

Proposed Variation (No.4 St. John's Well) to the Cork City Development Plan 2015 - 2021

Appropriate Assessment Screening

11th October 2017



**Comhairle Cathrach Chorcaí
Cork City Council**

Appropriate Assessment Screening Report

Proposed Variation No.4 St. John's Well to the Cork City Development Plan 2015 - 2021

1. Introduction and Terms of Reference

1.1 Introduction

This is an appropriate assessment screening of the proposed Variation No.4 to the Cork City Development Plan 2015 - 2021 in accordance with the requirements of Articles 6 (3) of the EU Habitats Directive (Directive 92/43/EEC). The relevant provisions of the Directive are set out in Section 1.2 of this report. This report evaluates the proposed variation to determine if it needs to be subject to an appropriate assessment.

1.2 Terms of Reference

Appropriate assessment is an assessment carried out under Articles 6(3) of the Habitats Directive. Article 6 (3) of the Habitats Directive states:

"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 of 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) of the Habitats Directive 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 economic or social nature, the Member State 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."

2. Screening Matrix

2.1 Brief description of the variation

It is proposed to make a variation to the development Plan by way of inclusion of a site-specific objective to Chapter 6 Residential Strategy, namely,

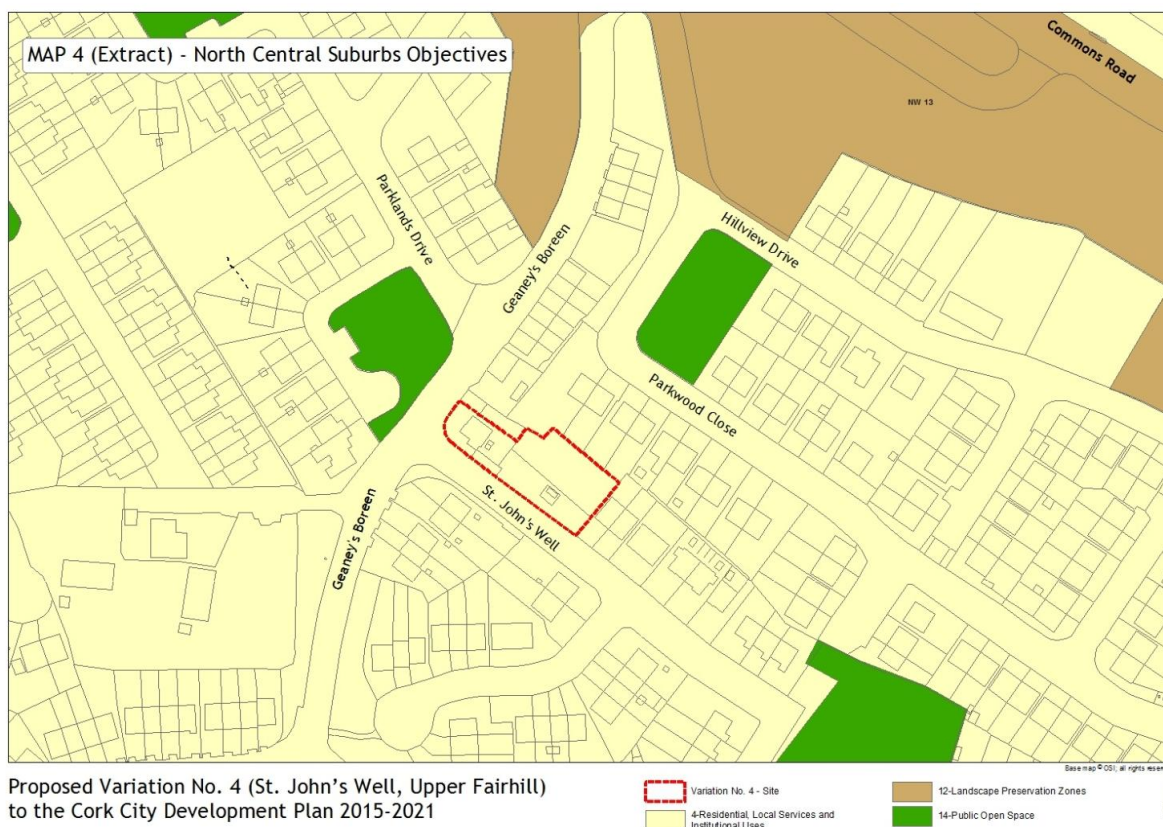
"To provide social housing on the City Council owned site at the junction of St. John's Well / Gearney's Boreen."

The **proposed amendment** is

(a) To insert new site specific objective as follows:

“To provide social housing on the City Council owned site at the junction of St. John’s Well/ Gearney’s Boreen.”

Referring to the specific site highlighted on the Zoning Map below.



The proposed variation does not propose rezoning the site from “Residential, Local Services and Institutional Uses” but proposes the insertion of a site specific objective (*“To provide social housing on the City Council owned site at the junction of St. John’s Well/ Gearney’s Boreen”*) to facilitate the redevelopment of a 0.1hectare site, currently under-utilised and over-ride Objective 11.7(b) of the Plan:

“There will be presumption against development on all open space in residential estates in the city, including any green area/public amenity area that formed part of an executed planning permission for development and was identified for the purposes of recreation/ amenity open space, and also including land which has been habitually used as public open space. Such lands shall be protected for recreation, open space and amenity purposes;”

Subsequent intensification of development would not result in a population increase for the city over and above that prescribed in the adopted Cork City Development Plan 2015 - 2021 which has already been the subject of Appropriate Assessment Screening (by RPS Environmental Consultants) prior to its adoption. It is estimated that the said lands may

accommodate 5 no. new houses and an increased residential population of 12 persons based on an average household size of 2.45 persons).

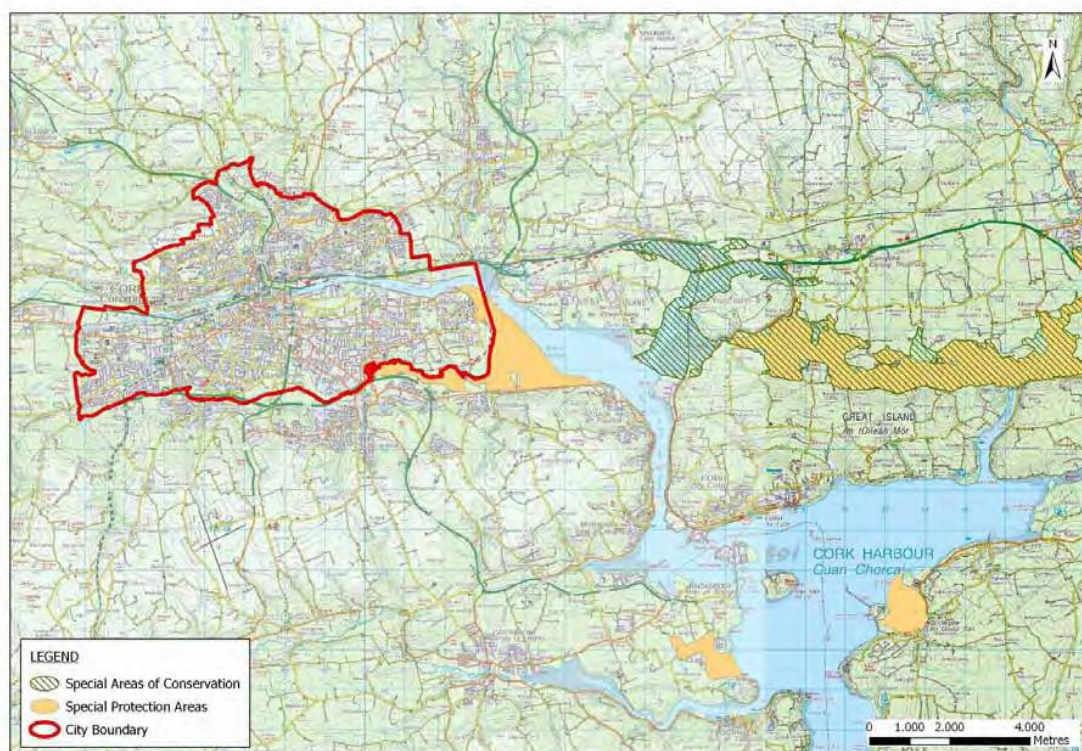
2.2 Brief Description of the Natura 2000 sites

There are no designated Natura 2000 sites within the boundary or within the immediate vicinity of the subject lands.

Cork Harbour SPA (Site Code: 004030) is approximately 6km south-east of the subject site, covers much of the large sheltered, bay system into which the River Lee, which passes through Cork City, flows, including several river estuaries, principally those of the Rivers Lee, Douglas and Owenacurra. The zonings in the area of overlap are for open space and sports grounds. These zonings provide for sports grounds and open space. The SPA abuts the south & south-east boundary of the city, namely, the Mahon Peninsula, stretching from the Douglas Estuary to the Blackrock Observatory.

Great Island Channel cSAC (Site Code: 001058) is located 3km east of the City boundary, or 10km east of the subject lands. The site stretches from Little Island to Midleton, with its southern boundary formed by Great Island. These Natura sites are identified in figure below.

Figure 4 Natura 2000 in vicinity of Cork City



2.3 Assessment Criteria

Describe the individual elements of the project (either alone or in combination with other plans or projects) likely to give rise to the Natura 2000 sites.

The plan will ensure that uses, developments and effects arising from permissions based upon this plan (either individually or in combination with other plans or projects) shall not give rise to significant adverse impacts on the integrity of any Natura 2000 sites.

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

- Size and Scale

No projects giving rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites arising from their size and scale shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects).

- Land Take

No projects giving rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites arising from their land take shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects).

- Distance from the Natura 2000 site or key features of the site

No projects giving rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites or their key features arising from their proximity shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects).

- Emissions (Disposal to land, water or air)

No projects giving rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites arising from their emissions (disposal to land, water or air) shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects).

- Excavation Requirements

No projects giving rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites arising from their excavation requirements shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects).

- Transportation Requirements

No projects giving rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites arising from their transportation requirements shall be permitted on the basis of the Plan (either individually or in combination with other plans or projects).

- Duration of construction, operation, decommissioning, etc.

No projects giving rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites arising from their duration of construction, operation, decommissioning etc. shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects).

- Other

No projects giving rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites arising from any other effects shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects).

Describe any likely changes to the sites arising as a result of:

- Reduction of habitat area

No projects giving rise to reduction of habitat areas for Natura 2000 sites shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects).

- Disturbance of key species

No projects giving rise to significant disturbance to key species in Natura 2000 sites shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects).

- Habitat or species fragmentation

No projects giving rise to significant habitat or species fragmentation of Natura 2000 sites shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects).

- Reduction in species density

No projects giving rise to significant reduction of species on Natura 2000 sites shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects).

- Changes in key indicators of conservation value (water quality etc.)

No projects giving rise to significant changes in key indicators of conservation value for Natura 2000 sites shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects).

- Climate Change

No projects giving rise to significant adverse changes in climatological conditions affecting Natura 2000 sites shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects).

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

- Interference with the key relationships that define the structure of the site:

No projects giving rise to significant, adverse interference with the key relationships that define the structure of Natura 2000 sites shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects).

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

- Loss: Not applicable
- Fragmentation: Not applicable
- Disruption: Not applicable
- Change to key elements of the sites (e.g. water quality etc.): Not applicable

Describe from the above those elements of the project or plan, or combination of elements, where the above impacts are likely to be significant or where the scale or magnitude of impacts is not known: Not applicable.

3. Finding of No Significant Effects Report Matrix

Name of project or plan

Proposed Variation (No. 4 St. John's Well) to the Cork City Development Plan 2015 - 2021

Name and Location of Natura 2000 sites

Cork Harbour SPA. Site Code: 004030

Great Island Channel cSAC Site Code: 001058

Description of the project

The proposed variation consists of the insertion of a site specific objective to Chapter 6 Residential Strategy, namely,

**"Objective 6.3a Social Housing at junction of St. John's Well and Gearney's Boreen."
"To provide social housing on the City Council owned site at the junction of St. John's Well/
Gearney's Boreen."**

in order to facilitate the development of a 6 no. unit social housing scheme, (including 5no. new units) on a site of 0.1 hectares, thus resulting in the sustainable development of an underutilised site.

Description of the nearest Natura 2000 site to the proposed variation site.

Cork Harbour SPA (Site Code 004030). Cork Harbour is a large, sheltered bay system, with several river estuaries – principally those of the Rivers Lee, Douglas and Owenacurra. The SPA site comprises most of the main intertidal areas of Cork Harbour, including all of the North Channel, the Douglas Estuary, inner Lough Mahon, Lough Beg, Whitegate Bay and the Rostellan inlet. The SPA is in excess of 6 kilometres south-east of the site. Cork Harbour is an internationally important wetland site, regularly supporting in excess of 20,000 wintering waterfowl, for which it is amongst the top five sites in the country. Several of the species which occur regularly are listed on Annex I of the E.U. Birds Directive, i.e. Whooper Swan, Golden Plover, Bar-tailed Godwit, Ruff and Common Tern. The site provides both feeding and roosting sites for the various bird species that use it.

As Cork Harbour is adjacent to a major urban centre and a major industrial centre, water quality is variable, with the estuary of the River Lee and parts of the Inner Harbour being somewhat eutrophic. However, (as noted by the site synopsis from the National Parks and Wildlife Service), the polluted conditions may not be having significant impacts on the bird populations.

Describe how the project or plan (alone or in combination) is likely to affect the Natura 2000 site

The City Development Plan was formulated to ensure that uses, developments and effects arising from permissions based upon the Plan (either individually or in combination with other plans or projects) would not give rise to significant adverse impacts on the integrity of the

Natura 2000 site. The policies and provisions of the Plan were devised to anticipate and avoid the need for developments that would be likely to significantly and adversely affect the integrity of and Natura 2000 sites. Furthermore, such developments as will be permitted on foot of the provisions of the plan and the proposed variation shall be required to conform to the relevant regulatory provisions for the prevention of pollution, nuisance or other environmental effects likely to significantly and adversely affect the integrity of the any Natura 2000 sites.

4. Conclusion

Following the review of the proposed plan in accordance with the 'Methodological guidance on the provision of Article 6(3) and 6(4) of the Habitats Directive 92/43' a Screening Matrix and Findings of No Significant Effects Matrix have been completed.

This screening process was carried out to ascertain if the Proposed Variation to the City Development Plan would be likely to have significant effects on a Natura 2000 site. The subject site does not contain any Natura 2000 sites nor is located directly adjacent to a Natura 2000 site.

The proposed text amendment (new objective) is not strategic in nature, and does not alter the quantum / densities of residential development or population increase over and above that prescribed in the adopted Cork City Development Plan and does not have the potential to significantly impact on the Natura 2000 sites. The proposed variation may result in reduced demands on the said lands and local road and transport infrastructure. Furthermore, the City Development Plan policies relating to drainage systems, storm water management, surface water drainage and sustainable urban drainage systems, the Lee catchment management plan, and flood risk as set in *Chapter 12 -Environmental Infrastructure and Management*, mitigate against potential adverse impacts.

The proposed variation is formulated to ensure that developments and effects arising from the Plan (either individually or in combination with other plans or projects) shall not give rise to significant adverse impacts on the integrity of the nearest Natura 2000 site i.e. Cork Harbour SPA. The changes proposed in the variation are set within the context of a development framework already established by the adopted Cork City Development Plan 2015 - 2021. The impact of the implementation of the variation in terms of the environment and sustainable development is likely to be neutral.

Decision:

There is no potential for significant effects. AA is not required

Appendix

SITE SYNOPSIS

CORK HARBOUR SPA. SITE CODE: 004030

Source: National Parks and Wildlife Service Ireland

Cork Harbour is a large, sheltered bay system, with several river estuaries – principally those of the Rivers Lee, Douglas and Owenacurra. The SPA site comprises most of the main intertidal areas of Cork Harbour, including all of the North Channel, the Douglas Estuary, inner Lough Mahon, Lough Beg, Whitegate Bay and the Rostellan inlet.

Owing to the sheltered conditions, the intertidal flats are often muddy in character. These muds support a range of macro-invertebrates, notably *Macoma balthica*, *Scrobicularia plana*, *Hydrobia ulvae*, *Nephtys hombergi*, *Nereis diversicolor* and *Corophium volutator*. Green algae species occur on the flats, especially *Ulva lactuca* and *Enteromorpha* spp. Cordgrass (*Spartina* spp.) has colonised the intertidal flats in places, especially where good shelter exists, such as at Rossleague and Belvelly in the North Channel. Salt marshes are scattered through the site and these provide high tide roosts for the birds. Salt marsh species present include Sea Purslane (*Halimione portulacoides*), Sea Aster (*Aster tripolium*), Thrift (*Armeria maritima*), Common Saltmarsh-grass (*Puccinellia maritima*), Sea Plantain (*Plantago maritima*), Laxflowered Sea-lavender (*Limonium humile*) and Sea Arrowgrass (*Triglochin maritima*). Some shallow bay water is included in the site. Cork Harbour is adjacent to a major urban centre and a major industrial centre. Rostellan lake is a small brackish lake that is used by swans throughout the winter. The site also includes some marginal wet grassland areas used by feeding and roosting birds.

Cork Harbour is an internationally important wetland site, regularly supporting in excess of 20,000 wintering waterfowl, for which it is amongst the top five sites in the country. The five-year average annual core count for the entire harbour complex was 34,661 for the period 1996/97-2000/01. Of particular note is that the site supports an internationally important population of Redshank (1,614) – all figures given are average winter means for the 5 winters 1995/96-1999/00. A further 15 species have populations of national importance, as follows: Great Crested Grebe (218), Cormorant (620), Shelduck (1,426), Wigeon (1,750), Gadwall (15), Teal (807), Pintail (84), Shoveler (135), Red-breasted Merganser (90), Oystercatcher (791), Lapwing (3,614), Dunlin (4,936), Black-tailed Godwit (412), Curlew (1,345) and Greenshank (36). The Shelduck population is the largest in the country (9.6% of national total), while those of Shoveler (4.5% of total) and Pintail (4.2% of total) are also very substantial. The site has regionally or locally important populations of a range of other species, including Whooper Swan (10), Pochard (145), Golden Plover (805), Grey Plover (66) and Turnstone (99). Other species using the site include Bat-tailed Godwit (45), Mallard (456), Tufted Duck (97), Goldeneye (15), Coot (77), Mute Swan (39), Ringed Plover (51), Knot (31), Little Grebe (68) and Grey Heron (47). Cork Harbour is an important site for gulls in winter and autumn, especially Common Gull (2,630) and Lesser Black-backed Gull (261); Black-headed Gull (948) also occurs. A range of passage waders occur regularly in autumn, including Ruff (5-10), Spotted Redshank (1-5) and Green Sandpiper (1-5). Numbers vary between years and usually a few of each of these species over-winter. The wintering birds in Cork Harbour have been monitored since the 1970s and are counted annually as part of the I-WeBS scheme.

Cork Harbour has a nationally important breeding colony of Common Tern (3-year mean of 69 pairs for the period 1998-2000, with a maximum of 102 pairs in 1995). The birds have nested in Cork Harbour since about 1970, and since 1983 on various artificial structures, notably derelict steel barges and the roof of a Martello Tower. The birds are monitored annually and the chicks are ringed. Extensive areas of estuarine habitat have been reclaimed since about the 1950s for industrial, port-related and road projects, and further reclamation remains a threat. As Cork Harbour is adjacent to a major urban centre and a major industrial centre, water quality is variable, with the estuary of the River Lee and parts of the Inner Harbour being somewhat eutrophic. However, the polluted conditions may not be having significant impacts on the bird populations. Oil pollution from shipping in Cork Harbour is a general threat. Recreational activities are high in some areas of the harbour, including jet skiing which

causes disturbance to roosting birds. Cork Harbour has is of major ornithological significance, being of international importance both for the total numbers of wintering birds (i.e. > 20,000) and also for its population of Redshank. In addition, there are at least 15 wintering species that have populations of national importance, as well as a nationally important breeding colony of Common Tern. Several of the species which occur regularly are listed on Annex I of the E.U. Birds Directive, i.e. Whooper Swan, Golden Plover, Bar-tailed Godwit, Ruff and Common Tern. The site provides both feeding and roosting sites for the various bird species that use it.

GREAT ISLAND CHANNEL CANDIDATE SPECIAL PROTECTION AREA.

SITE CODE: 001058

Source: National Parks and Wildlife Service Ireland

The Great Island Channel stretches from Little Island to Midleton, with its southern boundary being formed by Great Island. It is an integral part of Cork Harbour which contains several other sites of conservation interest. Geologically, Cork Harbour consists of two large areas of open water in a limestone basin, separated from each other and the open sea by ridges of Old Red Sandstone. Within this system, Great Island Channel forms the eastern stretch of the river basin and, compared to the rest of Cork Harbour, is relatively undisturbed. Within the site is the estuary of the Owennacurra and Dungourney Rivers. These rivers, which flow through Midleton, provide the main source of freshwater to the North Channel.

The main habitats of conservation interest are the sheltered tidal sand and mudflats and Atlantic salt meadows, both habitats listed on Annex I of the EU Habitats Directive. Owing to the sheltered conditions, the intertidal flats are composed mainly of soft muds. These muds support a range of macro-invertebrates, notably *Macoma balthica*, *Scrobicularia plana*, *Hydrobia ulvae*, *Nephtys hombergi*, *Nereis diversicolor* and *Corophium volutator*. Green algal species occur on the flats, especially *Ulva lactuca* and *Enteromorpha* spp. Cordgrass (*Spartina* spp.) has colonised the intertidal flats in places, especially at Rossleague and Belvelly. The salt marshes are scattered through the site and are all of the estuarine type on mud substrate.

Species present include Sea Purslane (*Halimione portulacoides*), Sea Aster (*Aster tripolium*), Thrift (*Armeria maritima*), Common Saltmarsh-grass (*Puccinellia maritima*), Sea Plantain (*Plantago maritima*), Greater Sea-spurry (*Spergularia media*), Sea Lavender (*Limonium humile*), Sea Arrowgrass (*Triglochin maritimum*), Mayweed (*Matricaria maritima*) and Red Fescue (*Festuca rubra*).

The site is extremely important for wintering waterfowl and is considered to contain three of the top five areas within Cork Harbour, namely North Channel, Harper's Island and Belvelly-Marino Point. Shelduck are the most frequent duck species with 800-1000 birds centred on the Fota/Marino Point area. There are also large flocks of Teal and Wigeon, especially at the eastern end. Waders occur in the greatest density north of Rosslare, with Dunlin, Godwit, Curlew and Golden Plover the commonest species. A population of about 80 Grey Plover is a notable feature of the area. All the mudflats support feeding birds; the main roost sites are at Weir Island and Brown Island and to the north of Fota at Killacloyne and Harper's Island. Ahanes supports a roost also but is subject to disturbance. The numbers of Grey Plover and Shelduck, as given above, are of national importance.

The site is an integral part of Cork Harbour which is a wetland of international importance for the birds it supports. Overall, Cork Harbour regularly holds over 20,000 waterfowl and contains Internationally important numbers of Black-tailed Godwit (1,181) and Redshank (1,896) along with Nationally important numbers of nineteen other species. Furthermore, it contains the large Dunlin (12,019) and Lapwing (12,528) flocks. All counts are average peaks, 1994/95 – 1996/97. Much of the site forms part of Cork Harbour Special Protection Area, an important bird area designated under the EU Birds Directive.

While the main land use within the site is aquaculture (Oyster farming), the greatest threats to its conservation significance come from road works, infilling, sewage outflows and possible marina developments.

The site is of major importance for the two habitats listed on the EU Habitats Directive that it contains, as well as for its important numbers of wintering waders and wildfowl. It also supports a good invertebrate fauna.



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