



An
Bord
Pleanála

Inspector's Report ABP-310814-21

Development	Creation of a public amenity by way of a pedestrian walkway, improved configuration of existing car park to provide 5 additional spaces, a new and improved outdoor public space, installation of a new riverbank walkway, fishing jetty, picnic area and all associated works.
Location	Mill race and public car park, Masseytown Road and the lands west of the Sullane River, Macroom, Co. Cork
Planning Authority	Cork County Council
Developer	Cork County Council
Applicant	Kevin Corcoran
Type of Case	EIA Screening Determination
Date of Site Inspection	9 th September 2021
Inspector	Niall Haverty

1.0 Introduction

- 1.1. Under the provisions of Article 120(3)(b) of the Planning and Development Regulations 2001, as amended ('PDR'), Kevin Corcoran is seeking a determination from An Bord Pleanála as to whether or not a proposed development, described as the creation of a public amenity by way of a pedestrian walkway, improved configuration of existing car park to provide 5 additional spaces, a new and improved outdoor public space, installation of a new riverbank walkway, fishing jetty, picnic area and all associated works on a site at Masseytown Road and lands west of the Sullane River in Macroom, Co. Cork, would be likely to give rise to significant effects on the environment, and thereby require the preparation of an Environmental Impact Assessment Report (EIAR). Cork County Council is of the opinion that the works do not require an EIAR and has initiated the process set out in Part XI of the Planning and Development Act 2000, as amended ('PDA'), and Part 8 of the PDR.

2.0 Site Location and Description

- 2.1. The site within which the proposed development would be undertaken is located in Macroom Town Centre, and comprises lands located between the western bank of the Sullane River and Masseytown Road. It incorporates an existing car park adjacent to the river, parts of a public park that follows the western bank of the river and portions of Masseytown Road, including an existing mill race which runs along the western side of Masseytown Road. The mill race comprises a sunken former watercourse, which is heavily overgrown and bounded by c. 0.6m high stone walls. The proposed works area is stated to have an area of 0.9075 ha.

3.0 Proposed Development

3.1. Overview

- 3.1.1. The proposed development is described in the Part 8 statutory notices as follows:

“The proposed works are to create a public amenity within the millrace by way of pedestrian walkway, improved reconfiguration of existing car park to provide 5 no. additional spaces, a new and improved outdoor public space,

installation of a new riverbank walkway, accessible fishing jetty and outdoor picnic area, including all associated site works.

The works to Masseytown Road require part demolition of the millrace walls, clearing and reinstatement of the millrace, realignment of the Masseytown Road to include a reduced road width, provision for on street carparking and increased footpath widths. The works to the carpark consists of reconfiguration of the existing layout, reclaiming and resurfacing of lands near the river, removal of trees and reinstatement of appropriate urban tree species and new footpath link to the riverbank walk.

The proposed works are not within an ACA but are in relative proximity to the Macroom Oat Mill, a Recorded Monument No. CO 071-047002, and are assumed to be within the zone of notification.”

3.2. Part 8 Application

3.2.1. The proposed development is the subject of a Part 8 application. The documentation associated with the Part 8 application included, *inter alia*:

- Architectural and planning drawings, prepared by Cork County Council.
- Architectural Design Statement, prepared by Cork County Council.
- Ecological Impact Assessment, prepared by Dixon Brosnan Environmental Consultants.
- Archaeological Appraisal, prepared by Daniel Noonan Archaeological Consultancy.
- Report in Support of EIA Screening, prepared by Dixon Brosnan Environmental Consultants.
- EIA Screening Determination, prepared by Dixon Brosnan Environmental Consultants.
- Habitats Directive Appropriate Assessment Screening Determination, prepared by Cork County Council.
- Invasive Species Management Plan, prepared by Dixon Brosnan Environmental Consultants.

3.2.2. The following Planning Authority report relating to the Part 8 application were submitted:

- **Archaeology Officer:**

- Mill race is considered an integral part of the Corn Mill to the north which is a recorded archaeological monument.
- The mill is still operating but the mill race appears to be intact but is overgrown and no longer carries water.
- Assessment undertaken is satisfactory and concur with mitigation measures and conclusion.
- Re-use of the mill race as a walkway retains and restores the mill race and highlights an important heritage feature in the town.

3.2.3. The following prescribed body submission was submitted:

- **Inland Fisheries Ireland:**

- Proposed development is welcomed.
- Lighting should not provide additional illumination on the Sullane River.
- In-stream works should be limited to May to September.
- Should potential walkway under the bridge proceed to design stage, early consultation with IFI should occur.

4.0 Request for Determination

4.1. Applicant's Request

4.1.1. A request was submitted by Kevin Corcoran seeking a determination from the Board as to whether EIA would be required for the proposed development. The issues raised in the request can be summarised as follows:

- A historic and unique architectural structure that has been an integral part of Macroom's environment and eighteenth-century industrial heritage, and which brought nature and wildlife into the heart of the town is being removed.

- Mill race should be restored to working condition rather than modified or downgraded.
- Infilling of part of mill race is shamefully destructive for heritage, the environment and nature for the sake of cars.
- Piecemeal development is systematically destroying heritage sites, a key component of a community's environment.
- Filling in part of mill race makes the remainder redundant and by cutting off the potential for water to flow, the entire weir and mill race will gradually collapse into irretrievable decay.
- Board is requested to intervene and demand that an EIA be effected [sic] with a view to investigating the possibility of restoring the entire mill race system and reintroducing nature into the heart of the town.

4.1.2. Mr Corcoran included a copy of his submission on the Part 8 application with his request. The submission notes the loss of other mill races in Macroom and reiterates the points made in Mr Corcoran's request to the Board, regarding the architectural, cultural and natural heritage importance of the remaining mill race.

4.2. **Schedule 7A Information (EIA)**

4.2.1. Schedule 7A of the PDR relates to information to be provided for the screening of sub threshold development for the purposes of EIA. The planning authority was requested to submit the information set out in Schedule 7A of the PDR, to submit a copy of the documentation relating to the Part 8 application, and to make any submissions or observations they may have in relation to the matter.

4.2.2. In response to the Board's request, the Planning Authority submitted a copy of the documentation and drawings associated with their Part 8 application. Their cover letter to the Board, dated 3rd August 2021, states that they have considered suspending the completion of the Part 8 process until after the Board's consideration has concluded, however they are "satisfied that a multi-disciplinary approach was adopted internally, and due diligence was carried out with regard to the multiple aspects pertaining to this considered development".

- 4.2.3. With regard to the requested Schedule 7A information, the Planning Authority submitted a document entitled 'Schedule 7A Requested Information' (dated 23rd July 2021), which cross-references the reports prepared for the Part 8 application. The Planning Authority also submitted copies of internal email correspondence between departments and consultants, associated with the preparation of the Part 8 application.

5.0 Planning History

- 5.1. With the exception of the abovementioned Part 8 application on the site, I am not aware of any recent relevant planning history on the site.
- 5.2. The Ecological Impact Assessment states that the proposed development is one of three separate improvement projects planned within Macroom Town Centre. The other two projects involve Middle Square and the Church of Ireland buildings, both of which are located to the east of the proposed development site. I note that there is a current Part 8 application for the Middle Square public realm enhancement project.

6.0 Policy Context

6.1. Development Plan

- 6.1.1. Macroom is identified as a 'Ring Town' in the Cork County Development Plan 2014. The strategic aim for Ring Towns is "to provide a better balance of development throughout the Greater Cork Ring Area, and fulfil their economic potential as quality urban centres providing employment, shopping, services and public transport for their rural hinterland so that they can become the location of choice for most people especially those with an urban employment focus".
- 6.1.2. Section 1.1 of the Blarney Macroom Municipal District Local Area Plan 2017 states that the Macroom Town Development Plan 2009 remains in force for the town centre area pending the adoption of the next County Development Plan.
- 6.1.3. The following Policies and Objectives of the Macroom Town Development Plan 2009 are noted:

- **BHP1:** Promote the protection of the built environment of Macroom which is of architectural heritage merit by:
 - identifying structures of special architectural heritage interest,
 - including them in the Record of Protected Structures, and
 - taking such steps as are necessary to ensure the protection of these structures.
- **BH3:** Protect important non-structural elements which contribute to the significance of the built heritage. These elements include historic gardens, stone walls, landscapes, demesnes, curtilage features, historic landscaping and street furniture. The Town Council will promote awareness and best practice in relation to these elements.
- **AP1:** Preserve and protect the archaeological sites listed in this plan along with any archaeological remains discovered but not yet recorded.
- **NEP1:** Protect and enhance the unique environmental setting of Macroom, particularly its relationship with the River Sullane.
- **NEP2:** Ensure that the River Sullane and its tributaries, including their riparian corridors and associated habitats and species, are protected, enhanced and kept free from pollution. Protect the area along the channel of the Sullane, its bankside and flood plains from development.
- **NEP5:** Ensure minimum impact to local flora and fauna by new or existing developments in the area.
- **OSP7:** Promote greater public access to, and public awareness of, existing areas of open space, in particular the green corridor along the River Sullane.

6.1.4. The Architectural Design Statement submitted with the Part 8 application identifies a series of Policies and Objectives of the Draft Cork County Development Plan 2022-2028 which it considers to be supportive of the proposed development. I note, however, that the Plan is not yet adopted.

6.2. Natural Heritage Designations

6.2.1. The site is not located within or adjacent to any sites with a natural heritage designation. There are five European Sites within 15km of the site, as follows:

- The Gearagh SAC (Site Code 000108): 1.7km to the south.
- The Gearagh SPA (Site Code 004109): 2.3km to the south west.
- Mullaghanish to Mushermore Mountains SPA (Site Code 004162): 6.4km to the north west.
- St Gobnet's Wood SAC (Site Code 000106): 14.5km to the north west.
- Mullaghanish Bog SAC (Site Code 001890): 15km to the north west.

6.2.2. I note that the Sullane River which is adjacent to the proposed works area is not located within a designated site. It is, however, a tributary of the River Lee, which ultimately connects to Cork Harbour SPA (Site Code 004030) c. 40km east of Macroom.

6.2.3. In addition to the European Sites listed above, there are 7 No. NHAs or pNHAs within 15km of the site, the closest being The Gearagh pNHA, 1.7km to the south. The Gearagh is also identified in the Ecological Impact Assessment as being a Ramsar site.

7.0 Legislation and Guidelines

7.1. Planning and Development Act 2000, as amended

7.1.1. **Section 172(1)** states that an EIA shall be carried out in respect of certain applications for consent for proposed development. This includes applications for 'sub threshold' development, namely those which are of a Class specified in Part 2 of Schedule 5 of the PDR, but do not exceed the relevant quantity, area or other limit specified and the competent authority determines that the proposed development would be likely to have significant effects on the environment.

7.1.2. **Section 172(1A)** specifies that the above is relevant to development that may be carried out by the local authority under Part X.

7.2. **Planning and Development Regulations 2001, as amended**

- 7.2.1. **Article 120(3)(b)** states that any person at any time before the expiration of 4 weeks beginning on the date of publication of the notice may apply to the Board for a screening determination as to whether a development proposed to be carried out by a local authority would be likely to have significant effects on the environment.
- 7.2.2. **Article 120(3)(c)** indicates that such applications for screening determination shall state the reasons for the forming of the view that the development would be likely to have significant effects on the environment and shall indicate the class in Schedule 5 within which the development is considered to fall.
- 7.2.3. **Schedule 5** sets out the classes of development where EIA is required.
- Part 1: Sets out the development classes which are subject to mandatory EIA.
 - Part 2: Sets out development classes subject to EIA where they exceed a certain threshold in terms of scale or where the development would give rise to significant effects on the environment.
- 7.2.4. **Schedule 7** sets out the criteria for determining whether a development would, or would not be likely to have significant effects on the environment, under three headings:
1. Characteristics of the proposed development.
 2. Location of the proposed development.
 3. Types and characteristics of potential impacts.
- 7.2.5. **Schedule 7A** relates to information to be provided by the applicant or developer for the screening of sub-threshold development for the purposes of EIA.

8.0 **Assessment**

8.1. **Introduction**

- 8.1.1. The proposed development comprises works to create a public amenity in Macroom Town, through the conversion of the mill race to a pedestrian walkway, reconfiguration of an existing car park, creation of open areas and a new riverbank walkway, a fishing jetty and outdoor picnic area and ancillary associated site works. I

note that the applicant's request for an EIA screening determination focuses on the proposed works to the mill race, however the project as a whole will be considered in this assessment.

- 8.1.2. The proposed works to Masseytown Road, along which the mill race is located, include part demolition of the mill race walls, clearing and reinstatement of the mill race, reduction of road width and provision of on-street carparking and increased footpath widths.
- 8.1.3. The question for determination by the Board is whether the proposed development requires environmental impact assessment to be carried out. An EIA Screening report and screening determination letter supported the Planning Authority's Part 8 application, and a copy was submitted to the Board. These state that the proposed development is not considered to be of a class set out in Annex I or II of the Directive or Schedule 5, Part 1 and Part 2 of the PDR. It concludes that there is no real likelihood of significant effects on the environment arising from the proposed development and that an EIAR is not required in respect of the proposed development.
- 8.1.4. The following matters are considered relevant in the assessment of whether the submission of an EIAR is required:
 - Assessment of project type/class of development under Schedule 5 of the PDR relevant to the proposed development.
 - Assessment of relevant thresholds under Part 2 of Schedule 5 of the PDR.
 - Assessment of proposed development under the criteria set out Schedule 7 of the PDR.

8.2. Relevant Project Types / Class of Development

- 8.2.1. The applicant seeking a determination has not indicated the class in Schedule 5 of the PDR within which he considers that the proposed development falls, while the Planning Authority contends that the proposed development does not fall within any of the classes listed in Schedule 5.
- 8.2.2. Having reviewed the details of the proposed development and the relevant legislation, I consider that it constitutes an infrastructure project, comprising the

creation and improvement of a public amenity in an urban area within the identified development boundary for Macroom Town. Therefore, I consider that the only class of development which would be potentially applicable to the proposed development is class 10(b)(iv) of Part 2 of Schedule 5 of the PDR:

“Urban development which would involve an area greater than 2 hectares in the case of a business district¹, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.”

8.3. Assessment of Relevant Thresholds under Part 2 of Schedule 5 of the PDR

- 8.3.1. The threshold cited under Class 10(b)(iv) in the PDR is 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’. The proposed development would be accommodated on a site of less than 1 hectare. Therefore, while the proposed development is of a Class listed in Part 2, it is sub-threshold for mandatory EIA.
- 8.3.2. An assessment as to whether the proposed development should be subject to EIA having regard to the criteria set out Schedule 7 of the PDR is set out below.

8.4. Assessment of the Proposed Development under the Criteria set out in Schedule 7 of the PDR

- 8.4.1. As noted above, Schedule 7 of the PDR lists the criteria for determining whether a development would or would not be likely to have significant effects on the environment under the following headings:
1. Characteristics of proposed development.
 2. Location of proposed development.
 3. Types and characteristics of potential impacts.
- 8.4.2. Each of these criteria is assessed below.

¹ The PDR states that “business district” means a district within a city or town in which the predominant land use is retail or commercial use.

8.5. Characteristics of proposed development

Size and design of proposed development

- 8.5.1. The proposed development, which is described in Section 3 above, comprises works on lands with a stated area of c. 0.9075 ha. The lands in question primarily comprise public road, the mill race, parkland and an existing car park. I therefore consider that the lands in question are not part of a 'business district' but are instead 'other parts of a built-up area', where the threshold for mandatory EIA is 10 ha.
- 8.5.2. The proposed development generally comprises limited improvements to existing public amenities, including the car park and riverside park area. The existing mill race is overgrown and no longer in operation and the works required to convert it to a pedestrian pathway are relatively limited, and generally comprise the removal of vegetation, repair of the stone walls, creation of openings and infill with sand and paving to raise and level the base.
- 8.5.3. Having regard to the size/scale of the proposed development, which is significantly below the thresholds set out in Part 2 of Schedule 5 of the PDR, and which generally entails the improvement of existing public amenities, I do not consider that a requirement for EIA arises.

Potential for cumulative impacts with other existing and/or approved projects

- 8.5.4. The development site is located in Macroom Town Centre and is surrounded by established residential and commercial development.
- 8.5.5. The Ecological Impact Assessment states that the proposed development is one of three separate improvement projects planned within Macroom Town Centre. The other two projects involve enhancement of the public realm in Middle Square and the Church of Ireland buildings, both of which are located to the east of the proposed development site. I note that there is a current Part 8 application for the Middle Square project.
- 8.5.6. Based on the information available, including the nature and scale of the proposed development, the existing site context and the separation distance and lack of any functional connection with the other proposed improvement projects in Macroom, it is considered unlikely that these cumulative impacts would be of a magnitude that would generate the need for EIA.

Nature of any demolition works, use of natural resources, production of waste, pollution and nuisances

- 8.5.7. There are three areas where demolition works are proposed. The document entitled 'Schedule 7A Requested Information' states that a total of c. 25m of the 0.6m high perimeter stone walls of the mill race will be removed at two locations. These walls are stated to be non-original and dating from the 20th century. The remaining fabric of the walls and mill race will be repaired and consolidated as required. The third area where demolition is proposed is at the existing car park where low stone plinth walls around two trees are to be removed.
- 8.5.8. Waste will arise from the proposed demolition works and some waste is also likely to arise from the construction works. Having regard to the design and scale of the development, the volume of waste generated is not likely to be significant.
- 8.5.9. The nature and scale of the proposed development, which comprises improvements to public amenities and works to an existing mill race would not result in a significant use of natural resources.
- 8.5.10. The potential for pollution and nuisance arising from a development of this scale would be limited. The construction phase will result in noise, dust, and traffic related impacts with the potential to cause nuisance and impact on the amenities of nearby dwellings. However, these impacts will be temporary and short lived and can be readily controlled as part of a standard construction management plan.
- 8.5.11. I consider that a project of the scale proposed has limited potential for significant effects arising from the use of natural resources, the production of waste or the generation of pollution and nuisance to warrant EIA.

Risk of major accidents and/or disasters including those caused by climate change

- 8.5.12. Having regard to the location, nature, scale and characteristics of the proposed development, comprising the creation/improvement of public amenities in Macroon Town Centre, it is considered that there is negligible risk of a major accident and/or disaster.

Risk to human health

- 8.5.13. I do not consider that there are any likely significant risks to human health associated with the proposed development. Potential risk to human health arising from water

contamination, air pollution, noise etc. during the construction phase is considered to be readily controllable through standard good practice construction methods and not of a magnitude to generate a requirement for EIA.

8.6. Location of proposed development

Existing and approved land use

- 8.6.1. As noted above, the proposed development primarily comprises improvements to existing public amenities and does not entail a change of land use. The proposed change of the disused mill race to a pedestrian pathway is to be undertaken in a manner that it is generally reversible and which will complement the residential and amenity uses in the area. I am satisfied that no significant adverse impacts in relation to land use are likely to arise.

Relative abundance, availability, quality and regenerative capacity of natural resources

- 8.6.2. As noted in Section 6.2 above, there are a number of designated natural heritage sites within the identified 15km Zone of Influence (Zol) of the proposed development. Potential impacts on these sites are considered in the Ecological Impact Assessment (EclA) and Habitats Directive Appropriate Assessment Screening Determination submitted as part of the Part 8 application. The only European Site with a hydrological connection to the site is St Gobnet's Wood, however this is upstream of the site with no pathway for impacts on the woodland habitats for which it is designated. The adjacent Sullane River, which is not a designated site, is a tributary of the River Lee and ultimately connects to Cork Harbour SPA c. 40km to the east of Macroom. Given this separation distance, which is well beyond the likely Zol for the proposed development, no impact on the natural resources of Cork Harbour are likely.
- 8.6.3. While the Sullane River is not a designated salmonid river, the EclA states that it is known to hold populations of salmonids, including Brown Trout and Atlantic Salmon. The River Lee, c. 7.4km downstream of the site, is a designated salmonid river. The Sullane River is also known to accommodate Freshwater Pearl Mussels. The most recent EPA biological monitoring of the Sullane River indicates that water quality is High (Q4-5) upstream of the site and Good (Q4) downstream of the site.

- 8.6.4. Habitat surveys and mapping undertaken as part of the EclA found that habitats were generally of Local importance and included, inter alia, Treelines, Amenity Grassland, Ornamental/Non-native Shrub, Buildings and Artificial Surfaces and Recolonising Bare Ground. The only exception was the Sullane River, a Depositing Lowland River of County importance.
- 8.6.5. No rare species of flora were recorded during the site survey. Potential otter tracks were noted, but the level of disturbance by people and dogs makes it unlikely that a breeding holt is present in the area. A variety of bat species were recorded feeding in the vicinity of the site, but it is stated that the trees within the site do not provide suitable roosting habitat for bats. A number of other mammals are recorded as occurring in the grid square within which the site is located. These include, inter alia, Badgers, Hedgehogs, Stoat, Red Squirrel and Pine Marten.
- 8.6.6. Breeding bird surveys undertaken found a diverse mix of bird species, with a total of 21 species recorded. This included one Annex I species (Common Kingfisher), one Red List species (Grey Wagtail) and four Amber List species (Goldcrest, House Sparrow, Mallard and Swallow). The mix of treelines, woodland, grassland and the river are considered likely to have value as nesting and roosting sites for breeding birds.
- 8.6.7. A number of high impact invasive species are recorded in the grid square within which the site is located, and Japanese Knotweed was recorded at several locations on the western banks of the Sullane River. A number of other invasive species, including Winter Heliotrope, Buddleia and Cherry Laurel were also recorded within the site.
- 8.6.8. The proposed development primarily relates to improvement works to existing public amenities within the site. There will be a small permanent loss of terrestrial habitat of Local importance, and potential impacts on terrestrial and aquatic habitats and species may arise during construction due to pollution, disturbance, noise, spread of invasive species etc. In the operational phase, the improved amenities are likely to result in increased pedestrian activity, noise and lighting.
- 8.6.9. The proposed development is limited in scale and extent and will not result in the loss of any high value habitats. However, while the habitats affected are not of high value, they are a resource for various species of flora and fauna. Nevertheless, given

the nature of the development and the town centre location of the site, where there is an existing level of disturbance from pedestrian activity, dog walking etc. and noting the range of mitigation measures outlined in the EclA, it is unlikely that significant effects would arise.

- 8.6.10. Overall, the nature of the proposed development is such that the natural resources used in the proposed development are limited and there would be minimal ongoing use of natural resources from the proposed use of the site. There is, therefore, no potential for significant effects.

The absorption capacity of the existing environment

- 8.6.11. The site is located within the built-up area of Macroom adjacent to existing residential and commercial development and includes part of the public road, a car park, a mill race structure and parts of a public park. The River Sullane is adjacent to the works area and, while it is not a river with any natural heritage designation, it does support salmonid species, Freshwater Pearl Mussels and provides suitable habitats for various terrestrial mammals as well as various bats and birds. The park area similarly supports various species, while a number of invasive species have also been identified within the site. The Local Authority has screened the development for appropriate assessment and has prepared an Ecological Impact Assessment and Invasive Species Management Plan to address biodiversity issues arising and to identify suitable mitigation measures and construction methodologies. I note that the site does not have any hydrological or other connections to any Natura 2000 sites within the identified 15km Zone of Influence, with the exception of St Gobnet's Wood which is located upstream. I consider 15km to be a reasonable Zol given the nature and scale of the proposed development.

- 8.6.12. The proposed development incorporates works to a disused and overgrown mill race which runs along Masseytown Road in order to repair and stabilise the structure and convert it to use as a pedestrian pathway. This will entail the loss of a relatively small part of the historic fabric of the mill race and the infill of the channel to provide a paved surface. The Archaeological Appraisal accompanying the Part 8 application states that the mill race was associated with Macroom Flour Mill, an archaeological Recorded Monument (CO071-047002), and it outlines the works required and the mitigation measures proposed to protect the archaeological and industrial heritage

characteristics of the mill race. Noting that the majority of the works are reversible, that the mill race is currently overgrown and non-functional and that the proposed development will make this heritage site more accessible and notable within the local environment, I do not consider that it will give rise to significant effects on the environment.

- 8.6.13. In summary, I consider that the site has the capacity to absorb the proposed development without generating significant effects on the environment and the requirement for EIA.

8.7. Types and Characteristics of the Potential Impact

Nature, magnitude and extent of the impact

- 8.7.1. The extent of the impact in terms of geographical area and the size of the population likely to be impacted is limited to the immediate area of Macroom where the development will be located.
- 8.7.2. There is potential for impacts on air and climate and noise and vibration to occur during the construction phase. Having regard to the temporary nature of the works, these impacts would be short term and capable of effective mitigation through good construction practice.
- 8.7.3. There will be some visual impact associated with the removal of vegetation from the mill race and its repair and lighting, as well as from the works within the public park and along Masseytown Road. These impacts will largely be positive but are not likely to be significant. Arising from its scale and location, the proposed development is not likely to give rise to significant impacts on landscape quality.
- 8.7.4. In terms of biodiversity, the proposed development will result in some loss/disruption of habitats existing on site and disturbance/displacement of species using the site. These habitats include amenity grassland, treelines, ornamental/non-native shrubs, buildings and artificial surfaces and a depositing lowland river. Species include various bird, bat, other mammal and aquatic species, as identified above. The proposed development also has the potential to mobilise and spread invasive species that are present on the site. A series of measures are identified in the Ecological Impact Assessment and the Invasive Species Management Plan to address and mitigate these impacts. Having regard to the nature and scale of the

proposed development, it is not considered that significant adverse impacts on biodiversity are likely to arise.

- 8.7.5. The proposed development will result in limited impacts on land and soil which will be negligible having regard to the limited size of the site and the works proposed. While the site is adjacent to the River Sullane, with a consequent risk of sediment or pollutants entering the river, the implementation of standard good practice construction methods as outlined in the Ecological Impact Assessment will be adequate in my opinion to ensure that there is no significant risk to surface water quality during the construction phase. I note in this regard that Inland Fisheries Ireland is supportive of the proposed development, subject to certain requirements.
- 8.7.6. The site is not located within or in the vicinity of any European Sites, and there are no hydrological or other connections to any of the sites within the 15km Zone of Influence, with the exception of St Gobnet's Wood which is located upstream. There will be no direct impacts on any of these designated sites arising from the construction or operational phase of the development.
- 8.7.7. There is potential for impacts on cultural heritage, primarily as a result of the proposed works to the mill race structure which is associated with recorded monument CO071-047002 (Macroon Flour Mill). The Archaeological Appraisal included with the Part 8 application outlines the proposed works to the mill race and recommends mitigation and construction phase monitoring measures. The identified measures are relatively standard requirements to protect the archaeological resource. Whilst the proposed development will alter the setting, appearance and use of the mill race, it is considered that it has the potential to enhance the site and potentially improve the public's appreciation of this cultural heritage resource. There are also a number of protected structures in the vicinity, but the proposed development is not likely to negatively impact on the setting, integrity or character of these structures.
- 8.7.8. Arising from these limited impacts, the nature and scale of the development and its relationship with the surrounding land uses, it is not considered that the proposed development would have significant impacts on the environment.
- 8.7.9. There is potential for interactions between environmental factors, notably between land, biodiversity and cultural heritage. Subject to the identified mitigation measures,

it is not considered that these interactions would give rise to likely significant additional environmental impacts.

Probability, intensity and complexity of impacts

- 8.7.10. The proposed development will result in the loss of a small area of habitat and disruption to other habitats including treelines and grassland areas. Temporary noise, dust and traffic impacts may also arise and there is a risk of water pollution to the Sullane River or the spread of invasive species. Having regard to the limited scale of the proposed development and noting the mitigation measures outlined in the Part 8 application it is considered that the nature of the environmental impacts during the construction phase are not particularly complex or intense.

Expected onset, duration, frequency and reversibility of the impact

- 8.7.11. Having regard to the nature of the proposed development, it is expected that the impacts will be on-going, long term and will generally only be reversible if the constructed elements of the scheme are removed. In particular, I note that the proposed works to convert the mill race to a pedestrian pathway have been designed to be broadly reversible, through the use of sand to raise the level of the mill race and to provide a base for paving. The construction phase impacts will be of short duration and limited frequency.

Transboundary nature of impact

- 8.7.12. There will be no transboundary impacts associated with the proposed development.

Cumulation of Impact

- 8.7.13. The development site is located in Macroom Town Centre and is surrounded by established residential and commercial development. The only projects that I am aware of in the vicinity with the potential to result in a cumulation of impact are the two other separate improvement projects planned within the Town. Those projects involve enhancement of the public realm in Middle Square and the Church of Ireland buildings, both of which are located to the east of the proposed development site. I note that there is a current Part 8 application for the Middle Square project.
- 8.7.14. Based on the information available, including the nature and scale of the proposed development, the existing site context and the separation distance and lack of any functional connection with the other proposed improvement projects in Macroom, I

do not consider that impacts associated with the proposed development in cumulation with other projects would be sufficiently significant as to require EIA.

8.7.15. Possibility of effectively reducing impact

8.7.16. Implementation of standard best practice methodologies during the construction phase of the proposed development will result in a reasonable probability of effectively reducing potential impacts.

9.0 Recommendation

9.1. Having regard to the above assessment, I consider that the proposed development of a public amenity including a pedestrian walkway on the existing mill race, improved configuration of an existing car park, new/improved outdoor public space, installation of a new riverbank walkway, fishing jetty, picnic area and all associated works on lands located between the western bank of the Sullane River and Masseytown Road would not be likely to have significant effects on the environment. I therefore recommend that Cork County Council be advised that the preparation and submission of an environmental impact assessment report is not required in respect of the proposed development.

10.0 Reasons and Considerations

Having regard to the following:

- (a) The criteria set out in Schedule 7 and the information provided in Schedule 7A of the Planning and Development Regulations 2001, as amended,
- (b) The limited nature and scale of the proposed development which is significantly under the threshold in respect of Class 10b(iv) (Infrastructure – Urban Development) of the Planning and Development Regulations 2001, as amended,
- (c) The location of the site and the existing pattern of development in the vicinity,
- (d) The limited potential for significant impacts arising from the proposed development,

(e) The submissions made by the applicant requesting a determination and by the local authority, and

(f) The report and recommendation of the Inspector,

It is considered that the proposed development would not be likely to have significant effects on the environment and, accordingly, that the preparation and submission of an environmental impact assessment report is not, therefore, required.

Niall Haverty

Senior Planning Inspector

16th September 2021