



An  
Bord  
Pleanála

## Inspector's Report

### ABP-314940-22

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<b>Development</b>	Repair and Rehabilitation of the existing bridge structure of Glyntown Bridge.
<b>Location</b>	East Cliff Road, Glanmire, Cork City.
<b>Local Authority</b>	Cork City Council
<b>Type of Application</b>	Application for approval made under Section 177(AE) of the Planning and Development Act, 2000 (local authority development requiring appropriate assessment)
<b>Prescribed Bodies</b>	No responses
<b>Observer(s)</b>	No observations
<b>Date of Site Inspection</b>	7 <sup>th</sup> September 2023
<b>Inspector</b>	Paul Caprani

## Contents

1.0 Introduction.....	3
2.0 Site and Location.....	3
3.0 Proposed Development.....	4
4.0 Planning History.....	6
5.0 Legislative and Policy Context.....	6
6.0 Consultations.....	10
7.0 Assessment.....	10
8.0 EIA Screening Examination.....	29
9.0 Recommendation.....	31
10.0 Reasons and Considerations.....	31

## 1.0 Introduction

1.1. Cork City Council is seeking approval from An Bord Pleanála to undertake repair and rehabilitation works to Glyntown Bridge which is c.1.8km upstream of the Cork Harbour SPA (site code 004030) which is a designated European site. There are several other designated European sites (SPAs and SACs) in proximity to the proposed works (see further analysis below). A Natura Impact Statement (NIS) and application under Section 177AE was lodged with the Board by the Local Authority on the basis of the proposed development's potential (in the absence of mitigation) to have likely significant effects on a European site.

1.2. Section 177AE of the Planning and Development Act 2000 (as amended) requires that where an appropriate assessment (AA) is required in respect of development by a local authority, the authority shall prepare an NIS and the development shall not be carried out unless the Board has approved the development with or without modifications. Before making a decision in respect of a proposed development under this section, the Board shall consider—

(a) the Natura impact statement submitted pursuant to *subsection (1)* or *(5)(a)(ii)*, any submission or observations made in accordance with *subsection (4)* or *(5)* and any other information furnished in accordance with *subsection (5)* relating to—

(i) the likely effects on the environment of the proposed development,

(ii) the likely consequences for proper planning and sustainable development in the area in which it is proposed to situate the said development of such development, and

(iii) the likely significant effects of the proposed development upon a European site.

## 2.0 Site and Location

2.1. Glyntown Bridge is situated in Glanmire a village/suburban area, c. 7km northeast of Cork City centre and c. 0.6km east of the M8 Cork – Dublin motorway. The bridge is a stone cut, 3-span masonry arch bridge which allows pedestrian and vehicular traffic to traverse the Butlerstown River on the L-2998 - East Cliff Road, c. 50m east

of the confluence of the Glashaboy River. The bridge spans the Butlerstown River (EPA name Butlerstown 19), which is a 4th order river that is lined on both sides by riparian woodland. The Butlerstown River flows into the Glashaboy River c.40-50m downstream of the bridge. A cutwater<sup>1</sup> is located on the eastern (upstream) side of the bridge.

- 2.2. The bridge is located in within the Glashaboy [L.Mahon]\_SC\_010 subcatchment of the Irish River Network System, which is located in the Lee, Cork Harbour and Youghal Bay catchment. The bridge delineates two sub basins: Butlerstown\_030 and Glashaboy (Lough Mahon) 030. The Butlerstown River (Butlerstown 19) flows beneath the Glyntown Bridge, in a westerly direction before linking up with the Glashaboy River before discharging into Lough Mahon (the inner/upper part of Cork Harbour) to the immediate west of Little Island.
- 2.3. Brookville residential estate and Capwell Industrial Estate are located on the southern side of the bridge and Sarsfield's G.A.A Club and extensive woodland and green space are the predominant land uses immediately to the north of the bridge. A Lidl store is located to the immediate northeast of the bridge and an area of cleared ground/open site is located to the immediate south west of the bridge. This area to the southwest is to accommodate the temporary site compound to facilitate the proposed works.

### 3.0 Proposed Development

- 3.1. The proposed development will comprise of the following:
  - Installation of temporary site facilities to service the site and a maximum five to ten site personnel. A temporary site compound, requiring no permanent installations, will be set up in the hardstanding area to the southeast of the bridge.
  - Vegetation removal - Japanese knotweed, present on the northern bank to the east of the bridge, will remain in-situ and will be treated as part of the existing Cork City Council treatment regime. Spandrel walls, wing walls, parapets and

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<sup>1</sup> The cutwater is a wedge-shaped projection on the base of the pier of the bridge, which divides the flow of water and prevents debris becoming trapped against the pier and also prevents river flow vortices which during periods of fast flow can undermine the structural integrity of the pier.

barrel arches will be cleared of vegetation and algae to allow for stonework repointing. Tree trunks will be removed from or treated in-situ where necessary. Where trees are to be removed, parapet demolition will be conducted to access the tree's root system. The parapets will be demolished using a pneumatic drill.

- Parapet repair - small sections of the parapet walls will require demolition to good stone sections and subsequent rebuilding. These include damaged parapet walls on the traffic side of the northeast of the bridge and locations where tree trunks can be removed close to the carriageway level. These works will be conducted from the bridge deck. Stonework to replace removed sections will be rebuilt with 'Natural Hydraulic Lime (NHL) 3.5 mortar' to match the existing stonework.
- Invasive species treatment - The section of Japanese Knotweed to the Northeast of the structure is to be treated in-situ and an exclusion zone set up during construction works. These works should be carried out in accordance with the Invasive Species Management Plan. Any removed material should be disposed of in a licensed facility.
- Pier cutwater repair – The eastern cutwater is in very poor condition and is to be replaced. Cutwater will be demolished down to good stone. If good stone cannot be located, then the cutwater will be underpinned with a concrete base. On top of the good stone/concrete foundation, the cutwater will be rebuilt. For these works, the river will need to be partially dammed (coffer dam of pea gravel bags and geosynthetic textile) to encourage the flow under the remaining arches. Cutwater repair will occur over a period of 2.5 weeks.
- Repointing - whole structure will require repointing (spandrel wall, wing walls, barrel arches and parapets). The repointing will require all loose mortar, soil and deleterious materials to be brushed out of the joints.

Construction materials and volumes will consist of:

- Cast In-situ Concrete 3m<sup>3</sup>
- NHL Lime Mortar 1.5m<sup>3</sup>
- Stone for Repairs 3.5m<sup>3</sup>

### 3.2. **Documents Accompanying the 177AE Application.**

3.3. The following documents were submitted to accompany the application:

- Report to inform Screening for Appropriate Assessment (AA) and Natura Impact Statement (NIS).
- Ecological Impact Assessment (EclA) Report (with Invasive Species Management Plan).
- Planning Statement.
- Copy of the newspaper notice published in Irish Examiner on 14th of October 2022.
- Copy of the Site Notice – Erected 13th October 2022.
- Copy of the list of prescribed bodies to which the notice was sent under section 177AE(4)(b).
- Schedule of drawings and copy of drawing no's P21-200-GT-0101-0001 (Site Plan), P21-200-GT-0101-0002 (Proposed Elevations), P21-200-GT-0101-0003 (Proposed Construction Details) and P21-200-GT-0101-0004 (Scope of Rehabilitation Works).

### 4.0 **Planning History**

4.1. The bridge has not been the subject to any previous planning applications. The exact date of construction of Glyntown Bridge is unknown, however, it appears to have been constructed prior to 1829 due to its presence on the Ordnance Survey Map of Ireland (OSI 6inch Cassini), which was conducted between 1829 and 1842.

4.2. There are numerous recent planning applications which have received permission in the immediate vicinity, none are particularly pertinent to the application currently before the Board.

### 5.0 **Legislative and Policy Context**

5.1. **The EU Habitats Directive (92/43/EEC):** This Directive deals with the Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union.

Article 6(3) and 6(4) require an appropriate assessment of the likely significant effects of a proposed development on its own and in combination with other plans and projects which may have an effect on a European Site (SAC or SPA).

5.2. **European Communities (Birds and Natural Habitats) Regulations 2011:** These Regulations consolidate the European Communities (Natural Habitats) Regulations 1997 to 2005 and the European Communities (Birds and Natural Habitats) (Control of Recreational Activities) Regulations 2010, as well as addressing transposition failures identified in CJEU judgements. The Regulations require in Art. 42(21) that where an appropriate assessment has already been carried out by a ‘first’ public authority for the same project (under a separate code of legislation) then a ‘second’ public authority considering that project for appropriate assessment under its own code of legislation is required to take account of the appropriate assessment of the first authority.

5.3. European sites located in proximity to the subject site include:

- Cork Harbour SPA (004030) – c. 1.3km Direct Distance, c.1.8km Instream Distance.
- Great Island Channel SAC (001058) – c. 3.6km Direct Distance
- Blackwater River (Cork/Waterford) SAC (002170) – c. 11.8km Direct Distance

5.4. **Planning and Development Acts 2000 (as amended):** Part XAB of the Planning and Development Acts 2000-2017 sets out the requirements for the appropriate assessment of developments which could have an effect on a European site or its Conservation Objectives.

- 177(AE) sets out the requirements for the appropriate assessment of developments carried out by or on behalf of local authorities.
- Section 177(AE) (1) requires a local authority to prepare, or cause to be prepared, a Natura Impact Statement in respect of the proposed development.
- Section 177(AE) (2) states that a proposed development in respect of which an appropriate assessment is required shall not be carried out unless the Board has approved it with or without modifications.

- Section 177(AE) (3) states that where a Natura Impact Assessment has been prepared pursuant to subsection (1), the local authority shall apply to the Board for approval and the provisions of Part XAB shall apply to the carrying out of the appropriate assessment.
- Section 177(AE) (3) states that a competent authority shall give consent for a proposed development only after having determined that the proposed development shall not adversely affect the integrity of a European site.
- Section 177AE (6) (a) states that before making a decision in respect of a proposed development the Board shall consider the NIS, any submissions or observations received and any other information relating to:
  - The likely effects on the environment.
  - The likely consequences for the proper planning and sustainable development of the area.
  - The likely significant effects on a European site.

## 5.5. Local Policy

5.5.1. The significance of the proposed repair and rehabilitation works on existing infrastructure such as Glyntown Bridge can be identified in the following documents:

### **Cork City Development Plan 2022-2028**

5.5.2. The operative development plan for the area is the Cork City Development Plan 2022-2028. This plan states that “*Glanmire will require significant infrastructure including a new road bridge over the Glashaboy River, as well as additional school services, passive and active open space, local shops, community services and facilities, water and wastewater services, energy, telecommunications etc.*”

5.5.3. The Plan sets out a strategic vision on how Cork City will grow and develop over the next six years. This strategic vision contained in Section 1.5 is based on the key Strategic Principles of Compact Growth and also Enhancing the Built and Natural Heritage. The operative development plan is supportive of delivering a long-term transport plan for Cork City. In this context, the proposed repair and rehabilitation of



existing infrastructure such as Glyntown Bridge is compatible with the strategic vision.

- 5.5.4. Section 2.44 of the operative development plan describes 'Compact Liveable Growth' at the right locations, which include the area containing Glyntown Bridge at 'South Glanmire (Ballinglanna)', where compact growth will be achieved through: "... regeneration, consolidation and re-intensification. This growth is supported by new physical and social infrastructure that puts people first, supporting everyday life that makes it easy and safe to move around Cork City."
- 5.5.5. Section 4.20 outlines how Cork City Council is committed to improving pedestrian and cycling connectivity through a range of high quality, public realm improvements, with programmes such as the Glanmire Roads Improvement Scheme Initiative which: "... contains measures designed to address connectivity issues in the Glanmire Area and will allow for more seamless connections between the three villages that comprise the settlement, Glanmire, Sallybrook and Riverstown."
- 5.5.6. In relation to 'Built Heritage' and the proposed repair and rehabilitation of existing infrastructure such as Glyntown Bridge, CCDP, Section 8.20, states how:  
*"Sympathetic maintenance, adaptation and re-use can allow architectural heritage to yield aesthetic, environmental and economic benefits to the city, even when the original use may no longer be viable. Conservation can be recognised as a good environmental choice as the reuse of buildings rather than their demolition contributes to sustainability by retaining the embodied energy of buildings and reducing demolition waste. In some cases, it is also more cost effective to renovate than demolish and rebuild."*
- 5.5.7. The proposed repair and rehabilitation works also adhere to the Overarching Development Principles contained within Section 11.5 of the CCDP.

### **Cork Metropolitan Area Strategic Plan (MASP)**

- 5.5.8. The MASP is guided by key Policy Objectives (P.O.), with the proposed repair and rehabilitation works on Glyntown Bridge aligning with the following Policy Objectives:

**Policy Objective 5(b)** - It is an objective to ensure quality infrastructure and quality of place is prioritised as an incentive to attract people to live and work in sustainable settlement patterns in the metropolitan area.

**Policy Objective 7 (b)** - Seek investment and delivery of sustainable transport infrastructure as identified through the Cork Metropolitan Area Transport Strategy.

## 6.0 Consultations

6.1. The application was circulated to the following bodies:

- Department of Housing, Local Government and Heritage
- Inland Fisheries Ireland
- Waterways Ireland
- The Heritage Council
- An Chomhairle Ealaíon
- Cork City Council
- Fáilte Ireland
- An Taisce

No responses were received.

6.2. **Public Submissions:**

- No public submissions were received.

## 7.0 Assessment

7.1. **Introduction**

7.1.1. Under the provisions of Section 177AE (6) of the Planning and Development Act, 2000 (as amended), the Board is required to consider the following in respect of this type of application:

- The likely effects on the environment of the proposed development; and

- The likely consequences for the proper planning and sustainable development of the area in which it is proposed to situate the said development;
- The likely effects of the proposed development on a European sites.

## **7.2 The likely effects on the environment**

### Ecological Impact Assessment (EclA) and Invasive Species

7.1.2. The proposed works will include the removal of vegetation and loose material from the existing bridge and repair works to the bridge and carriageway and has the potential to give rise to a number of environmental impacts which are largely related to water quality, increases in sediment, changes to the velocity and flows of the river, impacts arising from noise and disturbance, spread of invasive species and impacts to habitat and species.

7.1.3. Given the location and scale of the proposed works, impacts arising from construction related activity in terms of noise and disturbance will be short term and are not considered to be significant, having particular regard to the site's location within an existing built environment and the fact that the bridge currently accommodates significant volumes of traffic. Such impacts on the Conservation Objectives and Species of Conservation Interest associated with Natura 2000 sites in the vicinity will be considered in detail within the Appropriate Assessment Section of this report.

### EclA

7.1.4. An EclA was carried out for the project. It included additional specific ecological reports including Appendix 1: Evaluation Criteria (NRA 2009 CIEEM 2018); Appendix 2: Aquatic Ecology Surveys; and Appendix 3: Invasive Species Management Plan. Appendix 4: A Bat Survey and Assessment. No bats were found to be roosting within the bridge structure. The report does note however that the structure does contain crevices which are favoured by bats. This is discussed further below.

7.1.5. An ecological site walkover of terrestrial habitats was carried out on the 08<sup>th</sup> November 2021 and aquatic habitats were also assessed during November 2021, 100m upstream and 100m downstream of the bridge. No habitats were noted within the study area that conform to those listed under Annex I of the EU Habitats Directive. The river is defined as a Depositing/Lowland River (FW1) and the habitats

surrounding the bridge is predominantly Broadleaved Woodland (WD1) and hedgerows/treeline (WL1/WL2). Extending beyond these habitats, the surroundings included recolonising hardstanding areas, built land (roads and buildings) and amenity grassland.

### Bats

- 7.1.6. A separate bat roost survey and emergence roost survey were carried out to identify the presence of bats in and near the bridge structure on 21<sup>st</sup> August 2022. Visual inspections of the bridge structure did not identify any signs of bat roosting. Furthermore, bats were not identified emerging from the bridge. The bridge however is part of a landscape considered to be of moderate to high suitability for bats in general; and is of high suitability for soprano pipistrelle, common pipistrelle, brown long-eared, Leisler's, whiskered and natterer's bat. It is noted that three bat species have been recorded within 2km (grid square W77H) of the site. Soprano pipistrelle and Leisler's bat were recorded flying during the emergence survey.
- 7.1.7. The hedgerows, treelines, woodlands, and river at the bridge offer potential foraging and commuting areas for bats. The masonry arch bridge supported several gaps between the stonework of the spandrel wall, however, the gaps were shallow and would be exposed to wind and rain. The bridge arches have been pointed and any remaining crevices are shallow or low down and therefore subject to flooding. Glyntown Bridge is categorised as Grade 1 as it supports a relatively low number of crevices that bats could potentially use, but which would be sub-optimal due to exposure to weather or light. The possibility that bats could use these crevices cannot be entirely ruled out, but roosting is considered to be unlikely. The conclusion of the bat survey report presents certain recommendations and mitigation and states that as a precautionary measure, the bridge will be subject to a roost survey prior to commencement of development to determine the presence or absence of bats. In the event that no evidence of bat usage is found during the inspection, development can commence. Should bats be found, development will be delayed and a derogation license will be required from NPWS wildlife licencing section. If the Board are minded to grant permission a suitable condition could be attached to ensure the above requirements where necessary are met.

### Mammals

- 7.1.8. Following the field surveys, no mammal signs were recorded within the vicinity of the bridge, however the EciA notes that high water levels due to recent rain may have washed away existing signs. While no evidence of otters was seen on the survey date of 08/11/2021, the National Biodiversity Data Centre (NBDC) website shows a record for otter in the 100m square at Glyntown Bridge, as well as farther upstream and on Glashaboy River c. 1.3km upstream of the confluence. This indicates at least occasional presence of otter at Glyntown Bridge. If the Board are minded to grant permission, I would I would recommend that a condition be attached that pre-construction otter surveys are conducted prior to any commencement of works on site. Should and evidence of otters be found in the vicinity of the bridge, the applicant should seek to obtain a derogation licence from the NPWS.

### Aquatic habitat and species

- 7.1.9. I note that Appendix 2 of the submitted EciA contains the details of the Aquatic Ecology Surveys conducted in November 2021. The survey area encompassed an area 100m upstream and 100m downstream of the bridge. The following were assessed: physical habitat, biological water quality, and aquatic habitats. Aquatic macrophytes were assessed, and the presence of any protected or rare aquatic plant or animal species was noted. Methodology and full results are presented in Appendix 2. No crayfish were found on 08/11/2021 and there are no known records for white-clawed crayfish in the Butlerstown River. A predominantly sandstone catchment would make the water chemistry unsuitable for crayfish. There are also no records of freshwater pearl mussels in this watercourse and no suitable habitat for the freshwater pearl mussel was seen during the surveys. Salmon and trout presence in the Butlerstown River is indicated by very good salmonid spawning and nursery habitat, combined with very good water quality.

### Water Quality

- 7.1.10. The latest Q Value for the Butlerstown River (Butlerstown 19 - assessed in 2020) was Q4-5 indicating 'High Ecological Water Quality'. The Glashaboy River flows in an overall southerly direction for approx. 3.5km, where it meets the River Lee, with flows into Cork Harbour SPA and Great Island Channel SAC. I note that in stream works are to be carried out in dry conditions and the diversion of the stream will

occur in a manner whereby sediment levels in the river will be unaffected thus protecting existing aquatic species and habitats both up and downstream of the proposed works. I have reviewed the process proposed for the installation of cofferdams within the river and am satisfied that significant changes to the velocity and flows of the river will not arise given the size of the area to be dammed and the time of year in which works are to be carried out.

#### Avifauna

- 7.1.11. In relation to Avifauna and impact on local birds the proposed works location is already located on a busy road with regular human activity associated with pedestrian and vehicle traffic. There is the potential for some localised disturbance or avoidance, but this would be considered temporary with species highly likely to return once construction has been completed. The increase in noise and human activity during the construction phase for all key species is considered to be a negative, reversible, temporary, slight impact in a local context.

#### Construction Noise

- 7.1.12. Construction noise arising from the proposed works, as mentioned above, will be short term in duration and can be adequately controlled in terms of construction hours in order to protect the amenity of nearby properties. There will no 'operational' or 'decommissioning' activities directly associated with the bridge following the completion of the proposed repair and rehabilitation works on Glyntown Bridge.

#### Invasive Species

- 7.1.13. Appendix 3 of the EclA contains the Invasive Species Management Plan (dated October 2022). A number of invasive species were identified at the site. Japanese Knotweed (*Fallopia Japonica*) was identified on the banks of the Butlerstown River adjacent to the eastern side of the bridge on the northern bank adjoining the bridge. Due to the presence of this, and other invasive plant species in the wider area where the bridge is located (*Buddleja* ran from the bridge easterly along the extent of the river to at least 100m upstream, winter heliotrope was recorded in patches within the woodland to the western side of the bridge and Cherry Laurel was also recorded along the northern periphery of the site, adjacent to the Lidl building). Ongoing treatment of invasive plant species during the operation of the bridge is proposed as part of Cork City Council's invasive species treatment programme. This treatment is

outlined within the Invasive Species Management Plan submitted with the application and the mitigation measures set out in the following section. Following the proposed works, the Invasive Species Management Plan prescribes continual monitoring for at least after two years following successful eradication.

### Mitigation Measures

7.1.14. The Ecological Impact Assessment report (EclA) concluded that no element of the proposed development is likely to have a significant adverse impact on the receiving environment (with the adoption of proposed mitigation measures). These mitigation measures are listed under section 5 of the EclA and include the following:

- Mitigation by Avoidance and Design:
  - In-stream works will only occur following examination of the eastern cutwater. If good stone is located, the cutwater will not need to be underpinned with a concrete base;
  - In areas where water contact is more frequent, a more resistant NHL 5 mortar mix will be used, preventing washout;
  - Concrete if required, will be pumped into place from the bridge deck;
  - Tree trunks that are removed will be collected and disposed of offsite by means of recycling as wood chippings;
  - Damming will only occur during periods of low flow.
- Site Supervision - A Project Ecologist/Ecological Clerk of Works (ECoW) with appropriate experience and expertise (in bridge works) will be employed for the duration of the construction phase to ensure that all the mitigation measures outlined in relation to the environment are implemented. Toolbox talks will be given to construction staff on disturbance to key species and invasive species prevention and contamination control, prior to and during construction.
- Water quality measures – a suite of measures are listed under section 5.3 of the EclA to reduce potential direct and indirect impacts, these include but are not limited to plant inspections, regular review of weather conditions, sanitary waste and welfare units, management timing of works including concrete pours on site outside periods of heavy rainfall, in stream isolation including

sediment control in flowing water and isolation sediment from the work area from the water course, coffer damming during industry works, secondary damming immediately downstream and connected to the cofferdam to capture concrete washout water and allow for its removal (pumping out) and treatment. In addition, Inland Fisheries Ireland guidance on protection of fisheries during construction works in and adjacent to watercourses (IFI, 2016) should be adhered to.

- Invasive species - Prior to commencing works, Japanese knotweed species will be treated on site. The processes involved will be managed in accordance with the invasive species management plan in Appendix 3 for all works. Where invasive species have been physically removed and soil disturbed, this soil will be seeded or replanted (including 5cm deep mulch) with native plant species. This will prevent erosion of the riverbank and prevent the easy colonisation of bare soil by invasive species in the area.
- Habitats and Flora - proposed works will be kept to the minimum necessary, with designated access points to river, and minimal areas of storage of machinery in site compound in order to minimise any potential impacts on habitats and flora within the immediate area.
- Avifauna - Construction operations will take place during the hours of daylight to minimise disturbances to roosting birds or any active crepuscular/nocturnal bird species and the construction compound will not be lit at night. Removal of mature vegetation will be carried out outside of the bird breeding season (March 1st – August 31st). Where this is not possible due to construction program constraints the appointed ECoW will inspect the area to be felled no more than 48hrs in advance of the felling/clearance works and advise if bird species are present and if so, on a suitable exclusion buffer needed until the species has fledged.
- Terrestrial Mammals - Construction operations will take place during the hours of daylight to minimise disturbances to faunal species at night. A pre-construction otter survey will take place within 150m of the bridge, where necessary derogation licence will be acquired from the National Parks and



Wildlife Service (NPWS) in advance of works and mitigation measures adjusted accordingly.

- Bats -The bridge will be subject to a up to date roost survey prior to commencement of works to determine the presence or absence of bats. Where necessary a relevant bat derogation licence shall be sought prior to construction works commencing and works will be carried out under the terms of the relevant derogation licence. Lighting shall not be left switched on overnight within the site.

7.1.15. Having regard to the foregoing I am satisfied that the proposed development subject to compliance with the listed mitigation measures as well any additional measures highlight above, will not give rise to any significant environmental impacts and I consider the proposed development to be acceptable in this regard. A CEMP for the project works should also be prepared and the Ecological Clerk of Works will monitor works and to ensure that all mitigation measures are properly implemented. The Ecological Clerk of Works will also have the power to suspend works if mitigation is not functioning adequately to minimise the potential impact on local ecology. Impacts in relation to the qualifying interests of the surrounding Natura 2000 sites in particular the Cork Harbour SPA will be examined within the following Appropriate Assessment Section.

**The likely consequences for the proper planning and sustainable development of the area:**

7.1.16. Glyntown Bridge is a three arch stone bridge that carries a local road, the L-2998 East Cliff Road over the Butlerstown River to the northeast of Glanmire. As outlined above, consent is sought by Cork City Council to carry out repair and rehabilitation works on the existing structure at Glyntown Bridge. The proposed works include a site compound in an existing hardstanding area to facilitate bridge vegetation treatment and root removal, reinstating of missing/displaced blockwork, parapet masonry repair, spandrel repair, cutwater repair and arch/pier/abutment repointing works.

7.1.17. The submitted Planning Statement (dated October 2022) states that the proposed repair and rehabilitation works on Glyntown Bridge are justified due to the structure now being considered to be in poor condition as a result of damage to the east cutwater of the south pier, with concrete underpinning and masonry repairs required to be undertaken to repair this damage and strengthen the structure of the bridge. The extensive vegetation growth recorded throughout the structure also needs to be cleared from both elevations, as tree and shrub roots have penetrated the stone exterior in parts of the bridge, and as a consequence, have compromised the integrity of the bridge structure. The damage caused by vegetation growing on the structure needs to be prevented from causing further deterioration to the condition of the bridge, with repair and rehabilitation works now deemed essential. Further vegetation clearance is also required on the embankments, with minor repointing to the abutments piers and arch barrels. In summary, repair and rehabilitation works are therefore now required to address historical damage to the bridge, and to eliminate any structural, health and safety and environmental risk associated with further deterioration of the condition of the bridge. The purpose of the project is therefore to carry out maintenance and refurbishment works to the bridge to prolong its design life and to ensure the serviceability of the structure as part of the road infrastructure within the settlement area and indeed the wider City environs.

7.1.18. Section 10.28.1 of the current development plan states that Glanmire has local road network challenges and this is exacerbated by high car dependency with 81% people choosing the private car to travel to work and education. The city development plan is supportive of delivering a long-term transport plan for Cork City. In this context, the proposed repair and rehabilitation of existing infrastructure such as Glyntown Bridge is compatible with the strategic vision of the plan which supports integrated land-use and transport planning through compact growth, sustainable and active travel and enhanced built and natural heritage. Section 8.20 outlines policy and objectives in relation to built heritage and states how: *“Sympathetic maintenance, adaptation and re-use can allow architectural heritage to yield aesthetic, environmental and economic benefits to the city, even when the original use may no longer be viable.* While it is noted that Glyntown bridge is not a protected structure or listed on the National inventory of Architectural Heritage (NIAH) the bridge does date from prior to 1829 and therefore does form part of the

historic built heritage of the area, notwithstanding the fact that it has been the subject of extensive, and not always sympathetic restoration over the years, as the photographs attached to this report attest to.

The maintenance and rehabilitation of the bridge having particular regard to the policies and provisions of the development plan can be considered to be in accordance with the proper planning and sustainable development of the area.

### **The likely significant effects on a European site:**

The areas addressed in this section are as follows:

- Compliance with Articles 6(3) of the EU Habitats Directive
- The Natura Impact Statement
- Appropriate Assessment

#### Compliance with Articles 6(3) of the EU Habitats Directive:

7.1.19. The Habitats Directive deals with the Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union. Article 6(3) of this Directive requires 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. The competent authority must be satisfied that the proposal will not adversely affect the integrity of the European site.

#### The Natura Impact Statement

7.1.20. Cork City Council's application for the proposed development was accompanied by a Natural Impact Statement (NIS) dated September 2022. This statement scientifically examined the proposed development in the context of the potential impact it may have on European sites within the zone of influence. The NIS identified and characterised the possible implications of the proposed development on European sites, in view of the site's conservation objectives, and provided information to enable the Board to carry out an appropriate assessment of the proposed works.

7.1.21. The NIS was accompanied by a Stage 1 Screening Report to inform the Appropriate Assessment Process (also dated September 2022), a List of Cumulative Projects contained in Appendix 1 and an Invasive Species Management Plan outlined in Appendix 2.

7.1.22. In general, I am satisfied that the NIS for the proposed bridge remediation works adequately describes the proposed development, the project site and the surrounding area. Following the completion of the Screening for AA it was concluded that the project could have a significant effect on one Natura 2000 site, namely the Cork Harbour SPA (Site Code 004030). The Stage 1 Screening therefore concluded that a Stage 2 Appropriate Assessment (NIS) was required. The NIS outlined the methodology used for assessing potential impacts on the habitats and species within the European Sites that have the potential to be affected by the proposed development. It predicted the potential impacts specifically for the Cork Harbour SPA and its conservation objectives, suggested mitigation measures, assessed in-combination effects with other plans and projects and identified any residual effects on the European sites and their conservation objectives.

The NIS was informed by the following studies, surveys and consultations:

- Draft Cork City Development Plan 2022-2028 (Cork City Council, 2021);
- Cork City Development Plan 2015-2021 (Cork City Council, 2015);
- Cork City Council Planning Enquiry System
- Environmental Protection Agency (EPA) (on-line map-viewer including the Appropriate Assessment Tool)
- Department of Housing, Planning, and Local Government – online land use mapping
- Department of Housing, Planning, and Local Government- EIA Portal
- National Parks and Wildlife Service – online European site network information, including site conservation objectives.
- National Parks and Wildlife Service – Information on the status of EU protected habitats and species in Ireland (including Article 17 and Article 12 Reports).

- National Biodiversity Data Centre

7.1.23. The habitats surrounding the bridge and stream were identified and classified, according to 'A Guide to Habitats in Ireland' (Fossitt, 2000) during a walkover survey undertaken by Fehily Timoney and Sweeney Consultancy on the 8th of November 2021, the survey included an examination of the site to identify if any invasive species were present. Four invasive species were identified Butterfly bush (*Buddleja davidii*), Cherry laurel (*Prunus laurocerasus*), Japanese Knotweed (*Fallopia japonica*) and Winter Heliotrope (*Petasites fragrans*).

7.1.24. The conclusion reached in the NIS is that there is potential for likely significant effects to the Cork Harbour SPA arising from impacts on water quality, invasive species and possible in-combination effects. A number of SCI species have potential to occur in the habitats adjacent to the proposed project, given the foraging and migratory ranges of the species. There is hydrological connectivity between the proposed project and SPA. This may result in potential impacts for the SCI Wetlands and Waterbirds. However, with implementation of mitigation measures in full, the NIS concludes that the proposed works, beyond reasonable scientific doubt, will not result in adverse effect will result to the integrity of the European site in light of the conservation objectives of that site.

7.1.25. Having reviewed the NIS and the supporting documentation, I am satisfied that it provides adequate information in respect of the baseline conditions, clearly identifies the potential impacts, and uses best scientific information and knowledge. Details of mitigation measures are provided, and they are summarised in the NIS. I am satisfied that the information is sufficient to allow for an appropriate assessment of the proposed development (see my own further independent analysis on Appropriate Assessment in the flowing section below).

#### Appropriate Assessment

7.1.26. I consider that the proposed repair and rehabilitation of the existing bridge at Glyntown Glanmire is not directly connected with or necessary to the management of any European site.

## Stage One Screening

- 7.1.27. The application site is not located within but is in relative proximity to a number of Natura 2000 sites primarily centred around the Cork Harbour area. The application was accompanied by a Stage 1 Screening for Appropriate Assessment. It identifies all Natura 2000 sites within a 15 km radius of the Bridge. With the exception of one site (the Blackwater River – Cork Waterford SAC (002170)), the other Natura 2000 Sites are located within Lough Mahon and Cork Harbour area and are therefore hydrologically connected to the works that are to be undertaken at the Bridge. Having regard to the nature, size and location of the proposed development and its likely direct, indirect and cumulative effects, the source pathway receptor principle and sensitivities of the ecological receptors, it is considered that the sites identified in the Stage 1 Screening Report are the only relevant sites which could be potentially impacted upon for the purposes of bring the exercise forward to Stage 2 appropriate assessment on the basis of likely significant effects. There are no sites beyond the 15km radius which could be potentially affected having regard to the relatively modest nature of the works to be undertaken.
- 7.1.28. European sites considered for Stage 1 screening are set out in the table below:

European site (SAC/SPA)	Qualifying Interests	Potential Impact
<b>Cork Harbour SPA (004030)</b>  <b>Direct Distance 1.3km</b>  <b>Hydrological Distance 1.8km</b>	Little Grebe ( <i>Tachybaptus ruficollis</i> ) [A004]  Great Crested Grebe ( <i>Podiceps cristatus</i> ) [A005]  Cormorant ( <i>Phalacrocorax carbo</i> ) [A017]  Grey Heron ( <i>Ardea cinerea</i> ) [A028]  Shelduck ( <i>Tadorna tadorna</i> ) [A048]  Wigeon ( <i>Anas penelope</i> ) [A050]  Teal ( <i>Anas crecca</i> ) [A052]  Pintail ( <i>Anas acuta</i> ) [A054]  Shoveler ( <i>Anas clypeata</i> ) [A056]	The Cork Harbour SPA runs along the north and south shoreline of Lough Mahon, the inner harbour area between the Jack Lynch Tunnel and Passage West. It extends up the Glashaboy River to a point south of Glanmire Bridge. It is downstream and within two kilometers of the Glyntown Bridge. The SPA therefore is in relatively close proximity to the site. While it is unlikely that a larger scale pollution event during construction works at the bridge

European site (SAC/SPA)	Qualifying Interests	Potential Impact
	<p>Red-breasted Merganser (<i>Mergus serrator</i>) [A069]</p> <p>Oystercatcher (<i>Haematopus ostralegus</i>) [A130]</p> <p>Golden Plover (<i>Pluvialis apricaria</i>) [A140]</p> <p>Grey Plover (<i>Pluvialis squatarola</i>) [A141]</p> <p>Lapwing (<i>Vanellus vanellus</i>) [A142]</p> <p>Dunlin (<i>Calidris alpina</i>) [A149]</p> <p>Black-tailed Godwit (<i>Limosa limosa</i>) [A156]</p> <p>Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157]</p> <p>Curlew (<i>Numenius arquata</i>) [A160]</p> <p>Redshank (<i>Tringa totanus</i>) [A162]</p> <p>Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179]</p> <p>Common Gull (<i>Larus canus</i>) [A182]</p> <p>Lesser Black-backed Gull (<i>Larus fuscus</i>) [A183]</p> <p>Common Tern (<i>Sterna hirundo</i>) [A193]</p> <p>Wetland and Waterbirds [A999]</p>	<p>would give rise to a consequential significant pollution episode downstream at the SPA, due to the distance together with the dilution and dispersion rates involved, significant adverse impacts in terms of water pollution nevertheless cannot categorically be ruled out. As the NIS points out, any pollution episodes could also have adverse implications for wetlands in the area which could also affect waterbirds associated with the SPA.</p> <p>Furthermore, having regard to the potential for disturbance foraging and breeding habitats associated with bird species that are of conservation interest associated with the Cork Harbour SPA, adverse impacts could also arise for the species in terms of foraging and breeding outside the confines of the SPA and in close proximity to the bridge during the construction phase.</p> <p><b>Based on the above, the Cork Harbour SPA should be screened <u>in</u> for further assessment</b></p>
<p><b>Great Island Channel SAC (001058)</b></p> <p><b>Direct Distance 3.6</b></p> <p><b>Hydrological distance. C8.1km</b></p>	<p>Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p>Atlantic salt meadows (<i>Glaucopuccinellietalia maritima</i>) [1330]</p>	<p>The Great Island Channel SAC discharges into Lough Mahon at a point further down from the Glashaboy River. It will result in a negligible potential for mixing of waters. There is no potential for the</p>

European site (SAC/SPA)	Qualifying Interests	Potential Impact
		<p>proposal to impact on the habitats in question.</p> <p><b>Based on the above, The Great Island SAC should be screened <u>out</u> for further assessment</b></p>
<p><b>Blackwater River SAC (Cork Waterford) (002170)</b></p> <p><b>Direct Distance 11.9 km</b></p> <p><b>Hydrological Distance</b></p> <p><b>The site is not Hydrologically connected with the subject site.</b></p>	<p>Estuaries [1130]</p> <p>Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p>Perennial vegetation of stony banks [1220]</p> <p>Salicornia and other annuals colonising mud and sand [1310]</p> <p>Atlantic salt meadows (Glaucopuccinellietalia maritima) [1330]</p> <p>Mediterranean salt meadows (Juncetalia maritimi) [1410]</p> <p>Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation [3260]</p> <p>Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0]</p> <p>Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0]</p> <p>Margaritifera margaritifera (Freshwater Pearl Mussel) [1029]</p> <p>Austropotamobius pallipes (White-clawed Crayfish) [1092]</p> <p>Petromyzon marinus (Sea Lamprey) [1095]</p> <p>Lampetra planeri (Brook Lamprey) [1096]</p> <p>Lampetra fluviatilis (River Lamprey) [1099]</p> <p>Alosa fallax fallax (Twaite Shad) [1103]</p> <p>Salmo salar (Salmon) [1106]</p>	<p>The Blackwater River SAC (Cork Waterford) (002170) is located within a different hydrological catchment from the Glyntown Bridge SAC and therefore is not within the zone of Influence of the proposed development.</p> <p><b>Based on the above, Blackwater River SAC should be screened <u>out</u> for further assessment.</b></p>



European site (SAC/SPA)	Qualifying Interests	Potential Impact
	Lutra lutra (Otter) [1355]  Trichomanes speciosum (Killarney Fern) [1421]	

### Screening Determination

7.1.29. Based on my examination of the NIS report and supporting information (including the Ecological Report submitted with the application), the NPWS website including the Conservation Objectives Report, aerial and satellite imagery, the scale of the proposed development and likely effects, separation distance and functional relationship between the proposed works and the European sites, their conservation objectives and taken in conjunction with my assessment of the subject site and the surrounding area, I would conclude that a Stage 2 Appropriate Assessment is required for the single European Site referred to above, namely the Cork Harbour SPA.

7.1.30. The remaining two sites can be screened out from further assessment because of the scale of the proposed works, the nature of the Conservation Objectives, Qualifying and Special Conservation Interests which primarily relate to habitats rather than species, the separation distances and the lack of a substantive linkage between the proposed works and the European sites. It is therefore reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on European Site No.'s 001058 and 002170 in view of the sites conservation objectives and a Stage 2 Appropriate Assessment is not therefore required for these sites.

### Stage 2 Screening Assessment

### *Cork Harbour Site Description*

- 7.1.31. The SPA site comprises most of the main intertidal areas of Cork Harbour, including all of the North Channel, the Douglas River Estuary, inner Lough Mahon, Monkstown Creek, Lough Beg, the Owenboy River Estuary, Whitegate Bay, Ringabella Creek and the Rostellan and Poul nabibe inlets. Owing to the sheltered conditions, the intertidal flats are often muddy in character. These muds support a range of macro-invertebrates, notably *Macoma balthica*, *Scrobicularia plana*, *Hydrobia ulvae*, *Nephtys hombergi*, *Nereis diversicolor* and *Corophium volutator*. Green algae species occur on the flats. Salt marshes are scattered through the site and these provide high tide roosts for the birds. Some shallow bay water is included in the site. The site also includes some marginal wet grassland areas used by feeding and roosting birds.
- 7.1.32. The site is also of special conservation interest for holding an assemblage of over 20,000 wintering waterbirds. A range of passage waders occurs regularly in autumn, including such species as Ruff, Spotted Redshank and Green Sandpiper. Cork Harbour has a nationally important breeding colony of Common Tern. Cork Harbour is of major ornithological significance, being of international importance both for the total numbers of wintering birds and also for its populations of Black-tailed Godwit and Redshank. In addition, it supports nationally important wintering populations of 22 species, as well as a nationally important breeding colony of Common Tern. Several of the species which occur regularly are listed on Annex I of the E.U. Birds Directive, i.e. Whooper Swan, Little Egret, Golden Plover, Bar-tailed Godwit, Ruff, Mediterranean Gull and Common Tern. The site provides both feeding and roosting sites for the various bird species that use it. Cork Harbour is also a Ramsar Convention site and part of Cork Harbour SPA is a Wildfowl Sanctuary

### Potential Impacts Arising from the Proposed Development

- 7.1.33. The proposed development is not directly connected with or necessary to the management of the Cork Harbour SPA (site code; 004030) or any other European sites in the surrounding area. Using the S-P-R model, this assessment only identified the above Natura 2000 Site that could potentially be affected by the proposed development. The potential sources which could give rise to an adverse impact on the Natura 2000 Site are assessed below:

### Emissions to Water

- 7.1.34. Potential emissions to water which could give rise to water pollution and a general deterioration of water quality. Any potential pollution episodes would be restricted to the construction phase. Construction could give rise to increase levels of sedimentation, concrete spillage, or herbicide spillage / run-off which could reduce the carrying capacity of the watercourses, including the Glashaboy River downstream. Chemicals used in carrying out vegetation removal could also give rise to excessive nitrate and phosphate concentrations in the receiving waters, alter the alkalinity and/or the biochemical oxygen demand of the receiving water which could potentially have adverse consequential effects on aquatic species. Any impact on aquatic species and insects could indirectly affect feeding and foraging habitats for species of conservation interests associated with the SPA.

### Dust Emissions

- 7.1.35. While it is extremely unlikely fugitive dust propagation and dispersion would have a direct effect on species of conservation interest associated with the SPA, given the separation distances involved, any dust deposition on any wetlands in the vicinity could alter the wetland habitat outside the confines of the SPA which is frequented by species of conservation interest for feeding and foraging purposes. While such an impact is unlikely, it cannot in my view be categorically ruled out in the absence of mitigation.

### Noise Emissions

- 7.1.36. Again the boundary of the SPA is of a sufficient distance to ensure that noise propagation arising from the construction works will not impact within the confines of the SPA boundary which at its closest point will be 1.8km away. However, it could potentially impact on species of conservation interest utilising lands surrounding the site in the vicinity of the bridge. I would however agree with the assessment in the NIS which notes that the bridge is located within an existing urban area where baseline noise levels and anthropogenic activity is high. Existing noise from traffic using the bridge is very likely to act as a deterrent for breeding or foraging within the immediate vicinity. Furthermore, any elevated noise levels from the bridge remediation works will be of a very short duration (1 to 2 months) and therefore will not give rise to any significant impact to the species of conservation interest

associated with the SAC. Either direct or indirect effects therefore are not anticipated.

### Invasive Species

7.1.37. The construction work has the potential to introduce and disperse invasive species into the area. The Bultlerstown/Glasaboy River has the potential to transport invasive species down stream where they can colonise where they could colonise wetlands and other foraging and breeding areas associated with the SPA.

### Mitigation Measures identified in the NIS

The mitigation measures that are proposed in the NIS to address the potential adverse effects of the construction include:

- The Employment of a Project Ecologist/Ecological Clerk of Works (ECoW) to ensure successful implementation of all mitigation measures for biodiversity management. Construction will cease if there is potential for adverse ecological effects to occur.
- Inland Fisheries Ireland will be invited to inspect the mitigation measures at the site.
- Toolbox talks will be undertaken with construction staff on disturbance to key species and invasive species prevention and contamination control.
- All mitigation measures set out in the Invasive Species Management Plan submitted with the application will be adhered to and implemented in full.
- The area of the proposed works including any site clearance works will be kept to a minimum to reduce and minimise dust generation as well as the disturbance of habitats and flora. Machinery will be stored within the site compound.
- Construction Operations will take place during the hours of daylight and the construction compound and construction area will not be lit up at night to minimise the disturbance to roosting birds or active crepuscular / nocturnal bird species. Removal of mature vegetation will be carried out outside the bird breeding season.
- All site plant will be inspected on a daily basis all major repair and maintenance work will take place off site.
- Pollution control and Spill Prevention measures will include:

- Major construction works including concrete pours will take place outside periods of heavy rainfall.
- A cofferdam will be installed during in stream works this will provide a dry area for instalment works. The structural integrity of the dam will be tested prior to the works commencing. A secondary dammed area will also be installed water will be pumped out of this ponded area and will be appropriately treated.
- All personnel working on site will be trained in pollution incident control response should a potential pollution episode occur.

The above mitigation measures will ensure that the works to be undertaken at the Glayntown Bridge will not result in any damage or adversely affect the integrity of Species of Conservation Interest associated with the Cork Harbour SPA (004030)

### Conclusion

Having regard to the foregoing and taking account of the scale and nature of the proposed development and on the basis of the information on the file, which I consider adequate in order to carry out a Stage 2 Appropriate Assessment, it can be reasonably concluded on the basis of best scientific knowledge, therefore, that the proposed development, individually or in combination with other plans and projects, will not adversely affect the integrity of the Cork Harbour SPA (site code; 004030) or any other European Site in view of the sites' Conservation Objectives, subject to the implementation of the mitigation measures and any recommended conditions.

## **8.0 EIA Screening Examination**

- 8.1. I have examined the proposed development in relation to Schedule 5 of the Planning and Development Regulations 2001, as amended and am satisfied that the proposed works fall within the threshold of a class of development for the purpose of EIAR and as such I do not consider a mandatory EIAR to be required in this instance. With regard to other classes of development for which a sub threshold EIAR may be required, the only class of development which could potentially be considered applicable is Class 10(b)(iv) urban development of 10 hectares or more in the case of other parts of a built-up area. The area in question (including the temporary

construction area) amounts to 0.0322 hectares which is significantly below the threshold.

8.2. Section 50(1)(a) of the Roads Act (1993) as amended, places a mandatory requirement on a roads authority to prepare an environmental impact assessment report in respect of any proposed road development comprising the construction of a motorway, busway, service station or any prescribed type of road development consisting of the construction of a proposed public road or the improvement of an existing public road as is presently defined in Article 8(b) of the Roads Regulations, 1994:

- a) the construction of a new road of four or more lanes, or the realignment or widening of an existing road so as to provide four or more lanes, where such new, realigned or widened road would be eight kilometres or more in length in a rural area, or 500m or more in an urban area;
- b) the construction of a new bridge or tunnel which would be 100m or more in length.

8.3. The only relevant class of development in this section of the Act relates to a bridge. However, it is not proposed to build a new bridge in this instance but to repair and rehabilitate an existing bridge structure. The bridge span in this instance is little more than 20 meters and thus would fall considerably short of the 100m threshold.

8.4. Finally in relation to EIAR, and in reaching a conclusion that an EIAR is not required, I have considered the nature, size and location of the development as well as the criteria set out in Schedule 7 of the Planning and Development Regulations (as amended).

8.5. I note that the proposed works will involve the removal of vegetation which has grown on the sides of the bridge. The removal of such vegetation has the potential to dislodge material from the structure and impact the water quality of the river below. Impacts to water quality are examined in detail within the Appropriate Assessment section of this report in relation to any potential impact on qualifying interests of relevant designated European sites and have also been examined under this section.

8.6. On the basis of the above therefore I am satisfied that an EIAR in this instance is not required.

## 9.0 Recommendation

It is recommended that the Board grant planning permission for the proposed development subject to the reasons and considerations below and subject to the conditions set out.

## 10.0 Reasons and Considerations

Having regard to the following:

- the nature and scale of the proposed development,
- the likely significant effects on the environment arising from the proposed development.
- the likely significant effects on the proper planning and sustainable development of the area.
- The e likely significant effects on European sites arising from the proposed development including
  - the location of the proposed development and the considerable separation distance between the bridge and the Natura 2000 site in question,
  - the hydrological connection between the site and the European site via an adjacent watercourse and the dilution, dispersion and assimilative capacity of this watercourse
- the planning application particulars submitted by the applicant.
- 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
- the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of the European Site, in view of the site's conservation objectives
- the proposed development would be in accordance with the proper planning and sustainable development of the area

It is considered reasonable to conclude that on the basis of the information available, which is considered adequate to issue a screening determination, that the proposed

development, either individually and in-combination with other plans or projects, would not be likely to have a significant effect on the identified Natura 2000 sites, in view of the Conservation Objectives of these sites.

### **Appropriate Assessment**

The Board agreed with the screening assessment, Appropriate Assessment and conclusions contained in the Inspector's report that the Cork Harbour SPA (site code; 004030) is the only European site for which there is a likelihood of significant effects.

The Board considered the submitted Natura Impact Statement and all other relevant documentation and carried out an Appropriate Assessment in relation to the potential effects of the proposed development on the above referenced European site in the vicinity of the application site. The Board noted that the proposed development is not directly connected with or necessary for the management of a European site and considered the nature, scale and location of the proposed development, as well as the report of the inspector. In completing the Appropriate Assessment, the Board adopted the report of the inspector and concluded that the proposed development, by itself, or in combination with other plans or projects in the vicinity, would not be likely to have a significant effect on any European site in view of the site's Conservation Objectives.

### **Conditions**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where any mitigation measures set out in the Natura Impact Statement or any conditions of approval require further details to be prepared by or on behalf of the local authority, these details shall be placed on the file and retained as part of the public record.

**Reason:** In the interest of clarity and the proper planning and sustainable development of the area and to ensure the protection of the environment.

2. Prior to the commencement of development, the local authority, or any agent acting on its behalf, shall prepare in consultation with the relevant



statutory agencies, a Construction Environmental Management Plan (CEMP), incorporating all mitigation measures indicated in the Natura Impact Statement and demonstration of proposals to adhere to best practice and protocols. The CEMP shall include:

- (a) The location of site and materials compound(s) including area(s) identified for the storage of construction refuse.
- (b) The location of areas for construction site offices and staff facilities.
- (c) Details of site security fencing and hoardings.
- (d) Details of any car parking facilities for site workers during the course of construction.
- (e) Details of the traffic management plan to be implemented on the bridge during the construction period including any stop-go system and or any directional signage.
- (f) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of the bridge during construction works.
- (g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network or within the river channel.
- (h) Details of the construction methodology of all in-stream works including the construction of cofferdams to carry out works associated with the underpinning of foundations or cutwater repair.
- (i) Details of mitigation measures for noise and dust and the monitoring of such levels.
- (j) Containment of all construction- related fuel and oil within specially constructed bunds to ensure that any fuel spillages are fully contained. Such bunds will be covered to exclude rainwater.
- (k) Off-site disposal of any construction and demolition waste including the removal of any vegetation.

A record of daily checks to ensure that works are being undertaken in accordance with the construction management plan shall be kept for inspection by the planning authority.

**Reason:** In the interest of protecting the environment, including European Sites downstream of the subject site and other sensitive receptors and in the interest of public health.

3. Prior to the commencement of development, details of measures to protect fisheries and water quality of the river systems shall be outlined and placed on file. Full regard shall be had to Inland Fisheries Ireland's published guidelines for construction works near waterways (Guidelines on Protection of Fisheries during Construction Works in and Adjacent to Waters, 2016). A programme of water quality monitoring shall be prepared in consultation with the contractor, the local authority and relevant statutory agencies and the programme shall be implemented thereafter.

**Reason:** In the interest of the protecting of receiving water quality, fisheries and aquatic habitats.

4. Removal of mature vegetation on the bridge and areas in the vicinity of the bridge shall take place outside the bird breeding season.

**Reason:** In the interests of protecting wildlife

5. The County Council and any agent acting on its behalf shall ensure that all plant and machinery used during the works should be thoroughly cleaned and washed before delivery to the site to prevent the spread of hazardous invasive species and pathogens.

**Reason:** In the interest of the proper planning and sustainable development of the area and to ensure the protection of the European sites.

6. A suitably qualified ecologist shall be retained by the local authority to oversee the site set up and construction of the proposed development and implementation of mitigation measures relating to ecology set out in the Natura Impact Statement. The ecologist shall be present during site

rehabilitation and repair works. Upon completion of works, an ecological report of the site works shall be prepared by the appointed ecologist to be kept on file as part of the public record.

**Reason:** In the interest of nature conservation and the protection of terrestrial and aquatic biodiversity.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

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Paul Caprani  
Senior Planning Inspector /  
Planning Inspector

September 27<sup>th</sup> 2023