



**COAKLEY O'NEILL**  
town planning

Statement in Accordance with Article 299B(1)(b)(ii)(II)(C) of  
the Planning and Development Regulations 2001-2021


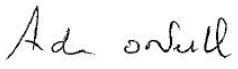
**PROPOSED STRATEGIC HOUSING  
DEVELOPMENT, MONACNAPA,  
BLARNEY, CORK**

Prepared in February, 2022 on behalf of  
**Eoin Sheehan**

Coakley O'Neill Town Planning Ltd.

## Document Control Sheet

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## 1.0 INTRODUCTION

- 1.1 This report has been prepared to support a Strategic Housing Development (SHD) application on behalf of Eoin Sheehan (the applicant) for a proposed residential development at Monacnapa, Blarney, Cork.
- 1.2 The application will be made under the Planning and Development (Housing) and Residential Tenancies Act 2016.
- 1.3 The proposed development site is c. 7.79 ha in total, located within the development boundary of the Metropolitan Town of Blarney, in the expanded Cork City.
- 1.4 The proposed development will consist of a strategic housing development of 143no. residential units (8no. 1-bed; 38no. 2-bed; 71no. 3-bed; and 26no. 4-bed units), comprising 105no. houses (3no. detached; 42no. semi-detached; and 60no. terraced units) and 38no. apartments (8no. 1-bed apartments and 30no. 2-bed apartments), ranging in height from 2-3 storeys above ground, including split-level houses.
- 1.5 An Environmental Impact Assessment (EIA) Screening Report has been prepared by Doherty Environmental Consultants to provide supporting information to assist An Bord Pleanála in determining whether an EIA is required for the proposed development.
- 1.6 This statement accompanies the EIA Screening and provides the information required under Section 299B(1)(b)(ii)(II)(C) of the Planning and Development Regulations 2001 (as amended).

## 2.0 CONTEXT

- 2.1 An EIA Screening has been prepared in support of this application based on the requirements of EU Directive 2014/52/EU. The objective of the Directive is "to ensure a high level of protection of the environment and human health, through the establishment of minimum requirements for environmental impact assessment (EIA), prior to development consent being given, of public and private developments that are likely to have significant effects on the environment"<sup>1</sup>.
- 2.2 EIA provisions in relation to planning consents are currently contained in the Planning and Development Act, 2000, as amended, (Part X) and in Part 10 of the Planning and Development Regulations, 2001, as amended.
- 2.3 Projects requiring EIA are listed in Schedule 5 (Parts 1 and 2) of the Planning and Development Regulations 2001. In cases where a project is mentioned in Part 2 but is classed as "sub-threshold development", Planning Authorities are required under article 103 of Planning and Development Regulations, 2001, as amended to request an EIA where it considers that the proposed development is likely to have significant environmental effects.

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<sup>1</sup> Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment  
[https://www.housing.gov.ie/sites/default/files/publications/files/guidelines\\_for\\_planning\\_authorities\\_and\\_an\\_bord\\_plean\\_ala\\_on\\_carrying\\_out\\_eia\\_-\\_august\\_2018.pdf](https://www.housing.gov.ie/sites/default/files/publications/files/guidelines_for_planning_authorities_and_an_bord_plean_ala_on_carrying_out_eia_-_august_2018.pdf)

### 3.0 ARTICLE 299B

3.1 The proposed project comprises a Strategic Housing Development. Under Section 299B of the Planning and Development Regulations, 2001, as amended, where an application for a sub-threshold SHD development has been made to An Bord Pleanála, and where a determination as to whether or not an EIA is required has not been given under Section 7 of the 2016 Act, the Board must carry out a screening for EIA of the proposed development.

3.2 Section 299B(1)(b) of the Regulations states that:

(i) "The Board shall carry out a preliminary examination of, at the least, the nature, size or location of the development.

(ii) Where the Board concludes, based on such preliminary examination, that—

- (I) there is no real likelihood of significant effects on the environment arising from the proposed development, it shall conclude that an EIA is not required,
- (II) there is significant and realistic doubt in regard to the likelihood of significant effects on the environment arising from the proposed development, it shall satisfy itself that the applicant has provided to the Board
  - (A) the information specified in Schedule 7A,
  - (B) any further relevant information on the characteristics of the proposed development and its likely significant effects on the environment, and
  - (C) a statement indicating how the available results of other relevant assessments of the effects on the environment pursuant to the European Union Legislation other than the Environmental Impact Assessment Directive have been taken into account.

3.3 The EIA Screening report provides the information required under Schedule 7 and Schedule 7A of The Regulations. Schedule 7 sets out the criteria for determining whether a development would, or would not be likely to have significant effects on the environment, and this was transposed directly from Annex III of the 2011 Directive. This addresses sub-paragraphs (A) and (B) of Article 299B(1)(b)(ii)(II).

3.4 It is the purpose of this standalone statement to provide the information required by sub-paragraph (C) of Article 299B(1)(b)(ii)(II) - namely, a statement indicating how the available results of other relevant assessments of the effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directive have been taken into account.

### 4.0 METHODOLOGY

4.1 The various EU Directives (other than the EIA Directive) that have been taken in to account in designing the proposed SHD are outlined below. These include:

- Directive 92/43/EEC, Habitats Directive, and Directive 2009/147/EC, Birds Directive
- Directive 2007/60/EC – Floods Directive
- Directive 2002/49/EC – Environmental Noise
- Directive 2000/60/EC – Water Framework Directive

- Directive 2001/42/EC – SEA Directive
- Directive 2008/50/EC – Clean Air for Europe (CAFE) Directive
- Directive 92/57/EEC on the minimum safety and health requirements at temporary or mobile construction sites
- European Landfill Directive (2003/33/EC)
- Seveso III Directive (2012/18/EU)
- Aarhus and ESPOO conventions (including Directive 2003/4/EC and 2003/35/EC).

4.2 Section 299B(1)(b)(ii)(II)(C) of the Planning and Development Regulations, 2001 as amended requires that the statement must indicate “how the available results of other relevant assessments of the effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directive have been taken into account.”

4.3 Section 5 below provides an identification of the results of the relevant assessments and how these have been taken into account in preparing the EIA Screening Statement.

## 5.0 STATEMENT ON THE RESULTS OF ENVIRONMENTAL ASSESSMENTS

### EU Legislative Provisions

5.1 The following sub-sections outline the various EU Directives (other than the EIA Directive) relevant to the proposed SHD. It highlights the nature of the assessments carried out in accordance with the said directives. Where individual assessments have influenced the details of the proposed scheme, this is also described below, to show how the results of those assessments have been taken into account.

#### 5.1.1 Directive 92/43/EEC, Habitats Directive, and Directive 2009/147/EC, Birds Directive

5.1.1.1 The Birds Directive (Directive 2009/147/EC on the conservation of wild birds), first adopted by Member States in 1979, is the European Union's oldest piece of nature legislation. The Habitats Directive (Directive 92/43/EEC) on the conservation of natural habitats and of wild fauna that was adopted in 1992, aims to promote the maintenance of biodiversity, taking account of economic, social, cultural and regional requirements. It forms the cornerstone of Europe's nature conservation policy with the Birds Directive and establishes the EU wide Natura 2000 ecological network of protected areas, safeguarded against potentially damaging developments.

5.1.1.2 In this regard, the following reports are provided with the application:

- A Natura Impact Statement (NIS) (with Screening Report for Appropriate Assessment attached as an Appendix) prepared by Doherty Environmental Consultants; and
- An Ecological Impact Assessment (EclA), prepared by Doherty Environmental Consultants

### Natura Impact Statement

- 5.1.1.1.1 The Screening Report identified two European Sites, the Cork Harbour SPA and the Great Island Channel SAC, occurring within the wider area surrounding the project site.
- 5.1.1.1.2 The likely significant effects to the Cork Harbour SPA and its special conservation interest bird species and wetland habitats, as identified during the Screening Report, relates to the presence of a hydrological pathway linking the project site to the River Lee, which in turn drains to the Lee Estuary, in which sections of the SPA are located. The section of the SPA comprises intertidal wetland habitats relied upon for foraging and roosting by special conservation interest bird species of the SPA.
- 5.1.1.1.3 During the Screening the project was identified as having the potential to contribute water quality pressures to the existing "at risk" status of the freshwater and transitional waterbodies occurring downstream of the project site. These waterbodies comprise the Shournagh River sub-catchment and the lower River Lee catchment that includes the River Lee Estuary section of the Cork Harbour SPA. The project identified as having the potential to generate polluted surface water within project site and during works associated with the replacement of a stream culvert under the tower Road. This latter element of the project represents a worst-case scenario feature of the project. The discharge of such contaminated surface water arising from these elements of the construction phase or the ongoing discharge of contaminated surface water from the project site during the operation phase (and in the absence of appropriate surface water safeguards) was identified as having the potential to contribute to water quality pressures. It was acknowledged during the Screening Report that any contaminated surface drainage waters being discharged into the Lower River Lee adjacent to the project site are likely to be well diluted and distributed within this water body, thereby limiting their potential to result in significant downstream effects. However the Screening Report and its conclusions have been underpinned by a precautionary approach and the very low threshold (i.e. the mere probability for a significant effect to occur) required to trigger a Stage 2 Appropriate Assessment and based on this approach it was found that the potential for such downstream effects to arise as a consequence of the project and to result in significant negative impacts to the conservation objectives of the Cork Harbour SPA could not be ruled out at the screening stage.
- 5.1.1.1.4 In summary based on the information provided in the Screening Report, the precautionary approach adopted during the consideration of impacts for the Screening Report and the extremely low threshold required to trigger Stage 2 Appropriate Assessment, it was concluded that the potential for significant effects to the Cork Harbour SPA as a result of the discharge of contaminated surface drainage waters from the project site and during works associated with the replacement of a culvert crossing the Tower Road R617 could not be ruled out. As such the Screening Report concluded that an NIS was required to evaluate further the potential for these impacts to result in significant adverse effects to the Cork Harbour SPA and where necessary prescribe mitigation measures to avoid such adverse effects.
- 5.1.1.1.5 Table 5.1 of the NIS assesses the potential impacts of the proposed project without any regard to the mitigation measures that will be implemented as part of the project. Targeted mitigation measures are provided in Section 7 of the NIS to safeguard against the potential effects of the project to the water quality of the River Lee estuary and Cork Harbour during the construction phase and operation phase of the project. The measures to be implemented to protect the water quality downstream at SPA. This includes measures to

protect water quality during construction works associated with the replacement of the culvert crossing the R617. As noted above, this element of the project represents a worst-case scenario feature of the project.

5.1.1.1.6 The construction management of the site will take account of the recommendations of the CIRIA guides *Control of Water Pollution from Construction Sites* (2001) and *Control of Water Pollution from Linear Construction Projects* (2006) and Inland Fisheries Ireland's (IFI's) *Requirements for the Protection of Fisheries Habitat during Construction and Development Works*. The applicant's engineer, OLS Consulting Engineers, has also prepared a Construction and Environmental Management Plan.

5.1.1.1.7 Surface water generated at the project site during the operation phase will be discharged via the operation phase surface water management system.

5.1.1.1.8 The NIS presents an analysis of the potential for the project to result in adverse impacts to the Cork Harbour SPA. An evaluation of the potential impact of discharges of surface drainage waters has been completed.

5.1.1.1.9 During the evaluation of potential impacts associated with the discharge of surface drainage waters it was found that, in the absence of mitigation measures, the potential will exist for contaminants to be released from the project site to the Shournagh Estuary and downstream to the Lower River Lee and for negative impacts to intertidal habitats and wetland bird species downstream. A range of mitigation measures have been prescribed in this NIS that aim to avoid the discharge of contaminated surface drainage waters from the project site during the construction phase and operation phase and during works associated with the replacement of a culvert crossing under the Tower Road R617. These mitigation measures have been evaluated and reference has been made to their successful implementation for other similar development projects in the vicinity of the project site and the River Lee within Cork City. It has been concluded that, provide all mitigation measures that aim to avoid the discharge of contaminated surface drainage waters are implemented, the potential for this impact to occur will be eliminated and associated adverse impacts to the Cork Harbour SPA will not arise.

5.1.1.1.10 Based upon the information provided in this NIS, it is the considered view of the authors of this NIS that it can be concluded by An Bord Pleanála that the project will not, alone or in-combination with other plans or projects, result in adverse effects to the integrity and conservation status of European Sites in view of their Conservation Objectives and on the basis of best scientific evidence and there is no reasonable scientific doubt as to that conclusion.

5.1.1.1.11 It is submitted that the accompanying NIS provides sufficient information to allow An Bord Pleanála to carry out a Stage 1 AA Screening, and if necessary a Stage 2 Natura Impact / Appropriate Assessment, and to reach a determination that the proposed development will not affect the integrity of any of the relevant European sites under Article 6 of the Habitats Directive (92/43/EEC) in light of their conservation objectives.

#### Biodiversity/Flora and Fauna

5.1.1.1.12 As set out in the Ecological Impact Assessment prepared by Doherty Environmental Consultants, flora and fauna in Ireland is protected at a national level by the Wildlife Act, 1976 and the Wildlife (Amendment) Act,

2000 and the Flora (Protection) Order, 1999 (SI 94/1999). They are also protected at a European level by the EU Habitats Directive (92/43/EEC) and the EU Birds Directive (79/409/EEC).

5.1.1.1.13 The transposition of the EU Habitats Directive by the European Communities (Natural Habitats) Regulations 1997 – 2011 (referred to as the Habitat Regulations) provides the legal basis for the protection of habitats and species of European importance in Ireland.

5.1.1.1.14 The legislative protection of habitats and species provided by the Habitats Directive has been implemented in Ireland and throughout Europe through the establishment of a network of designated conservation areas known as the Natura 2000 (N2K) network (with individual sites being referred to as Natura 2000 Sites). The N2K network includes sites designated as Special Areas of Conservation (SACs), under the EU Habitats Directive and Special Protection Areas (SPAs) designated under the EU Birds Directive. SACs are designated in areas that support habitats listed on Annex I and/or species listed on Annex II of the Habitats Directive. SPAs are designated in areas that support: 1% or more of the all-Ireland population of bird species listed on Annex I of the EU Birds Directive; 1% or more of the population of a migratory species; and more than 20,000 waterfowl. Under the National Habitat Regulations all designated Natura 2000 Sites are referred to as European Sites.

5.1.1.1.15 The Wildlife Act 1976 (as amended) also provides for the statutory designation of nature conservation areas. These areas are referred to under the Wildlife Acts as Natural Heritage Areas and are designated in areas that support habitats and/or species of national importance. Other relevant national legislation concerning the protection of flora, fauna and fisheries include the:

- Planning Act 2010;
- European Communities (Quality of Salmonid Waters) Regulations, 1988;
- The Freshwater Fish Directive 1978 (78/659/EEC); and
- The Surface Water Regulations, 2009.

5.1.1.1.16 Ecological surveys were completed at the project site in 2018, 2020 and 2021. An extended Phase 1 Habitat Survey was undertaken by Doherty Environmental Consultants Ltd on the 10<sup>th</sup> March 2018 and 19<sup>th</sup> June 2018. A site survey was completed on the 9<sup>th</sup> September 2020 to confirm the whether the findings of the 2018 surveys were still consistent with the land cover and habitats supported by the project site. A further ground-truthing habitat survey was completed on the 11<sup>th</sup> May and 30<sup>th</sup> August 2021. The methodology used during this survey was based on the Heritage Council's *Best Practice Guidance for Habitat Survey and Mapping* (2010). The classification of habitats recorded during the field survey is based on the Heritage Council's *A Guide to Habitats in Ireland*.

5.1.1.1.17 A survey for field signs indicating the presence of badgers or other protected non-volant mammal species such as Irish stoat and red squirrel was undertaken during the field surveys in the spring and summer of 2018; September 2020 and on the 7<sup>th</sup> September 2021. This survey was undertaken during the daytime and particular attention was given to habitat features normally associated with badgers. Any mammal field signs typical of badger activity were recorded during the surveys.

5.1.1.1.18 An assessment of mature trees occurring within and bounding the project site for their potential to function



as bat tree roosts was completed. This assessment followed established Bat Conservation Trust (BCT) guidance and sought to identify features of trees commonly used by bats for roosting and shelter. Following the completion of this assessment each tree was graded according to the BCT tree roost grading system. A targeted bat survey was completed to establish levels of bat activity along woodland habitats bounding the project site. Three automatic SM4 static bat detectors were left in-situ along the northern, western and southern boundary of the project site to record bat activity on a nightly basis for 6 nights from the 19 June to the 24 June 2018. Additional bat surveys were completed at the project site during the 2021 bat activity season. SM4 static bat detectors were left in-situ along the western and southern boundary of the project site to record bat activity on a nightly basis for 8 consecutive nights from the 30<sup>th</sup> August 2021 to the 7<sup>th</sup> September 2021.

5.1.1.1.19 It is noted that there will be no loss of hedgerow and treeline habitat along the western and northern field boundaries and there will be not loss of woodland habitat to the south of the project.

5.1.1.1.20 There will be no loss of freshwater habitats as a result of the project.

5.1.1.1.21 No breeding sites or resting places of protected terrestrial non-volant mammals such as badgers were noted within or immediately adjacent to the project site. As such the construction phase of the project will not have the potential to result in significant disturbance to non-volant terrestrial mammals.

5.1.1.1.22 There will be no physical loss of high value bat foraging habitat during the construction phase of the project.

5.1.1.1.23 There will be a loss of areas of immature scrub occurring along the southern boundary of the project site. The loss of this habitat will represent a minor negative impact to the bat foraging habitat occurring within and adjacent to the project site.

5.1.1.1.24 There will be no loss of habitat for the slug *Tandonia rustica*, which is of vulnerable conservation status. This species has been recorded in the woodland habitat to the south of the project site and is restricted to this habitat. The project will not result in any loss or disturbance to the woodland habitat upon which this species relies.

5.1.1.1.25 The vegetation to be lost within the project site is of low value to bird species and there will be minimal loss of bird foraging habitat as a consequence of the proposed development. All hedgerow and woodland field boundaries to the north, west and south of the project site will be retained and no nesting habitat will be lost as a result of the proposed development.

5.1.1.1.26 The operation phase of the development will not result in any loss of woodland habitats bounding the project site.

5.1.1.1.27 The operation phase will not result in the loss or disturbance of woodland habitat to the south of the project site. The project has been designed to avoid disturbance to the woodland to the south as a result of increased access from the proposed residential area to the north.

5.1.1.1.28 In addition to water and surface water mitigation set out in the NIS, the CEMP, and the Engineering Report,

mitigation measures to ensure that all potential negative impacts on existing habitats associated with the project are avoided or minimised to an insignificant level include:

- Habitat disturbance during construction work will be confined strictly to within the direct land-take of the proposed scheme.
- Construction machinery will be restricted to site roads and the footprint of the proposed scheme.
- Tree planting will be undertaken within the project site. The landscaping design proposes to plant additional specimen and small/medium woodland trees along the northern boundary of the proposed project layout.. The enhancement tree planting will augment the extent of woodland habitat occurring within the footprint of the project site and will provide additional foraging habitat for birds and bats.
- An area of land between the northern boundary of the net developable area of the project site and the northern boundary of the project site will remain undeveloped. The width of this area will be up to approximately 95m in places. This area of undeveloped land within the project site will be managed as a species-rich hay meadow grassland throughout the operation phase of the project. This will have the potential to result in a positive impact for local biodiversity.
- The provision of a semi-natural grassland habitat within woodland habitats to the north and south will provide a mix of habitats that have the potential to function as a high value foraging resource for birds, bats and non-volant mammals as well as a variety of invertebrate species.

5.1.1.1.29 In the context of the Directive, measures are also incorporated into the lighting design for the project so that night time illumination is minimised along the western, northern and southern boundaries of the project site. Specifically along the southern boundary of the project site the project has been designed to minimise the potential for light spill and illumination of the edge of woodland habitat to the south. The back gardens of residential houses will buffer the houses from the southern boundary and will by design eliminate the requirement for public lighting to the rear of the houses. Similarly no public lighting will be provided to the rear of the apartment buildings towards the western side of the southern boundary. In addition, a continuous treeline of Koster columnar oaks will be provided as part of the landscaping of the site to the south and rear of the apartment buildings. This tall growing tree, which reaches heights of approximately 15m, will provide for a screening tree line to the south of the apartment buildings, thereby minimising the potential for light spill from the apartment building and south facing windows to the woodland edge. The Koster oak will be planted as semi-mature trees. The establishment of the treeline will provide for a sheltered corridor between the treeline and the woodland edge to the south, which in itself will provide ideal foraging habitat for bats. The proposed mitigation measures are in line with best practice recommendation of minimizing the impact of artificial lighting to bats, as outlined by the Institute of Lighting Professional's Guidance Note *08/18 Bats and Artificial Lighting in the UK* (ILP, 2018); the Bat Conservation Ireland in their 2010 guidance document *Bats and Lighting: Guidance Notes for Planners, Engineers, Architects and Developers* and Bat Conservation Trust in their 2008 guidance document *Bats and Lighting in the UK – Bats and the Built Environment*.

#### 5.1.2 Directive 2007/60/EC – Floods Directive

5.1.2.1 As set out in the EIA Screening Report, the Ecological Impact Assessment, and the Engineering Report, the latest Lee Catchment Flood Risk Assessment and Management (CFRAM) study maps available (Halcrow, 2012) show that the project site does not lie within a flood zone.

- 5.1.2.2 The surface water system shall include Attenuation designed for the 1/100 Year event. The Attenuation shall be provided for in three zones, constructed of Wavin Aquacell Plus Cells installed as per manufacturers' instructions in each zone.
- 5.1.2.3 The principal point of discharge for surface water shall be to an existing stream/watercourse located to the west of the site. The existing stream/watercourse currently provides drainage from the project site. Discharge to the existing stream/watercourse shall be at a rate equal to the greenfield run-off rate to ensure no significant changes in flow in the existing stream/watercourse. This unnamed stream flows into the River Martin. The River Martin is a tributary of the River Shournagh, which finally drains into the River Lee to the east of Ballincollig. The unnamed stream/watercourse begins as an open land drain running in a north to south direction within the western boundary of the development site. At the southwest point of the development site, this open land drain joins with a similar land drain from the adjacent property to discharge into an existing unnamed stream/watercourse which descends through the wooded area towards the Killowen Road and subsequently towards the R617 Regional Road. The watercourse crosses both roads via precast concrete culvert crossings. The R617 Tower Road crossing was found to be heavily silted at the outfall of the culvert on the southern side of the R617 Tower Road. A "worst case" approach has been considered in respect to the required remedial works for this crossing in the absence of information on the condition of the precast pipe. In this regard and for the purposes of comprehensive environmental assessment, it is assumed that the entire precast pipe crossing may need to be replaced.
- 5.1.2.4 The second point of discharge for surface water shall be to the existing surface water sewer on Sunberry Drive. This discharge point shall only be used to serve the most south-easterly area of the site which cannot be facilitated by the principal discharge due to levels. This discharge will serve circa 3.5% of the site and the discharge will be limited to the greenfield runoff rate.
- 5.1.2.5 The northern area of the proposed development site, which is to be retained as meadow, is sloping in a north to south direction towards the developable area of the site. To prevent excess surface water entering the developable area, an open swale shall be constructed on the southern extremity of the existing meadow. The open swale shall facilitate infiltration and shall also be connected to the existing open land drain located on the western boundary of the proposed development site.
- 5.1.3 Directive 2002/49/EC – Environmental Noise Directive
- 5.1.3.1 The Environmental Noise Directive focuses on the following three action areas
- The determination of exposure to environmental noise
  - Ensuring that information on environmental noise and its effects is made available to the public, and
  - Preventing and reducing environmental noise where necessary and preserving environmental noise quality where it is good.
- 5.1.3.2 As set out in the EIA Screening Report, the Ecological Impact Assessment, and the Engineering Report, the construction phase has the potential to result in nuisance to surrounding residential receptors in this suburban area of Blarney as a result of noise, vibrations and dust generated during construction activities.

5.1.3.3 In the context of the Directive, and in order to minimise any potential for noise and vibration nuisance mitigation measures will be implemented during the construction phase. These measures will adhere to the best practice guidelines outlined in BS5228: Code of Practice for Noise and Vibration Control on Construction and Open Sites – Part 1 Noise (2009 + A1 2014). These standard guidelines offer detailed guidelines on the control of noise and vibration from construction activities. The following mitigation measures, which will also be contained in the final CEMP once a contractor is appointed, in the event of a grant of planning permission, will be implemented during the construction phase of the proposed development to ensure noise and vibration limit values are complied with:

- The hours during which site activities are likely to create high levels of noise will be limited to a set time period;
- Where construction activity takes place in the vicinity of residential properties, it will be restricted to the stipulated hours of operation identified above.
- Construction site hoarding will be erected along noise sensitive boundaries where works are taking place in proximity to existing residential properties where no substantial screening exists. Such hoarding will be provided along the eastern boundary of the project site.
- During the construction phase a clear line of communication will be established between the contractor/developer, Local Authority and residents;
- A site representative will be appointed to take responsibility of all matters relating to noise and vibration;
- A complaints procedure will continue to be operated by the contractor's representative throughout the construction phase and all efforts should be made to address any noise issues at the nearest noise sensitive properties.
- Noise monitoring will be undertaken during the construction phase, particularly during critical periods and at sensitive locations.
- All site access roads will be kept even to mitigate the potential for noise and vibration from lorries.
- The potential for any item of plant to generate noise will be assessed prior to the item being brought onto the site. The least noisy item should be selected.
- If replacing a noisy item of plant is not a viable or practical option, consideration will be given to noise control "at source". This refers to the modification of an item of plant or the application of improved sound reduction methods in consultation with the supplier. For example, resonance effects in panel work or cover plates can be reduced through stiffening or application of damping compounds; rattling and grinding noises can often be controlled by fixing resilient materials in between the surfaces in contact.
- Where required noise barriers will be erected around items such as generators or high duty compressors.
- Noisy plant will be sited as far away from sensitive properties as permitted by site constraints.
- Mobile plant will be switched off when not in use and will not be left idling.
- All items of plant will be subject to regular maintenance. Such maintenance can prevent unnecessary increases in plant noise and can serve to prolong the effectiveness of noise control measures.

5.1.3.4 With the implementation of these measures, it is predicted that the nuisance impact of noise generated during the construction phase will be of a short-term, slight, negative nature.

5.1.3.5 Traffic noise and vibration during the operation phase are not considered likely to be significantly increased as a result of the project.

#### 5.1.4 Directive 2000/60/EC – Water Framework Directive

5.1.4.1 The Water Framework Directive establishes common principles and an overall framework for action in relation to water protection and developed the overall principles and the structure for protection and sustainable use of water in the European Union.

5.1.4.2 As noted in the NIS, there is a hydrological pathway linking the project site to the River Lee, which in turn drains to the Lee Estuary, in which sections of the Cork Harbour SPA are located. The section of the SPA comprises intertidal wetland habitats relied upon for foraging and roosting by special conservation interest bird species of the SPA.

5.1.4.3 As detailed in the NIS, the Water Framework Directive risk assessment for the Knockacorbally Stream, the section of the River Martin downstream and the River Shournagh in the immediate vicinity of the project site has been classed as “Not at Risk. The Water Framework Directive status of the River Lee catchment downstream of the project site is classified as ‘at risk’.

5.1.4.4 The existing land use pressures that have been identified as the source of pressures to the water quality status of these waters is related to urban run-off. Urban stormwater runoff is a complex mixture of precipitation, suspended sediment, natural and anthropogenic debris, and chemical pollutants that are washed off the urban landscape during rain event. This mixture can include total suspended solids, heavy metals and polycyclic aromatic hydrocarbons (PAHs). The ongoing discharge of such pollutants to receiving waters can result perturbations to overall catchment health and disturb many catchment functions such as aquatic biodiversity. In the absence of appropriate safeguards the project will have the potential to represent another source of urban run-off within the Shournagh sub-catchment and the Lee catchment and contribute to the loss of such substances to these catchments with downstream effects.

5.1.4.5 In the context of the Directive, a range of mitigation measures have been prescribed in this NIS that aim to avoid the discharge of contaminated surface drainage waters from the project site during the construction phase and operation phase and during works associated with the replacement of a culvert crossing under the Tower Road R617. These mitigation measures have been evaluated and reference has been made to their successful implementation for other similar development projects in the vicinity of the project site and the River Lee within Cork City. It has been concluded that, provide all mitigation measures that aim to avoid the discharge of contaminated surface drainage waters are implemented, the potential for this impact to occur will be eliminated and associated adverse impacts to the Cork Harbour SPA will not arise.

#### 5.1.5 Directive 2001/42/EC – SEA Directive

5.1.5.1 The European Directive (2001/42/EC) on the Assessment of the Effects of Certain Plans and Programmes on the Environment (the SEA Directive) was transposed into national legislation by the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 and the Planning and Development (Strategic Environmental Assessment) Regulations 2004. This requires the plan-making Authority to make available an SEA Statment summarising how the SEA and consultations have been taken into account in the making of the Plan.

- 5.1.5.2 The Cork County Development Plan 2014 and the Blarney-Macroom Municipal District Local Area Plan 2017 were both subject to SEA in accordance with the Planning and Development (Strategic Environmental Assessment) Regulations 2004.
- 5.1.5.3 The proposed development site is located in the Metropolitan Town of Blarney in the Cork Gateway according to the Cork County Development Plan 2014. The strategic aim is to promote such towns as Blarney as critical population growth, service and ABP-308156-20 Inspector's Report Page 14 of 66 employment centres within the Cork 'gateway', providing high levels of community facilities and amenities with infrastructure capacity, high quality and integrated public transport connections. The proposed development site is zoned for residential development (BL-R-03) in the Blarney-Macroom Municipal District Local Area Plan 2017.
- 5.1.5.4 The application for the proposed development is accompanied by a Planning Report and Statement of Consistency. The Statement highlights how the proposed development is, for the most part, consistent with the relevant planning policies at national, regional and local levels. The proposed residential development and creche is consistent with the residential zoning objective that applies to the proposed development site.
- 5.1.5.5 No further assessment is considered necessary to demonstrate compliance with the SEA Directive.
- 5.1.6 Directive 2008/50/EC – Clean Air for Europe (CAFE) Directive
- 5.1.6.1 The CAFE Directive outline appropriate measures to be adopted at national, regional and local level to provide for the attainment of air quality objectives, including:
- Measures to limit transport emissions through traffic planning and management
  - Measures to encourage a shift of transport towards cleaner (less polluting) modes
- 5.1.6.2 In response to the Directive, and these objectives, and as noted in the Planning Report and Statement of Consistency and the Transport Assessment Report, including a Preliminary Travel Plan, DMURS Statement, and a Bus Services and Capacity Assessment Report, in the interests of encouraging more sustainable modes of transport, the proposed development provides for reduced car parking provision, a shared parking resource, EV spaces, bicycle and motorcycle spaces. The proposed development provides for a hierarchy and network of streets with footpaths/cycle lanes throughout the site, and an upgrade to the existing access road from the R617 to encourage more use of the Blarney to Cork half hourly bus service, the nearest stop for which is within walking distance of the proposed development site. The planning application details the extent of existing pedestrian networks in Blarney to facilitate ease of movement to existing social and community infrastructure, and illustrates future BusConnects and cycle network improvements. The applicant is willing to make a contribution to any further enhancements of the local pedestrian and cycle network.
- 5.1.6.3 As noted in the application documentation, the project site is located within Air Zone B and within the Cork City Air Quality Index Region and the current air quality in this region has been classified as "Good" by the EPA. There is the potential for dust emissions arising during construction, particularly during dry and/or windy weather conditions. Dust emissions may also be exacerbated by the presence of dry surfaces and uncovered stockpiles during the construction. The quantity of dust is likely to be relatively small and dust emissions would

be temporary in nature. Dust effects are likely to create nuisance in the immediate locale rather than significant environmental effects. Best practice mitigation measures will be put in place to minimise adverse effects.

5.1.6.4 In order to minimise dust emissions during construction the following measure will form part of that plan and will be implemented during the construction phase:

- Site access routes shall be regularly cleaned and maintained as appropriate. Hard surface areas shall be swept to remove mud and aggregate materials from their surface while any un-surfaced areas shall be restricted to essential site traffic only. Furthermore, any area that has the potential to give rise to fugitive dust must be regularly watered, as appropriate, during dry and/or windy conditions.
- The roads will be monitored throughout the works and a road sweeper will be employed when required for the duration should the roads become dirty.
- Before entrance on to public roads, trucks will be adequately inspected to ensure no potential for dust emissions.
- Public roads outside the site shall be regularly inspected for cleanliness, and cleaned as necessary.
- Bowers or suitable watering equipment will be available during periods of dry weather throughout the construction period.
- During periods of very high winds (gales), activities likely to generate significant dust emissions shall be postponed until the gale has subsided.
- Vehicles on site shall have their speed restricted, and this speed restriction will be enforced rigidly. Vehicles delivering or removing material with dust potential shall be enclosed or covered with tarpaulin at all times to restrict the escape of dust.
- There will be no stockpiling of materials in public areas within the project footprint.
- Weekly dust monitoring will be carried out using a handheld Microdust Pro- Automatic dust monitoring unit.
- During working hours, dust control methods will be monitored as appropriate, depending on the prevailing meteorological conditions.
- The name and contact details of a person to contact regarding air quality and dust issues shall be displayed on the site boundary, this notice board should also include head/regional office contact details;
- Community engagement will be undertaken before works commence on site explaining the nature and duration of the works to local residents and businesses.
- A complaints register will be kept on site detailing all telephone calls and letters of complaint received in connection with dust nuisance or air quality concerns, together with details of any remedial actions carried out.
- It is the responsibility of the contractor at all times to demonstrate full compliance with the dust control conditions herein.
- At all times, the procedures put in place will be strictly monitored and assessed.

5.1.6.5 With the implementation of these dust minimisation measures in addition to a construction management plan including dust mitigation fugitive emissions of dust from the site will be insignificant and will not pose a nuisance at nearby sensitive receptors.

- 5.1.6.6 During the operation phase there may be emissions from air conditioning and heating units. The emissions to atmosphere from such units are not predicted to have the potential to result in significant adverse environmental effects.
- 5.1.6.7 No further assessment is considered necessary to demonstrate compliance with the CAFE Directive.
- 5.1.7 Directive 92/57/EEC on the minimum safety and health requirements at temporary or mobile construction sites
- 5.1.1.7 Noting that this Directive defines minimum standards for health and safety, the application is accompanied by a CEMP, to be finalised once the contractor for the proposed development is appointed. Construction activities would be undertaken with due regard to occupational health and safety. The site manager would be responsible for the management of health and safety on site during construction, in accordance with the Safety, Health and Welfare at Work (Construction) Regulations 2013.
- 5.1.8 European Landfill Directive (2003/33/EC)
- 5.1.8.1 This Annex lays down the uniform waste classification and acceptance procedure according to Annex II to Directive 1999/31/EC on the landfill of waste (the 'Landfill Directive'). It provides for the classification of waste material as either hazardous or non-hazardous. All material deemed to be non-hazardous need to be assessed under Waste Acceptance Criteria requirements for disposal to a licenced landfill facility.
- 5.1.8.1 The CEMP that accompanies the planning application has been prepared taking account of the many guidance documents on the management and minimisation of construction and demolition waste including:
- Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects (Department of Environment, Heritage and Local Government, July 2006)
  - CIRIA document–133 Waste Minimisation in Construction
  - CIRIA document–Guidelines Control of Water Pollution from Construction Sites–Guide to Good Practice
- 5.1.8.2 In the context of the Directive, and given the nature of the project and the proposed construction methodologies, it is anticipated that the main waste types generated during the construction phase of the project will be general Construction and Demolition Waste. There will also be some waste materials generated in the clearing and stripping of the site to formation level. Quantities of general construction and demolition waste such as wood, packaging, metals, plastics, bricks, blocks, canteen waste, some hazardous wastes (e.g. oils, paints and adhesives), site clearance and residual wastes will be generated during the construction phase. Whilst it is difficult to predict at this stage precise tonnages of these wastes, an estimation of the composition of waste materials generated by a typical Irish Construction Site from the EPA National Database Report are presented in the CEMP. Proposals for the minimisation, reuse, recycling and management of construction and demolition waste, including hazardous waste, are included in the CEMP.
- 5.1.8.3 Where materials cannot be reused, to include the net volume of excess material, which is estimated to be circa 33,499m<sup>3</sup> shall be disposed of off-site to a licenced facility by a licenced haulage contractor.



- 5.1.8.4 During the operation phase the waste generated will be typical of a residential development. All waste generated will be disposed of by a licenced waste contractor.
- 5.1.8.5 Overall, the primary focus is on minimising the level of waste to be diverted to landfill as far as possible.
- 5.1.9 Seveso III Directive (2012/18/EU)
- 5.1.9.1 The Cork County Development Plan 2014 lists the Seveso sites in Cork.
- 5.1.9.2 The proposed development site is not regulated or connected to or close to any site regulated under the Control of Major Accident Hazards Involving Dangerous Substances Regulations i.e. SEVESO.
- 5.1.9.3 No risks to the proposed development site arising from Seveso sites is identified, and no mitigation is required.
- 5.1.10 Aarhus and ESPOO conventions (including Directive 2003/4/EC and 2003/35/EC)
- 5.1.10.1 Pre-planning discussions with Cork City Council's Planning, Architectural, Transportation, Archaeology and Engineering Departments, as well as feedback from the pre-application consultation meetings with An Bord Pleanála and the opinion issued by An Bord Pleanála in July 2021 have informed the EIA Screening. The objectives of the Cork County Development Plan 2014 and the Blarney-Macroom Municipal District Local Area Plan 2017 have also been considered. As per the opinion received from An Bord Pleanála, the following bodies have been notified of the proposed SHD:
1. Irish Water
  2. TII
  3. NTA
  4. Department of Culture, Heritage and the Gaeltacht
  5. An Taisce
  6. The Heritage Council
  7. Failte Ireland
  8. An Chomhairle Ealaíon
  9. Cork City Childcare Committee
- 5.1.10.2 Key design aspects have been shaped directly by feedback and comments received from both the Council and An Bord Pleanála, with the design and in particular the layout having been amended and altered throughout the design process.

## 6.0 CONCLUSION

- 6.1 This statement indicates how the available results of relevant assessments of the effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directive have been taken into account in this proposed Strategic Housing Development located in Monacnapa, Blarney, Cork.
- 6.2 Each of the relevant assessments that are available have been identified, and the results of those assessments have been identified. This statement also identifies how those results have been taken into account.
- 6.3 The Board may complete an examination for the purposes of a screening determination in accordance with Articles 299B and 299C of the Planning Regulations and, in particular, may have regard to the all of the matters prescribed at Article 299C(1)(a) of the Planning Regulations.
- 6.4 This statement, in particular, is provided so that the Board may have regard to 'the available results, where relevant, of preliminary verifications or assessments of the effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directive' in accordance with Article 299C(1)(a)(iv) of the Planning Regulations.
- 6.5 This statement must be read in conjunction with the Environmental Impact Assessment Screening report, submitted with the application. In particular, it supports the conclusion in the Environmental Impact Assessment Screening report that no requirement for sub-threshold Environmental Impact Assessment (EIA) arises in respect of the proposed development.