

**Volume 1 - Part D**  
**Main Report**  
**Additional non-material changes**  
**recommended by the County**  
**Manager as a result of the**  
**Appropriate Assessment of the Plan**  
**(Not previously highlighted in Amendments)**

**Document Verification**  
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<b>Job Title</b>						
<b>County Development Plan Review</b>						
<b>Document Title: Section 12 (8) Manager's Report to Members</b>						
<b>Vol. 1 - Part D</b>						
<b>File Ref: CDP Review</b>						
<b>Document Ref: Amendments November 2008</b>						
	<b>10<sup>th</sup></b>	<b>Filename:</b>				
	<b>Nov</b>	<b>Managers Report 12 (8) FINAL Draft</b>				
	<b>2008</b>	<b>Vol.1 - Part D</b>				
		<b>Description:</b>				
		<b>Document prepared for Members of Cork County Council under the Planning and Development Acts</b>				
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**1.0 Introduction:**

In February 2008, the Minister for the Environment issued a circular setting out the impacts of a ruling by the European Court in relation to the way Ireland protects areas important for birds and habitats, under the Birds Directive 79/409/EEC and the Habitat's Directive 92/43/EEC respectively.

The European Court ruling indicates that Ireland must take all reasonable targeted measures in striving to protect the deterioration of sites important to birds and designated habitats. There is now a requirement to do an 'appropriate assessment' of any plan, which may impact on areas affected by the ruling.

The Minister has indicated that development plans, local area plans, regional planning guidelines and schemes for strategic development zones must now be screened for any potential impact on areas designated as Natura 2000 sites (normally called Special Areas of Conservation SAC's or Special Protection Areas SPA's)

Normally this screening would be undertaken at the Draft Plan stage and would be made available to the public at that time. In the case of current Development Plan Review, where the draft plan was made available to the public prior to the issue of the European Court ruling, transitional measures apply and the 'appropriate assessment' of the Draft Plan and the proposed amendments has been carried out together and is set out in full in Part B of Volume 1 of the Appendices of this report.

The following table sets out 15 additional non-material changes to the draft plan now recommended as a result of the appropriate assessment. Changes to the proposed amendments arising from the assessment are dealt with in Part A, B and C of the report.

**2.0 Additional changes to the plan arising as a result of Appropriate Assessment of Draft County Plan** (changes highlighted in bold)

Current Objective	ENV 1 -12 Consultation in Management of Sites
Proposed Change	It is an objective to <b>participate where possible</b> with landowners, the Department of the Environment, Heritage and Local Government and other stakeholders to contribute to the effective management of sites of natural conservation value.
Current Objective	ENV 6-1 River Basin Management Plans
Proposed Change	The River Basin Management Plans <b>and programmes of measures</b> which will be adopted by Cork County Council in 2009, will set out the specific measures to be taken by the Council and other parties in order to comply with the Water Framework Directive (2000/50/EC). It is an objective of the County Development Plan to ensure that development permitted shall not contravene the objectives of the Water Framework Directive.
Current Objective	ENV 6-3 Guidelines for Groundwater Protection
Proposed Change	In assessing applications for development the Council will consider the impact on the quality and quantity of groundwater and will have regard to the recommended approach 'Groundwater Protection Schemes' (and the Response Matrices) published by the Department of Environment, Heritage and Local Government, the Environmental Protection Agency and the Geological Survey of Ireland. <b>In particular the conservation objectives for water dependent protected sites will be addressed.</b>  The Council will also ensure that proposals for septic tanks and proprietary treatment systems comply with relevant standards. The cumulative impact of such facilities will also be considered in the assessment of proposals.
Current Objective	INF 5-11 River Channel Protection
Proposed Change	It is an objective to ensure that development on <b>all</b> zoned land is kept at an appropriate distance from stream <b>and river</b> banks and adequate protection measures

	put in place.
Current Objective	INF 5-12 Prevention of Flooding
Proposed Change	It is a general objective to manage surface water catchments and the use and development of lands adjoining streams, watercourses and rivers in such a way as to minimise damage to property by instances of flooding <b>and with regard to any conservation objectives of European sites within the relevant catchments and floodplains.</b>
Current Objective	RCI 2-24 Marine Leisure
Proposed Change	It is an objective to support the <b>sustainable</b> development of rural Cork's inland and coastal marine leisure facilities, where this <b>will not significantly adversely effect local livelihood's or the environmental objectives of the plan.</b>
Current Objective	RCI 2-26 Economic Development on the Islands
Proposed Change	It is an objective to support the <b>sustainable</b> economic development of the islands for the benefit of island communities generally and to encourage the development of speciality or niche economic sectors that might be appropriate to different islands.
Current Objective	ECON 6-5 Marine Leisure Hubs
Proposed Change	It is an objective to encourage the <b>sustainable</b> development of marine tourism at selected locations along the whole county coastline. These locations should be identified
Current Objective	ECON 6-6 Walking and Cycling
Proposed Change	It is an objective to promote the <b>sustainable</b> development of more scenic walking and cycling routes throughout the county as an activity for both international visitors and local tourists.
Current Objective	INF 7-5 Overhead Powerlines (and proposed change no. 6.36)
Proposed Change	It is an objective of this Plan to ensure that the siting of electricity power lines be managed in terms of the physical and visual impact of these lines on both the natural and built environment <b>and the conservation value of European sites</b> especially in landscape character areas that have been evaluated as being of high landscape sensitivity.
Current Objective	ECON 5-11 Impacts of Mineral Extraction
Proposed Change	<ul style="list-style-type: none"> <li>a) It is an objective to minimise environmental and other impacts of mineral extraction through rigorous application of licensing, development control and enforcement requirements for quarry, <b>mines</b> and other developments.</li> <li>b) It is an objective in particular for new quarries <b>and mines</b> and extensions to existing quarries <b>and mines</b> to have regard to visual impacts, methods of extraction, noise levels, dust prevention, protection of rivers, lakes, <b>European sites</b> and other water sources, impacts on residential and other amenities, impacts on the road network (particularly with regard to making good any damage to roads), road safety, phasing, re-instatement and landscaping of worked sites.</li> <li>c) Restoration of decommissioned quarries and other extractions sites should <b>be appropriately assessed and</b> follow guidelines when prepared by the County Council from time to time and identify alternative safe uses that could be put to the land.</li> <li>d) It is an objective to minimise environmental and other impacts of mineral extraction through rigorous application of licensing, development control and enforcement requirements for quarry, <b>mines</b> and other developments.</li> <li>e) It is an objective in particular for new quarries <b>and mines</b> and extensions to existing quarries <b>and mines</b> to have regard to visual impacts, methods of extraction, noise levels, dust prevention, protection of rivers, lakes, <b>European sites</b> and other water sources, impacts on residential and other amenities, impacts on the road network (particularly with regard to making good any</li> </ul>

		<p>damage to roads), road safety, phasing, re-instatement and landscaping of worked sites.</p> <p>f) Restoration of decommissioned quarries and other extractions sites should <b>be appropriately assessed and</b> follow guidelines when prepared by the County Council from time to time and identify alternative safe uses that could be put to the land.</p>
Current Objective		ECON 5-6 Implementing the IFS
Proposed Change		It is an objective to implement the policies and objectives outlined in the IFS <b>subject to the objectives of this plan</b> and to monitor the implementation and effectiveness of the policies and objectives of the IFS for County Cork
Current Objective		ECON 3-2 Location for Large Scale Industrial Development
Proposed Change		It is an objective to ensure that sufficient and suitable land is zoned for <b>sustainable</b> large scale and general industry <b>taking into account the objectives of this plan</b> (including development to meet the likely needs of the chemical, pharmaceutical and oil refining sectors) at the major employment centres of Ringaskiddy, Whitegate, Carrigtwohill, Kilbarry and Little Island. Such land will, normally, be protected from inappropriate development that would prejudice its long-term development for these uses.
Proposed Objective	New	<p><b>Water must be treated as a part of a sustainable cycle, having regard to the output in terms of water abstraction and the inputs, which include rainfall, farm run-off and urban waste. The availability of a drinking water supply is essential for public health and the economic growth of the County. However the need to balance the growing demand for water with the needs of the environment and those of existing users is crucial, and is particularly important for areas where demand for water will increase. Population growth, increasing pressures for new development across the County and changing trends in water use will lead to increased demand for water. Thus, the Council must seek to ensure the prudent use of water resources while making adequate provision for future sustainable development.</b></p> <p><b>Water Conservation</b></p> <p>It is an objective to examine through the Local Area Plan process the environmental and other effects of the water requirements for identified main settlements (as identified in chapter 3). Particular emphasis will be placed on the effect of water abstraction on designated European sites and other environmentally sensitive areas.</p>
Proposed Objective	New	<p><b>Circular Letter SEA 1/08 &amp; NPWS 1/08 from the Department of Environment, Heritage and Local Government states that any draft land use plan (development plans, local area plans) or amendment/variation to it proposed under the Planning and Development Act 2000 (as amended) must be screened for any potential impact on areas designated as Natura 2000 sites [normally called Special Areas of Conservation (SACs) or Special Protection Areas (SPAs)]. As the forthcoming Local Area Plan process will include land use issues it is essential to ensure that the developments of all settlement identified through the Local Area Plans will not have a negative impact on these European sites.</b></p> <p><b>European Sites</b></p> <p>It is an objective through the Local Area Plan process to ensure the protection of European sites from development and land use proposals that would contribute to potential significant adverse impacts.</p>