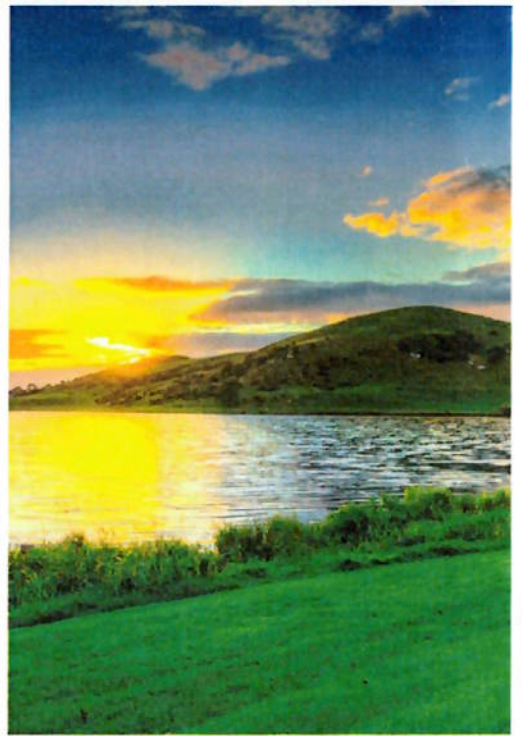


# Rowan

## Environmental Impact Assessment

Screening Report of a Proposed Project in the Fastnet Industrial Estate, Marsh Road, Skibbereen, Co. Cork



Environmental Impact Assessment

West Cork Distillers LTD

Date: March 2021

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## Report Sign Off Page

CLIENT REF:	WES0001-1		
DEVELOPMENT ADDRESS	Marsh Road, Skibbereen, Co. Cork		
REVISION	DATE	ORIGNATOR	REVIEWER
FINAL FOR ISSUE	23.12.2020	DM	CF
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# 1. Introduction

## 1.1 Introduction

West Cork Distillers Ltd (WCD) is an Irish owned company founded in 2003 in Union Hall, West Cork, Ireland. The company has grown steadily since then and moved operations to Market Street, Skibbereen, Co. Cork, and then to a new facility on the Marsh Road, Skibbereen. The company currently produces:

- Irish whiskey;
- Vodka & Poitin;
- Gin; and
- Fermented wine (referred to as Glan).

The Irish whiskey, gin and vodka products are blended and bottled prior to dispatch off-site, where the majority are then sold out of Ireland, to client bases located in the United Kingdom, America and Asia. The fermented wine product is stored externally in silos, prior to dispatch off-site in bulk tankers, where the wine is then used by WCD Clients as a raw material in the production of other drink products. Contract bottling is also undertaken by WCD.

WCD have recently constructed and are in the process of commissioning a new facility, on a 5.7ha site, at the Fastnet Industrial Estate, Marsh Road Skibbereen. All operations including material storage, distilling, blending, bottling, bonded warehousing and a visitors centre will be housed together at this location. Works were subject to a grant of planning received from Cork County Council in 2017, with planning reference 17/00365.

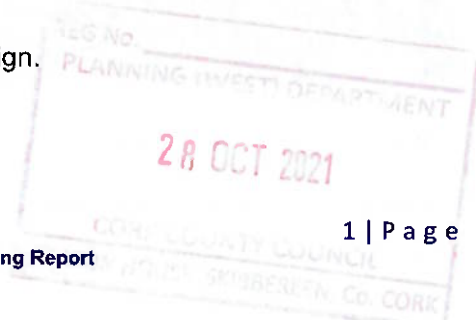
A further planning permission relating to works at the site was granted on 02/09/2020 under planning reference 19/00779. In summary, this permission addressed the following areas:

- Retention for tank farms 3-6 and associated bunds;
- Retention permission for changes/extensions made to the Reverse Osmosis, Discouraging, Grain Intake, Grain Outtake and Visitor Centre Buildings under Planning Application Ref 17/00365;
- Planning Permission relating to:
  - Discouraging/Dry Goods / Ingredients Building;
  - Extension to Existing West Cork Distillers Ltd. Bottling / Administration Building;
  - Bonded Warehouse No. 6; and
  - Revisions to Distillery / Visitors Centre to include minor alterations to ground floor layout and construction of part first floor area.

Before permission was granted under planning reference 19/00779 a Request for Further Information (RFI) was issued on the 7<sup>th</sup> February 2020, including screening reports for Appropriate Assessment and Environmental Impact Assessment. The County Council accepted the conclusions of the screening reports that a NIS and an EIAR were not required for the permitted development.

## 1.2 The Applicant

The Applicant is West Cork Distillers Ltd c/o Concept Design.



### 1.3 Scope of the Report

It is now proposed to make further alterations and extensions to the permitted development which might be considered to be exempted development under the Planning and Development Regulations 2000 (as amended). The purpose of this revised screening report is to identify in accordance with Section 4(4) of the Planning and Development Act, 2000 (as amended) whether there is any legal requirement or otherwise for an EIA to be undertaken in relation to the proposed alterations and extensions.

## 2. Proposed Development

### 2.1 Proposed Development Location

The development is located at the Fastnet Industrial Estate, Marsh Road, Skibbereen, Co. Cork.



Figure 2.1: Site Location (Red Pin) (Ref: MyPlan.ie)

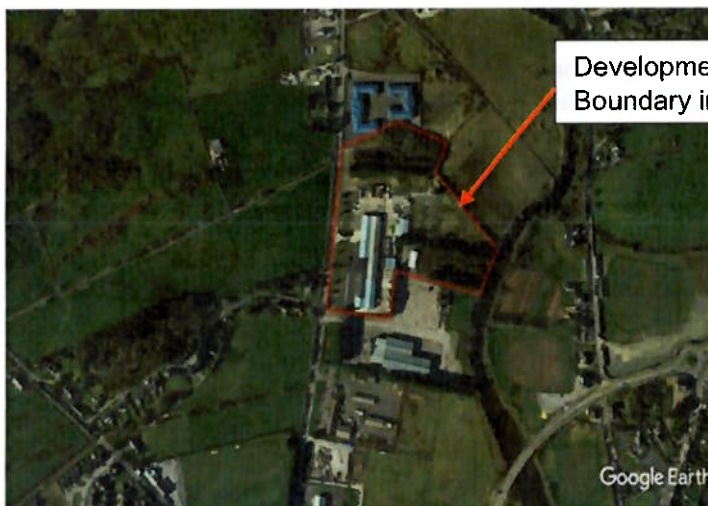


Figure 2.2: Site Location (Ref: Google Earth)



Lands to the to the east and west are generally agricultural, with the River Ilen running along the eastern boundary of the development. The River ultimately discharges into the into Baltimore Harbour/Roaringwater Bay. Lands to the south and north are a mix of commercial, light industrial and once off residential developments, on the outskirts of Skibbereen Town.

## 2.2 The Proposed Project

This screening report has been prepared to assess the potential effects of alterations and extensions to the tank farms which were permitted under Planning Register Ref. Nos. 17/365 and 19/779. The works are within the site boundary which is outlined in red on Figure 2.3 and are being carried out as exempted development under Class 21(a) of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001 (as amended). The alterations and extensions to the permitted tank farms are shown in blue and referenced as Site A and Site B on the Site Layout Plan in Figure 2.4. The net effect of the proposed project would be to increase the area of the permitted tank farms by 1,282m<sup>2</sup>

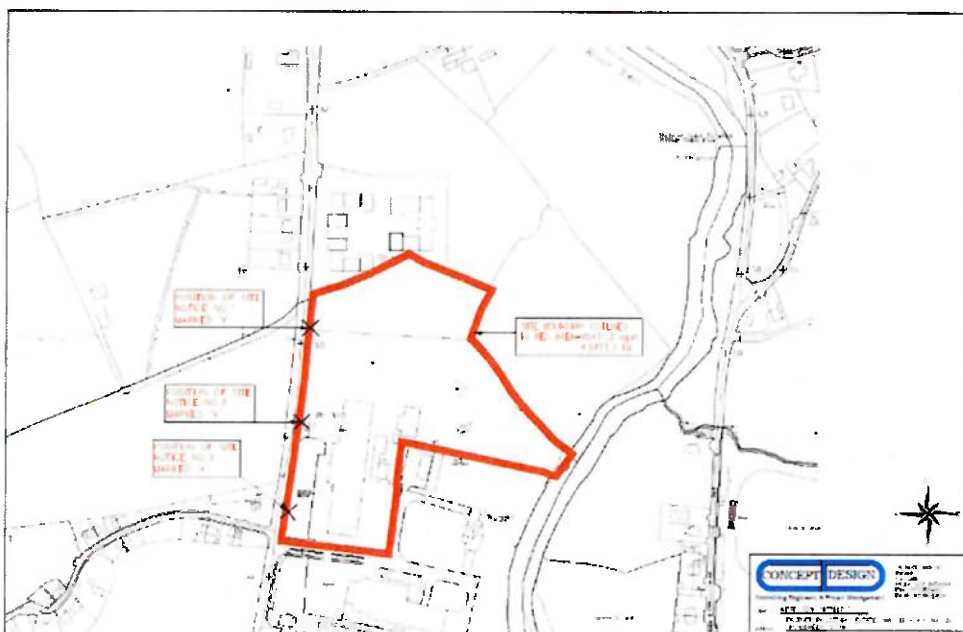
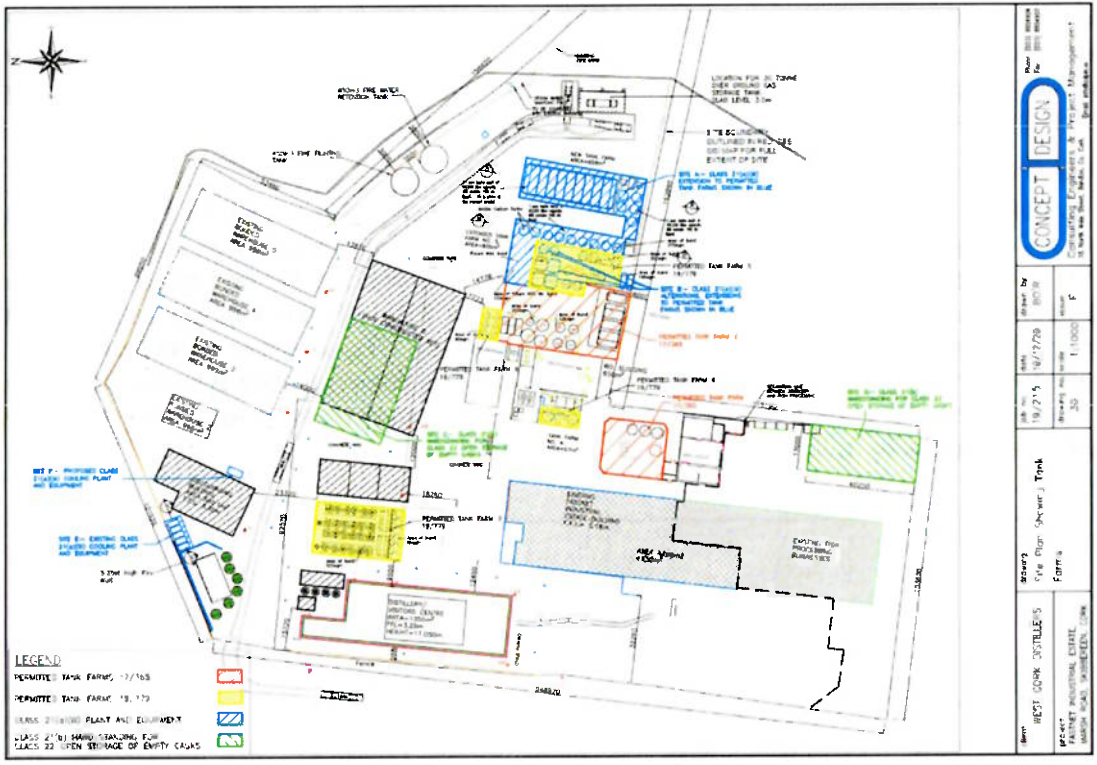


Figure 2.3: Development Site Boundary (Ref: Extracted from Planning Drawings)





**Figure 2.4: Development Site Plan (Ref: Extracted from Planning Drawings)**

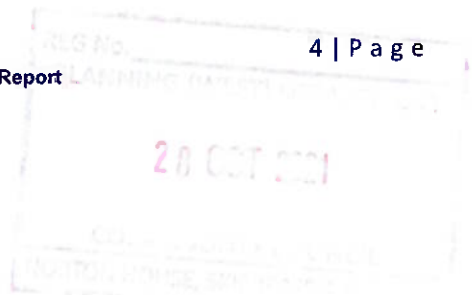
The alterations and extensions to the tank farms form part of a programme of minor modifications to the permitted industrial site which also include

- (a) The provision of additional hard surfaced areas for open storage of empty casks with an area of 1,724m which is covered by the Section 5 Declaration which was issued on 03/02/2021 under Ref. No. D/3/21.
- (b) The installation of new cooling plant and equipment with an area of 93m<sup>2</sup> which will be the subject of a separate request for a Declaration under Section 5;
- (c) Alterations to the doors and cladding of existing buildings to provide additional sound insulation which will be the subject of a future request for a Declaration under Section 5.

**2.2.1 The Proposed Project in the Context of the Permitted Manufacturing Process**

The manufacturing process permitted under Planning Register Ref. Nos. 17/365 and 19/779 comprises the following main elements:

- External bulk storage of maize and malted and unmalted grains with a capacity of 280 tonnes;
- In the Marsh Road Distillery, there are 24 fermenters for both malt and grain whiskey.
- There are 11 pot stills for malt whiskey and three column stills for grain with a combined annual capacity of 4.5million litres per annum;
- Gin, vodka and poitin production, with an annual capacity of 500,000 litres of alcohol;





- Fermented wine (Glán) production using reverse osmosis, with 8No. 60,000lts fermentation tanks, and with an annual production capacity of 8 million litres of fermented wine;
- Bulk spirits and fermented wine storage with a capacity of 700,000 litres;
- Whiskey warehousing (for maturation) with a capacity of c. 56,000 casks;
- General warehousing and storage facilities with a storage capacity of 200,000 bottles;
- Bottling capacity of c. 4 million bottles per annum;
- Proposed visitors centre (this is currently not in operation but is scheduled for 2021); and
- Site ancillary services including gas boiler, cooling water system, laboratory, administration and welfare areas.

### 2.2.2 Production Capacity and Output of the Distillery

On final commissioning the distillery permitted under Planning Register Ref. Nos. 17/365 and 19/779 will have:

- Initial production capacity for malt and grain whiskey of c. 2.5 million litres of pure alcohol per annum, increasing to c. 4.5 million litres within 6-12 months;
- An annual production capacity of 8 million litres of Glán (fermented wine); and
- An annual production capacity of 500,000 litres of gin, vodka and poitin.

The facility will fall within the scope of the Industrial Emissions (IE) licensing regime under Activity 7.3.2 by the Environmental Protection Agency (EPA)

*'Distilling in installations where the production capacity exceeds the equivalent of 1,500 tonnes per year measured as pure alcohol, not included in paragraph 7.8.'*

An application to the EPA for an IE Licence is currently being prepared by WCD.

### 2.2.3 The Proposed Project in the Context of the Permitted Storage Capacity (inc. Future Storage)

The distillery at Marsh Road currently stores approximately 6.75 million litre of alcohol in casks in warehouses at c 50% proof and interim storage in the Discouraging Building prior to bottling. There will be typically up to c 16,000 litres of interim product in the stills at any one time while operational.

The development permitted under Planning Register Ref. Nos. 17/365 and 19/779 provides for an increase to c 13 million litres at which site storage capacity will have been achieved.

The alterations and extensions to the tank farms which are proposed under the current project will enhance business continuity but will not result in increased production for the following reasons:

- (1) The tank farm extensions allow for greater holding capacity at existing production levels and remove the requirement for a "just in time" dispatch schedule. Dispatch schedules can be adversely affected by bad weather and cancellation of ferry crossings between Ireland and the UK or Ireland and continental Europe.
- (2) The tank farm extensions allow for increased holding capacity in the fermentation process at existing production levels which eliminates the vulnerability of the existing fermentation capacity to stretches of cold weather. Existing production levels are sometimes under

threat from intermitted dips in ambient temperature which adversely affects the kinetics of the fermentation process and extend the time required for complete attenuation

#### **2.2.4 Potential Future Expansion Plans**

It is not anticipated at this time that the production capacity of the Marsh Road distillery will be expanded further over and above what is permitted under Planning Register Ref. Nos. 17/365 and 19/779. Before the storage capacity of the Marsh Road site is reached, additional maturation capacity will be provided at a satellite site.

#### **2.2.5 Groundwater Abstraction**

The site is serviced by mains water from the Skibbereen town supply for process, sanitary, potable and firewater use. Groundwater will not be abstracted at the site.

#### **2.2.6 Waste Management**

The main waste streams from the activities on site will be draff and the pot ale from distillation as well as the spent yeast from Glán and retentate.

These waste streams are used as animal feed by four local farmers or as pig feed. Over a 12-month period there is c. 300 tonnes of spent yeast, c. 2000 tonnes of draff, c. 7000 tonnes of pot ale and retentate.

Typical waste streams from the facility will include:

- Municipal & recycling;
- Metal
- Wood
- Glass; and
- Some food waste such as berries deemed not suitable for use in the production process.

All the waste is carried away by a licensed waste contractor and is held in waste containers (skips/closed bins) on site, prior to removal from site.

#### **2.2.7 Site Emissions**

##### **Foul Drainage**

At present, all foul effluent is discharged by gravity, through an existing on-site private pumping station into the existing public mains foul pipe that runs adjacent to the site along Marsh Road. On average, total discharges are c. 45m<sup>3</sup> day. The proposed alterations and extensions will not result in any increase in the discharges to the public sewer.

##### **Surface Water Emissions**

Surface water runoff from the hard-standing areas is collected via gullies and drainage channels, whilst the roof rainwater is collected via a series of drainage downpipes. These combine and discharge to an existing 830m underground attenuation tank. This attenuation tank discharges into the Ilen River, via a By-Pass Separator which will be equipped with shut off valves. The water from the attenuation tank flows through a non-return valve on route to the river, thus preventing water flowing from the river back into the tank. The alterations and extensions to the tank farm shown as Site B are primarily located within an area which was shown as impermeable in the permitted site layout. While Site A may have previously been a permeable area of the site the tank farm extension represents a very small percentage of the total impermeable area. The tank



farm extensions are bunded and all surface water is collected, attenuated, and discharged via a separator through a permitted and licensed outfall to the river. As a result, there is no risk of adverse effect on the environment or on the Natura sites.

### Emissions to Air

The main emission to air from the distillery site is that from the gas boiler. As part of the IE licence application, depending on its rated thermal output, this will be registered with the EPA and monitored as the licence requires. Other minor emissions will be fugitive in nature including vapour venting from process buildings and warehouses. There will be no perceptible emissions to air from the tank farm extensions.

### Noise Emissions

Noise emissions from the site are controlled by Condition 26 of the permission granted under Planning Ref No. 17/365 provides that:

*Noise levels emanating during site operations when measured at the site boundary shall not exceed 55dBA (30 minute Leq) between 08.00 hours and 18.00 hours, and shall not exceed 45 dBA (15 min Leq) at any other time. (emphasis added).*

The noise report by Enfonc Noise and Vibration Consultants has identified all potentially significant noise sources within the site and has recommended mitigation measures where necessary to ensure compliance with Condition 26. As the tank farms were not considered to be significant noise sources, the proposed alteration and extensions will not have any direct impact on the overall level of noise emissions from the site. There will also be no indirect noise impact as the increased storage capacity of the tank farm will not result in any overall increase in the output of the distillery

## 2.3 Environmental Review

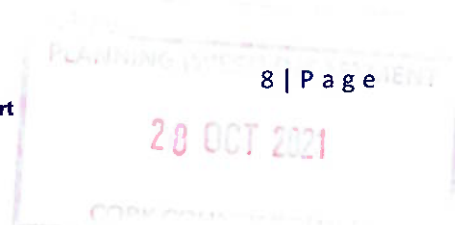
An environmental review was undertaken with regard to the proposed development and the outcome of this review is summarised in Table 2.1 below.

**Table 2.1: Environmental Review**

Key Constraints	Description/Details
Ecology Designated ecological sites	<p>The closest designated Natura 2000 (European) sites are:</p> <ul style="list-style-type: none"> <li>• Roaring Bay and Islands Special Area of Conservation (SAC) (Site Code 000101)</li> <li>• Lough Hyne Nature Reserve and Environs SAC (Site Code: 000097) and</li> <li>• Sheeps Head to Toe Head Special Protection Area (SPA) (Site Code: 004156)</li> <li>• Castletownshend SAC (Site Code 001547)</li> <li>• Myross Wood SAC (Site Code 001070)</li> </ul> <p>The closest nationally designated sites include:</p> <ul style="list-style-type: none"> <li>• Roaring Bay and Islands proposed Natural Heritage Area (pNHA) (Site Code 000101); and</li> </ul>

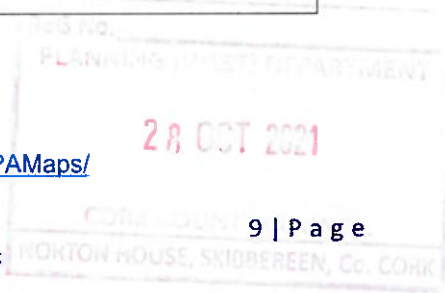
Key Constraints	Description/Details
	<ul style="list-style-type: none"> <li>Lough Hyne Nature Reserve and Environs pNHA (Site Code: 000097);</li> <li>Castletownshend pNHA (Site Code 001547)</li> </ul> <p>Due to the separation distance between the designated areas (the closest site is c. 5km away) and the development, the AASR has concluded that the development, whether individually or in combination with other plans and projects, will have no impacts upon Natura 2000 sites<sup>1</sup>.</p>
Other Designations Heritage, landscape etc.	<p>There are a number of scenic routes in Co. Cork. However, none are noted in the immediate vicinity of the development. The closest are located to the south of the development, entering and existing Skibbereen Town.</p> <p>Within the Landscape Character Assessment of County Cork (2014<sup>2</sup>), the site of the development was identified as being located within the 'Broad Marginal Middleground' and Lowland Basin, which was identified to be of local landscape importance.</p> <p>The development site is in proximity to areas described as 'Indented Estuarine Coast', and which are of international importance.</p>
Archaeology, Architectural and Cultural Heritage	<p>There are no designated heritage assets located within the boundary of the development. There are a number of assets designated in the vicinity including:</p> <ul style="list-style-type: none"> <li>Records of Monuments &amp; Places (RMP) CO141-032 Quarry;</li> <li>RMP CP141-043 Standing Stone;</li> <li>RMP CO141-140 Souterrain – across the river bank from the site;</li> <li>RMP CO141-045001 Country House- – across the river bank from the site;</li> <li>RMP CO141- 088 Ringfort Rath;</li> <li>RMP CO141- 089 Southerrain -across the river bank from the site;</li> <li>Lorriga House National Inventory of Architectural - Heritage (NIAH) (Ref: 20,914,110) – across the river bank from the site.</li> </ul> <p>The above are located within c. 1km of the site.</p> <p>The centre of Skibbereen Town is located to c. 0.8km south of the site and there a number of assets from the NIAH record located in this area.</p> <p>There are no Architectural Conservation Areas or assets from the Record of Protected Structures located in the vicinity of the development.</p>

<sup>1</sup> Reference: Habitats Directive Screening of a Proposed Project in the Fastnet Industrial Estate, Marsh Road, Skibbereen, Co. Cork (2020, Whitehill Environmental)



Key Constraints	Description/Details
Flood Risk	<p>A Flood Risk Assessment (FRA) was prepared to accompany the planning application.</p> <p>In summary, the FRA determined the following:</p> <ul style="list-style-type: none"> <li>• The Skibbereen Flood Risk Assessment and Management Study was used to establish the flood zones for the site;</li> <li>• The Study did indicate that the site, in part, is within a Flood Zone A, which represents the highest probability of flooding;</li> <li>• The site is located within the benefiting lands from the Skibbereen Flood Relief Scheme. The flood relief scheme will therefore address the potential for flooding at the site;</li> <li>• The site will not occupy the flood plain or impact on river conveyance; and</li> <li>• It was concluded that the development was acceptable in the context of flood risk and the Planning System and Flood Risk Management Guidelines.</li> </ul>
Land & Soil	<p>The development is located within an established industrial estate unit on the Marsh Road. The lands within the development boundary are largely developed and/or hardstanding. Lands to the east and west would be considered largely agricultural.</p> <p>The Teagasc online data viewer indicates that soils in the area at Marsh Road would be alluvium soils (associated with the Ilen River on the eastern boundary).</p>
Surface Water Environment	<p>The River Ilen on the eastern boundary of the site is located in the Bandon-Ilen Hydrometric Area and Catchment and the Ilen sub catchment(Ilen_SC_030).</p> <p>The River Ilen as it flows towards the eastern boundary of the site, is described as being 'under review', for risk and the status is 'unassigned' under the Water Framework Directive (2013-2018).</p> <p>At points close to the site, the EPA have then described the River Ilen as a transitional water body, with an ecological status of moderate and being at risk of not achieving good ecological status.</p>
Air Quality and Climate	<p>In accordance with EPA viewer on Air Quality Zones, the development site is located in a Zone D Region (Rural Ireland) and currently the air quality is described as 3-Good<sup>3</sup>.</p>
Population & Human Health	<p>The town of Skibbereen is located c. 0.8km from the site. There are a number of one-off residential properties located to the north of the development, along with a mix of commercial and light industrial developments.</p>

<sup>3</sup> Reference: EPA Mapping (accessed March 2020): <https://gis.epa.ie/EPAMaps/>



## 2.4 Appropriate Assessment

The screening report for Appropriate Assessment examined the likely effects of the proposed Project both alone and in combination with other projects on the Natura 2000 network and whether any possible impacts could be characterised as significant.

The full screening report for Appropriate Assessment is provided with this submission.

The report has concluded that the development, whether individually or in combination with other plans and projects, will have no impacts upon Natura 2000 sites.

It was concluded that there will be no direct or indirect impact on any Natura 2000 (European) sites and thereby it will not give rise to a significant effect on the Natura 2000 network.

An Appropriate Assessment under Article 6(3) of the Habitats Directive was not required.

## 2.5 Flood Risk Assessment

A Site Specific Flood Risk Assessment Report (SSFRA) was undertaken to support the application documents in 2019. The SSFRA was summarised in Table 2.1 above and concluded that with the Skibbereen Flood Relief Scheme in place, the development was acceptable in the context of flood risk and the Planning System and Flood Risk Management Guidelines.

## 2.6 Planning Application Documentation

The planning application which was granted by Cork County Council under planning reference 19/779 and was accompanied by:

- Site Specific Flood Risk Assessment;
- Engineering and Planning;
- Planning Drawings.

Before permission was granted the application was subject to a Request for Further Information on the 7<sup>th</sup> February 2020 which included screenings in regard to Appropriate Assessment and Environmental Impact Assessment.

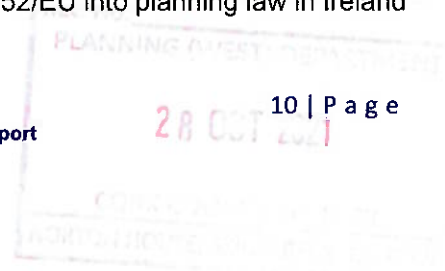
# 3. Requirement for Environmental Impact Assessment

## 3.1 EIA Legislation

Environmental Impact Assessment (EIA) is the process for anticipating the effects on the environment caused by a proposed development or project at a particular site. Where effects are unacceptable, design or other measures can be taken to avoid or reduce these effects to acceptable levels.

The initial EIA Directive has been in place since 1985 (85/337/EEC). This Directive along with three amendments was amalgamated into Directive 2011/92/EU in December 2011. Proposed changes to the Directive were adopted by the Council of the European Union in May 2014 (Directive 2014/52/EU), with a 3-year period to transpose the changes. These changes formed the first revision of Directive 2011/92/EU.

The EU (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018) transpose the requirements of Directive 2014/52/EU into planning law in Ireland and came into effect from the 1<sup>st</sup> September 2018.



### 3.2 EIA - Screening

Screening is the first stage of the EIA process, whereby a decision is made on whether or not a mandatory EIA is required.

EIA Screening for the development was undertaken with consideration of the following legislation and guidance:

- Planning and Development Act, 2000 as amended;
- Planning and Development Regulations, 2001 as amended;
- Guidance on EIA Screening, European Commission, 2001;
- EIA, Guidance for Consent Authorities regarding Sub-threshold Development, DoEHLG, 2003;
- Environmental Protection Agency (EPA), Guidelines on the Information to be Contained in Environmental Impact Assessment Reports (EPA, Draft, 2017); and
- EPA Advice Notes for Preparing Environmental Impact Statements (EPA, Draft, 2015).

### 3.3 EIA Screening – Requirement for Mandatory EIA

A mandatory EIA is required for development that comes within the classes of development specified by Annex I or Annex II of the EIA Directive, as incorporated into Irish legislation in Schedule 5 of the Planning and Development Regulations, 2001 (as amended).

The development was considered in terms of mandatory EIA requirements.

An EIA is required under Part 2 of Schedule 5 of the Planning and Development Regulations, 2001 (as amended) under Item 7(d)

- *'Installations for commercial brewing and distilling; installations for malting, where the production capacity would exceed 100,000 tonnes<sup>4</sup> per annum'*

The new distillery at Marsh Road, on final commissioning will have an:

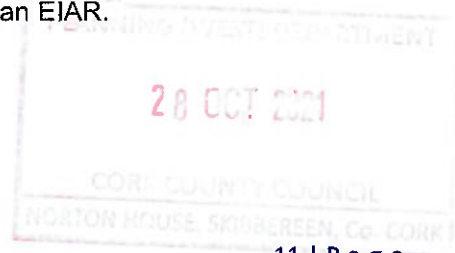
- Initial production capacity for malt and grain whiskey of c. 2.5 million litres of pure alcohol per annum, increasing to c. 4.5 million litres within 6-12 months;
- An annual production capacity of 8 million litres of Glán (fermented wine); and
- An annual production capacity of 500,000 litres of gin, vodka and poitin.

On the basis, that the production capacity does not exceed, 100,000 tonnes per annum (100 million litres), it was concluded that the development does not fall within the mandatory EIA requirements as outlined above

### 3.4 Sub Threshold Development – Criteria to Determine Significance

The Planning and Development Regulations 2001 (as amended) indicate that where a Planning Authority is of the view that a sub threshold development would be likely to have significant effects on the environment, they can require the application to submit an EIAR.

<sup>4</sup> 100,000 tonnes taken as equivalent to 100 million litres



Annex 3 of the EIA Directive is transposed in Schedule 7 of the Planning and Development Regulations, 2001 and identifies screening criteria for assessing whether a development would or would not be likely to have significant effects on the environment.

The criteria in Schedule 7 are grouped under three headings:

- Characteristics of the Proposed Development;
- Location of Proposed Development; and
- Types and Characteristics of Potential Impacts.

### 3.4.1 Consideration of EIA Screening Criteria

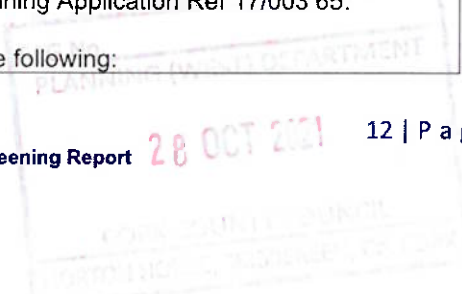
Sub criteria associated with each of the above criteria have been taken into account and have been considered in the context of the proposed Project in the sections below. The purpose of this exercise was to assist in determining if the proposed Project would be likely to have significant effects on the environment.

The sub criteria noted in Tables 3.1-3.3 are as reflected in S.I. 296 of 2018 European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018, Article 97.

For the purpose of this screening assessment, the European Commission publication, Guidance on EIA Screening (June 2001), Screening Checklist has been also been considered to support the EIA screening recommendation.

**Table 4.1: Criteria 1: Characteristics of the Proposed Development**

Characteristic	Brief Description
<p><b>Size and Design of the whole of the proposed development</b></p>	<p>The proposed development involves minor alterations and extensions to the development permitted under 19/779 which comprised:</p> <p>Permission for retention for the following as built structures:</p> <ul style="list-style-type: none"> <li>• Tank Farm No. 3 and associated concrete bund with an area of 627m<sup>2</sup>;</li> <li>• Tank Farm No. 4 and associated concrete bund with an area of 67m<sup>2</sup>,</li> <li>• Tank Farm No. 5 and associated concrete bund with an area of 557m<sup>2</sup>,</li> <li>• Tank Farm No. 6 with an area of 117m<sup>2</sup>;</li> <li>• Reverse Osmosis Building Extension with a floor area of 126m<sup>2</sup>;</li> <li>• Discouraging Building with a floor area of 565.1 m<sup>2</sup> in-lieu of a Discouraging Building with a floor area of 430m<sup>2</sup> that was granted under Planning Application Ref 17/00365;</li> <li>• Grain Intake Building with a floor area of 72m<sup>2</sup> in-lieu of a Grain Intake Building with a floor area of 42m<sup>2</sup> that was granted under Planning Application Ref 17/00365;</li> <li>• Grain Outtake Building with a floor area of 22m<sup>2</sup>; and</li> <li>• Fenestration changes to Distillery / Visitors Centre from that granted under Planning Application Ref 17/003 65.</li> </ul> <p>Planning Permission for the following:</p>



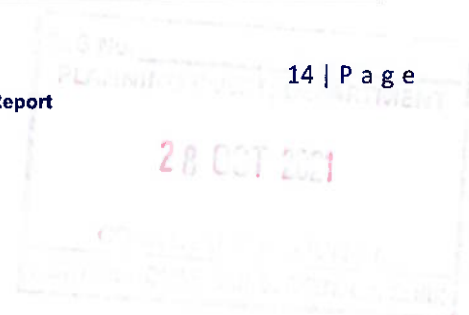


Characteristic	Brief Description
	<ul style="list-style-type: none"> <li>• Discouraging/Dry Goods / Ingredients Building with a floor area of 396m<sup>2</sup>;</li> <li>• Extension to Existing West Cork Distillers Ltd. Bottling / Administration Building with a floor area of 555m<sup>2</sup>;</li> <li>• Bonded Warehouse No. 6 with a floor area of 1980m<sup>2</sup>; and</li> <li>• Revisions to Distillery / Visitors Centre to include minor alterations to ground floor layout and construction of part first floor area of 209m<sup>2</sup> and fenestration changes to elevations along with all associated site works.</li> </ul> <p>The proposed site area for the development is c. 5.7 hectares and is located within a developed site, in the Fastnet Industrial Estate</p>
<p><b>Cumulation with other existing development and/or development the subject of a consent for proposed development for the purposes of Section 172(1A)(b) of the Act and/or development the subject of any development consents for the purposes of the Environmental Impact Assessment Directive by or under any other enactment</b></p>	<p>A search of the Cork County Council website, the An Bord Pleanála website and general web searches for other projects in the vicinity of the Fastnet Industrial Estate has been undertaken to identify other projects (proposed, granted or existing) that may result in significant cumulative impacts.</p> <p>No relevant projects were identified.</p>
<p><b>Nature of any associated demolition work</b></p>	<p>There will be no demolition works associated with the proposed development.</p>
<p><b>Use of natural resources, in particular land, soil, water and biodiversity</b></p>	<p>The use of natural resources such as aggregates and energy would be required during the construction stage of the proposed development.</p> <p>However, it is not anticipated to have a significant effect on natural resources overall. On average 100m<sup>3</sup> of water will be used on site per day – from the towns supply.</p> <p>The development with regard to biodiversity, soil and water is not expected to have significant impacts.</p> <p>All the proposed works are relevant to generally hardstanding or infilled areas within the site boundary of the Fastnet Industrial Estate and will not require any significant development within greenfield areas.</p> <p>The majority of habitats within the development site were concluded to be of low value. They were described as '<i>highly modified habitats with little or no ecological value</i>'. Specifically, the area where development was and will be undertaken, was considered to be of low value</p>
<p><b>Production of waste</b></p>	<p>Waste would be generated during the construction phase of the development. However, with appropriate management, it was not anticipated to have significant environmental effects.</p>

Characteristic	Brief Description
	During the operational phase the main wastes produced during the distilling processes are sent off site and used for animal feed.
<b>Pollution and nuisances</b>	While there are emissions associated with the permitted development, it was considered that these would not result in significant effects. The alterations and extensions which are now proposed would not result in significant effects.
<b>The risk of major accidents and/or disasters which are relevant to the project concerned, including those caused by climate change, in accordance with scientific knowledge</b>	<p>The risk of any accidents during the construction phase would be managed in accordance with relevant health and safety legislation, adherence to mitigation measures and best practice construction management.</p> <p>A Site Specific Flood Risk Assessment was undertaken and concluded that with the Skibbereen Flood Relief Scheme in place, the development was acceptable with regard to flood risk.</p> <p>The site will be designated a Seveso lower tier site and all relevant assessments and reports including MAPP/SMS, LUP and HAZID assessments are being prepared by experienced practitioners in this area. Notification has been sent to and accepted by the HSA.</p> <p>On this basis, it was considered that the proposed development does not pose a significant risk of accident or disaster including those caused by climate change.</p>
<b>The risks to human health (for example due to water contamination or air pollution)</b>	<p>The risk to human health during the construction phase would be managed in accordance with relevant health and safety legislation, adherence to mitigation measures and best practice construction management.</p> <p>Once commissioned and during operation, the development will be a Seveso lower tier site and will be operated in line with HAS/legislative requirements.</p>

**Table 4.2: Criteria 2: Location of Proposed Development**

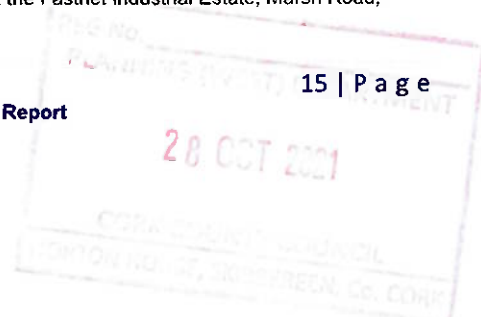
Location Considerations	Brief Description
<b>Existing and approved land use</b>	<p>The existing &amp; approved land use is that of a distillery, operated by West Cork Distillers within an industrial estate.</p> <p>The area is categorised as industrial in the Skibbereen Town Development Plan 2009-2015.</p>
<b>Relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground</b>	<p>The development was considered to have limited impact on the abundance, availability, quality and regenerative capacity of natural resources in the surrounding environment.</p> <p>The following is noted:</p> <ul style="list-style-type: none"> <li>• Construction activities require minimal excavation &amp; impact to local alluvium soils;</li> <li>• The majority of habitats within the development site were concluded to be of low value. They were described as <i>'highly modified habitats with little or no ecological value'</i>.</li> </ul>



Location Considerations	Brief Description
	<p>Specifically, the area where development was/will be undertaken, was of low value<sup>5</sup>.</p> <ul style="list-style-type: none"> <li>All process water is discharged to the foul drainage system and into the Irish Water mains sewer. Surface water runoff will be discharged via an attenuation tank &amp; By Pass Separator prior to discharge to the River Ilan. These measures will maintain greenfield run-off rates and help maintain the quality of the River Ilan which is adjacent to the development.</li> </ul>
<b>Absorption capacity of the natural environment, paying particular attention to the following areas:</b>	
<b>Wetlands, riparian areas and river mouths</b>	<p>There are no wetlands or river mouths associated with the development.</p> <p>There are riparian habitats associated with the boundary with the River Ilan. The riparian habitats provide important ecological corridors for otter and bat species. No disturbance of these habitats too place or is required for the proposed works. These habitats will remain undisturbed<sup>6</sup>.</p>
<b>Coastal zones and the marine environment</b>	There will be no coastal zones or marine environments associated with the development.
<b>Mountain and forest areas</b>	There are no mountain or forest areas associated with the development.
<b>Nature reserves and parks</b>	There are no nature reserves or parks associated with the development.
<b>Areas classified or protected under legislation, including Natura 2000 areas designated pursuant to the Habitats Directive and the Birds Directive</b>	<p>The proposed Project is not located within any Natura 2000 areas.</p> <p>A Stage 1 AA Screening Report has been undertaken.</p> <p>The report concluded that there was an absence of potential pathways connecting the development site to any designated conservation areas with the nearest European designated site located c.5km away.</p> <p>It was concluded that the development whether individually or in combination with other plans or projects, will have no impacts upon the Natura 2000 (European) sites. The integrity of these sites will be maintained and the habitats and species associated with these sites will not be adversely affected.</p> <p>An Appropriate Assessment under Article 6(3) of the Habitats Directive was not required.</p>
<b>Areas in which there has already been a failure to meet the environmental quality standards laid down in legislation of the European Union and relevant to the project, or in</b>	<p>There are no known failures to meet environmental quality standards recorded for the site or in the immediate vicinity.</p> <p>The waterbodies surrounding the site are described as being under review with regard to the WFD programme for 2013-2018.</p> <p>With regard to the protection of the environment, the following is noted:</p>

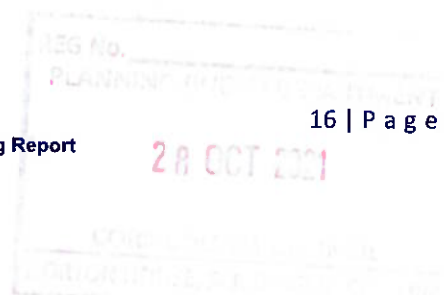
<sup>5</sup> Reference: Ecological Impact Assessment (EclA) for a Proposed Development at the Fastnet Industrial Estate, Marsh Road, Skibbereen, Co.Cork (2020, Whitehill Environmental)

<sup>6</sup> Reference: Ecological Impact Assessment (EclA) for a Proposed Development at the Fastnet Industrial Estate, Marsh Road, Skibbereen, Co.Cork (2020, Whitehill Environmental)



Location Considerations	Brief Description
which it is considered that there is such a failure	<ul style="list-style-type: none"> <li>• Adherence to mitigation measures and best practice construction management will reduce the potential for impact to the surrounding environment during the construction phase;</li> <li>• Run-off from the construction works for the proposed works are not expected to generate significant volumes of water. Significant excavations are not required and the works area has a permeable surface, allowing rainwater to permeate away at normal rates.</li> <li>• Process wastewater from the distillery is discharged to the foul drainage system and enters that Irish Water public mains located on the Marsh Road, outside the site.</li> <li>• Surface water runoff from the hardstanding areas will be connected via gullies and drainage channels, discharging to a 830m<sup>3</sup> attenuation tank. This tank will discharge to the River Ilen, via a By-Pass Separator. The water from the attenuation tank will flow through a non-return valve on route to the river, preventing water flowing back from the River into the tank.</li> <li>• Noise and Air emissions are considered not significant and will be managed under the IE Licence application process to the EPA, where Best Available Technology (BAT) will be adopted to confirm that emissions are managed &amp; mitigated in lines with best practice for the industry.</li> <li>• With regard to the Habitats Directive, a Stage 1 AA Screening Report has been undertaken. The report concluded that the proposed Project whether individually or in combination with other plans or projects, will have no impacts upon the Natura 2000 (European) sites. The integrity of these sites will be maintained and the habitats and species associated with these sites will not be adversely affected</li> </ul> <p>On this basis, it is considered that the proposed Project would not contribute to the failure of any environmental quality standards.</p>
Densely populated areas	Whilst there are some one-off residential properties in the vicinity and Skibbereen Town, with a population of 2778 <sup>7</sup> , is located c 0.8km away, the area would not be considered densely populated.
Landscapes and sites of historical, cultural or archaeological significance.	<p>There are no designated heritage assets located within the boundary of the development</p> <p>There are a number of assets located in the vicinity of the development, with many of these associated with the buildings and structures in Skibbereen Town.</p> <p>There would be no impacts or disturbance to these sites during the construction or operational phases.</p> <p>The landscape where the development is situated is described as 'Broad Marginal Middleground' and is considered to be of local importance.</p>

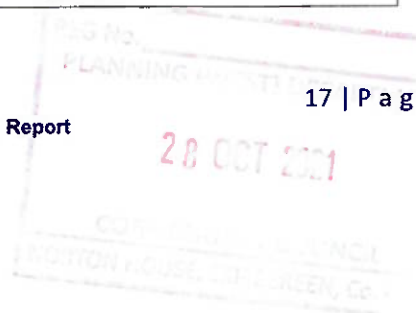
<sup>7</sup> Referenced from: <http://census.cso.ie/P2map11/>



Location Considerations	Brief Description
	There are no scenic routes or views in the vicinity of the development, with the closest located routes entering/exiting Skibbereen Town. The development is not visible from this location.

Table 4.3: Criteria 3: Types and characteristics of potential impacts

Consideration of the Types and Characteristics of Potential Impacts
<ul style="list-style-type: none"> <li>• <b>Magnitude and spatial extent of the impact (for example geographical area and size of the affected population)</b></li> <li>• <b>The nature of the impact</b></li> <li>• <b>Transboundary nature of the impact</b></li> <li>• <b>The intensity and complexity of the impact</b></li> <li>• <b>The probability of the impact</b></li> <li>• <b>The expected onset, duration, frequency and reversibility of the impact</b></li> <li>• <b>The cumulation of the impact with the impact of other existing and/or development the subject of a consent for proposed development for the purposes of Section 172</b></li> <li>• <b>Cumulation with other existing development and/or development the subject of a consent for proposed development for the purposes of Section 172(1A)(b) of the Act and/or development the subject of any development consents for the purposes of the Environmental Impact Assessment Directive by or under any other enactment</b></li> <li>• <b>The possibility of effectively reducing the impact</b></li> </ul> <p>The proposed development involves minor alterations and extensions to the development permitted under 19/779 which comprised:</p> <p>Permission for retention for the following as built structures:</p> <ul style="list-style-type: none"> <li>• Tank Farm No. 3 and associated concrete bund with an area of 627m<sup>2</sup>;</li> <li>• Tank Farm No. 4 and associated concrete bund with an area of 67m<sup>2</sup>,</li> <li>• Tank Farm No. 5 and associated concrete bund with an area of 557m<sup>2</sup>,</li> <li>• Tank Farm No. 6 with an area of 117m<sup>2</sup>;</li> <li>• Reverse Osmosis Building Extension with a floor area of 126m<sup>2</sup>;</li> <li>• Discouraging Building with a floor area of 565.1 m<sup>2</sup> in-lieu of a Discouraging Building with a floor area of 430m<sup>2</sup> that was granted under Planning Application Ref 17/00365;</li> <li>• Grain Intake Building with a floor area of 72m<sup>2</sup> in-lieu of a Grain Intake Building with a floor area of 42m<sup>2</sup> that was granted under Planning Application Ref 17/00365;</li> <li>• Grain Outtake Building with a floor area of 22m<sup>2</sup>; and</li> <li>• Fenestration changes to Distillery / Visitors Centre from that granted under Planning Application Ref 17/003 65.</li> </ul> <p>Planning Permission for the following:</p> <ul style="list-style-type: none"> <li>• Discouraging/Dry Goods / Ingredients Building with a floor area of 396m<sup>2</sup>;</li> <li>• Extension to Existing West Cork Distillers Ltd. Bottling / Administration Building with a floor area of 555m<sup>2</sup>;</li> <li>• Bonded Warehouse No. 6 with a floor area of 1980m<sup>2</sup>; and</li> <li>• Revisions to Distillery / Visitors Centre to include minor alterations to ground floor layout and construction of part first floor area of 209m<sup>2</sup> and fenestration changes to elevations along with all associated site works.</li> </ul> <p>The proposed site area for the development is c. 5.7 hectares.</p> <p>There are no transboundary impacts associated with the development.</p>



#### Consideration of the Types and Characteristics of Potential Impacts

There may be some short-term negative impacts associated with the construction phase of the development. However, it is considered that with the implementation of mitigation measures and construction best practise, these are effectively reduced and are considered not significant.

Impacts associated with the operational phase of the development are not considered significant, within minimum changes to the receiving environment in terms of land use, heritage designations (cultural and natural), soils and geology, noise, population and human health, landscape, visual and amenity.

All operational will be considered under the IE Licence application process, where BAT will be adopted to confirm emissions are managed & mitigated in line with best practice for the industry.

In terms of the potential for cumulative impacts, a search of the Cork County Council website, the An Bord Pleanála website and general web searches for other infrastructure projects in the vicinity of development has been undertaken. No other developments were identified with the potential to result in significant cumulative effects, when considered with the development.

### 3.5 Conclusions

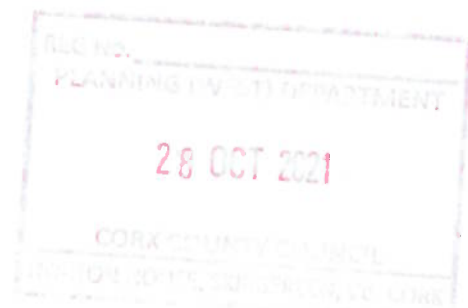
A mandatory EIA is required for development that comes within the classes of development specified by Annex I or Annex II of the EIA Directive, as incorporated into Irish legislation in Schedule 5 of the Planning and Development Regulations, 2001 (as amended).

The proposed Project was considered in terms of a mandatory EIA requirements.

It was concluded that the development is significantly below the 100,000 tonnes / annum production capacity threshold and a mandatory EIA was not triggered in this regard.

The proposed Project was considered as sub-threshold and was assessed against the criteria specified in Schedule 7 of the Planning and Development Regulations as amended.

The assessment concluded that the proposed Project does not have the potential to have significant effects on the environment and it is recommended that an EIAR is not required.



Appendix D

AA Screening Statement by Rowan

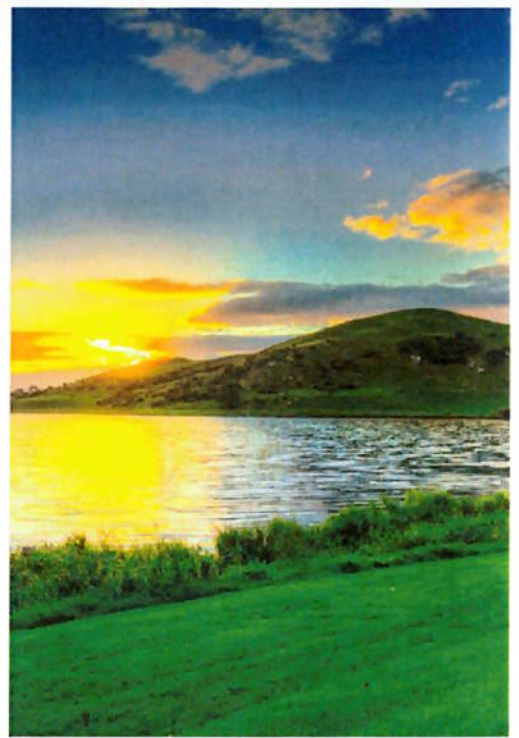






# Rowan

Habitats Directive Screening of a Proposed Project in  
Fastnet Industrial Estate, Marsh Road, Skibbereen,  
Co. Cork



West Cork Distillers LTD

Date: March 2021

Consultant: Noreen McLoughlin MCIEEM Whitehill  
Environmental

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REG NO.  
PLANNING INVESTI DEPARTMENT  
28 OCT 2021  
CORR COUNTY COUNCIL  
HORTON HOUSE, SKIBBEREEN, CO. CORR

## Report Sign Off Page

CLIENT REF:	WES0001-1		
DEVELOPMENT ADDRESS	Marsh Road, Skibbereen, Co. Cork		
REVISION	DATE	ORIGNATOR	REVIEWER
FINAL FOR ISSUE	24.03.2020	NMCL	CF
REV A	03.03.2021	EOB	CF



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# 1. Introduction

## 1.1 Background

Article 6 of the EU Habitat's Directive (Council Directive 92/43/EEC) requires that all plans and projects be screened for potential impacts upon Special Areas of Conservation (SACs) or Special Protection Areas (SPAs). The aim of this screening process is to establish whether a full Appropriate Assessment of the proposed plan or project is necessary.

A comprehensive assessment of the impacts (both past and potential future) of an application at the West Cork Distillers Ltd. facility in the Fastnet Industrial Estate on Marsh Road, Skibbereen, Co. Cork on certain designated sites was carried out in February 2020 by Noreen McLoughlin, MSc, MCIEEM of Whitehill Environmental. This assessment allowed areas of potential ecological value and potential ecological constraints associated with this proposed development to be identified.

The location of the proposed development is within 15km of sites designated under European Law. As such and in accordance with Article 6(3) of the EU Habitat's Directive (Council Directive 92/43/EEC) regarding Appropriate Assessment, this screening exercise for Appropriate Assessment was carried out in order to identify whether any significant impacts on designated sites are likely. This exercise will also determine the appropriateness of the proposed project, in the context of the conservation status of the designated sites.

## 1.2 Regulatory Context

### 1.2.1 Relevant Legislation

The Birds Directive (Council Directive 79/409/EEC) implies that particular protection is given to sites (Special Protection Areas) which support certain bird species listed in Annex I of the Directive and that surveys of development sites should consider the status of such species.

The EU Habitats Directive (92/43/EEC) gives protection to sites (Special Areas of Conservation) which support particular habitats and species listed in annexes to this directive. Articles 6(3) and 6(4) of this Directive call for the undertaking of an Appropriate Assessment for plans and projects likely to have an effect on designated sites. This is explained in greater detail in the following section.

The Wildlife Act 1976 (and its amendment of 2000) provides protection to most wild birds and animals. Interference with such species can only occur under licence. Under the act it is an

offence to “wilfully interfere with or destroy the breeding place or resting place of any protected wild animal”. The basic designation for wildlife is the Natural Heritage Area (NHA). This is an area considered important for the habitats present or which holds species of plants and animals whose habitat needs protection. Under the Wildlife Amendment Act (2000) NHAs are legally protected from damage. NHAs are not part of the Natura 2000 network and so the Appropriate Assessment process does not apply to them.

The Water Framework Directive (WFD) (2000/60/EC), which came into force in December 2000, establishes a framework for community action in the field of water policy. The WFD was transposed into Irish law by the European Communities (Water Policy) Regulations 2003 (S.I. 722 of 2003). The WFD rationalises and updates existing legislation and provides for water management on the basis of River Basin Districts (RBDs). RBDs are essentially administrative areas for coordinated water management and are comprised of multiple river basins (or catchments), with cross-border basins (i.e. those covering the territory of more than one Member State) assigned to an international RBD. The aim of the WFD is to ensure that waters achieve at least good status by 2021 and that status doesn’t deteriorate in any waters.

### **1.2.2 Appropriate Assessment and the Habitats Directive**

Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Fauna and Flora – the ‘Habitats Directive’ - provides legal protection for habitats and species of European importance. Article 2 of the Directive requires the maintenance or restoration of habitats and species of European Community interest, at a favourable conservation status. Articles 3 - 9 provide the legislative means to protect habitats and species of Community interest through the establishment and conservation of an EU-wide network of sites known as *Natura 2000*. Natura 2000 sites are Special Areas of Conservation (SACs) designated under the Habitats Directive and Special Protection Areas (SPAs) designated under the Conservation of Wild Birds Directive (79/409/EEC).

Articles 6(3) and 6(4) of the Habitats Directive sets out the decision-making tests for plans or projects affecting Natura 2000 sites. Article 6(3) establishes the requirement for Appropriate Assessment:

“Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the



site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public."

Article 6(4) deals with the steps that should be taken when it is determined, as a result of appropriate assessment, that a plan/project will adversely affect a European site. Issues dealing with alternative solutions, imperative reasons of overriding public interest and compensatory measures need to be addressed in this case.

Article 6(4) states:

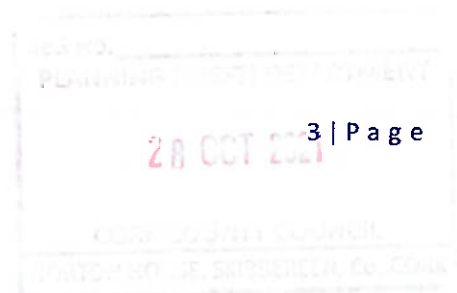
"If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature, the Member States shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted.

Where the site concerned hosts a priority natural habitat type and/or a priority species, the only considerations which may be raised are those relating to human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest."

### **1.2.3 The Appropriate Assessment Process**

The aim of Appropriate Assessment is to assess the implications of a proposal in respect of a site's conservation objectives.

Appropriate Assessment is an assessment of the potential effects of a proposed plan - 'in combination' with other plans and projects - on one or more European sites. The 'Appropriate Assessment' itself is a statement which must be made by the competent authority which says whether the plan affects the integrity of a European site. The actual process of determining whether or not the plan will affect the site is also commonly referred to as 'Appropriate Assessment'.



If adverse impacts on the site cannot be avoided, then mitigation measures should be applied during the Appropriate Assessment process to the point where no adverse impacts on the site remain (European Commission, 2000, 2001).

The conclusions of the appropriate assessment report should enable the competent authority to ascertain whether the proposal would adversely affect the integrity of the site (European Commission, 2000, 2001).

Under the terms of the directive (European Commission, 2000, 2001), consent can only be granted for a project if, as a result of the appropriate assessment either (a) it is concluded that the integrity of the site will not be adversely affected, or (b) where an adverse effect is anticipated, there is shown to be an absence of alternative solutions, and there exists imperative reasons of overriding public interest for the project should go ahead.





## 2. Methodology

### 2.1 Appropriate Assessment

This Statement of Screening for Appropriate Assessment (Stage 1) has been prepared with reference to the following:

- European Commission (2000). Managing Natura 2000 Sites: The Provisions of Article 6 of the 'Habitats' Directive 92/43/EEC.
- European Commission (2002). Assessment of Plans and Projects Significantly Affecting Natura 2000 sites: Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC.
- European Commission (2006). Nature and Biodiversity Cases: Ruling of the European Court of Justice.
- European Commission (2007). Clarification of the Concepts of: Alternative Solution, Imperative Reasons of Overriding Public Interest, Compensatory Measures, Overall Coherence, Opinion of the Commission.
- Department of Environment, Heritage and Local Government (2009). Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities.

The EC Guidance sets out a number of principles as to how to approach decision making during the process. The primary one is 'the precautionary principle' which requires that the conservation objectives of Natura 2000 should prevail where there is uncertainty.

When considering the precautionary principle, the emphasis for assessment should be on objectively demonstrating with supporting evidence that:

- There will be no significant effects on a Natura 2000 site;
- There will be no adverse effects on the integrity of a Natura 2000 site;
- There is an absence of alternatives to the project or plan that is likely to have an adverse effect to the integrity of a Natura 2000 site; and
- There are compensation measures that maintain or enhance the overall coherence of Natura 2000.

This translates into a four stage process to assess the impacts, on a designated site or species, of a policy or proposal.

The EC Guidance states that "each stage determines whether a further stage in the process is required". Consequently, the Council may not need to proceed through all four stages in undertaking the Appropriate Assessment.



The four stage process is:

Stage 1: Screening – The process which identifies the likely impacts upon a Natura 2000 site of a project or plan, either alone or in combination with other projects or plans, and considers whether or not these impacts are likely to be significant;

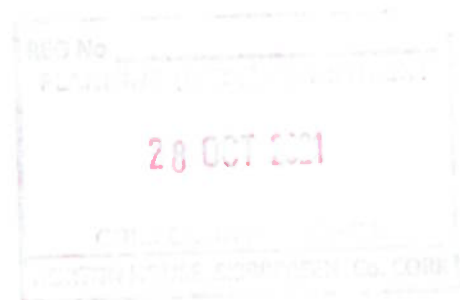
Stage 2: Appropriate Assessment – The consideration of the impact on the integrity of the Natura 2000 site of the project or plan, either alone or in combination with other projects or plans, with respect to the site's structure and function and its conservation objectives. Additionally, where there are adverse impacts, an assessment of the potential mitigation of those impacts;

Stage 3: Assessment of Alternative Solutions – The process which examines alternative ways of achieving objectives of the project or plan that avoid adverse impacts on the integrity of the Natura 2000 site;

Stage 4: Assessment where no alternative solutions exist and where adverse impacts remain – An assessment of the compensatory measures where, in the light of an assessment of imperative reasons of overriding public interest (IROPI), it is deemed that the project or plan should proceed.

In complying with the obligations set out in Articles 6(3) and following the guidelines described above, this screening statement has been structured as a stage by stage approach as follows:

- Description of the proposed project;
- Identification of the Natura 2000 sites close to the proposed development;
- Identification and description of any individual and cumulative impacts on the Natura 2000 sites likely to result from the project;
- Assessment of the significance of the impacts identified above on site integrity. Exclusion of sites where it can be objectively concluded that there will be no significant effects;
- Screening statement with conclusions.



## 2.2 Personnel

This report was carried out by Noreen McLoughlin. Noreen is the owner and main ecologist at Whitehill Environmental. Noreen holds a BA (Hons) in Natural Science (Mod) Zoology and an MSc in freshwater ecology (TCD, Dublin). She has been a full member of the CIEEM (Chartered Institute of Ecology and Environmental Management) for over 13 years.

## 2.3 Desk Studies

Information on the site and the area of the proposed development was studied prior to the completion of this statement. The following data sources were accessed in order to complete a thorough examination of all impacts:

- National Parks and Wildlife Service - aerial photographs and maps of designated sites, information on habitats and species within these sites and information on protected plant or animal species; conservation objectives, site synopses and standard data forms for relevant designated sites;
- Environmental Protection Agency (EPA)- Information pertaining to water quality, and geology;
- Myplan.ie – Mapped based information;
- National Biodiversity Data Centre (NBDC) – Information pertaining to protected plant and animal species within the study area;
- West Cork Distillers – Information regarding the proposed development including site plans and specifications. Documents pertaining to previous applications made on this site were also examined, including an AA Screening Report prepared by Cuthbert Environmental (2017).
- Cork County Council – Information of other plans and projects in the area.



## 3. Screening

### 3.1 Development Description

The manufacturing process permitted under Planning Register Ref. Nos. 17/365 and 19/779 comprises the following main elements:

- External bulk storage of maize and malted and unmalted grains with a capacity of 280 tonnes;
- In the Marsh Road Distillery, there are 24 fermenters for both malt and grain whiskey.
- There are 11 pot stills for malt whiskey and three column stills for grain with a combined annual capacity of 4.5million litres per annum;
- Gin, vodka and poitin production, with an annual capacity of 500,000 litres of alcohol;
- Fermented wine (Glán) production using reverse osmosis, with 8No. 60,000lts fermentation tanks, and with an annual production capacity of 8 million litres of fermented wine;
- Bulk spirits and fermented wine storage with a capacity of 700,000 litres;
- Whiskey warehousing (for maturation) with a capacity of c. 56,000 casks;
- General warehousing and storage facilities with a storage capacity of 200,000 bottles;
- Bottling capacity of c. 4 million bottles per annum;
- Proposed visitors centre (this is currently not in operation but is scheduled for 2021); and
- Site ancillary services including gas boiler, cooling water system, laboratory, administration and welfare areas.

This screening report has been prepared to assess the potential effects of alterations and extensions to the tank farms which were permitted under Planning Register Ref. Nos. 17/365 and 19/779.

The alterations and extensions to the tank farms form part of a programme of minor modifications to the permitted industrial site which also include

- (a) The provision of additional hard surfaced areas for open storage of empty casks with an area of 1,724m<sup>2</sup> which is covered by the Section 5 Declaration which was issued on 03/02/2021 under Ref. No. D/3/21.
- (b) The installation of new cooling plant and equipment with an area of 93m<sup>2</sup> which will be the subject of a separate request for a Declaration under Section 5;
- (c) Alterations to the doors and cladding of existing buildings to provide additional sound insulation which will be the subject of a future request for a Declaration under Section 5.

The proposed development is for modifications to an establishment to which the Major Accidents Directive applies. The site plan submitted with this application is shown in Figure 1.



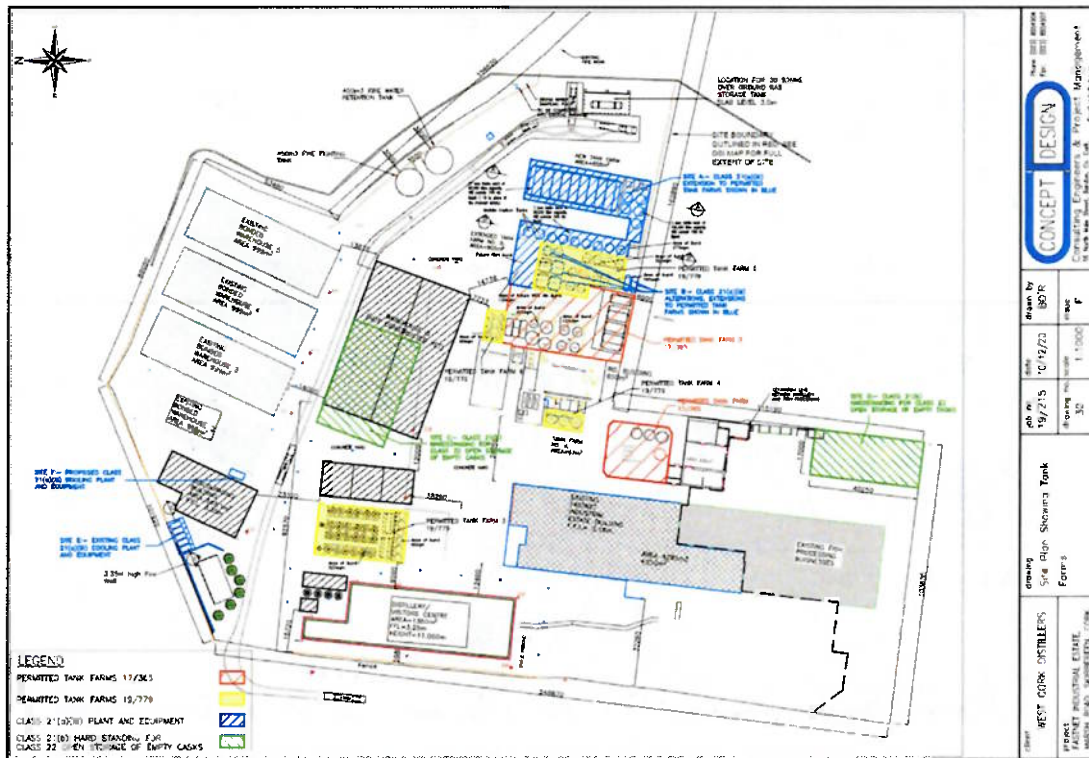


Figure 1 – Site Layout Plan

### 3.2 Site Location and Surrounding Environment

#### 3.2.1 Site Location

The application site is located on the outskirts of Skibbereen town, within the Fastnet Industrial Estate, which is approximately 730m north of the town centre. The site is approximately 4.7hectares in area. It is accessed via an entrance that is just off the Marsh Road. The land use surrounding the application site is mixed. The areas immediately surrounding the site and to the south consists of the urban fabric of Skibbereen town (the industrial, residential and commercial areas). To the west and north, agriculture is the dominant land-use and improved agricultural grassland is the dominant habitat. Other habitats present locally include amenity grasslands, areas of scrub, wet grasslands, hedgerows and treelines. The River Ilen and its riparian habitats occur along the eastern site boundary.

Site location maps are shown in Figures 2 and 3, whilst an aerial photograph of the site and its surrounding habitats is shown in Figure 4.

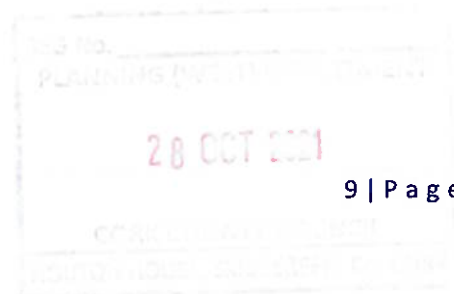




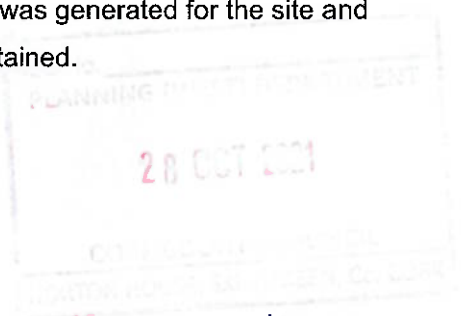


Figure 3 – Site Location Map (Site Outlined in Red)

### 3.2.2 Habitats and Species

The dominant habitat within the application site is buildings and artificial surfaces, i.e., the existing buildings, hard core and car parking areas. There are also some small areas of amenity grasslands in the western portion of the site. In the eastern part of the site, there is an area of grassland and this abuts the banks of the River Ilen. There will be no disturbances to any of the habitats close to the River Ilen as part of this proposed application. No works were undertaken in the riparian area by the applicant as part of previous permitted or unpermitted construction works on the site.

An examination of the website of the National Biodiversity Data Centre revealed that there are no records for the presence of any protected plant or mammal species from within the relevant 1km squares (W1234) of this proposed application. A custom polygon was generated for the site and the areas immediately surrounding it. No records of note were obtained.



### 3.2.3 Water Features and Quality

The application site is located within the Bandon-Ilen Hydrometric Area and Catchment, and the Ilen Sub-Catchment and Sub-Basin. The River Ilen flows along the eastern boundary of the application site.

The River Ilen rises in the Mullaghmesha Mountain, which is approximately 16km north of Skibbereen. It flows in a southerly direction until it reaches Skibbereen, whereupon it flows west until it enters the sea at Baltimore Harbour, approximately 13km downstream of the application site.

The EPA have classified the River Ilen at points close to the application site as a transitional water body, i.e., on its transition from freshwater to estuarine. They have defined its ecological status as moderate and being At Risk of not achieving good ecological status, as required under the EU Water Framework Directive. Immediately upstream of the application site, the Ilen is classified as freshwater and its ecological status has not yet been defined. However, 2km upstream of the application site and for its entire upper course, the ecological status of the Ilen has been defined as high.

Under the requirements of the Water Framework Directive in Ireland, good status should be achieved in all these watercourses within the current cycle of the WFD, i.e., by 2021.

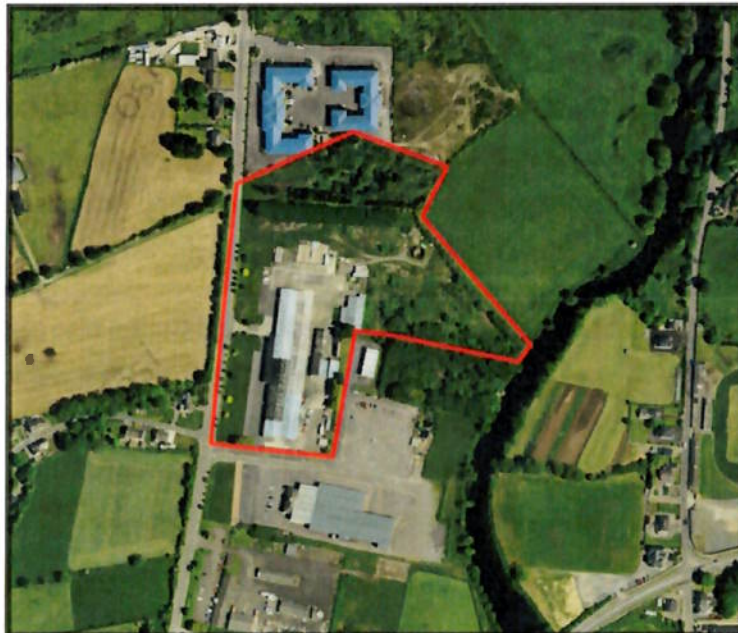
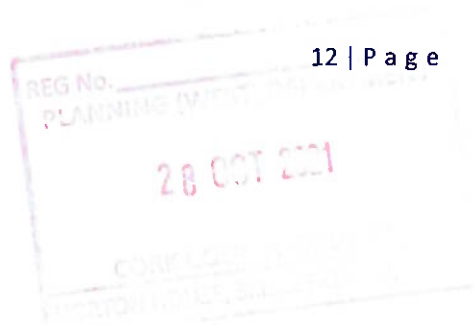


Figure 4 – An OSI Aerial Photograph (Geohive) of the Site (Outlined in Red) Taken prior to 2017





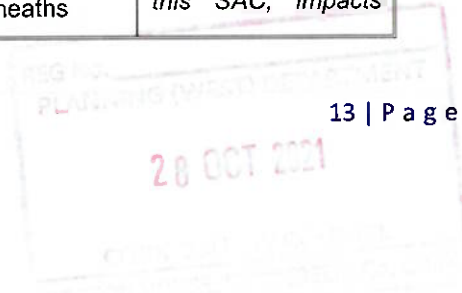
### 3.3 Natura 2000 Sites Identified

In accordance with the guidelines issued by the Department of the Environment and Local Government, a list of Natura 2000 sites within 15km of the proposed development has been identified and described according to their site synopses, qualifying interests and conservation objectives. In addition, any other sites further than this, but potentially within its zone of influence can also be considered. The zone of influence may be determined by an assessment of the connectivity between the application site and the designated areas by virtue of hydrological connectivity, atmospheric emissions, flight paths, ecological corridors etc.

There are five Natura 2000 designated sites within 15km of this application site. These sites and their closest points to the proposed development site are summarised in Table 1 and a map showing their locations relative to the application site is shown in Figure 5. A full description of these sites can be read on the website of the National Parks and Wildlife Service (npws.ie).

**Table 1 – Natura 2000 Sites Within 15km of the Proposed Site.**

Site Name & Code	Distance	Features of Interest	Potential Impacts?
Lough Hyne Nature Reserve and Environs SAC 000097	5.2km south	<ul style="list-style-type: none"> <li>• Large shallow inlets and bays</li> <li>• Reefs</li> <li>• Submerged or partially submerged sea caves</li> </ul>	<i>No hydrological connectivity between the application site and this SAC therefore impacts are unlikely.</i>
Castletownshend SAC 001547	6.6km south-east	<ul style="list-style-type: none"> <li>• Killarney Fern (<i>Trichomanes speciosum</i>)</li> </ul>	<i>No hydrological connectivity between the application site and this SAC therefore impacts are unlikely.</i>
Myross Wood SAC 001070	8.1km east	<ul style="list-style-type: none"> <li>• Killarney Fern (<i>Trichomanes speciosum</i>)</li> </ul>	<i>No hydrological connectivity between the application site and this SAC therefore impacts are unlikely.</i>
Roaringwater Bay and Islands SAC 000101	8.7km south-west / 13.2km downstream	<ul style="list-style-type: none"> <li>• Large shallow inlets and bays</li> <li>• Reefs</li> <li>• Vegetated sea cliffs of the Atlantic and Baltic coasts</li> <li>• European dry heaths</li> </ul>	<i>As there is hydrological connectivity between the application site and this SAC, impacts</i>

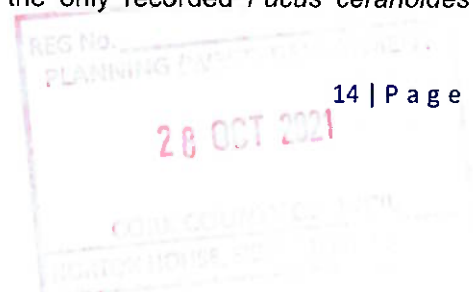


Site Name & Code	Distance	Features of Interest	Potential Impacts?
		<ul style="list-style-type: none"> <li>• Submerged or partially submerged sea caves</li> <li>• Harbour Porpoise (<i>Phocoena phocoena</i>)</li> <li>• Otter (<i>Lutra lutra</i>)</li> <li>• Grey Seal (<i>Halichoerus grypus</i>)</li> </ul>	<i>will be assessed and considered further.</i>
Sheep's Head to Toe Head SPA 004156	5.8km south-west	<ul style="list-style-type: none"> <li>• Peregrine (<i>Falco peregrinus</i>)</li> <li>• Chough (<i>Pyrrhocorax pyrrhocorax</i>)</li> </ul>	<i>No hydrological connectivity between the application site and this SAC therefore impacts are unlikely.</i>

### Roaringwater Bay and Islands SAC 000101

Roaringwater Bay is a wide, shallow bay located in the south-west of Ireland. It is close to the continental shelf, and is therefore fed by the clear, nutrient-poor waters of the Gulf Stream. There are several off-shore islands and rocks, which protect inshore areas from the full force of the Atlantic, and they are themselves exposed to the prevailing swell on their south-west coasts. Tidal streams are channelled by sounds and narrows between the islands, such as at Gascanane Sound, and tidal currents can be strong. Inner Roaringwater Bay is shallow and sheltered and the seabed is composed of sediments. Bedrock is composed of a series of Devonian Old Red Sandstone reefs that run parallel to troughs of Devonian Carboniferous marine clastics in a north east/south west direction. The bay's south east side is formed by a sublittoral reef, emergent as Clear, Sherkin and Spanish Islands. Three subsidiary sublittoral reefs within the bay are emergent firstly as the Calf Island archipelago and Hare Island, secondly as Carthy's Island and the Skeams, and thirdly as the Goat Island/Long Island/Castle Island/Horse Island chain. The effect is one of considerable complexity and diversity. In addition to cliff and heath vegetation, the islands support dry grassland, humid grassland, some swamp and marsh vegetation, and small areas of shingle, salt marsh and sand dune. Small lakes occur on Clear and Sherkin Islands.

Roaringwater Bay has a wide variety of reef and sediment habitats that are subject to a range of wave exposures and tidal streams. The littoral reef has many estuarine communities that are adapted to conditions of variable salinity. It also has the only recorded *Fucus ceranoides*



community on estuarine mixed eu littoral rock. The infralittoral reef has good examples of the effects of sea urchin grazing on kelp forest with coralline algae. The circalittoral reef communities contain many rare plant and animal species. The cave community on Sherkin Island is home to the rare filamentous red alga *Pterosiphonia pennata*. The sedimentary communities in Roaringwater Bay are exceptional. Of particular interest is the extensive bed of *Lithophyllum dentatum*, which is the largest in the country, and typically contains specimens that are very large and, uniquely, flattened in form. There are also other maerl communities that are listed under Annex V of the E.U. Species and Habitats Directive. There are several seagrass beds (*Zostera marina*) in Roaringwater Bay, including a superb bed in Horseshoe Bay, a glacial corrie, on Sherkin Island. The bay contains the only reef recorded by BiomMar of the Peacock Worm, *Sabella pavonina*, and a wide range of other sediment communities.

Steep cliffs with well-developed vegetation occur along the south sides of Clear and Sherkin Islands. Dry Atlantic *Erica-Ulex* heaths are particularly well developed on the various islands and along sections of the mainland. There is a distinct southerly element in the associated flora. At least nine Red Data Book plant species occur, five of which are also legally protected. *Dianthus armeria* occurs at its only known Irish station. The site has a significant breeding population of *Halichoerus grypus*, and *Lutra lutra* is well distributed. The site is of significance for the occurrence of *Phocoena phocoena* with relative high abundances recorded and presents high quality habitat for this marine mammal. There is a nationally important breeding population of *Pyrhocorax pyrrhocorax* and several pairs of *Falco peregrinus*. Seabirds breed on the islands, with nationally important populations of *Fulmaris glacialis*, *Phalacrocorax carbo*, *Larus fuscus* and *Cephus grylle*. *Sterna* terns have bred in the past and potential habitat still exists. Clear Island has Ireland's only manned bird observatory (established in 1959), and there is a marine research station on Sherkin Island.

In 2011, the NPWS published Site Specific Conservation Objectives (SSCOs) for this SAC. These conservation objectives were also supported by a number of other documents relating to the marine and coastal habitats of this large SAC. These SSCO's aim to define the favourable conservation condition for the particular habitats or species at that site. They outline certain attributes (e.g., distribution, population structure, water quality) for different species and habitats with targets, which define favourable condition for a habitat or species at a particular site. The maintenance of habitats and species within the Natura 2000 sites at favourable conservation condition will contribute to the overall maintenance of favourable conservation status of those

habitats and species at national level. For the Roaringwater Bay and Islands SAC, these SSCOs can be downloaded on the NPWS website. Any potential threats to the attributes and targets as defined in these SSCOs were assessed and where necessary, mitigated for.

Within this SAC, the favourable conservation status of a habitat is achieved when:

- Its natural range and area it covers within that range is stable or increasing and the specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future;
- The conservation status of its typical species is favourable.

Favourable conservation status of a species is achieved when:

- Population dynamics data on the species concerned indicate that it is maintaining itself on a long - term basis as a viable component of its natural habitats;
- The natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future;
- There is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long - term basis.

For each Qualifying Interest of the SAC, the specific conservation objective is either to maintain or restore the favourable conservation condition of that interest, by defining a list of attributes and targets which are indicative of the conservation status of that interest. For habitats, the main attributes include habitat area; habitat and community distribution; vegetation structure/composition and physical structure. The main target is to ensure that the habitats are stable or increasing in area and that the other attributes are maintained or restored. For the Annex II species of the SAC, the main attributes are population trend and distribution, whilst the targets aim to ensure that the long term population trends of the species are stable or increasing and that there is no significant decrease in the numbers or range of areas used by the species, other than that occurring from natural patterns of variation.

The NPWS Qualifying Interests and SSCOs of the Roaringwater Bay and Islands SAC are listed below in Table 2.

**Table 2 – SSCOs of the Roaringwater Bay and Islands SAC**

Habitat Name	HD Code	SSCO	Attributes
Large Shallow Inlets and Bays	1160	To <i>maintain</i> the favourable conservation condition of this habitat in Roaringwater Bay and Islands SAC	<ul style="list-style-type: none"> <li>• Habitat Area</li> <li>• Community Extent</li> <li>• Shoot Density</li> <li>• Community Structure</li> <li>• Community Distribution</li> </ul>
Reefs	1170	To <i>maintain</i> the favourable conservation condition of this habitat in Roaringwater Bay and Islands SAC	<ul style="list-style-type: none"> <li>• Habitat Distribution</li> <li>• Habitat Area</li> <li>• Community Structure</li> <li>• Community Extent</li> </ul>
Vegetated Sea Cliffs of the Atlantic and Baltic Coasts	1230	To <i>maintain</i> the favourable conservation condition of this habitat in Roaringwater Bay and Islands SAC	<ul style="list-style-type: none"> <li>• Habitat Length</li> <li>• Habitat Distribution</li> <li>• Vegetation Structure</li> <li>• Vegetation Composition</li> </ul>
Harbour Porpoise <i>Phocoena phocoena</i>	1351	To <i>maintain</i> the favourable conservation condition of this species in Roaringwater Bay and Islands SAC	<ul style="list-style-type: none"> <li>• Access to Suitable Habitat</li> <li>• Disturbance</li> </ul>
Otter <i>Lutra lutra</i>	1355	To <i>restore</i> the favourable conservation condition of this species in Roaringwater Bay and Islands SAC	<ul style="list-style-type: none"> <li>• Distribution</li> <li>• Extent of Terrestrial Habitat</li> <li>• Extent of Marine Habitat</li> <li>• Extent of Freshwater Habitat</li> <li>• Couching Sites and Holts</li> <li>• Fish Biomass Available</li> <li>• Barriers to Connectivity</li> </ul>
Gray Seal <i>Halichoerus grypus</i>	1364	To <i>maintain</i> the favourable conservation condition of this species in Roaringwater Bay and Islands SAC	<ul style="list-style-type: none"> <li>• Access to Suitable Habitat</li> <li>• Breeding Behaviour</li> <li>• Moulting Behaviour</li> <li>• Resting Behaviour</li> <li>• Population Composition</li> <li>• Disturbance</li> </ul>
European Dy Heaths	4030	To <i>maintain</i> the favourable conservation condition of this habitat in Roaringwater Bay and Islands SAC	<ul style="list-style-type: none"> <li>• Habitat Distribution</li> <li>• Habitat Area</li> <li>• Physical Structure</li> <li>• Vegetation Structure</li> <li>• Vegetation Composition</li> </ul>

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### 3.4 Natura 2000 Impact Assessment

The potential impacts of the application at West Cork Distillers on the Roaringwater Bay and Islands SAC are described below.

Describe the individual elements of the project (either alone or in combination with other plans or projects) likely to give rise to impacts on nearby Natura 2000 site:

The proposed application will have no impacts upon the Roaringwater Bay and Islands SAC. This SAC is 13.2km downstream of the application site. There were no works on the application site that lead to any impacts upon this SAC, its conservation objectives or the attributes and targets required to maintain or restore the favourable conservation condition of these qualifying interests in this SAC. The works requiring retention did not lead to any impacts upon the SAC and they were undertaken at the same time as works that were permitted under a previous planning application, which was accompanied by an AA screening report (Cuthburt Environmental, 2017). The additional works sought under this current application will have no impacts upon the Roaringwater Bay and Islands SAC and there will be no impacts upon the qualifying interests of this SAC.

Describe any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the nearby Natura 2000 sites by virtue of:

**Size and scale:** Given the small size and scale of the development in relation to the overall size of the Natura 2000 site identified, then the likelihood of any direct, indirect or cumulative impacts upon these designated sites are low.

**Land-take:** There will be no land-take from any designated site. There will be no interference with the boundaries of any designated site. There was no land-take in the past.

**Distance from Natura 2000 site or key features of the site:** There are five Natura 2000 sites within 15km of this development. Four of these have no hydrological connectivity to the application site. Roaringwater Bay and Islands SAC is 8.7km south and 13.2km downstream of the application site. This distance is sufficient to ensure that no impacts will arise in the future or arose in the past.

**Resource requirements (water abstraction etc.):** There will be no resources required as part of this proposed application and no resources were required from the SAC at any time in the past. There will be no abstraction from the River Ilen as part of these works.

**Emissions:** There will be no emissions directly to Roaringwater Bay and Islands SAC. Surface water runoff from the hard-standing areas is collected via gullies and drainage channels, whilst the roof rainwater is collected via a series of drainage downpipes. These combine and discharge to an



existing 830m underground attenuation tank. This attenuation tank discharges into the Ilen River, via a By-Pass Separator which will be equipped with shut off valves. The water from the attenuation tank flows through a non-return valve on route to the river, thus preventing water flowing from the river back into the tank. The alterations and extensions to the tank farm shown as Site B are primarily located within an area which was shown as impermeable in the permitted site layout. While Site A may have previously been a permeable area of the site the tank farm extension represents a very small percentage of the total impermeable area. The tank farm extensions are bunded and all surface water is collected, attenuated, and discharged via a separator through a permitted and licensed outfall to the river.

**Excavation requirements:** Excavated material will be re-used on site. Any excess will be removed from the site by a registered contractor to a registered site.

**Transportation requirements:** There will be no additional transportation requirements resulting from the proposed development and associated works that will have any impact upon the Natura 2000 sites identified.

**Cumulative Impacts:** The proposed application was considered in combination with other developments or proposed developments in the Skibbereen area and potential cumulative impacts were considered. A number of developments have been granted planning permission in the preceding five years and where necessary these applications were accompanied by AA reports (Stage I / Stage II). Any future individual application that has the potential to impact upon a Natura 2000 site will be subject to Appropriate Assessment as required under Articles 6(3) of the Habitats Directive. The works at West Cork Distillers will have no cumulative impacts upon any site when considered in-combination with other developments that have been screened for AA or where mitigation has been proposed as part of a Stage 2 AA (NIS).

**Duration of construction, operation, decommissioning etc:** Additional construction works will take approximately six months to one year. The operation of the facility as a distillery will continue long term.

#### **Describe any likely changes to the nearby Natura 2000 sites arising as a result of:**

**Reduction of habitat area:** The proposed development lies outside the boundaries of the Natura 2000 sites identified in Section 3.3. There will be no reduction of designated habitat area. There will be no interference with the boundaries of any designated site. The habitat qualifying interests within the Roaringwater Bay and Islands SAC include:

- Large shallow inlets and bays
- Reefs

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- Vegetated sea cliffs of the Atlantic and Baltic coasts
- European dry heaths
- Submerged or partially submerged sea caves

None of these features will be impacted upon by the proposed development. The SSCOs, attributes and targets of these habitats were presented in Table 2. The application will not result in any negative impacts upon the attributes or targets that are necessary to maintain the favourable conservation condition of these features in the SAC.

**Disturbance to key species:** There will be no disturbance to any species listed in Annex I of the Birds Directive or Annex II of the Habitats Directive. The Roaringwater Bay and Islands SAC is designated for the protection of the following species:

- Harbour Porpoise (*Phocoena phocoena*)
- Otter (*Lutra lutra*)
- Grey Seal (*Halichoerus grypus*)

There will be no impacts upon any of these species arising from the proposed activity. There will be no negative impacts upon the attributes or targets that are required to either maintain or restore the favourable conservation condition of these species in this SAC. There will be no reduction in water quality in the River Ilen or in Roaringwater Bay, therefore impacts upon these listed species will be avoided. There will be no loss of any habitat used by these species.

**Habitat or species fragmentation:** There will be no habitat or species fragmentation within the Roaringwater Bay and Islands SAC. No ecological corridors between the proposed site and this SAC will be damaged or destroyed.

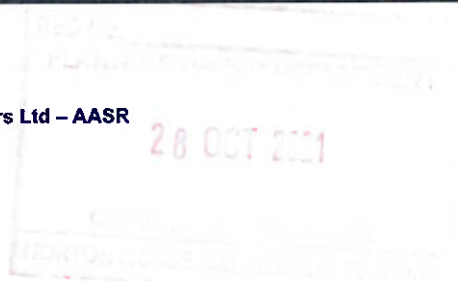
**Reduction in species density:** There will be no reduction in species density within Roaringwater Bay and Islands SAC.

**Changes in key indicators of conservation value (water quality etc.):** There will be no negative impacts upon surface or ground water quality within the Roaringwater Bay and Islands SAC. There will be no negative impacts upon the water quality in any designated site.

Describe any likely impacts on the nearby Natura 2000 sites as a whole in terms of:

**Interference with the key relationships that define the structure or function of the site:** It is not considered likely that there will be any impacts on the key relationships that define the structure or function of the Natura 2000 sites identified.

Provide indicators of significance as a result of the identification of effects set out above in terms of:



**Loss** - Estimated percentage of lost area of habitat: None

**Fragmentation, Disruption & disturbance:** None

**Change to key elements of the site** (e.g. water quality etc.): None



### 3.5 Finding of No Significant Effects

Finding of No Significant Effects Report Matrix	
<b>Name of project</b>	Alterations and extensions to the tank farms at the West Cork Distillery, Marsh Road Skibbereen
<b>Name and location of Natura 2000 site</b>	Roaringwater Bay and Islands SAC is 8.7km south and 13.2km downstream of the application site. This distance is sufficient to ensure that no impacts will arise.
<b>Description of project</b>	A Small Scale Project at an Existing Site (West Cork Distillers). Minor alterations and extensions to the permission granted under planning reference 19/779
<b>Is the project directly connected with or necessary to the management of the site?</b>	No
<b>Are there other projects or plans that together with project being assessed could affect the site?</b>	No
The Assessment of Significance of Effects	
<b>Describe how the project is likely to affect the Natura 2000 site</b>	Having regard to the location, nature and scale of the proposed development, it is considered that there is no potential for significant effects either from the proposed development on its own or in combination with other plans and projects.
<b>Explain why these effects are not considered significant</b>	Not applicable as there is no potential for negative impacts
<b>Describe how the project is likely to affect species designated under Annex II of the Habitats Directive.</b>	No impacts likely
Data Collected to Carry out the Assessment	
<b>Who carried out the assessment</b>	Noreen McLoughlin, MSC, MCIEEM. Consultant Ecologist
<b>Sources of data</b>	NPWS, EPA, National Biodiversity Data Centre, Cork County Council



Level of assessment completed	Stage1 Appropriate Assessment Screening
Where can the full results of the assessment be accessed and viewed	Full results included

#### 4. Appropriate Assessment Conclusion

In accordance with Article 6(3) of the Habitats Directive, established best practice and the precautionary principle, this AA Screening Report has examined the details of the project in relation to the relevant Natura 2000 sites within 15km of the application site. This report has analysed the potential impacts and effects of the proposed project on the Special Conservation Interests of these designated sites. It has evaluated the significance of these potential impacts and effects in view of these sites' conservation objectives.

In view of best scientific knowledge and on the basis of objective information, it can be concluded that this application, whether individually or in combination with other plans and projects, will have no impacts upon the Natura 2000 sites. The integrity of these sites will be maintained, and the habitats and species associated with these sites will not be adversely affected. It is of the opinion of this author that this application does not need to proceed to Stage II of the Appropriate Assessment process.

