

# Comhairle Contae Chorcaí Cork County Council

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	<b>Planning Report</b>
<b>Address</b>	Tawnies Lower, Clonakilty, Co. Cork
<b>Proposal</b>	<ul style="list-style-type: none"> <li>• The construction of a new housing development consisting of 35 No. Residential Units including 1 no. two storey four bed accessible house, 4 no. two storey three bed townhouses, 10 no. two storey two bed townhouses, 6 no. two bed duplex apartments, 4 no. two bed apartments and 10 no. one bed apartments.</li> <li>• Communal bin &amp; bike stores and a total of 49 No. car parking spaces.</li> <li>• Soft landscaping including green spaces, planting, and trees.</li> <li>• Connection to public utilities.</li> <li>• All associated site and ancillary works, including roads, footpaths, drainage.</li> </ul>

Cork County Council is proposing to construct 35 no. social and affordable residential units with 49 no. car parking spaces and associated works at Tawnies Lower, Clonakilty, Co.Cork.

The subject site is located within the settlement boundary of Clonakilty and comprises an undeveloped greenfield site in a primarily residential area. Adjoining developments include Beechmount residential estate to the north, Woodlands residential estate to the south, Beechgrove residential estate to the west and Gaelscoil Mhichíl Uí Choileáin to the east. The subject site is not situated within an area susceptible to flood risk, as identified in the Cork County Development Plan, 2022. The site area is a stated 0.99 ha.

The proposal is accompanied by a suite of reports including an Architectural Design Statement which sets out the design rationale and design statement for the proposal in addition to an Archaeological Assessment, Drainage Impact Assessment, Flood Risk Screening report, Appropriate Assessment Screening report, Ecological Impact Assessment report, a Landscape Plan, engineering reports including a Lighting Plan and a Construction and Environmental Management Plan. A Habitats Directive Appropriate Assessment Screening Determination has screened out the requirement for a Stage 2 Appropriate Assessment. The proposal has been also screened for Environmental Impact Assessment and it has been determined that there is no requirement to submit an Environmental Impact Assessment Report.

Clonakilty is identified as a Key Town in both the Cork County Development Plan, 2022 and the Regional Spatial and Economic Strategy for the Southern Region, 2020. The town is a major growth settlement within the West Cork Municipal District with the Census of Population recording a population of 5,112 for Clonakilty in 2022. To accommodate the population target of 6,162 identified in the Cork County Development Plan, 2022, an additional 600 housing units will be required to 2028 for Clonakilty. As such, the current proposal supports the core strategy of the Cork County Development Plan, 2022 to deliver housing units over the lifetime of the plan within Clonakilty.

The proposed use would be compatible with the zoning objective for the site which provides for "Existing Residential/ Mixed Residential and Other Uses". With a density of 38 units per ha., the proposal would align with national, regional and development plan policies regarding compact growth and would be appropriate for this site, given the design strategy proposed. The proposed development would deliver a good mix of residential units in a convenient location within walking distance of the town centre and essential services. The landscaping plan, new planting and proposals to retain and protect existing trees located on the southern boundary of the

site would provide an enhanced sense of place and would comply with green infrastructure policies set out in the current Development Plan.

As such, the proposed development would be compatible with national and regional planning policy as well as with the objectives of the Cork County Development Plan 2022-2028.



G.O'Mahony  
Senior Planner  
13/03/24

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<b>EIA</b>	
<b>Address</b>	Tawnies Lower, Clonakilty, Co. Cork
<b>Proposal</b>	<ul style="list-style-type: none"> <li>• The construction of a new housing development consisting of 35 No. Residential Units including 1 no. two storey four bed accessible house, 4 no. two storey three bed townhouses, 10 no. two storey two bed townhouses, 6 no. two bed duplex apartments, 4 no. two bed apartments and 10 no. one bed apartments.</li> <li>• Communal bin &amp; bike stores and a total of 49 No. car parking spaces.</li> <li>• Soft landscaping including green spaces, planting, and trees.</li> <li>• Connection to public utilities.</li> <li>• All associated site and ancillary works, including roads, footpaths, drainage.</li> </ul>

Cork County Council is proposing to construct 35 no. dwellings with 49 no. car parking spaces and associated works at Tawnies Lower, Clonakilty, Co.Cork.

The subject site is located within the settlement boundary of Clonakilty and comprises an undeveloped greenfield site in a primarily residential area. Adjoining developments include Beechmount residential estate to the north, Woodlands residential estate to the south, Beechgrove residential estate to the west and Gaelscoil Mhichíl Uí Choileáin to the east. The subject site is not situated within an area susceptible to flood risk, as identified in the Cork County Development Plan, 2022. The site area is a stated 0.99 ha.

A Habitats Directive Appropriate Assessment Screening Determination has screened out the requirement for a Stage 2 Appropriate Assessment.

**EIA**

In considering the requirement for Environment Impact Assessment, the proposed development was assessed under Part 1 of Schedule 5 of the Planning and Development Regulations, 2001 as amended. As the proposed development would not fall under any of the relevant classes set out in Part 1 of Schedule 5, mandatory EIA is not required under Part 1 of Schedule 5 of the Planning and Development Regulations, 2001 as amended.

The proposed development was further reviewed against the classes of development specified in Part 2 of Schedule 5 of the Planning and Development Regulations, 2001 as amended. Class 10(b)(i) of Part 2 of Schedule 5 provides that mandatory EIA is required where more than 500 dwelling units would be constructed. Class 10(b)(iv) of Part 2 of Schedule 5 also provides that mandatory EIA is required for urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.

In the case of the current proposal, the site has an approx. site area of 0.99ha and would provide for the construction of 35 residential units and associated works within an area which is located outside the main business district of Clonakilty Town and which is primarily residential in nature. Accordingly, mandatory EIA is not required under Part 2 of Schedule 5 of the Planning and Development Regulations, 2001 as amended.

As the proposal would comprise of a development of a type that is included in Part 2 of Schedule 5, but which does not equal or exceed the threshold or limits set out in Part 2 of Schedule 5, an Environment Impact Assessment Screening Report accompanies the current proposal. The Environment Impact Assessment Screening Report has had regard to the criteria set out in Schedule 7 of the Planning and Development Regulations, 2001 as amended and has screened out the requirement for an Environment Impact Assessment Report.

Having reviewed and considered the drawings and documentation provided with the proposal and having regard to the nature of the proposal, the submitted information including the Environment Impact Assessment Screening Report, the Planning Statement, the Construction and Environmental Management Plan, the Ecological Impact Assessment Report together with the conclusions of the Habitats Directive Appropriate Assessment Screening Determination and the location of the proposal within a primarily residential area, the proposal would not be likely to have significant effects on the environment and an environmental impact assessment report is, therefore, not required.

In making the determination, regard has been had to the criteria set out in Schedule 7 of the Planning and Development Regulations, 2001 as amended, the Schedule 7A information, the characteristics of the development and its likely significant effects on the environment, the mitigation measures proposed, relevant EU assessments, the distance of the proposal from sensitive ecological sites including European sites and the lack of negative impacts on the qualifying interests of these sites. The Determination is set out in Appendix 1 of this report.



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11/03/24



**Appendix A – EIA Screening Determination**

EIA Screening Determination:		
A. Case Details:		
Proposal:	Proposed Housing development Tawnies Lower, Co. Cork	
Development Summary:	<ul style="list-style-type: none"> <li>• The construction of a new housing development consisting of 35 No. Residential Units including 1 no. two storey four bed accessible house, 4 no. two storey three bed townhouses, 10 no. two storey two bed townhouses, 6 no. two bed duplex apartments, 4 no. two bed apartments and 10 no. one bed apartments.</li> <li>• Communal bin &amp; bike stores and a total of 49 No. car parking spaces.</li> <li>• Soft landscaping including green spaces, planting, and trees.</li> <li>• Connection to public utilities.</li> <li>• All associated site and ancillary works, including roads, footpaths, drainage.</li> </ul>	
	<b>Yes / No / NA:</b>	<b>Comment (if relevant):</b>
Does the application include information specified in Schedule 7A?	Yes	The proposal is supported by an Environmental Impact Assessment Screening report.
Other relevant information submitted:	No	
Does the application include a NIS and/or other reports to enable AA screening?	Yes	The proposal is supported by a Habitats Directive Appropriate Assessment Screening report.
Is an IED/IPC/Waste Licence or Waste Water Discharge Authorisation (or review of licence/authorisation) required from the EPA for the subject development?	No	
If YES has the EPA been consulted?		
Have any other relevant assessments of the effects on the environment been carried out pursuant to other relevant Directives –for example SEA or AA?	No	
B. Examination:		
1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning):		
	If relevant, briefly describe the characteristics of the development (i.e. the nature and extent):	

(a) The size and design of the whole of the proposed development (including any demolition works):	The proposed development is for 35 residential units on a 0.99ha site. No demolition works are proposed.
(b) Other existing or permitted projects (including under other legislation that is subject to EIA) that could give rise to cumulative effects:	Prevailing pattern of development is predominately residential and there are no existing or permitted projects which could give rise to cumulative impacts.
(c) Use of natural resources, in particular land, soil, water and biodiversity:	The construction of the proposed development will require the use of natural resources including soil, sand, land and water. Having regard to the scale and nature of the proposed development, the use of natural resources during construction would not be significant.
(d) Production of waste: <i>Will the proposal produce solid wastes during construction, operation, or decommissioning?</i>	Production of waste would arise as a consequence of site preparation works and the construction phase of the proposed development. The proposal is accompanied by a Construction and Environmental Management Plan (CEMP) which sets out the site management development for the proposal. The proposed residential development would not generate excessive waste beyond typical quantities associated with smaller residential developments.
(e) Pollution and nuisances: <i>Will the proposal release pollutants to ground or surface water, or air (including noise and vibrations) or water, or lead to exceeding environmental standards set out in other Directives?</i>	Potential effects would be limited to the site preparation works and construction phase of the proposed development and could include potential effects on water quality and air quality in addition to vibration, noise, traffic and dust nuisances. The proposal is accompanied by a Construction and Environmental Management Plan (CEMP) which contains mitigation measures to address these effects.
(f) Major accidents and disasters: <i>In accordance with scientific knowledge, is there a risk of major accidents and/or disasters which are relevant to the project, including those caused by climate change?</i>	No risk of major accidents/disasters is identified.
(g) Risks to human health, for example due to water contamination or air pollution	No significant risks have been identified. The proposal is accompanied by a Construction and Environmental Management Plan (CEMP) which contains mitigation measures to address such effects.
<b>2. Location of proposed development:</b>	
The environmental sensitivity of geographical areas likely to be affected by the proposed development:	<b>If relevant, briefly describe the characteristics of the location.</b>
(a) Generally describe the location of the site and its surroundings:	The development would be located in a primarily residential area. The proposal would adjoin existing residential estates to the north, south and west and would adjoin an existing primary school to the east.

<p>(b) Is the project located within, close to or has it the potential to impact on any site specified in Article 103(3)(a)(v) of the Regulations:</p> <ul style="list-style-type: none"> <li>- European site</li> <li>- NHA/pNHA</li> <li>- Designated Nature Reserve</li> <li>- Designated refuge for flora or fauna</li> <li>- Place, site or feature of ecological interest, the preservation, conservation, protection of which is an objective of a development plan/ local area plan/ draft plan or variation of a plan.</li> </ul>	<p>The site of the proposed development is not located within any European site. There are seven Natura 2000 sites within a 15km radius of the site. The three closest Natura 2000 sites include Clonakilty Bay SAC (Site Code:0091), Clonakilty Bay SPA (Site Code: 4081) and Courtmacsherry Bay SPA (Site Code: 04219), which are located 1.3km, 1.2km and 9.3km respectively from the proposed development.</p> <p>The proposal would not pose a risk of significant effects on European sites as no works are proposed within any European site, the proposal would not result in any direct loss, alteration or fragmentation of habitats within European sites and there is no risk of activities associated with the proposed development causing disturbance to qualifying habitats or species having regard to the distance of the proposed development from any European site.</p>
<p>(c) Are there any other areas on or around the location that are important or sensitive for reasons of their ecology e.g. wetlands, watercourses or other waterbodies (including riparian areas and river mouths), the coastal zone and the marine environment, mountains, forests or woodlands, that could be affected by the project?</p>	<p>No.</p>
<p>(d) Is the proposal likely to be highly visible to many people? Are there any areas or features of high landscape or scenic value on or around the location, or are there any routes or facilities that are used by the public for recreation or other facilities which could be affected by the proposal?</p>	<p>The proposed development would not have any significant visual impacts and would be largely screened by existing developments in the near vicinity.</p>
<p>(e) Are there any areas or features of historic or cultural importance on or around the location that could be affected by the project?</p>	<p>There are no known archaeological sites within the site of the proposed development. An archaeological assessment of the site, including geophysical survey and a programme of archaeological test trenching, has been carried out. No previously unknown archaeological monuments were noted during the assessment. The proposed development would not impact on archaeological monuments or protected structures.</p>
<p>(f) Are there areas within or around the location which are densely populated or built-up, or occupied by sensitive land uses e.g. hospitals, schools, places of worship, community facilities that could be affected by the proposal?</p>	<p>The proposed development would adjoin an existing primary school but given the nature of the proposal, it is not expected to be affected by the proposal. Mitigation measures in relation to construction traffic and dust are outlined in the Construction and Environmental Management Plan.</p>

<p>(g) Are there any areas within or around the location which contain important, high quality or scarce resources e.g. groundwater, surface waters, forestry, agriculture, fisheries, tourism, minerals, that could be affected by the proposal?</p>	<p>No.</p>
<p>(h) Are there any areas within or around the location which are already subject to pollution or environmental damage, and where there has already been a failure in environmental standards that could be affected by the proposal e.g. the status of water bodies under the Water Framework Directive?</p>	<p>No.</p>
<p>(i) Is the site located in an area susceptible to subsidence, landslides, erosion, or flooding which could cause the proposal to present environmental problems?</p>	<p>No.</p>
<p>(j) Are there any additional considerations that are specific to this location?</p>	<p>No.</p>
<p><b>3. Types and characteristics of potential impacts:</b></p>	
<p>If relevant, briefly describe the characteristics of the potential impacts under the headings below.  (including where relevant the magnitude and spatial extent of the impact (e.g. geographical areas and size of population likely to be affected), nature of impact, intensity and complexity of impact, probability of impact, and duration, frequency and reversibility of the impact):</p>	<p>If relevant, briefly describe any mitigation measures proposed to avoid or prevent a significant effect.</p> <p>Is this likely to result in significant effects on the environment?</p>
<p><b>Population and human health:</b></p>	
<p>During the site preparation and construction stages, there is potential for temporary minor impacts relating to traffic inconvenience, dust and noise.</p>	<p>Measures and controls are set out in the Construction and Environmental Management Plan (CEMP). No.</p> <p>No.</p>



	significant effects are anticipated.	
<b><i>Biodiversity, with particular attention to species and habitats protected under the Habitats Directive and the Birds Directive.</i></b>		
The proposal would not pose a risk of significant effects on European sites as no works are proposed within any European site, the proposal would not result in any direct loss, alteration or fragmentation of habitats within European sites and there is no risk of activities associated with the proposed development causing disturbance to qualifying habitats or species having regard to the distance of the proposed development from any European site.	Measures and controls are set out in the Construction and Environmental Management Plan (CEMP). No significant effects are anticipated	No.
<b><i>Land, soil, water, air and climate:</i></b>		
The construction of the proposed development will require the use of natural resources including soil, sand, land and water. Having regard to the scale and nature of the proposed development, the use of natural resources during construction would be relatively minor with short-term impacts due to dust and noise emissions.	Any potential impact would be short term and can be managed effectively through measures contained in the Construction and Environmental Management Plan and best practice.	No.
<b><i>Material assets, cultural heritage and the landscape:</i></b>		
There are no known archaeological sites within the site of the proposed development. An archaeological assessment of the site, including geophysical survey and a programme of archaeological test trenching, has been carried out. No previously unknown archaeological monuments were noted during the assessment. The proposed development would not impact on archaeological monuments or protected structures.  The proposed development would be located within a primarily residential area on a 0.99ha site within the development boundary of Clonakilty Town. No significant impacts, including	No significant effects are anticipated.	No.

visual impacts, would occur.		
<b>Cumulative effects:</b>		
The characteristics of the potential impacts are not considered to be significant. There are no long- term negative impacts associated with the project either individually or cumulatively.	Any potential impact would be short term and can be effectively managed through best practice measures.	No.
<b>Transboundary effects:</b>		
Transboundary effects are not applicable to this proposed development.	No mitigation measures are required.	No.
<b>4. Additional Considerations:</b>		
Further relevant information, if any, relating to how the results of any other relevant assessments of the effects on the environment have been taken into account (e.g. SEA, AA screening, AA):	None	
Other relevant information/ considerations of note:	None	
<b>C. Determination:</b>		
No real likelihood of significant effects on the environment.	<b>X</b>	<b>EIAR is not required</b>
Real likelihood of significant effects on the environment.		
<b>D. Main Reasons and Considerations:</b>		
<p>Having regard to the criteria set out in Schedule 7, the information provided in accordance with Schedule 7A of the Planning and Development Regulations 2001, as amended, and the following:</p> <ul style="list-style-type: none"> <li>(a) The nature and scale of the proposed development,</li> <li>(b) The location of the proposal on lands zoned primarily for residential use development under the provisions of the Cork County Development Plan 2022,</li> <li>(c) The location of the proposal in a primarily residential area within the defined settlement development boundary of Clonakilty Town,</li> <li>(d) The conclusions of the Habitats Directive Appropriate Assessment Screening Determination,</li> <li>(e) The accompanying documentation,</li> </ul> <p>it is considered that the proposed development would not be likely to have significant effects on the environment and an environmental impact assessment report is, therefore, not required.</p>		