitats, or plant and animal species for which these sites are designated. This assessment process is called a **Habitats Directive Assessment** (HDA). The requirements originate from Article 6(3) of the Habitats Directive which states:

*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 set 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 project or a plan on a Natura 2000 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 if no significant impacts on Natura 2000 sites are identified to be likely to arise, during the screening stage. The findings of the screening assessment are normally contained in a **Habitats Directive Screening Report**.

### ***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 is

completed by the Competent Authority, (the authority designated to give consent to the project). It involves 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 by the Competent Authority to identify and classify any implications of the project for these sites in view of their conservation objectives. The Appropriate Assessment must include a determination as to whether the project would adversely affect the integrity of any European site or sites. The project may only be consented if adverse effects on the integrity of European sites can be ruled out during the Appropriate Assessment process. The project may not be consented on foot of an Appropriate Assessment, if it is found that it will give rise to adverse impacts on one or more European sites, or if uncertainty remains in relation to potential impacts on one or more European sites.

The directive provides for a **derogation procedure** which can allow a plan or project to proceed despite a finding that the plan or project could / would give rise to adverse effects on the overall integrity of one or more Natura 2000 sites. Derogation procedures can only be progressed in very limited circumstances which are set out in Article 6(4) of the Directive (see below).

#### **Habitats Directive Article 6(4)**

*If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature, the Member State shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted.*

EU and National Guidance identifies the procedures which must be followed in circumstances where a derogation from the Habitats Directive is sought to allow a project or a plan to proceed, despite a finding that it will give rise to adverse effects on the integrity of one or more Natura 2000 sites. These procedures can only be invoked where it has been shown that there are no alternative ways to implement the plan/project which avoid adverse effects on the integrity of one or more European sites, where it has been demonstrated that there are imperative reasons of overriding public interest for which the plan/project must proceed and where measures have been developed and provided to compensate for any losses to be incurred. These further stages are described below.

#### **Stage Three: Assessment of alternative solutions**

In circumstances where the potential for a plan or project to give rise to adverse effects on the integrity of a European site or sites has not been ruled out during the appropriate assessment process, it can only be considered for authorisation where it is demonstrated that there are no alternative solutions and that there are Imperative Reasons of Overriding Public Interest (IROPI) which can allow the plan or project to proceed. Stage three of a Habitats Directive Assessment involves the assessment of alternative solutions.

#### **Stage Four: Assessment where no alternative solutions exist and where adverse impacts remain**

The fourth stage of the Habitats Directive Assessment process involves demonstrating that Imperative Reasons of Overriding Public Interest exist and includes the assessment of the

compensatory measures which are proposed to be implemented. In every case in which a local authority envisages approving or proceeding with a plan or project on grounds of IROPI, the Minister for Housing, Local Government and Heritage must be consulted.

The assessment may cease at any of the above stages if significant impacts on Natura 2000 sites can be ruled out.

Regulation 250 of the Planning and Development Regulations requires the Local Authority to complete Habitats Directive Screening in respect of development it proposes to progress.

This document presents the outcomes of the screening assessment of Cork County Council in respect of the proposed Cork County Council, Compound Depot at Estuary Business Park, Kilnagleary, Carrigaline. All European sites within or close to the proposed works site, or that might have an ecological linkage to the proposed development have been identified and screened to determine whether there is potential for this project to give rise to significant impacts on the qualifying features of these sites.

Maps showing the Location of the Proposed Development Site, nearby Natura 2000 Sites and a photograph of the site.

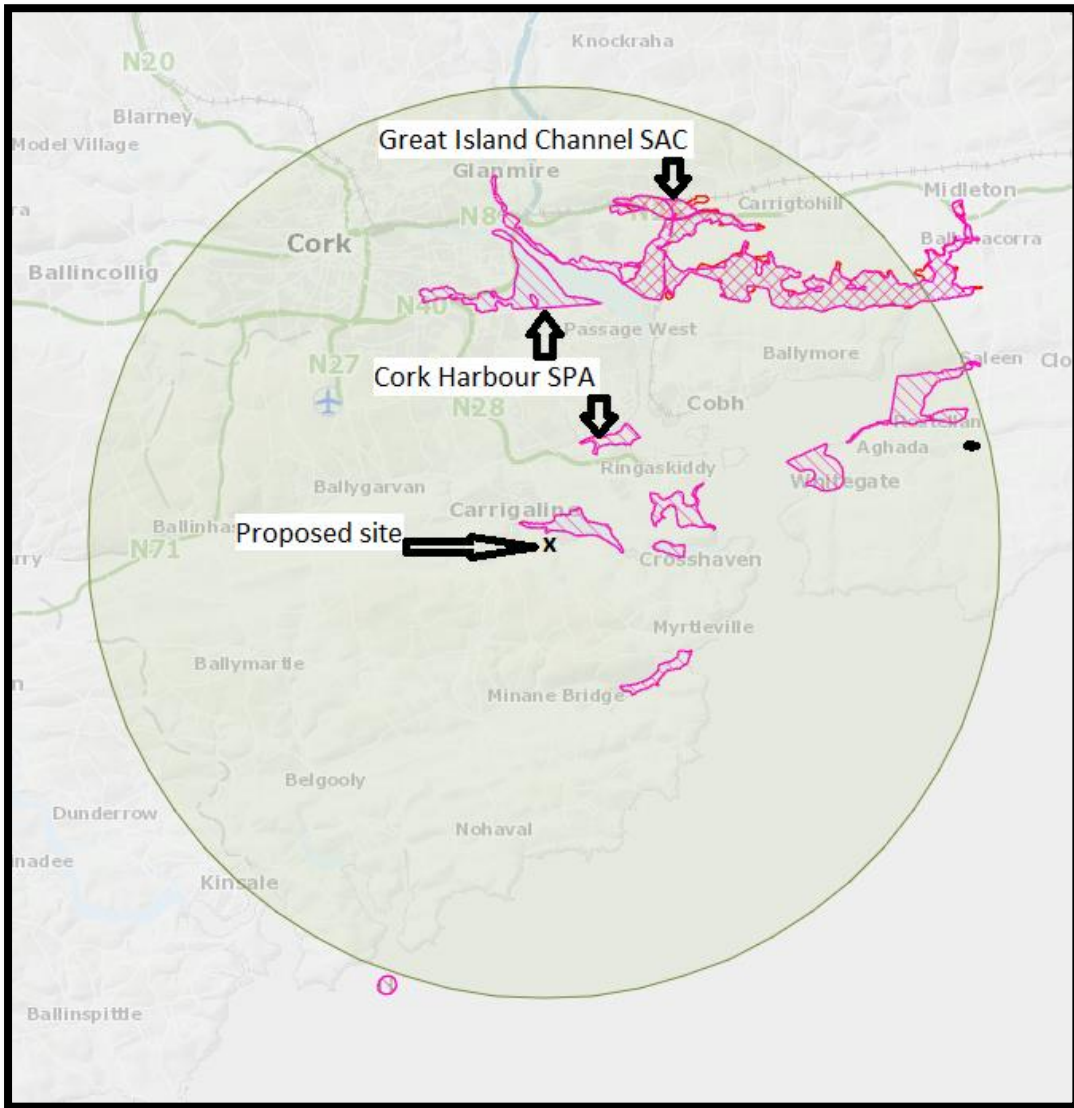


Figure 1. Map showing Natura 2000 sites within 15km of the proposed project.

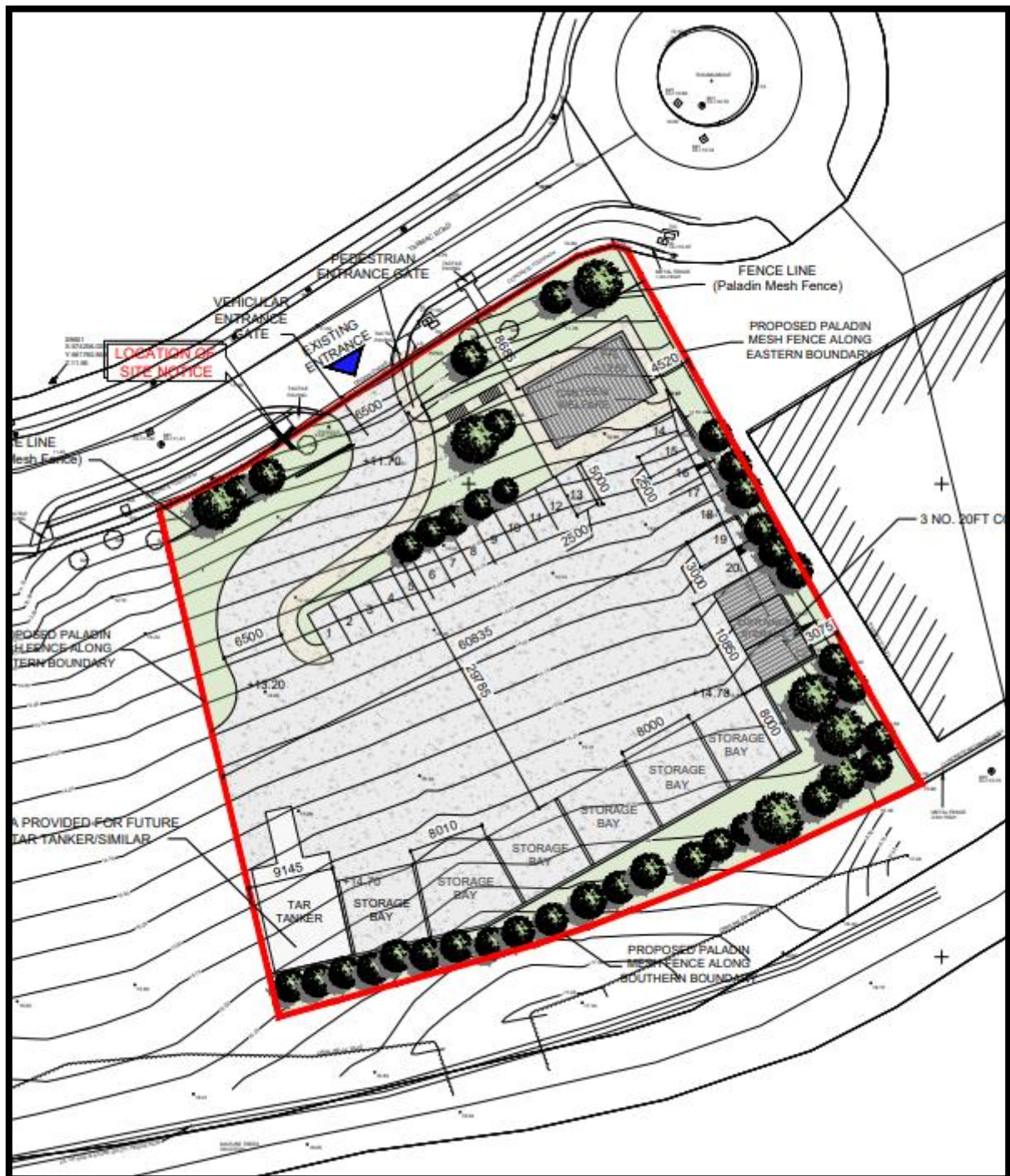


Figure 2. Map showing the layout of the proposed new Depot.



**Figure 3.** Photograph showing the current site for the proposed Cork County Council Depot.



## Description of the project and local site characteristics

<b>STEP 1. Description of the project/proposal and local site characteristics</b>	
(a) Site Name/Reference Number:	Cork County Council Compound Depot, Estuary Business Park, Kilnagleary, Carrigaline, County Cork.
(b) Brief description of the project or plan:	The proposed new depot will be built in an industrial estate in the southeast of Carrigaline on a 0.39 hectare site. The site will include a building that will cater for a maximum of 12 staff members, 7 storage bays and 20 parking spaces. The stormwater management for the site incorporates drainage pipework for the collection of all stormwater run-off from impermeable areas within the site and will discharge into the public drainage pipework on the access road of the Estuary Business Park. A hydrocarbon interceptor also capable of capturing silt will be installed to filter oils and silt from rainwater runoff. The foul waste within the development will be collected via an internal gravity network and will discharge to the existing public foul sewer.
(c) Brief description of site characteristics:	Estuary Business Park is a greenfield site located in the southeast of Carrigaline off the R612. The site was formerly agricultural land but has reverted to rank grassland with a significant wildflower component since the abandonment of farming (see Figure 3). The site is situated 363 metres south of the Owenabue Estuary which forms part of the Cork Harbour Special Protection Area (SPA). The adjacent site to the east of the proposed Depot is bordered on its eastern boundary by a small stream (approximately 100 metres east of the proposed Depot) that runs northwest and joins the SPA at Kilnagleary Bridge. Great Island Channel Special Area of Conservation (SAC) is located 8.7 km northeast of the proposed Depot.
(d) Relevant prescribed bodies consulted:	None
(e) Response to consultation:	Not applicable

## Identification of relevant Natura 2000 sites and Qualifying Interests

<b>STEP2. Identification of relevant Natura 2000 sites using the Source-Pathway-Receptor and compilation of information on Qualifying Interests and conservation objectives:</b>				
European Site (code)	List of Qualifying Interest/Special Conservation Interest	Distance from proposed development (m/km)	Connections (Source-Pathway-Receptor)	Considered further in screening Y/N
Cork Harbour SPA (4030)	23 species of waterbirds and wetland habitats: <a href="https://www.npws.ie/protected-sites/spa/004030">https://www.npws.ie/protected-sites/spa/004030</a>	370 metres north of the proposed development site.	Yes, there is a stream flowing north (approximately 430 m) into the SPA 40 m east of the site.	Y
Great Island Channel SAC (1058)	Mudflats and sandflats not covered by seawater at low tide [1140] Atlantic salt meadows [1330] <a href="https://www.npws.ie/protected-sites/sac/001058">https://www.npws.ie/protected-sites/sac/001058</a>	8.7 km northeast of the proposed development site.	No viable pollution pathway exists because of the distance between the site and the SAC.	No because of the relatively small size of the proposed development and the distance to the SAC.

## Assessment of Likely Significant Effects


<b>STEP 3. Assessment of Likely Significant Effects</b>	
(a) Identify all potential direct and indirect impacts that may result in significant effects on the conservation objectives of <b>Cork Harbour SPA</b> , taking into consideration the size and scale of the project under the following headings:	
<b>Construction phase:</b>	
<b>Impacts</b>	<b>Significance of Impacts</b> (duration/magnitude etc.)
<ol style="list-style-type: none"> <li>1. Vegetation clearance</li> <li>2. Demolition</li> <li>3. Surface water runoff from soil excavation/infill/landscaping</li> <li>4. Contaminants or pollution</li> <li>5. Dust, noise, vibration</li> <li>6. Lighting disturbance</li> <li>7. Impact on groundwater/dewatering</li> <li>8. Storage of excavated construction materials</li> <li>9. Access to site</li> <li>10. Invasive species</li> </ol>	<ol style="list-style-type: none"> <li>1. The initial development phase will include substantial vegetation clearance to prepare the site for re-surfacing and construction. The site was formerly used for agricultural purposes but in recent years the site has become dominated by rank grassland. All of the cleared vegetation will be removed and disposed at a licensed site and will not negatively impact the Conservation Objectives of the SPA. The existing gradient on the site is a downward slope to the northwest. Construction of the proposed depot will involve re-grading the site to some extent but the overall gradient will continue to be northwest.</li> <li>2. No buildings or other structures are present on the site so no demolition will be required.</li> <li>3. There may be some runoff in wet periods during the construction period but most of this runoff will be contained within the site due to the northwest gradient and any runoff reaching the access road will be captured by the newly constructed storm drainage system.</li> <li>4. There is a small possibility that contaminants (e.g. hydrocarbons) may be released through spillage. Quantities however are likely to be insignificant and are unlikely to escape from the site. In the event of a highly unlikely exceptional spillage, the overall north-westerly gradient would result in a spillage away from the small stream to the east. Furthermore, the existing drainage system surrounding the newly constructed premises immediately east of the proposed County Council Depot would intercept the spillage in its drainage system.</li> </ol>

	<p>5. There will be some dust in dry periods during the construction phase but not at levels that would negatively impact the SPA. A limited amount of noise and vibration will result from the construction process but not at levels likely to cause significant disturbance to the Qualifying Interests of the SPA.</p> <p>6. All of the construction work will be undertaken during daylight hours so no lighting disturbance to Qualifying Interests is anticipated.</p> <p>7. Clearance and construction works will be at a relatively small scale (primarily re-surfacing with minor construction work) so no significant negative impacts to groundwater are anticipated.</p> <p>8. Excavated material may be stored on site for a few days but this will be removed to a licensed landfill site within a few days of clearance.</p> <p>9. The construction phase will not result in any access restrictions to the Qualifying Interests of the SPA.</p> <p>10. No invasive species are present on site and construction activities are not anticipated to result in any contamination by invasive plants but this situation will be subject to monitoring.</p>
<b>Operational phase:</b>	
<b>Impacts</b>	<b>Significance of Impacts</b> (duration/magnitude etc.)
<ol style="list-style-type: none"> <li>1. Direct emission to air and water</li> <li>2. Surface water runoff containing contaminant or sediment</li> <li>3. Lighting disturbance</li> <li>4. Noise/vibration</li> <li>5. Changes to water/groundwater due to drainage or abstraction</li> <li>6. Presence of people, vehicles and activities</li> <li>7. Physical presence of structures (e.g. collision risks)</li> <li>8. Potential for accidents or incidents</li> </ol>	<ol style="list-style-type: none"> <li>1. During the operational phase there will be direct emissions to air, mainly as a result of the entry and departure of a relatively small number of vehicles and the operation of heating facilities in the depot building but these emissions will not result in any significant negative impact to the SPA. Emissions to water will be directed to the foul sewer and storm sewer networks and no negative impact is anticipated on the SPA.</li> <li>2. All surface water runoff will be directed to the stormwater system and a hydrocarbon interceptor will be in place to further segregate hydrocarbons and silt. In any event, runoff is likely to be absorbed in the surrounding landscape long before it reaches the SPA 363 metres northwest of the site. In the event of a highly unlikely exceptional</li> </ol>

	<p>spillage, the overall north-westerly gradient would result in a spillage away from the small stream to the east. Furthermore, the existing drainage system surrounding the newly constructed premises immediately east of the proposed County Council Depot would intercept the spillage in its drainage system.</p> <p>3. The depot is sufficiently distant from the SPA for it to pose any risk to Qualifying Interests.</p> <p>4. In the operational phase, most of the noise emanating from the depot will be limited to the occasional arrival and departure of vehicles and will not impact negatively on the Qualifying Interests of the SPA.</p> <p>5. No negative impacts to groundwater are anticipated and there will be no water abstraction.</p> <p>6. The limited presence of people and activities (rarely exceeding 12 people) combined with the intervening distance between the site and the SPA, as well as existing noise levels in the area, will not result in any significant negative impacts on the SPA.</p> <p>7. The single storey depot building will not pose any collision threat to the Qualifying Interests of the SPA.</p> <p>8. The operation of the new depot is not anticipated to increase the potential for accidents or incidents that might negatively affect the Qualifying Interests of the SPA.</p>
<p>(b) Describe any likely changes to the European site(s).</p>	
<p><b>In combination/other:</b> Numerous planning applications for housing developments (including a 33 house estate) as well as a factory extension at Kilnagleary Business Park can be seen on the Cork County Council website. In addition, plans are being prepared for the redevelopment of Carrigaline town centre area as part of public realm improvements.</p>	
<p><b>Impacts</b></p>	<p><b>Significance of Impacts</b> (duration/magnitude etc.)</p>
<p>Types of changes to consider include:</p> <ol style="list-style-type: none"> <li>1. Reduction or fragmentation of habitat area</li> <li>2. Disturbance to QI species</li> <li>3. Habitat or species fragmentation</li> <li>4. Reduction or fragmentation in species density</li> <li>5. Changes in key indicators of conservation status value (water quality etc.)</li> <li>6. Changes to areas of sensitivity or threats to QI</li> </ol>	<ol style="list-style-type: none"> <li>1. The proposed new Council Depot in combination with the other developments referred to above will not cause a reduction or fragmentation of the habitat area of the SPA.</li> <li>2. The new depot, in combination with other developments, will not result in significant disturbance to the Qualifying Interests or Conservation Objectives of the SPA.</li> </ol>

<p>7. Interference with the key relationships that define the structure or ecological function of the site</p> <p>8. Climate change</p>	<p>3. The new depot, in combination with other developments, will not result in significant habitat or species fragmentation to the Qualifying Interests of the SPA.</p> <p>4. The new depot, in combination with other developments, will not result in significant reduction or fragmentation of species density to the Qualifying Interests of the SPA.</p> <p>5. The new depot, in combination with other developments, will not result in significant changes in water quality that might negatively impact the Qualifying Interests of the SPA.</p> <p>6. The new depot, in combination with other developments, will not result in significant changes to areas of sensitivity that might negatively impact the Qualifying Interests of the SPA.</p> <p>7. The new depot, in combination with other developments, will not cause interference with the key relationships that define the structure or ecological function of the SPA.</p> <p>8. The construction and operation of the new depot will not significantly increase the impacts of climate change on the Conservation Objectives of the SPA.</p>
<p><b>(c) Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?</b></p>	
<p>Yes <input type="checkbox"/>                  No <input checked="" type="checkbox"/></p>	<p>While best practice methods are referenced, these are not required to avoid or reduce any effects on a European site. These measures are not relied on to reach a conclusion of no likely significant effects on any European site.</p>

## Screening Determination Statement

STEP 4. Screening Determination Statement		
Describe how the proposed development (alone or in-combination) is/is not likely to have significant effect on European site(s) in view of its conservation objectives.		
<p>On the basis of the information on file, which is considered adequate to undertake a screening determination, a site visit (25/08/2022) and having regard to:</p> <ul style="list-style-type: none"> <li>• The nature and scale of the proposed development,</li> <li>• The intervening land uses and distance from European sites,</li> <li>• The lack of direct connections with regard to the Source-Pathway-Receptor model,</li> </ul> <p>it is concluded that the proposed development, individually or in-combination with other plans or projects would not be likely to have a significant effect on conservation interests of the above listed European sites or any other European site. An Appropriate Assessment is therefore not required.</p>		
Conclusion:		
	Tick as appropriate	Recommendation
(1) It is clear that <b>no likelihood</b> of significant effects arises.	<input checked="" type="checkbox"/>	The proposal can be screened out: Appropriate Assessment is not required.
(2) It is <b>uncertain</b> if the proposed development will have a significant effect on a European site.	<input type="checkbox"/>	Request further information to complete screening <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission <input type="checkbox"/>
(3) <b>Significant effects</b> are likely.	<input type="checkbox"/>	Request NIS <input type="checkbox"/> Refuse planning permission <input type="checkbox"/>
Signature and date of Recommending Officer:		 Tony Nagle Cork County Council Ecologist 26/08/2022

## References

Information relating to individual Natura 2000 sites including Article 17 Conservation Assessment Reports for Habitats and Species in Ireland (2019), individual site synopses, Natura 2000 data forms, and information relating to the qualifying features and conservation objectives of individual sites was sourced from the NPWS database ([www.NPWS.ie](http://www.NPWS.ie)).

Department of the Environment, Heritage and Local Government (2009). Appropriate Assessment of Plans and Projects in Ireland. Guidance for Planning Authorities.

European Communities, Managing Natura 2000 sites. The provisions of Article 6 of the Habitats Directive 92/43/EEC. European Communities, 2000.

European Communities, Assessment of plans and projects significantly affecting Natura 2000 sites. Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC. European Communities, 2001.

Office of the Planning Regulator. Appropriate Assessment Screening for Development Management, 2021.