

# **Habitats Directive Appropriate Assessment Screening Determination**

**Greenpark Youghal**

**Contemporary Flexible Covered Events Space and associated  
works**

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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 proposed public realm improvements including the provision of a new contemporary flexible covered events space, a new pathway and soakaway at Green Park in Youghal. The determination is based on the information provided in the Planning Report and Engineering Report and associated drawings prepared in respect of the proposed scheme and which will be placed on display with the Part 8 documentation. This screening determination should be read in conjunction with those reports and drawings.

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 European<sup>1</sup> 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

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<sup>1</sup>“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.

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.

## Part 1: Description of the project and local site characteristics

### Project Name:

Greenpark Youghal, Contemporary Flexible Covered Events Space and associated works.

### Project Details:

The proposed project involves the following:

- Partially enclosed but fully roofed performance pavilion including stepped access.
- Resurfacing of area immediately adjacent to the proposed performance pavilion.
- Reinstatement of a cross connecting footpath aligned north south through the centre of the park; and,
- Provision of new soakaway as part of the enhancement of the existing drainage regime adjoining pavillion.

Surface water associated with the pavilion structure will discharge to a proposed soakaway and surface water from the path will discharge to ground within grassed areas with design standards in accordance with “Greater Dublin Strategic Drainage Study” (GSDSDS) and the Cork County Development Plan 2022-2028. The proposed development will not require any foul water drainage system. The development will be served by existing toilets located at O’Brien Place.

Full details of the proposed project can be consulted in project documents including the Planning Report as well as in the project drawings.

**Figure 1: Site Location (outlined in green)**



**Site Characteristics:**

The proposed works are located within the Green Park amenity area located at O'Brien Place roadway. The park comprises of a manicured Victorian style park which includes a raised promenade to the south and east. The park is bordered to the north by residential development, to the south by the Front Strand and Youghal Harbour to the east. Access to Front Strand is from the south western corner of the site.

Site levels are slightly higher to the western parts of the site. While the eastern part of the site falls within Flood Zone B and the far eastern and south western part of the site falling within Flood Zone A according to the Cork County Development Plan 2022 Flood mapping available for the site (See purple and blue hatching per Figure 2).

The Green Park amenity area directly adjoins the Blackwater River (Cork/Waterford) Special Area of Conservation to the east and is located c. 1km to the south of the Blackwater Estuary Special Protection Area to the north east which are both located within Youghal Harbour (see Figure 3 below).

**Figure 2: Flooding**



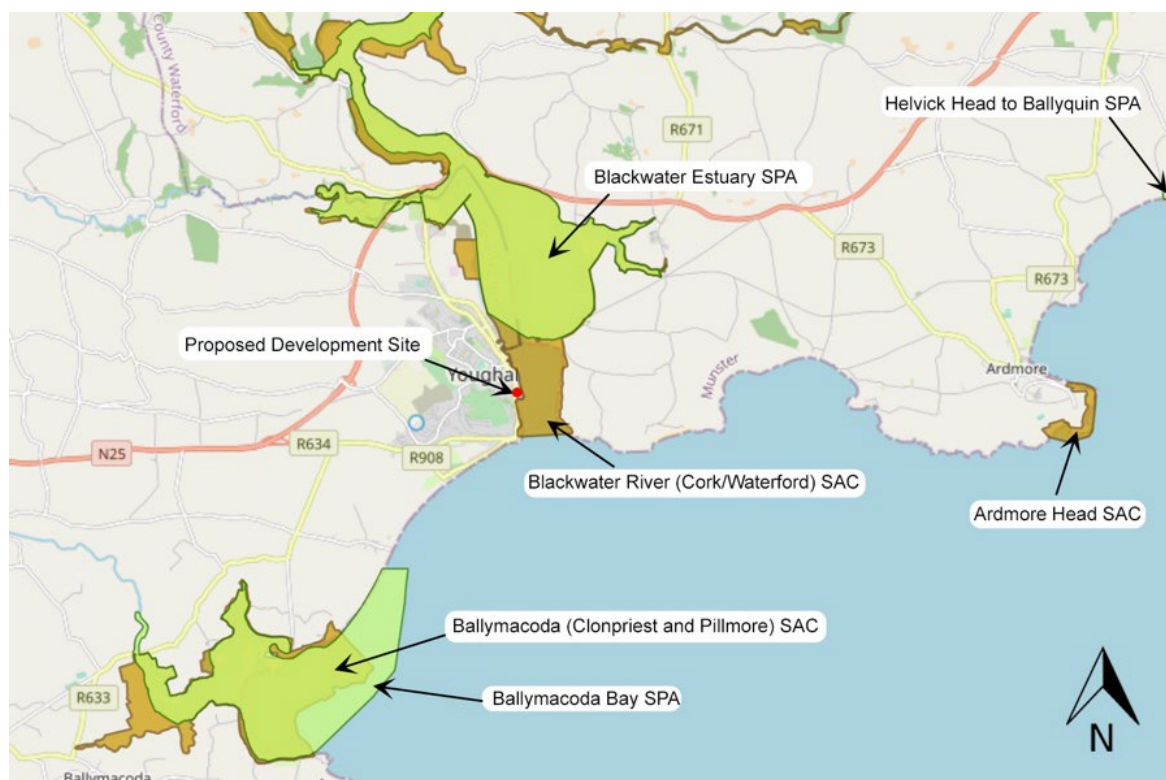
**Part 2: Identification of relevant Natura 2000 sites using Source-Pathway-Receptor model and compilation of associated information.**

**Name and location of EU sites subject to screening:**

The following Natura 2000 sites are located within 15km of the proposed development site;

1. **Blackwater River (Cork/Waterford) Special Area of Conservation (Site Code: 2170) – 70m to the east**
2. Ballymacoda (Clonpriest and Pillmore) SAC (Site Code: 0077) – 4.8km to the south
3. Ardmore Head SAC (Site Code: 002123) – 8.4km to the East
4. **Blackwater Estuary Special Protection Area (Site Code: 4028) - 1km to the north**
5. Ballymacoda Bay SPA (Site Code: 4023) - 3.3km to the southwest
6. Helvick Head to Ballyquin SPA (Site Code: 4192) - 10.9km to the east.
7. Ballycotton Bay SPA (Site Code: 4022) - 14.6km to the south west.

**Figure 3: Natura 2000 Sites**



A source-pathway-receptor link has been identified between the source (the proposed development site) and the two Natura 2000 sites identified in **bold** above, namely **Blackwater River (Cork/Waterford) SAC** and **Blackwater Estuary SPA**. The source-pathway-receptor between the development and this site relates to potential for water quality impacts to receiving habitats and species and potential for disturbance related impacts to species during the course of the construction period.

Given the limited scale of the proposed development, the distance between the application site and Natura 2000 sites, robust nature and dilution rates available within the harbour it is considered that the development is unlikely to pose a risk of significant effects on the other Natura 2000 sites listed.

### Part 3: Assessment of Likely Significant Effects

The **Blackwater River SAC** is designated as a Special Area of Conservation to provide protection to a range of habitats and species, including freshwater species and habitats which rely on the maintenance of a high standard of water quality to ensure maintenance of their favourable conservation condition. The conservation objectives for this site are to restore and/or maintain the favourable conservation condition of habitats and species associated with this site. Full details of targets and attributes associated with the conservation objectives for this site are detailed [here](#).

Qualifying interests of relevance which are known to be present in proximity to the proposal include Estuaries and Mudflats and Sandflats not covered by seawater at low tide with a possibility of Perennial vegetation of stony banks and Salicornia and other annuals colonising mud and sand as exact locations of these habitats are unknown. Otter may also be present given the coastal location.

#### Qualifying Interests

- Estuaries [1130]
- Mudflats and sandflats not covered by seawater at low tide [1140]
- 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]
- Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitricho-Batrachion* vegetation [3260]
- Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles [91A0]
- Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion*, *Alnion incanae*, *Salicion albae*) [91E0]
- *Margaritifera margaritifera* (Freshwater Pearl Mussel) [1029]
- *Austropotamobius pallipes* (White-clawed Crayfish) [1092]
- *Petromyzon marinus* (Sea Lamprey) [1095]
- *Lampetra planeri* (Brook Lamprey) [1096]
- *Lampetra fluviatilis* (River Lamprey) [1099]
- *Alosa fallax fallax* (Twaiite Shad) [1103]
- *Salmo salar* (Salmon) [1106]
- *Lutra lutra* (Otter) [1355]
- *Trichomanes speciosum* (Killarney Fern) [1421]

The **Blackwater Estuary SPA** is an internationally important wetland site on account of the population of Black-tailed Godwit it supports. It is also of high importance in a national context, with seven species having populations which exceed the thresholds for national importance. The conservation objectives for this site is to maintain the favourable conservation condition of habitats and species associated with this site. Full details of targets and attributes are detailed [here](#).

#### Qualifying Interests

- Wigeon (*Anas penelope*) [A050]
- 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]
- Redshank (*Tringa totanus*) [A162]
- Wetland and Waterbirds [A999]

Activities which

- require direct intervention within the SAC or SPA;
- have potential release of toxic contaminants or other pollutants to habitats and species within Youghal Harbour:
- interfere with natural hydrological conditions in estuarine portions of the SAC or SPA;
- generate noise or visual disturbance stimuli at locations which could cause disturbance to qualifying interest species; or
- increase the risk of spread of invasive alien species

within the Blackwater River SAC or the Blackwater Estuary SPA, could have the potential to interfere with the achievement of the Conservation Objectives established for these sites.

The following section provides an assessment of potential impacts on the Blackwater River SAC and Blackwater Estuary SPA having regard to the conservation objectives for these sites.

**Direct effects:**

No direct interventions are proposed within the SAC or SPA – therefore no associated risk of direct damage to qualifying interest habitats or other habitats of biodiversity value within either Natura 2000 site.

**Indirect effects:**

*Potential release of toxic contaminants or other pollutants to habitats and species within Youghal Harbour:* Activities associated with the construction of the pavilion will involve small scale excavation and concrete working, however works are set back from the harbour and flood plain to the east. The reinstatement of an existing pathway will require limited concrete working given the nature of the cobble lock design to match existing surfacing. Works will be minor in scale and nature and in the event that any minor release of pollutants or sediment, these would quickly dissipate given that any discharges would enter an area of the harbour that is tidal with extensive dilution rates. Given the robust nature of the habitats (Estuary and mudflats and sandflats) any release in pollutants would not pose a risk of causing a significant pollution event in the SAC and/or SPA.

*Potential to interfere with natural hydrological conditions in estuarine portions of the SAC or SPA:* Given the limited extent of the works surrounded by a grassed area and proposed soakaway on site, there will be no interference with natural hydrological conditions within estuarine environments.

*Disturbance related impacts:* Works will take place within a public park adjoining a busy roadway. The potential for these works to give rise to noise related impacts to waterbirds or commuting Otter using the site or adjoining coastal areas is ruled out taking account of the presence of the existing ambient noise levels and minor scale of the works proposed. Noise associated with the operational stage will be event based and short term and is unlikely to have a noise impact given existing ambient noise levels. No visual disturbance related impacts to birds or Otter are predicted taking

account of the existing amenity use and busy roadway and separation from the SPA c.1km to the north of the site.

Disturbance to waterbirds which are qualifying interest species for which the Blackwater Estuary SPA is designated can be discounted, as the works are sufficiently distant from the SPA to ensure that they will not cause either noise related or visual disturbance related to birds using the estuary. Furthermore, the Green Park site does not support habitats which are likely to be used by waterbirds in significant numbers at this location.

Having regard to Otter's nocturnal and transient nature and adaptability to short term disturbance, any disturbance to Otter is not considered to be significant.

*Risk of spread of invasive species within EU sites.* No invasive species listed on the Third Schedule have been identified within the subject site.

**In Combination Effects:**

In the absence of any predicted impacts from the proposed development, no in-combination impacts have been identified.

**Part 4: Screening Determination Statement**

On the basis of the information contained in the project documents, Cork County Council is satisfied that the proposed project poses no likelihood of causing significant effects on any EU site for the following reasons:

- There is no spatial overlap between the proposed development site and any Natura 2000 site;
- No direct loss, alteration or fragmentation of habitats will occur within any Natura 2000 site;
- It is considered that the works do not pose a risk of causing pollution of water during construction given the limited scale of works, available dilution rates in the event of any release and robust nature of receiving habitats;
- Disturbance related impacts associated with noise and visual disturbance are unlikely having regard to scale of construction works and temporary nature of events and existing ambient noise levels and existing amenity use of the site;
- Surface water run-off in the post construction phase will discharge to an on site soakaway minimising any hydrological flows outside the site;
- The proposed project does not pose a risk of causing the spread of invasive alien species to either the Blackwater River SAC or Blackwater Estuary SPA; and
- No potential for in-combination effects have been identified.

It is therefore determined that Appropriate Assessment is not required.