

**Habitats Directive Appropriate Assessment  
Screening Determination**

**Proposed Housing Development  
Hegarty Street, Millstreet, Co. Cork**



**Cork County Council**  
Comhairle Contae Chorcaí

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

Date: 04/03/2024

This document contains the Habitats Directive Screening Determination of Cork County Council in respect of a housing scheme for 8 No. 1 Bed Apartments, 16 No. 2 Bedroom townhouses and 2 No. 3 Bed semi-detached units adjacent to Old Coach Avenue, Millstreet. The assessment is based on project drawings and details prepared by the Architects Dept and report prepared by Flynn Furney Environmental Consultants

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 Appropriate Assessment, if it is found that it will give rise to adverse

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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.

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

<p><b>Name of the project</b></p> <p>Proposed Housing Development Hegarty Street, Millstreet, Co. Cork.</p>
<p><b>Description of the project</b></p> <p>The proposed development on the site will consist of 26 dwelling units including 8 No. 1 bedroom apartments, 16 No. 2 bedroom townhouses and 2 No. 3 bedroom semi-detached units as well as associated green areas, estate roads, boundary treatments, services and all other infrastructure required to develop a housing project.</p> <p>Earthworks will consist of moving fill from the higher ground at the east to the lower ground to the west. Material will be excavated by 360° excavators and transported to the deposition area by articulated dumpers. The fill will then be placed by dozers and compacted using vibratory rollers.</p> <p>A testing regime will be implemented to ensure the acceptability of the fill and that the degree of compaction is sufficient. Fill will be brought to the required level across the site to allow construction of roads and foundations. An overall earthworks balance has been targeted i.e., no imported fill will be required for the bulk earthworks and no soil will be removed from the site.</p> <p>Estate roads are proposed to provide circulation routes around the development. The proposed roads will consist of bituminous surfacing on granular capping and subbase layers. Concrete footpaths will be provided. Services such as foul and surface water drainage, water, electricity, public lighting, and telecommunications will be run under or next to the roads.</p> <p>Surface water run-off during the operational phase will be allowed to percolate into the ground via infiltration trenches, 1 no. retention basin and back garden raingardens. Site investigations for infiltration rates have confirmed this proposed system to be adequate. A hydrocarbon interceptor will also be included within the drainage system. A detention pond is included in the design.</p> <p>The development is proposed to connect to Millstreet WWTP</p>
<p><b>Site Context</b></p> <p>This project involves the construction of a residential estate adjacent to, and east of, Old Avenue, Hegarty Street, Millstreet, Co. Cork. The proposed site is approximately 1.14ha in area and contains mostly improved agricultural grassland with some scattered scrub, mainly on the northwestern edge. The site is enclosed by a hedgerow on the north, east, and south. Private back gardens border the site to the west. A tributary of the Tanyard Stream (Millstreet stream, EPA) lies roughly 440m to the east of the proposed site. The site gently slopes west, towards the road.</p> <p>The site is not identified to be located within an area susceptible to flooding according to the Cork County Development Plan 2022. Therefore, there are no issues in relation to flood-risk associated with the proposed development.</p>

Figure 1: Site Context (Site Location)

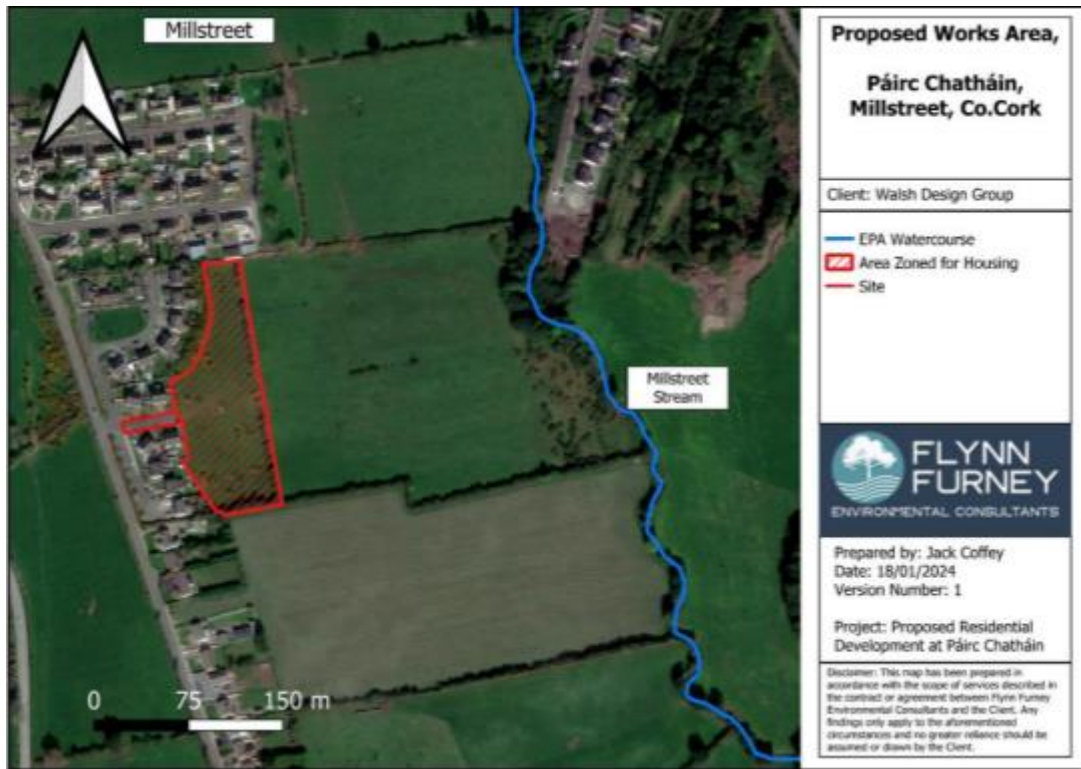
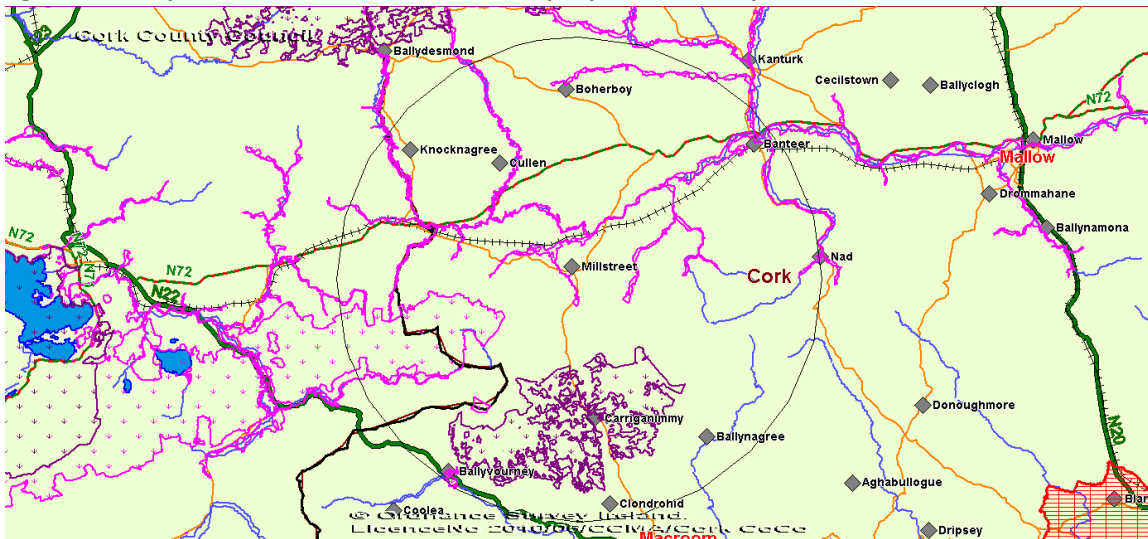


Figure 2: Site location relative to Millstreet Town and Blackwater River SAC (pink polygon)



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

**Figure 3: European sites within 15kms of the proposed development location.**



The subject site does not overlap with any European site. There are five Natura 2000 (European) sites located within a 15km radius of the site which are considered in this document. These are:

- St. Gobnet's Wood SAC (Site Code: 000106) – approximately 14km southwest of the site
- Mullaghanish to Musheramore Mountains SPA (Site Code: 004162) – approximately 5km south of the site.
- Mullaghanish Bog SAC (Site Code: 001890) – approximately 9.7km southwest of the site.
- Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment SAC (Site Code: 000365) – approximately 5.2km west-southwest of the site.
- Blackwater River (Cork/Waterford) SAC (Site Code: 002170) – approximately 480m west of the site, at the closest point

**Is the project directly connected with or necessary to the management of the sites listed above?**

No.

**Describe how the project (alone or in combination) is likely to affect the Natura 2000 Site**

There are no source-receptor pathways between the proposed site and St. Gobnet's Wood SAC, Mullaghanish to Musheramore Mountains SPA, Mullaghanish Bog SAC, and Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment SAC. Therefore, likely significant effects to these EU site are screened out.

The proposed development will be indirectly hydrologically connected to the Blackwater River SAC via the Millstreet WWTP. The WWTP has capacity to cater for the proposed development. The site is located sufficiently distant from designated sites to be satisfied that there is no risk of activities associated with the project causing disturbance to species which are qualifying interests of the listed SAC.

**Are there other projects or plans that together with the project being assessed that could affect these sites (provide details)?**

No potential for impacts identified, therefore the proposed project does not pose a threat of contributing to effects which could be significant when considered in combination with other impact sources.

In accordance with Section 177S of the Planning and Development Act 2000 (as amended) and on the basis of the objective information provided in this report, it is concluded that the proposed project does not pose a risk of causing significant negative any EU site for the following reasons:

- No works are proposed within any of the listed European sites.
- No direct loss, alteration or fragmentation of habitats will occur within any EU sites;
- The site is located sufficiently distant from any EU site to be satisfied that there is no risk of activities associated with the project causing disturbance to qualifying habitats or species.
- Wastewater is to be directed to the Millstreet WWTP which has capacity to take the loading which will be generated from this development.

It is therefore determined that a Stage 2 Appropriate Assessment under Section 177V of the Planning and Development Act 2000 is not required.