



An
Bord
Pleanála

Inspector's Report

ABP-319810-24

Development	45 no. dwelling units and all associated ancillary development works.
Location	Glebe and Knockaneowen, Coachford, County Cork
Planning Authority	Cork County Council
Planning Authority Reg. Ref.	244447
Applicant(s)	TFT Construction Limited
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	First Party
Appellant(s)	TFT Construction Limited
Observer(s)	Aghabullogue Coachford Rylane Community Council Michael Quane and Others
Date of Site Inspection	13/12/2024

Inspector

Lorraine Dockery

1.0 Site Location and Description

- 1.1 The site, which has a stated area of 2.29 hectares and is roughly rectangular in shape, is located within the townland of Glebe within the existing settlement of Coachford, Co. Cork, approximately 20km west of Cork city. The site is bound by the L-6850 which runs to the east and the R-618 to the south of the site. Coachford National School and Coachford College are situated further north of the site, along the L-6850, with residential units situated to the north-east.
- 1.2 The proposed site comprises grassland, scrub and an established riparian woodland, which covers a substantial portion of the site (primarily along the west and southern portions of the site). An unnamed stream flows along the southern boundary. The southern and eastern boundaries are lined by mature trees/hedgerows and vegetated earthen banks. The site slopes in a southerly direction, toward the regional road, R618 (by up to 8m in parts).
- 1.3 The site has extensive frontage along the R618- approximately 265m- and is very close to the village centre.

2.0 Proposed Development

- 2.1 The proposal comprises the construction of 45 no. residential units and ancillary site development works. The following key details are noted:

Site Area	2.29 ha
No of units	45 no. (4 apartments; 41 dwellings) <u>Dwellings</u> 4 x 2 bed units 33 x 3 bed units 4 x 4 bed units <u>Apartments</u> 4 x 2 bed units
Other Uses	None

Density	20 units/hectare (stated)
Car Parking Provision	88 spaces
Vehicular entrance	New entrance from R618 New pedestrian linkage onto L6850
Open Space	29% (stated)
Part V	9 units

3.0 Planning Authority Decision

3.1 Decision

Permission REFUSED for 4 no. reasons as follows:

1. The proposed development, by reason of its site strategy, scale, layout and urban form would be out of character with the existing pattern of development in this area, and has not been designed to provide for the protection of the green infrastructure assets of the village and is incompatible with the requirements of nature conservation directives and with environmental, biodiversity and landscape protection policies, and would seriously undermine the rural character and setting of the village of Coachford. Accordingly, the proposed development would materially contravene Objective DB-02 of Volume 4 of the Cork County Development Plan 2022, and Objective PL 3-1 and PL 3-3 of Volume 1 of the Cork County Development Plan 2022 and would therefore be contrary to the proper planning and sustainable development of the area.
2. Having regard to the characteristics of the proposed site and based on the information submitted, the Planning Authority is not satisfied that the proposed development could be accommodated without adversely affecting the ecological and biodiversity of the site. Furthermore, having regard to the loss of the riparian woodland and the culverting of the existing stream, it is considered that the proposed development fails to protect and enhance areas of local biodiversity value, ecological corridors and habitats that are features

of the County's ecological network. The proposed development would therefore be seriously injurious to the biodiversity value of area, would materially contravene policy objective BE 15-2, BE 15-6 and BE 15-8 of the Cork County Development Plan 2022-2028 which seeks to protect areas of biodiversity value, Policy objective GI 14-1 (d) which seeks to strengthen ecological linkages which watercourses have with hedges / treelines, woodland and scrub in the wider landscape and Policy Objective GI 14-2, which requires new development proposals to contribute to the protection, management, and enhancement of the existing green and blue infrastructure of the local area. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

3. The site of the proposed development is located within a High Value Landscape with high sensitivity and is of national importance and where the objectives GI 14-3, GI 14- 9, GI 14-14 of the Cork County Development Plan 2022 places emphasis on the protection of such landscapes. It is considered that the proposed development by reason of the excessive levels of excavation and removal of existing trees which form the Riparian woodland, would adversely impact upon and seriously injure the visual amenities and landscape character and appearance of this scenic rural area, and therefore the proposed development would be contrary to the proper planning and sustainable development of the area.
4. The application proposes culverting a stream and developing within 10m of this stream which materially contravenes Policy Objective WM 11-11 of the Cork County Development Plan 2022, where there is a presumption against culverting of existing streams. The proposed development would therefore be contrary to the proper planning and sustainable development of the area

3.2 Planning Authority Reports

3.2.1 Planning Reports

- Case Planner- Reflects decision of planning authority; recommends refusal of permission

- Senior Executive Planner and Senior Planner- endorses report of Case Planner; recommends refusal of permission

3.2.2 Other Technical Reports

Area Engineer- Further information required in relation to submission of Flood Risk Assessment, SuDS measures, percolation test results, details of proposed culvert and proposed footpath (03/05/2024)

Environment Section- Missed opportunity not to retain the riparian woodland to south of site and incorporate watercourse into landscape plan. Notwithstanding this, no objections (dated 29/04/2024)

Estates Section- No objection, subject to conditions (23/04/2024)

Public Lighting- Further information requested (12/04/2024)

Housing Officer- No objections (09/04/2024)

Ecology Section- Refusal recommended. Removal of riparian habitat would contravene Objectives GI 14-1(d), BE 15-2(c), BE 15-6 and BE 15-8 of CDP. In addition, the application proposes culverting a stream and developing within 10m of this stream, which is contrary to Objective WN 11-11 of operative CDP (02/05/2024)

Archaeology Section- Further Information requested in relation to preparation of Archaeological Impact Assessment (26/04/2024)

Sustainable Travel Unit- No further comment (20/06/2024)

3.3 Prescribed Bodies

Uisce Eireann: Confirmation of Feasibility issued, dated July 2022. However, given passage of time, a new Pre-Connection Enquiry will need to be submitted in order to determine if there is capacity in both UE water and wastewater networks to cater for the development. Further Information requested (17/04/2024)

Inland Fisheries Ireland: Requests clarification that there is sufficient capacity in existence so that proposal does not overload either hydraulically or organically existing treatment facilities or result in polluting matters entering the waters or contribute to non-compliance with existing legislative requirements. No details submitted on proposed watercourse crossing- requests details of same. Requests

that there is no interference with bridging, drainage or culverting of the adjacent watercourse, its banks or bankside vegetation to facilitate the development without prior approval of IFI (04/04/2024)

Development Applications Unit (DAU) Department of Housing, Local Government and Heritage (dated 22/04/2024):

Nature Conservation:

- Noted that site consists almost entirely of semi natural habitats (riparian woodland, scrub, hedgerow, meadow and stream). In particular, noted that the riparian woodland habitat (used by breeding birds, foraging bats etc) is to be removed and that the development will extend to the stream bank at the southern end of the site on a steep slope. A number of Cork County Development Plan policies and objectives therefore appear relevant.
- Ecological Impact Assessment (EclA) states that the planting of trees/woodland in the northern part of the housing estate of a roughly equivalent area would compensate for the loss of 0.5 hectares of riparian woodlands. However, this would not be accurate noting age and established nature of the removed riparian woodland, fresh new planting would take a long number of years to reach the same biodiversity status and standard. This is relevant regarding net biodiversity loss. In addition, the woodland is riparian woodland and it is not clear that the proposed planting is in a location or of a type to be an equivalent to that habitat. Mitigation proposed for breeding birds includes installing nest boxes in the proposed newly planted wood but it is difficult to see how effective this would be in mitigating the loss of nesting habitat in the existing riparian woodland.
- Potential badger set occurs at the eastern end of the riparian wood (beside existing mature chestnut tree) and has not been referenced in the EclA. Not clear if it is currently active/being used by badgers/other mammals. It should be surveyed and assessed with the EclA updated accordingly. It would be removed with the riparian woodland.
- Appears from EclA that the riparian woodland and hedgerows may be removed during the bird nesting season.

- Appears that development will extend down to the stream bank of the southern end of the site on a steep slope. As well as the issue of removal of the riparian zone, it is also unclear how potential pollution of the stream during the construction/operation phases of the development would be avoided.
- References County Development Plan Objectives BE15-2, Objective WM11-11, Objective BE15-6, Objective GI14-1 and Objective GI14-3.

3.4 Third Party Observations

The planning authority received a number of observations which raised issues similar to those contained in the third-party observations.

4.0 Planning History

The most recent relevant history is as follows:

23/4065

Application WITHDRAWN for 45 no. dwelling units and all associated site works.

05/2503

Permission REFUSED for construction of 14 dwelling houses on grounds of inadequate public water/sewerage facilities and deficiencies in site layout, detract from the visual amenity of Coachford village.

5.0 Policy Context

5.1 National Planning Policy

Section 28 Ministerial Guidelines

The following list of section 28 Ministerial Guidelines are considered to be of relevance to the proposed development. Specific policies and objectives are referenced within the assessment where appropriate.

- Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities
- Sustainable Urban Housing, Design Standards for New Apartments

- Urban Development and Building Heights, Guidelines for Planning Authorities
- Design Manual for Urban Roads and Streets
- The Planning System and Flood Risk Management (including the associated Technical Appendices)
- Childcare Facilities – Guidelines for Planning Authorities
- Architectural Heritage Protection, Guidelines for Planning Authorities
- Appropriate Assessment Guidelines for Planning Authorities
- Climate Action Plan

Other policy documents of note:

- National Planning Framework
- Regional Spatial & Economic Strategy for the Southern Region

5.2 Local Planning Policy

Development Plan

The Cork County Development Plan 2022-2028 applies.

- Section 4.9 Coachford
- The vision for the village of Coachford is to encourage development within the settlement boundary, consolidate the settlement as a provider of a range of important local services and to promote sympathetic development in tandem with the provision of infrastructure and services.
- Coachford is designated as a Key Village
- Zoning: No specific land zoning attached to the site
- There are a number of policies and objectives in support of residential development within the operative Plan.
- Site located within designated High Value Landscape while the regional road, R-618 running to the south of the site is a designated scenic route, (S37 – Road between Leemount and Macroom, via Coachford). There are a number of policies and objectives that support the provision/protection of green infrastructure within the operative Plan.
- Settlement Strategy- 95 new units required during Plan period

- Church of Ireland, Church (RPS No.143) is designated as a Protected Structure, located immediately north of the site. Also listed on the NIAH (20907229) and is a Recorded Monument, (CO072-006001) which dates back to the mid 1800's.
- Located within Zone of Archaeological Potential for Church and graveyard

5.3 Natural Heritage Designation

The nearest designated site is The Gearagh SAC (Site Code:000108)- approximately 11.3km distant.

5.4 EIA Screening

Class (10)(b) of Schedule 5 Part 2 of the Planning and Development Regulations 2001 (as amended) provides that mandatory EIA is required for the following classes of development:

- Construction of more than 500 dwelling units,
- Urban development which would involve an area greater than 2 ha in the case of a business district, 10 ha in the case of other parts of a built-up area and 20 ha elsewhere. (In this paragraph, "business district" means a district within a city or town in which the predominant land use is retail or commercial use.)

The proposed development is for 45 dwellings on a site c. 2.29 ha. The proposed development is considered to be sub-threshold in terms of EIA having regard to Schedule 5, Part 2, 10(b) (i) and (iv) of the Planning and Development Regulations 2001 (as amended). Accordingly, it does not attract the need for a mandatory EIA. The site is located within the settlement boundary of Coachford, on lands which the planning authority consider acceptable in principle for residential development. Furthermore, as this proposal would fall below the relevant threshold, I conclude that, based on its nature, size, and location, there is no real likelihood of significant effects upon the environment and so the preparation of an EIAR is not required.

5.5 Appropriate Assessment Screening

See Appendix 2 below

I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located approximately 11.3km from The Gearagh SAC (Site Code:000108), the nearest

designated sites. The proposed development comprises the construction of 45 no. dwellings, together with ancillary site development works.

Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any appreciable effect on a European Site. The reason for this conclusion is as follows:

- Nature and scale of works
- Distance from nearest European site
- Taking into account screening determination by the planning authority (see Ecology section in Case Planner's Report dated 07/05/2024)

I consider that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on a European Site and appropriate assessment is therefore not required.

6.0 The Appeal

6.1 Grounds of Appeal

A first-party appeal was received, which may be broadly summarised as follows:

- Disappointed with planning authority decision, particularly given the acute housing need in village and the fact that the Council has endorsed a Part 8 housing development in Coachford. Considers there to be major inconsistencies in the planning authority's approach to both developments.
- Considers that the planning authority have incorrectly ascertained that the proposed development would materially contravene the Cork County Development Plan 2022.
- Considers that the proposed development does not deviate from the established character of the area.
- Substantial measures have been implemented to safeguard green infrastructure assets and adhere to nature conservation and environmental objectives. Proposal will not undermine the rural or landscape setting of Coachford or adversely impact local ecology and biodiversity.

Reasons for Refusal 1 and 2

- Proposed design was carefully conceived and exhibits sensitivity to the history and heritage of Coachford, using high quality local materials and respecting the architectural language of the village; will blend seamlessly with the existing fabric of Coachford, enhancing the overall sense of place and contributing positively to the village's aesthetic appeal.
- Proposal will provide a coherent and logical extension to the village core, with a footpath connection provided to the schools to the north of the village.
- Highlights similarities with a proposed Part 8 social housing development. Proposal includes measures to enhance the green infrastructure by retaining and supplementing the existing riparian woodland. Highlights use of SuDS to manage surface water and improve water quality.
- Development will not adversely impact any European sites within the zone of influence.
- Proposal includes preserving existing trees where possible and proposal extensive supplementary planting which will significantly minimize the visual impact of the proposed scheme. It includes public open spaces which exceeds the PA's minimum requirements and provides high quality recreational areas for residents.
- The development promotes pedestrian permeability and connectivity and enhances pedestrian links to the village centre and schools. Only a very small section of the drain is proposed to be culverted. Also noted that this drainage ditch has already been subject to significant culverting by Cork County Council to the east of the site. Classification of this drain as a water course/stream exaggerates the perceived ecological impact. Considers the development to be consistent with the objectives of the operative Development Plan, BE15-2 and BE15-6. No trees of quality are to be felled to facilitate the development. The EclA and AA Screening Report both stated that the existing habitats on site are not suitable to support high quality environment or ecological area.

Reason for Refusal No. 3

- Existing boundary of the site will be retained where possible. Only section to be removed is to facilitate a footpath connection. None of the trees on the site are under Tree Preservation Orders. Disagrees that the proposal will materially contravene Objective GUI 14-9. The planting of additional trees will create shade and ensure that development is screened from the scenic route, thereby having no negative impact on views and amenities.

Refusal Reason No. 4

- Drainage ditch is man-made and not a significant watercourse.
- The culverting of the drainage ditch that runs along the southern boundary of the site is necessary in order to provide access onto the site; minimal level of culverting
- EclA concluded that the ditch is of no fisheries importance and that there will be no adverse effects on protected aquatic species within the proposed site

6.2 Applicant Response

N/A

6.3 Planning Authority Response

- While development of housing units may be welcomed in principle, proposal cannot be supported by PA
- Removal of long-established hedgerow and subsequent planting of an extra 29m does not provide for biodiversity net gain in the medium term, which is also noted in NPWS submission. Ecology section of PA considered that the removal of riparian woodland to be contrary to GI 14-1(d), BE 15-2(c), BE 15-6 and BE 15-8 of CDP and therefore recommends refusal
- IFI guidelines have been given no regard in EclA with regards mitigating against impacts to freshwater ecology. IFI submission noted. Noted that IFI guidelines were not even listed as mitigations. Also, regarding culverting of stream- as the town centre is susceptible to flooding, a section 50 consent from OPW may be required
- A more holistic approach to proposed landscape plan and proposed SuDS drainage plan is required. Missed opportunity to retain the riparian woodland

and integrating it into overall landscape and surface water management plan to respond to hydrological and meteorological conditions

- Serious concerns with site strategy, scale, layout and urban form of proposal. Should respond appropriately to the receiving context within the centre of Coachford and should work with rather than against the natural assets on site. A land-use proposal which effectively responds to the site constraints and integrates it within the landscape, utilising what is already extant in terms of biodiversity in particular as an anchor on which to build on would be more appropriate.

6.4 Observations

Two observations were received, which may be broadly summarised as follows:

- Proposal not similar to Part 8 housing development referenced in appeal- sets out differences between two proposals; proposal considered to be ill-conceived and inappropriate
- Suburban housing estate so close to village square will negatively impact village
- Questions how the proposal can enhance ecology and biodiversity; considers the best way to enhance ecology is not to interfere with it; concerned that use of artificial SuDS will not replace nature-based solutions currently on site; concerns regarding tree felling
- Supplementary planting is not a replacement for rich, mature, low lying riparian woodland and mature hedges/ditches; unique characteristics of site noted; many species noted on site including barn owl
- Removal of riparian woodland will have negative impact on ecology of area
- Not correct to refer to site as 'infill'
- Concerns regarding flooding

6.5 Further Responses

None

7.0 Assessment

- 7.1 The proposed development comprises the construction of 45 no. residential units and associated site development works. The planning authority refused permission for the proposed development for four no. reasons relating to (i) site strategy, scale, layout and urban form being out of character with existing pattern of development; (ii) ecological issues relating to removal of riparian woodland and culverting of existing stream; (iii) impacts on visual amenity of High Value Landscape by reason of excessive levels of excavation and removal of existing trees and (iv) presumption against culverting of stream.
- 7.2 Having examined the application details and all other documentation on file, including the reports of the planning authority and prescribed bodies, all appeal documentation and observations received, together with having inspected the site, I consider that the main issues in this appeal are as follows:
- Principle of proposed development/site strategy/design rationale
 - Ecology/Biodiversity
 - Visual Amenity
 - Other Matters including drainage/capacity/flooding issues

Principle of proposed development/site strategy/design rationale

- 7.3 The subject site is located within the settlement boundary of Coachford. I note that there are numerous policies and objectives in the operative Plan that support residential development within existing settlement boundaries on such sites. Coachford is identified in the operative County Development Plan as a Key Village in the Macroom Municipal District and is located in the CASP Ring Strategic Planning Area. The vision for Coachford, as set out in the operative County Development Plan, seeks to encourage development within the settlement boundary, consolidate the settlement as a provider of a range of important local services and to promote sympathetic development in tandem with the provision of infrastructure and services. (Section 4.9.1). The Plan envisages the need for an additional 95 housing units in Coachford during its life. There is no specific zoning pertaining to the site, however it

is located within the development boundary of Coachford, an urban area. Under Policy Objective ZU 18-3 of the County Development Plan 2022, it is a general objective to site new developments within the development boundary. Policy Objective DB-01 encourages the development of 95 no. dwellings over the lifetime of the period within the development boundary of Coachford. The planning authority are of the opinion that this development proposal can be considered in principle, subject to normal, proper and sustainable planning considerations. I am of the opinion that there is a recognised need for additional dwellings within the existing footprint of the village and an appropriate form and scale of development could aid in meeting these housing targets of the planning authority. I am therefore also satisfied with the principle of residential development on this site.

- 7.4 The planning authority raise concerns regarding the site strategy including the scale of the overall development. They note section 4.9.2 of the operative Plan recommends that the size of any single residential scheme proposed should generally not be over 50% of the overall scale of development as envisaged for a particular area, over the lifetime of the Plan. The proposed development of 45 units aligns with this general guidance, however the planning authority are of the opinion that this is a general recommendation and cannot be viewed in isolation. They are of the opinion that having regard for the overall site characteristics and constraints that these lands hold, that there are concerns regarding the scale of the proposal put forward. The planning authority highlight that there is an excessive level of cut and fill required to accommodate the proposal on site, due to the site's terrain. I would not disagree with this opinion of the planning authority and also question the scale of the proposed development, given the site constraints and the works required to the natural environment to deliver a development of the scale currently proposed. Furthermore, the stated density of development is 20 units/hectare; however it is unclear how this figure was arrived at and what areas were included in the calculations. The rationale for calculation of density has been raised by the planning authority. I note 20 units/ha complies with Development Plan policy for development in such areas (although I do note the lands are not residentially zoned). The Compact Settlement Guidelines states that for rural town and villages, of which Coachford could be described, the density of development should respond in a positive way to the established context. In my opinion, this is a difficult, sensitive site

with varying levels. Any further proposal may need to consider whether a lesser level of development is more appropriate, given these sensitivities and the need to protect long-established vegetation on site and the character of the site.

- 7.5 An Architectural Design Statement and Planning and Design Statement were submitted with the application documentation. The first party appeal states that the proposed design was carefully conceived and exhibits sensitivity to the history and heritage of Coachford, using high quality local materials and respecting the architectural language of the village. They further state that the proposal will form a logical extension to the village core, with improved connectivity.
- 7.6 I have serious concerns regarding the layout and design rationale before me and consider that it needs a complete, holistic re-examination- one that incorporates the natural features of the site into its layout and complies with the provisions of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities and associated appendices (in particular Appendix D- Design Checklist) in terms of quality urban design and place-making. This may require a reduction in the overall number of units, given the site constraints. I am of the opinion that the proposal does not respond in a positive way to the established context. It is acknowledged as being a somewhat difficult site in terms of the presence of riparian woodland and significant level differences across the site. Notwithstanding this, the proposal put forward does not positively respond to the natural features and landscape character of the site nor does it incorporate them sufficiently into the design of the proposed scheme. The proposal does not put an emphasis on the protection of natural assets/biodiversity nor does it put forward a coherent, responsive urban structure that responds in a positive way to site levels and natural features on site. Further details are required relating to extent of cut and fill proposed. The proposal is suburban in nature and if permitted would detract from the character and setting of this village. This is especially pertinent given the site location close to the village centre, together with the extent of road frontage (in excess of 260m) along the designated Scenic Route R618. The proposal involves the removal of a substantial portion of the established riparian woodland (only 0.19 ha remaining with 0.5ha proposed for removal) with 65% of trees surveyed proposed for removal and removal of 179m of hedgerow- all of which currently add to the character of the village as one travels along the regional road. I do acknowledge

that compensatory planting is proposed, which is dealt with in the Ecology section below.

- 7.7 The layout is such that it does not address that remaining/supplementary planting. The proposed layout with parallel road to R618, gardens backing onto the main regional road/riparian woodland area/stream to south/front of site are considered inappropriate and would offer a poor form of urban design at this location. This is exacerbated by 1.8m high weldmesh fencing proposed at this location, and also proposed along the roadside boundary with the local road to the east. The usability of the open space is questioned in parts, due to the sloping nature of the lands. The positioning of the apartment block also causes issues. For example, no information has been provided as to where the proposed bin storage areas for the apartment blocks are to be located. The open space to the rear of Units 5-15 (with their rear gardens backing onto it) is considered to be residual in nature and is poorly supervised.
- 7.8 To conclude this point, I am satisfied that the principle of residential development is acceptable on this site and that an appropriate proposal would aid in achieving targets for residential development within the settlement. However, I have serious issues with regards the scale of development proposed given the site constraints and the layout/urban design of the proposal before me. I consider that the proposal is not in compliance with Objective PL 3-1 and PL 3-3 of Volume 1 of the Cork County Development Plan 2022, which seeks to support measures to improve building design quality, accessibility and movement including investment in quality public realm linked to a number of design criteria and which seeks to seek to create high quality inclusive places respectively. I recommend refusal of permission in relation to this matter. Other matters of concern are dealt with below.

Ecology/Biodiversity

- 7.9 I highlight to the Board that all four reasons for refusal raise concern to some extent with ecological/ biodiversity matters and impacts of proposal on same and there is overlap with regards to this matter. I also highlight that concerns raised in relation to ecology/biodiversity are at a local level only and do not relate the matter of Appropriate Assessment or any impacts on designated sites.

- 7.10 A Tree Survey, AA Screening Report, Landscape Design Rationale, Landscape Masterplan and Ecological Impact Assessment (EclA) were, inter alia, submitted with the application documentation.
- 7.11 The Planning Authority state that they are not satisfied that the proposed development could be accommodated without adversely affecting the ecological and biodiversity of the site. Furthermore, having regard to the loss of the riparian woodland and the culverting of the existing stream, they considered that the proposed development fails to protect and enhance areas of local biodiversity value, ecological corridors and habitats that are features of the County's ecological network. The proposed development would therefore be seriously injurious to the biodiversity value of area, would materially contravene policy objective BE 15-2, BE 15-6 and BE 15-8 of the Cork County Development Plan 2022-2028 which seeks to protect areas of biodiversity value, Policy objective GI 14-1 (d) which seeks to strengthen ecological linkages which watercourses have with hedges / treelines, woodland and scrub in the wider landscape and Policy Objective GI 14-2, which requires new development proposals to contribute to the protection, management, and enhancement of the existing green and blue infrastructure of the local area. The first party refute these reasons for refusal and are of the opinion that substantial measures have been implemented to safeguard green infrastructure assets and adhere to nature conservation and environmental objectives. They further consider that the proposal will not undermine the rural or landscape setting of Coachford or adversely impact local ecology and biodiversity.
- 7.12 The planning authority are of the opinion that the proposal does not safeguard the green infrastructure assets of Coachford village, as required under DB-02 of the Plan. I would concur with this assertion. Objective DB-02 states that 'New development should be sensitively designed and planned to provide for the protection of green infrastructure assets of the village and will only be permitted where it is shown that it is compatible with the requirements of nature conservation directives and with environmental, biodiversity and landscape protection policies...'. Policy Objective GI 14-2, which requires new development proposals to contribute to the protection, management, and enhancement of the existing green and blue infrastructure of the local area is noted. The proposal before me includes for the removal of a stated 0.5 hectares of riparian woodland and scrub along the southern

end of the site to facilitate the proposed development with approximately 0.52 hectares of supplementary planting proposed towards the northern end to offset for this removal. Approximately 0.19ha of scrub and riparian woodland is being retained. The proposal also includes for 65% of trees surveyed earmarked for removal, together with a stated 179m of hedgerow. The site consists of almost entirely semi-natural habitats including riparian woodland, scrub, hedgerow, meadow and stream. The riparian woodland is stated to be used by, inter alia, breeding birds and foraging bats. I would have concerns regarding the removal of these long-established habitats and would concur with the planning authority that new compensatory planting would not provide for a biodiversity gain, given the long-established characteristics of that being removed. The DAU section of the NPWS state that it is not accurate to state that the replacement planting would compensate for that loss, bearing in mind the age and established nature of the riparian woodland which would be lost. They state that new planting would take a long number of years to reach the same biodiversity status and standard, which is relevant regarding net biodiversity loss. Furthermore, they highlight that the woodland being lost is riparian woodland and it is not clear that the proposed planting is in a location (northern end of site as opposed to that removed being at southern end) or type to be equivalent to that being removed. This is considered to be a reasonable opinion and I would concur with same.

- 7.13 Additionally, I would concur with the opinion of the NPWS when they state that it is difficult to see how the installation of nest boxes for breeding birds would be effective in mitigating the loss of their nesting habitat in the existing riparian woodland.
- 7.14 I note that the majority of existing hedgerow appears proposed for removal (approximately 179m) to facilitate the provision of a footpath and new site entrance along the southern boundary. A balance needs to be achieved between improving pedestrian connectivity and retaining the existing vegetation. Approximately, 208m of new hedging is proposed as compensation/mitigation measure. Included in the hedgerow removal is a mature Oak tree that has moderate potential as a bat roost. Again, the same issue arises in terms of the biodiversity loss of replacing 200–300-year-old hedgerow with new plant species and I have concerns regarding the extent of loss of foraging habitat for bats and birds and question how they can be considered equivalent, given the extent of removal proposed. The matter would

obviously not be so great, if lesser levels of removal were proposed. The Ecology section of the planning authority also has similar concerns. There is inadequate detail in the submitted EclA in this regard.

- 7.15 I note that there are proposals to plant some trees within the rear garden areas of private dwellings. I question the appropriateness of this, given that they could be removed and/or not be maintained by any future occupants. In my opinion, the placing of compensatory planting is better served in public areas of the proposed scheme.
- 7.16 The NPWS highlight that there is a potential badger sett at the eastern end of the riparian woodland, which appears not to have been addressed in the submitted EclA. I have examined the submitted EclA and note that it states that a badger survey was undertaken on site on 03rd May 2023. The EclA further states that no evidence of badger was recorded at the proposed site, though does acknowledge that there is potential for the proposed site to form part of the foraging territory of a local population of badger and that a pre-construction survey shall be undertaken prior to the commencement of construction to identify active badger setts occurring within the site. Mitigation measures are proposed in the event of setts being identified. This matter, including survey and assessment, should be addressed in any future application on the lands.
- 7.17 The NPWS state that the submitted EclA appears to state that the riparian woodland and hedgerows would be removed during the bird nesting season. I have examined the submitted EclA and note section 5.1.3.1 which states that where feasible, no clearance of woodland or other removal of vegetation on site shall occur during the bird breeding season from March 1st to August 31st. The term 'where feasible' causes me some concern and I question what the parameters for this would be. Elsewhere (in section 5.1.3.2) the EclA states that tree felling can be undertaken from late August and in the Autumn (section 5.1.3.4). There seems to be some contradictions relating to this matter, however if the Board were disposed towards a grant of permission, this matter could be adequately dealt with by means of condition.
- 7.18 Inadequate details have been submitted in relation to pollution control measures for the stream at the southern end of the site, given that the development extends down

to this location. This is particularly pertinent given the sloping nature of the lands (up to 8m in parts from north to south).

- 7.19 Reason No. 4 of the planning authority decision to refuse permission stated that the application proposes culverting a stream and developing within 10m of this stream which materially contravenes Policy Objective WM 11-11 of the Cork County Development Plan 2022, where there is a presumption against culverting of existing streams. Policy Objective WM 11-11 (Vol. 1) of the Plan seeks to ensure development is kept 10m or other appropriate distance from stream and river banks in line with best practice for riparian corridors and that there will be a presumption against the use of culverts and opportunities to actively remove existing culverts and re-naturalise/ daylighting watercourses will be encouraged in development proposals. I note the wording of these objectives which state that there 'will be a presumption against...' and also 'kept 10m or other appropriate distance' which to my mind allows for a degree of flexibility in this regard. Having regard to these objectives and based on the information before me, together with the limited extent of culverting proposed, I am of the opinion that the proposal does not materially contravene Policy Objective WM 11-11 of the operative County Development Plan.
- 7.20 I acknowledge the case put forward by the first party in terms of the size of the channel running along the southern boundary of the site and the limited culverting of same which is proposed- considered necessary to provide access to the subject site. The first party in their response to the appeal consider this to be a drainage ditch with no fisheries importance. They further note that the drain has been significantly culverted by the Council downstream and is culverted under the local road and village, east of the subject site.
- 7.21 The watercourse is located at the southern end of the site has been referred to as a stream in much of the submitted documentation. At the time of my site visit, there was water flowing in it. It enters the Knockaneowen Stream to the east of the site. The Knockaneowen stream forms part of the Lee (Cork)_080 WFD monitoring waterbody, which according to data is at Good status but At Risk of failing to meet its WFD objectives. I highlight to the Board that there is a limited extent of culverting proposed, namely where the proposed access crosses over the stream. Section 4.1.2.2 of the submitted EclA states that it is proposed to culvert the stream at the south of the site underneath the site entrance road and that the rest of the stream

will remain as an open channel with riparian planting of groups of native tree species to the north of the stream. This is considered reasonable. However, I do acknowledge that the proposed development comes within 10m of this stream (approximately 6m). If all other elements of the proposal provided for a high-quality scheme that protected and enhanced and natural habitats on site, including a 10m setback from the stream, I would not have major issue with culverting the stream at the access point, given that it is relatively minor in nature and has been undertaken by the Council elsewhere in the village. However, such a high-quality scheme has not been put forward, in my opinion, and therefore this matter, taken in conjunction with the other issues raised above, is just another indication in my mind of where the proposal is not protecting/enhancing the natural environment at this location.

- 7.22 To conclude this matter, I consider that based on the information before me and notwithstanding the contents of the first party appeal and documentation submitted with the planning application, that little regard has been made to protect or enhance the natural habitats/biodiversity on site. My issue is with the extent of removal proposed. Inevitably some removal of habitat would be required to facilitate any development on the lands. I concur with the planning authority and NPWS that the removal of long-established riparian woodland and hedgerow to facilitate the development and its replacement with new species, is not a 'like for like' measure and would be unlikely to lead to biodiversity gain on the site. The proposal does not provide for the protection and enhancement of biodiversity in the development management process, as per Objective BE 15-6 of the Plan and as per the provisions of the section 28 Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities. The proposal does not encourage the retention and integration of existing trees, hedgerows or other features of high natural value within this proposed development nor does it ensure the implementation of appropriate mitigation within the proposed new development. In terms of Objective GI 14-3, the proposal does not contribute to the protection, management and enhancement of the existing green and blue infrastructure in terms of design, layout and landscaping of development proposals. As stated elsewhere, it appears to me that the layout of the proposed development has paid little regard to the natural features/habitats on site and a complete re-examination of the proposed scheme would be required.

Visual Amenity

- 7.23 The third reason for refusal which issued from the planning authority stated that the site of the proposed development is located within a High Value Landscape with high sensitivity, is of national importance and that by reason of the excessive levels of excavation and removal of existing trees which form the Riparian woodland, the proposal would adversely impact upon and seriously injure the visual amenities and landscape character and appearance of this scenic rural area, and therefore the proposed development would be contrary to the proper planning and sustainable development of the area.
- 7.24 The following objectives- GI 14-3, GI 14- 9, GI 14-14- of the Cork County Development Plan 2022 which place emphasis on the protection of such landscapes have been referenced in the reason for refusal.
- 7.25 I am of the opinion that this matter ties in the design rationale section above and I refer the Board to same.
- 7.26 The planning authority in their response to the appeal state that the layout of the proposed scheme will result in the removal of a well-established and valuable riparian woodland area, in an area regarded as a High Value Landscape, as set out in the operative County Development Plan. They further state that scenic routes and their associated characteristics needs to be protected and that the R-618, is designated as such a Scenic Route with the proposed development site essentially forms part of the western defined settlement boundary of Coachford. They therefore contend that a proposal of this scale and extent, which requires a substantial amount of ground works and species removal would result in an overly excessive development which would alter the character of this rural village and be considerably visible as you enter the village from the west. The first party in their appeal refute this reason for refusal and state that the existing boundary of the site will be retained where possible and that only a section is to be removed to facilitate a footpath connection. They note that none of the trees on the site are under Tree Preservation Orders. They further state that the planting of additional trees will create shade and ensure that the proposed development is screened from the Scenic Route, thereby having no negative impact on views and amenities. I note concerns raised in one of the observations regarding impacts on the character and setting of the village.

- 7.27 The prominent location of the site close to the village centre, together with the extent of road frontage along the R618 is highlighted- approximately 265m. As stated elsewhere within this report, the subject site located within a designated High Value Landscape, as set out in the operative County Development Plan, while the regional road, R-618 (located to the south of the site) is a designated scenic route, (S37 – Road between Leemount and Macroom, via Coachford). There are a number of policies and objectives that support the provision/protection of green infrastructure within the operative Plan including those referenced in the reason for refusal Objectives- GI 14-3, GI 14- 9 and GI 14-14. I am of the opinion that Objectives GI 14-9 Landscape and GI 14-14 Development on Scenic Routes are most relevant to this issue of impacts on visual amenity. Objective GI 14-9 seeks to, inter alia, protect the visual and scenic amenities of County Cork's built and natural environment, ensure that new development meets high standards of siting and design and discourage proposals necessitating the removal of extensive amounts of trees, hedgerows and historic walls or other distinctive boundary treatments. Objective GI 14-14, inter alia, requires those seeking to carry out development in the environs of a scenic route and/or an area with important views and prospects, to demonstrate that there will be no adverse obstruction or degradation of the views towards and from vulnerable landscape features. In such areas, the appropriateness of the design, site layout, and landscaping of the proposed development must be demonstrated along with mitigation measures to prevent significant alterations to the appearance or character of the area.
- 7.28 Having examined all of the information before me, I am of the opinion that a balance needs to be achieved, as with many sites, between permitting an appropriate level of development whilst at the same time protecting the natural heritage of the site. It is often inevitable that there will be some loss of natural habitat in order to facilitate development. Compensatory planting is often proposed to mitigate against such loss and a high-quality development is put forward to justify such loss. While this site is located within the settlement boundary of Coachford where it is envisaged a need for 95 new residential units within the lifetime of the Plan, it must be acknowledged that the site is within a sensitive location- being within a Landscape of High Value, along a designated Scenic Route and accommodating the aforementioned riparian woodland which adds significantly to the character and

amenity of the village as one travels the R618. I acknowledge the point of the first party when they state that none of the trees on the site are under Tree Preservation Orders. I am also of the opinion that any impacts on nearby Protected Structures or other historic sites, would not be so great as to warrant a refusal of permission. Given the level differences across the site, a significant amount of excavation would be required to accommodate the development proposed. I consider that the impacts on visual amenity are intertwined with the matters dealt with above in relation to impacts on ecology and site strategy. As stated previously, I question the appropriateness of the design solution put forward and an alternative design solution, which works with better integrating the natural features of the site into any new proposal may have lesser impacts on the visual amenity of the area, which in turn may justify some loss of existing natural vegetation including the hedgerow. While I accept that the proposal is setback from the road edge and that some planting will be remain between the proposed development and the R618, the proposal to have rear gardens with 1.8m high weldmesh fencing backing onto a Scenic Route in a High Value Landscape is totally inappropriate in my mind and would serve to detract further from the visual amenities of this area. I am not satisfied in this regard and recommend a refusal of permission in relation to this matter.

Other Matters

- 7.29 The planning authority and first party make numerous references in their reports to Reg. Ref. 23/4065, which was an application for 45 no. dwelling units and all associated site works. This application was withdrawn prior to any decision issuing from the planning authority. As no decision issued, I do not reference it in this report in terms of comparisons between the two applications.
- 7.30 The first party make significant references in their appeal documentation to a Part 8 development in Clonteadmore, Coachford, which they contend was endorsed by the planning authority and was similar to that proposed in this current appeal, in terms of site characteristics and vegetation and impacts of development on same. The observations received point out differences between the two developments in terms of location, proximity to Protected Structures and extent of riparian woodland proposed for removal. While I note the points put forward, I can only assess the

current proposal based on the information before me with regards this current appeal. I also note that each application is assessed on its own merits.

- 7.31 The proposed site is not located within Flood Zones A or B. There is no data for flooding on the site or immediate vicinity on OPW mapping. However, the internal reports of the planning authority state that there is a flooding issue in the village which the surface water drain/stream which flows through the site contributes to. A flood event is recorded approximately 100m to the east of the site. The planning authority are of the opinion that due to the replacement of large areas of permeable ground with hardstanding areas (roofs, driveways, roads etc) the impact of the site on the flood risk to the village should be taken into account. Therefore, a flood risk assessment for the site should be submitted in any further application on the lands. I would concur with this assertion.
- 7.32 The planning authority are also of the opinion that inadequate details were provided in relation to drainage matters including attenuating surface water runoff from the estate roadway which runs through the site, which also has the potential to impact on the flood risk to the village, together with details of the proposed culvert over the existing stream and percolation test results on the existing soil to ensure that the proposed swale infiltration area will work. Such matters should be addressed in any future application on the lands.
- 7.33 Matters raised in the Planner's Report in relation to inadequate storage space to some of the proposed apartments and inadequate details relating to private open space provision to the apartment units are noted. Any future proposal for apartments on this site should ensure compliance with the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2022). Other issues raised by the planning authority should be addressed in any future application on the lands.

Conclusion

- 7.34 To conclude, there is much overlap between the issues of impacts on ecology/biodiversity/visual amenity/design rationale and impacts on sensitive, designated landscape with repetition between issues. In summary, I am satisfied with the principle of residential development on this site, given its locational context and the stated need for additional residential units within the village of Coachford.

The stated density of development is 20 units/hectare; however it is unclear how this figure was arrived at and what areas were included in the calculations. It appears to me that this is a difficult, sensitive site and any further proposal may need to consider whether a lesser level of development is more appropriate, given these sensitivities and the need to protect long-established vegetation and the character of the site. I have considerable concerns with regards the design rationale put forward and consider that it does not respond to the site characteristics or sensitivities. The prominent location of the site close to the village centre, together with the extent of road frontage along the R618 exacerbates these concerns. The removal of significant area of riparian woodland and its replacement with new planting in a different area of the site is not acceptable. There are omissions/lack of clarity in the EclA that require addressing in any future application, together with additional information in relation to matters such as flooding, apartment standards, archaeological assessment. Having regard to all of the above, I am not satisfied that the proposed development is in accordance with the provisions of the operative County Development Plan, is not in keeping with the pattern of development in the area and is not in accordance with the proper planning and sustainable development of the area.

8.0 Recommendation

- 8.1 I recommend that the decision of the planning authority be UPHELD and that permission be REFUSED, for the following reasons.

9.0 Reasons and Considerations

1. Objective GI 14-9 of the Cork County Development Plan 2022-2028 seeks to protect the visual and scenic amenities of County Cork's built and natural environment, ensure that new development meets high standards of siting and design and discourage proposals necessitating the removal of extensive amounts of trees, hedgerows and historic walls or other distinctive boundary treatments. Objectives PL 3-1 and PL 3-3 of the Plan 2022 seek to support measures to improve building design quality, accessibility and movement linked to a number of design criteria and to create high quality inclusive places

respectively. In addition, the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, 2024 and associated appendices (in particular Appendix D- Design Checklist) sets out guidance in relation to quality urban design and placemaking. It is considered that the proposed development results in a poor design concept that is inappropriate in its scale and layout; results in the removal of extensive amounts of riparian woodland, trees and hedgerows, together with excessive levels of excavation; fails to provide high quality usable open spaces; would result in a substandard form of development with residential units backing onto roadways and open space, all of which would undermine the character and setting of the village of Coachford. The proposal is considered not to be in keeping with the pattern of development in the area and would lead to conditions injurious to the residential amenities of future occupants.

Furthermore, the proposed development would detract from Scenic Route No. S37 and the High Value Landscape, as designated in the operative County Development Plan 2022-2028, in which the subject site is located and is considered to be contrary to Objective GI 14-14 Development on Scenic Routes, which seeks that there will be no adverse obstruction or degradation of the views and that the appropriateness of the design, site layout, and landscaping of the proposed development be demonstrated along with mitigation measures to prevent significant alterations to the appearance or character of the area. The proposal would lead to significant alterations to the appearance or character of this area; would adversely impact upon and seriously injure the visual amenities; would set an undesirable precedent for further similar substandard developments and would be contrary to the proper planning and sustainable development of the area.

2. Objective DB-02 states that 'New development should be sensitively designed and planned to provide for the protection of green infrastructure assets of the village and will only be permitted where it is shown that it is compatible with the requirements of nature conservation directives and with environmental, biodiversity and landscape protection policies...' while Policy Objective GI 14-

2 requires new development proposals to contribute to the protection, management, and enhancement of the existing green and blue infrastructure of the local area. The Board is not satisfied that the proposed development, which includes for the extensive removal of riparian woodland, trees and hedgerow would not adversely affect the ecology and biodiversity of the site and considers that the proposed development fails to protect and enhance areas of local biodiversity value, ecological corridors and habitats that are features of the County's ecological network nor does it enhance the existing green and blue infrastructure of the local area. The proposal is therefore considered not to be in compliance with these Policy objectives; would set an undesirable precedent for further similar development and is inconsistent with the proper planning and sustainable development of the area.

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.

Lorraine Dockery
Senior Planning Inspector

20th December 2024

Appendix 1- EIA Preliminary Examination- Form 2

An Bord Pleanála Case Reference	ABP- 319810-24	
Proposed Development Summary	Construction of 45 no. residential units and all associated ancillary development work.	
Development Address	Glebe and Knockaneowen, Coachford, County Cork	
<p>The Board carried out a preliminary examination [ref. Art. 109(2)(a), Planning and Development regulations 2001, as amended] of at least the nature, size or location of the proposed development, having regard to the criteria set out in Schedule 7 of the Regulations.</p> <p>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</p>		
	Examination	Yes/No/ Uncertain
<p>Nature of the Development. Is the nature of the proposed development exceptional in the context of the existing environment.</p> <p>Will the development result in the production of any significant waste, emissions or pollutants?</p>	<p>Not exceptional in the context of the existing environment. Serviceable site within built-up area of Coachford, where a need for 95 additional units has been identified within the lifetime of the Plan.</p>	<p>No</p> <p>No</p>
<p>Size of the Development Is the size of the proposed development exceptional in the context of the existing environment?</p> <p>Are there significant cumulative considerations having regard to other existing and / or permitted projects?</p>	<p>Size of the proposed development is not exceptional in the context of the existing environment. Connecting to existing infrastructure</p>	<p>No</p> <p>No</p>
<p>Location of the Development Is the proposed development located on, in, adjoining, or does it have the potential to significantly impact on an ecologically sensitive site or location, or protected species?</p> <p>Does the proposed development have the potential to significantly</p>	<p>Proposed development is not located on, in, adjoining, or does it have the potential to significantly impact on an ecologically sensitive site or location, or protected species. Mitigation measures proposed to protect local ecology only.</p>	<p>No</p>

affect other significant environmental sensitivities in the area, including any protected structure?	No PS on site. No protected species/habitats on site	
Conclusion		
There is no real likelihood of significant effects on the environment. EIA is not required.		

Inspector: Lorraine Dockery Date: 20th December 2024

Appendix 2- Screening the Need for Appropriate Assessment

Screening the need for Appropriate Assessment

Finding of no likely significant effects

Appropriate Assessment: Screening Determination

(Stage 1, Article 6(3) of Habitats Directive)

I have considered the proposed development of 45 residential units and ancillary site works at Coachford, Co. Cork in light of the requirements of S177U of the Planning and Development Act 2000 as amended.

A screening report for Appropriate Assessment was submitted with this planning appeal case and concluded that significant effects are not likely to arise, either individually or in combination with other plans or projects on the Natura 2000 network. This conclusion is stated to be based on scientific knowledge. The planning authority notes the report of their Ecology Section and state that the site is not located within a designated AA Screening Zone, as per Cork County Council's mapping system. The planning authority note that the site is hydraulically linked to Cork Harbour SPA and the Great Island Channel SAC, but given the separation distances from these designated sites (in excess of 30km) they concluded the proposed development is not likely to give rise to significant impacts on these Natura 2000 sites and that the preparation of a Natura Impact Statement and Appropriate Assessment was not required. The report of the DAU, NPWS did not raise any issues in relation to Appropriate Assessment.

A detailed description of the proposed development is presented in Section 2 of my report. In summary, the subject site is located within the existing settlement of Coachford, Co. Cork. The site contains grassland, scrub and riparian woodland and is bound by trees/hedgerows along its boundary. The site, as outlined in red, has a stated area of 2.29 hectares. Access to the site is from the R618. The site slopes from north to south.

An unnamed stream is located along its southern boundary, with another drainage ditch along the middle of the site. This stream is stated to have been highly modified to run alongside the roadside boundary and R618. EPA mapping shows no water courses running through or adjacent to the development site boundary. The Knockaneowen River is located approximately 100m east of the proposed site at its closest point.

The proposed development will be served by public mains connections. SuDS measures are proposed, which are standard measures in all new such developments and are not included to avoid/reduce an effect to a Natura 2000 site. The site is not located within a flood risk area. There are no invasive species recorded on site. Habitats on site are of local biodiversity value only.

European Sites

The proposed development site is not located within or immediately adjacent to any site designated as a European Site, comprising a Special Area of Conservation (SAC) or Special Protection Area (SPA). The proposed development site is close to the built-up residential area and centre of Coachford village within the settlement boundary.

The boundary of the nearest European Sites to the proposed development are

- **The Gearagh SAC** (Site Code:000108)- approximately 11.3km distant
- **The Gearagh SPA** (Site Code:004109) - approximately 12.6km distant
- **Mullaghanish to Musheramore Mountains SPA** (Site Code:004162)- approximately 14.3km distant

all located within 15km of the proposed development site.

Using the source-pathway-receptor model, it was determined that there is no hydrological connectivity between the proposed development site and these designated sites. In view of this and the lack of any evidence that the development site provides a support to any QI habitats or species of these European sites, no likely significant effects will occur as a result of the proposed development during construction or operational phases.

The Ecology Section of the planning authority concurs with the conclusion of the submitted AA Screening Report but additionally notes that the proposed development site is hydrologically connected to:

- **Cork Harbour SPA** (Site Code:4030)
- **Great Island Channel SAC** (Site Code: 001058)

both of which are located in excess of 30km from of the proposed development site.

The planning authority were of the opinion that given the remote distance, over 30km, there is no potential for the proposed development to give rise to significant impacts on any Natura 2000 sites. The NPWS have not raised concerns in this regard. A Confirmation of Feasibility previously issued from Uisce Eireann and they did not raise concerns in this regard. The report of the IFI is noted requests clarification in relation to capacity in order to avoid overloading of infrastructure.

As a highly precautionary measure, I will examine both of the above sites in further detail. However, given the limited scale of the proposal and distances involved, I do not consider it necessary to examine the potential for significant effects on any European Sites beyond those of **Cork Harbour SPA (Site Code:004030)** and **Great Island Channel (Site Code: 001058)**.

<p>Cork Harbour SPA (Site Code:4030) – 30km distant</p> <p><u>Cork Harbour SPA National Parks & Wildlife Service (npws.ie)</u></p> <p>Qualifying Interests</p>	<p>Conservation Objective</p>
<p>Little Grebe</p>	<p>Maintain the favourable conservation condition</p>

Great Crested Grebe	Maintain the favourable conservation condition
Grey Heron	Maintain the favourable conservation condition
Cormorant	Maintain the favourable conservation condition
Shelduck	Maintain the favourable conservation condition
Wigeon	Maintain the favourable conservation condition
Teal	Maintain the favourable conservation condition
Pintail	Maintain the favourable conservation condition
Shoveler	Maintain the favourable conservation condition
Red-breasted Merganser	Maintain the favourable conservation condition
Oystercatcher	Maintain the favourable conservation condition
Golden Plover	Maintain the favourable conservation condition
Grey Plover	Maintain the favourable conservation condition
Lapwing	Maintain the favourable conservation condition
Dunlin	Maintain the favourable conservation condition
Black-tailed Godwit	Maintain the favourable conservation condition
Bar-tailed Godwit	Maintain the favourable conservation condition
Curlew	Maintain the favourable conservation condition
Redshank	Maintain the favourable conservation condition
Black-headed Gull	Maintain the favourable conservation condition

Common Gull	Maintain the favourable conservation condition
Lesser Black-backed Gull	Maintain the favourable conservation condition
Common Tern	Maintain the favourable conservation condition
Wetland and Waterbirds	Maintain the favourable conservation condition
Great Island Channel SAC (Site Code: 001058)- – 30km distant <u>Great Island Channel SAC National Parks & Wildlife Service</u> Qualifying Interests	
Mudflats and sandflats not covered by seawater at low tide	Maintain the favourable conservation condition
Atlantic salt meadows	Restore the favourable conservation condition

Likely impacts of the project (alone or in combination)

Due to the enclosed nature of the development site, the limited scale of development and the presence of a significant distance between this existing site and the Cork Harbour SPA and Great Island Channel SAC , I consider that the proposed development would not be expected to generate impacts that could affect anything but the immediate area of the development site, thus having a very limited potential zone of influence on any ecological receptors.

The proposed development would not have direct impacts on any European site. There are no spatial overlaps with any Natura 2000 site.

During site clearance and construction of the proposed development, possible impact mechanisms of a temporary nature include generation of noise, dust and construction related emissions to surface water. However, the contained nature of the site (serviced, defined site boundaries) and distance from receiving features connected to Cork Harbour SPA and Great Island Channel SAC make it highly unlikely that the proposed development could generate impacts of a magnitude that could affect European Sites.

Likely significant effects on the European sites in view of the conservation objectives

The construction or operation of the proposed development will not result in impacts that could affect the conservation objectives of the above two designated sites. Due to distance and lack of meaningful ecological connections there will be no changes in ecological functions due to any construction related emissions or disturbance. SuDs measures are proposed (standard construction practices); the site is not located within a flood zone and neither the planning authority nor NPWS have raised issue in this regard.

There will be no direct or ex-situ effects from disturbance on mobile species, including ex-situ foraging and roosting habitat during construction or operation of the proposed development due to the location of the development site and the absence of suitable habitat.

In combination effects

The proposed development will not result in any effects that could contribute to an effect with other developments in the area.

No mitigation measures are required to come to these conclusions. Mitigation measures put forward in the documentation are considered to be standard measures to prevent ecological impacts and are not a mitigation measure for the purpose of avoiding or preventing impacts to the designated sites.

Overall Conclusion

Screening Determination

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on any European Site, including Cork Harbour SPA and Great Island Channel SAC and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- The scale of the development and lack of impact mechanisms that could significantly affect a European Site
- Distance from and weak connections to the European sites
- Taking into account screening determination by LPA

Inspector: Lorraine Dockery

Date: 20/12/2024