

County Manager's Report to
Members

**Under Section 12 (8) of the
Planning and Development
Act 2000**

Volume 2

Appendix A: Assessment and Response to the issues
raised by the Environmental Protection Agency with
regard to the Strategic Environmental Assessment of the
Proposed Amendments

Appendix B: 'Appropriate Assessment' of the Draft
Plan and the Proposed Amendments regarding the Birds
Directive 79/409/EEC and the Habitats Directive
92/43/EEC

Appendix C: Supplementary Manager's Report under
section 12(4) on proposals for a New Settlement at
Annaghmore (Issued 5th August 2008)

Volume 2 - Appendix A

Assessment and Response to the issues raised by the Environmental Protection Agency with regard to the Strategic Environmental Assessment of the Proposed Amendments

November 2008

Assessment and Response to the issues raised by the Environmental Protection Agency with regard to the Strategic Environmental Assessment of the Proposed Amendments

Introduction:

The following section represents a summary of the EPA submission on the SEA of the proposed amendments. It summarises the main issues raised, outlines the response and, through the development of a matrix, examines the issues identified in the submission.

Background:

This report sets out details of the issues, in particular consideration of submissions that have arisen following the publication of the SEA of the proposed amendments to the Draft CDP. The recommendations of this report and the considerations of the SEA team have been included in summary form in the consideration given to the proposed changes within the Main Report (Parts A – C)

Submissions:

317 submissions were received from the public comments on the SEA of the Proposed Amendments all of which made observations in the approach taken towards the proposed new settlement of Annaghmore and these comments are contained under Section B of the Section 12(8) Manager's Report which relates to Annaghmore. The EPA also made a detailed commentary on the SEA as a whole. The general points of the EPA submission are outlined as follows.

EPA Submission:

EPA Submission - General SEA Issues:

- Mitigation measures in relation to SEA of the amendments need to be prepared. Measures should be highlighted in relation to water, biodiversity and landscape (outlined in the section following). The submission provides a number of sections for information purposes and as an aid to the development of appropriate mitigation measures.
- Infrastructure should be put in place to service any development proposed and authorised during the lifetime of the plan.
- Positive effects of the proposed changes need to be clarified.

Response to General SEA Issues:

- Mitigation measures have now been prepared as a direct result of the SEA of the amendment and are set out in relation to individual changes in the individual sections of the Section 12(8) Manager's Report. The amendments and draft plan have been screened against identified headings in the EPA submission (see appendix to this section).
- Overall objectives within the plan attempt to direct infrastructure in line with settlement proposals.
- The positive effects of the proposed changes have been highlighted in the SEA of the proposed amendments document.

Table 1: Sections outlined in the EPA submission to be considered in the development of Mitigation Measures:

1.1 Water Framework Directive	
EPA comment	Provisions should be made in the Development Plan to incorporate the South Western River Basin District–River Basin Management Plan (RBMP) and associated Programme of Measures (POMs) and relevant aspects of the Shannon RBMP and POMs. The Plan should address, as appropriate, by way of relevant objectives, the significant water management issues identified in the Water Matters Consultation publications for the Shannon and South Western RBDs.
Direct Relevance to Proposed Changes	None
Relevance in terms of mitigation (SEA/AA)	Water was highlighted as an issue of potential or probable conflict in the following proposed amendments in the SEA i.e. proposed change references: 3.6, 3.7, 3.8, 3.12, 3.16, 3.22, 3.42, 5.3, 5.11, 5.24.
Response:	Mitigation has been proposed for the individual objectives. This is highlighted within the Manager's Report. While it is acknowledged that this issue is of importance, it is noted that this programme/plan is not yet complete. Therefore consideration will be given to same once it is finalised and changes to the plan may take the form of a variation.

1.2 Drinking Water	
EPA comment	<ul style="list-style-type: none"> • The Plan should implement and include the relevant recommendations set out in <i>The Provision and Quality of Drinking Water in Ireland –A Report for the Years 2006-2007, (Office of Environment Enforcement- EPA, 2007)</i>. • The Plan should include specific policies and objectives for any Public Water Supplies in the County that are included on the EPA's Remedial Action List. • Cork County Council must, where relevant, develop an appropriate solution that will involve abandoning or replacing the source, upgrading the treatment facilities or improving management and operational practices • Zoning for development should be linked to availability of infrastructure and capacity.
Direct Relevance to Proposed Changes	Indirect
Relevance in terms of mitigation (SEA/AA)	Drinking water was highlighted as an issue of potential or probable conflict in the following proposed amendments in the SEA i.e. proposed change references: 3.6, 3.7, 3.8, 3.12, 3.16, 3.22, 3.42, 5.3, 5.11, 5.24.
Response:	<p>Mitigation has been proposed for the individual objectives. This is highlighted within the Manager's Report. The County Development Plan operates at the strategic level and has general objectives in relation to the improvement and extension of water supply highlighted under existing objective relating to <i>Water Supplies, Wastewater and Drainage</i>.</p> <p>There is no direct relevance to drinking water in the proposed amendments under consideration.</p>

	The phasing of infrastructure in line with the provision of water is provided for in Chapter 6 of the Draft Plan.
--	---

	1.3 Waste Water Treatment
EPA comment	<ul style="list-style-type: none"> • The Plan should include, as appropriate, specific provisions for the implementation of the relevant recommendations set out in <i>Urban Waste Water Discharges in Ireland for Population Equivalents Greater than 500 Persons – A Report for the Years 2004 and 2005 (Office of Environment Enforcement- EPA, 2007)</i> • The Plan should, where possible and appropriate, include specific Policies and Objectives regarding the provision of adequate and appropriate wastewater treatment in County Cork. • Where the introduction of additional lands for residential development is being proposed, consideration should be given to the examination of the adequacy of the existing wastewater treatment facility (ies) in terms of both capacity and performance and the potential risk to human health and water quality as well as the potential impact on habitats and species of ecological importance. • Zoning for development should be linked to the availability of adequate wastewater treatment infrastructure. Priority should be given to provision of adequate wastewater treatment infrastructure in advance of any development • Strong policies and objectives should be developed for the following: <ul style="list-style-type: none"> • To monitor the effectiveness of existing, and proposed, septic tank systems. • To enforce Planning conditions related to septic tank systems for one-off housing
Direct Relevance to Proposed Changes	Direct. Linked to proposed change 6.29 and 6.30
Relevance in terms of mitigation (SEA/AA)	<p>Wastewater treatment was highlighted as an issue of potential or probable conflict in the following proposed amendments in the SEA i.e. proposed change references: 3.6, 3.7, 3.8, 3.12, 3.16, 3.22, 3.42, 5.11, 5.24.</p> <p>Appropriate Assessment of the County Development Plan highlighted Wastewater Treatment as a particular issue and thus is linked with this EPA submission.</p>
Response:	<p>Mitigation has been proposed for the individual objectives. This is highlighted within the Manager's Report. The County Development Plan operates at the strategic level and has general objectives in relation to Wastewater highlighted under existing objective relating to <i>Water Supplies, Wastewater and Drainage</i> and proposed change 6.30. Proposed Change no. 6.29 states that a "Strategic Wastewater Plan" will be prepared to ensure an integrated and co-ordinated approach to the provisions of new and the upgrading of existing wastewater infrastructure in the County. It is considered that this addresses the comments.</p> <p>Chapter 4 of the Draft Plan states that EPA standards for individual wastewater treatment systems must be complied with</p>

	1.4 Water Conservation
EPA comment	<ul style="list-style-type: none"> • It is recommended that a Water Conservation Strategy be prepared for the County. • The Strategy should address new and existing developments within Cork County. • Specific Timescales should be assigned to the preparation of such a strategy with clear responsibilities and timescales for its implementation. • Consideration should also be given to developing a Plan Policy to reduce and manage future water demand.
Direct Relevance to Proposed Changes	Indirect
Relevance in terms of mitigation (SEA/AA)	<p>Water was highlighted as an issue of potential or probable conflict in the following proposed amendments in the SEA i.e. proposed change references: 3.6, 3.7, 3.8, 3.12, 3.16, 3.22, 3.42, 5.3, 5.11, 5.24.</p> <p>Appropriate Assessment of the County Development Plan highlighted Water Conservation as a particular issue and thus is linked with this EPA submission.</p>
Response:	<p>Mitigation has been proposed for the individual objectives. This is highlighted within the Manager's Report.</p> <p>New objective regarding water conservation proposed as a result of appropriate assessment of the plan. See appropriate assessment report on County Development Plan.</p>

	1.5 Groundwater Protection
EPA comment	<p>The Plan should include a clear Policy and Objective for the protection of groundwater resources and associated habitats and species.</p> <p>In addition, the Plan should include provision for the incorporation of the recommendations of the Groundwater Protection Plan for the County, where one is available</p>
Direct Relevance to Proposed Changes	Indirect
Relevance in terms of mitigation (SEA/AA)	<p>Water was highlighted as an issue of potential or probable conflict in the following proposed amendments in the SEA i.e. proposed change references: 3.6, 3.7, 3.8, 3.12, 3.16, 3.22, 3.42, 5.3, 5.11, 5.24.</p> <p>Appropriate Assessment of the County Development Plan highlighted water conservation as a particular issue and can therefore be linked with this EPA submission.</p>
Response:	<p>Mitigation has been proposed for the individual objectives. This is highlighted within the Manager's Report. There are two specific objectives in relation to groundwater protection in Chapter 7 of the Draft Plan and these deal with the issues raised by the EPA.</p> <p>New objective regarding water conservation and examining the environmental and other effects of water abstraction proposed as a result of appropriate assessment of the plan. See appropriate assessment report on County Development Plan.</p>

	1.6 Flood Prevention
EPA comment	<ul style="list-style-type: none"> The Flood Risk Management approach as adopted by the Office of Public Works (OPW) should be considered. You are referred to the new Draft Planning Guidelines on flooding in The Planning System and Flood Risk Management - Consultation Draft Guidelines for Planning Authorities (Environment, Heritage and Local Government – OPW, September 2008). The Plan should include relevant Policies and Objectives for the provision and promotion of adequate and appropriate Sustainable Urban Drainage Systems (SUDS).
Direct Relevance to Proposed Changes	Indirect
Relevance in terms of mitigation (SEA/AA)	There is no Environmental Protection Objective which directly relates to flooding it is nonetheless an important issue which needs to be given due consideration in the Environmental Report.
Response:	<p>Proposed Change no. 6.31 provides a comprehensive objective in relation to flooding and adequately deals with the points raised by the EPA.</p> <p>There is reference to SUDS in Chapter 6 of the Draft Plan and an objective requires that all new large-scale developments should incorporate SUDS.</p>

	1.7 Bathing Water
EPA comment	<ul style="list-style-type: none"> The EPA's Quality of Bathing Water in Ireland –A Report for the Year 2007, (EPA, 2008) sets out the status of Irish Seawater and Freshwater Bathing areas. The relevant local authorities, where appropriate, "should ensure that where any bathing water fails the mandatory bathing standards that the public are made ware of this fact by means of information notices posted at the bathing area." To this effect the Plan should include as appropriate a Policy/Objective to ensure this requirement is complied with. The Plan should include a relevant Policy to ensure the protection of freshwater and seawater areas that are used for bathing.
Direct Relevance to Proposed Changes	Indirect
Relevance in terms of mitigation (SEA/AA)	Bathing water was highlighted as an issue of potential or probable conflict in the following proposed amendments in the SEA i.e. proposed change references: 3.6, 3.7, 3.12, 3.16, 5.3, 5.11.
Response:	<p>Mitigation has been proposed for the individual objectives. This is highlighted within the Manager's Report.</p> <p>Proposed Change no. 4.21 refers to Blue Flag beaches and bathing waters and Proposed Change no. 4.22 provides a specific objective in relation to bathing waters. Overall these proposed changes address the issues raised by the EPA.</p>

November 2008

Volume 2 Appendix A

2.1 County – Habitat Mapping	
EPA comment	An Objective for a phased and co-ordinated programme of Habitat Mapping of Cork County should be included in the Plan.
Direct Relevance to Proposed Changes	Direct. Linked to proposed change no. 7.7
Relevance in terms of mitigation (SEA/AA)	Protection of habitats and species was highlighted as an issue of potential or probable conflict in the following proposed amendments in the SEA i.e. proposed change references: 3.6, 3.7, 3.8, 3.12, 3.16, 3.22, 3.32, 3.42,5.3, 5.24.
Response:	Mitigation has been proposed for the individual objectives. This is highlighted within the Manager's Report. Proposed Change no 7.7 contains a specific objective in relation to a Habitat Mapping Project. It does not provide specific details on the phasing of the project.

2.2 Wetlands	
EPA comment	<ul style="list-style-type: none"> • Consideration should be given to the scheduling and making available of funding and resources for Habitat Mapping and a Wetland Survey. • Consideration should also be given to potential transboundary (i.e. cross County border) issues in relation to wetlands, their conservation, management and ongoing protection. This could be undertaken as a subset of a County Habitat Mapping Programme.
Direct Relevance to Proposed Changes	Indirect
Relevance in terms of mitigation (SEA/AA)	Protection of habitats and species was highlighted as an issue of potential or probable conflict in the following proposed amendments in the SEA i.e. proposed change references: 3.6, 3.7, 3.8, 3.12, 3.16, 3.22, 3.32, 3.42,5.3, 5.24.
Response:	Mitigation has been proposed for the individual objectives. This is highlighted within the Manager's Report. There is no objective in relation to wetlands in the draft Plan or Proposed Amendment document however wetlands are surveyed as part of the Habitats Mapping Project. It is envisaged that the wetlands can be surveyed through this process. Proposed Change no 7.7 contains a specific objective in relation to the Habitat Mapping Project.

	2.3 EU Protected Habitats and Species in Ireland
EPA comment	Consideration should be given to the inclusion of specific Policies/Objectives in the Plan to ensure that Cork County Council, in fulfilling its responsibilities in the supply of services, zoning of lands and authorisation of development, addresses the threatened habitats and species identified in the National Parks and Wildlife Service Report " <i>The Status of EU Protected Habitats and Species in Ireland</i> ", (NPWS, Department of the Environment, Heritage and Local Government, 2008)
Direct Relevance to Proposed Changes	Direct. Proposed change no. 7.7 refers to Natural Heritage
Relevance in terms of mitigation (SEA/AA)	Protection of habitats and species was highlighted as an issue of potential or probable conflict in the following proposed amendments in the SEA i.e. proposed change references: 3.6, 3.7, 3.8, 3.12, 3.16, 3.22, 3.32, 3.42, 5.3, 5.24. Appropriate Assessment of the County Development Plan has given due consideration to issues in relation to European Sites.
Response:	There are numerous objectives in relation to these issues in Chapter 7 of the Draft Plan. Also the Appropriate Assessment of the Draft Plan has provided additional objectives. A number of changes to the plan have been included in the proposed amendments in relation to habitats and species. In particular proposed change no. 7.7.

	2.4 Appropriate Assessment
EPA comment	A specific Objective should be included with respect to the requirements for an Appropriate Assessment
Direct Relevance to Proposed Changes	Direct. Proposed change no. 7.12 refers to Appropriate Assessment.
Relevance in terms of mitigation (SEA/AA)	An Appropriate Assessment of the County Development Plan has been carried out and is included within this Manager's Report.
Response:	Proposed Change 7.12 provides an objective for Appropriate Assessment.

	2.5 Non-designated Habitats and Species
EPA comment	Consideration should be given to the inclusion of a specific Plan Policy and Objective to provide for enhanced protection of non-designated habitats and species and to maintain ecological corridors in the subject lands and adjoining areas.
Direct Relevance to Proposed Changes	Direct. Proposed change no. 7.7 refers to Natural Heritage
Relevance in terms of mitigation (SEA/AA)	Protection of habitats and species was highlighted as an issue of potential or probable conflict in the following proposed amendments in the SEA i.e. proposed change references: 3.6, 3.7, 3.8, 3.12, 3.16, 3.22, 3.32, 3.42, 5.3, 5.24.
Response:	Proposed Change no 7.7 promotes 'biodiversity protection'. Objective in the draft plan ENV1-8 Features of Natural Interest in chapter 7 refers to minimising the impact of new development on habitats of natural value. Consider the addition of enhanced wording to objective ENV1-8 to address issue of concern. <i>'It is an objective to maintain and enhance these features including hedgerows.....'</i>

	3.0 Landscape
EPA comment	Consideration should be given to the requirement for an appropriate "visual impact assessment" for any proposed development with potential to impact adversely on the landscape character of the Plan area and adjoining lands
Direct Relevance to Proposed Changes	None
Relevance in terms of mitigation (SEA/AA)	Conservation and enhancement of sensitive landscape was highlighted as an issue of potential or probable conflict in the following proposed amendments in the SEA i.e. proposed change references: 3.6, 3.7, 3.8, 3.12, 3.16, 3.22, 3.32, 3.42, 4.13, 5.3, 5.11, 7.4.
Response:	No such objective is in the Draft Plan. However such an issue can be dealt with at development management stage as each case shall be dealt with on its own merits.

Note:

The EPA submission also refers to Annaghmore. The remainder of the submissions on the SEA relate to issues raised concerning the approach taken to Annaghmore in the SEA. Consideration is being given to these issues under Section B of the Section 12(8) Manager's Report which relates to Annaghmore.

Volume 2 - Appendix B

'Appropriate Assessment' of the Draft Plan and the Proposed Amendments regarding the Birds Directive 79/409/EEC and the Habitats Directive 92/43/EEC

November 2008

'Appropriate Assessment' of the Draft Plan and the Proposed Amendments regarding the Birds Directive 79/409/EEC and the Habitats Directive 92/43/EEC

Background

Following a ruling by the European Court, Circular Letter SEA 1/08 & NPWS 1/08 from the Department of Environment, Heritage and Local Government was issued to all Local Authorities. 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 ruling requires a more robust and thorough application by all consent authorities, including planning authorities, of the requirement to do an Appropriate Assessment (AA) of the ecological implications of any plan or project, whether within or outside a designated site, which does not directly relate to the management of the site but may impact upon its conservation objectives. The circular 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) or collectively called European sites].

What is an Appropriate Assessment?

An Appropriate Assessment (AA) means an assessment, based on best scientific knowledge, by a person with ecological expertise, of the potential impacts of the plan on the conservation objectives of any Natura 2000 site (including Natura 2000 sites not situated in the area encompassed by the draft plan or scheme) and the development, where necessary, of mitigation or avoidance measures to preclude negative effects.

The impacts assessed must include the indirect and cumulative impacts of approving the plan, considered with any current or proposed activities, developments or policies impacting on the site. The potential impacts of policies outside Natura 2000 sites but potentially impacting upon them (known as 'ex situ' impacts) must also be included in the assessment.

Transitional Measures and the Draft County Development Plan

Cork County Council's Draft County Development Plan was published on the 14th of December 2007 and specific reference is given to draft plans that were published prior to the issuing of the circular (15th of February, 2008). It is accepted in the circular that it may not be possible to carry out a full AA in such instances however it states that planning authorities should review the policies and provisions of such a draft plan and where necessary should **not adopt any part of a plan where a significant impact on a Natura 2000 site is likely**. As the plan was at an advanced stage this process has considered the appropriate assessment of the Draft Plan and Proposed Amendments together. Public consultation was not possible however as the AA was incomplete at the time of the public display of the amendments, however the results of the process are being made available to members before a final decision is made on the plan.

Impact of Appropriate Assessment on the Draft County Development Plan

In accordance with the recommendations of the Department's 2007 guidelines for Development Plans, the Draft County Development Plan focuses on the strategic or "big picture" planning issues that County Cork faces. Therefore specific land use issues such as rezoning have been confined to the Local Area Plans which are due to be reviewed once the

November 2008

Volume 2 Appendix B

County Development Plan process is complete. In such circumstances it is difficult to quantify and ascertain the likely significant impacts on Natura 2000 sites until specific land use proposals and objectives are established.

The circular states that the National Parks and Wildlife Service (NPWS) of the Department of Environment, Heritage and Local Government have a formal consultation role in relation to Appropriate Assessment. Thus the Planning Policy Unit (PPU) along with the Heritage Unit of Cork County Council initially met with the NPWS to discuss transitional measures and to establish a procedure for the carrying out of an Appropriate Assessment. A representative from the EPA was also present as their interest and involvement relates to ensuring Appropriate Assessment is fully integrated within the SEA (Strategic Environmental Assessment) and Plan making process. Following this an all day meeting took place on the 24th of July 2008.

Methodology

Firstly the objectives in the draft plan and draft amendments document (of July 11th) which were considered to offer protective measures to the Natura sites were examined. This was done for the purposes of informing the group present of relevant objectives in the draft plan and amendments to the draft plan so as to set a context for the examination of other objectives covering key areas with regard to their potential effect on Natura sites.

Following this appraisal, the key areas (objectives) of the Draft CDP which could have potential conflict with European sites were identified and a screening exercise was then carried out in which discussion occurred and comments were taken from the group with recommendations brought forward where appropriate (Section 1 (a)). Four main areas of concern where more significant changes were suggested were specifically highlighted and are documented in Section 1(b) of this report.

Section 2 examines any subsequent changes to the draft amendments not previously considered at the Appropriate Assessment Workshop i.e. any changes made to the draft amendments between 11th July and the publication of the proposed amendments to the Draft County Development Plan. The more significant changes to objectives were highlighted, analysed and considered in terms of their implications on European sites. The National Parks and Wildlife Service were consulted in reaching comments and conclusions in relation to the revised objectives.

It is suggested that the changes proposed in their current format are of a non-material nature, and as such it is suggested that they can be included in the final County Development Plan prior to its adoption in order to insulate the plan from any potential negative impacts on Natura 2000 sites. It is envisaged that the recommendations of the Appropriate Assessment would be incorporated through the Manager's Report on the Amendments to the Draft County Development Plan required under Section 12(8) of the Planning and Development Acts (as amended) in parallel with those of the Strategic Environmental Assessment (SEA).

Section 3 of this report outlines both new objectives proposed and changes to objectives suggested for inclusion as a result of the AA process which are recommended to be adopted as part of the Final Plan.

Layout of Sections of the AA Report:

Section 1 (a)	Screening of all objectives proposed in the draft CDP and amendments (24 th July 2008)
Section 1 (b)	4 Main Changes highlighted as a result of the Screening Process carried out on 24 th July 2008
Section 2	Consideration of significant Proposed Amendments finalised after AA workshop of 24 th July 2008 which formed part of the proposed amendments to the Draft CDP.
Section 3	Overall changes recommended to be incorporated in the final plan. (Relating to Proposed Amendments and also to Plan generally)

November 2008

Volume 2 Appendix B

Section 1 (a) - Main Areas of Potential Conflict and Suggested Changes to Objectives

This section outlines the results of the screening process of the relevant objectives of the Draft County Development Plan and draft amendments document (July 11th) required as a result of the Department of Environment, Heritage and Local Governments circular letter. This section documents the recommendations of an all day meeting on the 24th of July 2008.

Four main areas of concern, which may be subject to change, have been separately outlined in Section 1 (b) as it was agreed at the meeting that they have broad implications for the overall development of the county and its relationship with European sites.

Draft Objective/Proposed Amendment	Comments	Recommendation/New Objective
1) Key Environmental Objectives in Plan and Proposed Amendments:		
ENV 1-1 County Heritage Plan	Unlikely to be significant impact. May need to be screened. It is considered objectives are in line with the protection of European sites.	No change recommended
ENV 1-2 Biodiversity Action Plan	Unlikely to be significant impact. May need to be screened. It is considered objectives are in line with the protection of European sites.	No change recommended
ENV 1-3 Management of Natural Heritage	Unlikely to be significant impact.	No change recommended
ENV 1-4 Public Awareness of Nature Conservation (and PP amendment 7.7)	Unlikely to be significant impact. Proposed amendment positive with regard to protection of sites.	No change recommended
ENV 1-5 Nature Conservation Species (and PP amendment 7.7)	Unlikely to be impact. Proposed amendment positive with regard to protection of sites.	No change recommended

Draft Objective/Proposed Amendment	Comments	Recommendation/New Objective
ENV 1-6 Natural Heritage Sites (and PP amendment 7.7)	Unlikely to be significant impact. Proposed amendment positive with regard to protection of sites. Consider including reference to ' <i>plans or development projects</i> '.	It is an objective to protect the conservation value of all European sites, notified by the Minister for the Environment, Heritage and Local Government, either before or during the lifetime of this plan, and to ensure that appropriate assessments are carried out where plans or development projects are likely to have significant effects on these sites.
ENV 1-7 (and PP amendment 7.7)	Unlikely to be significant impact.. Proposed amendment positive with regard to protection of sites.	No change recommended
ENV 1-8 Features of Natural Interest (and PP amendment 7.7)	Unlikely to be significant impact. Some textual changes regarding level of environmental assessment are appropriate in text.	<p>In order to fulfil obligations under the legislation described above, the Local Authority will continue to do the following:</p> <ul style="list-style-type: none"> • Assess all proposed developments which are likely to impact (directly or through indirect or cumulative impact) on designated natural heritage sites or sites proposed for designation and protected species in accordance with the relevant legislation; • Require that an adequate level of environmental assessment is prepared to an acceptable standard in respect of any proposed plan or project likely to have an impact on these sites or protected species;
ENV 1-9 Tree Preservation	Unlikely to be significant impact. Add ' <i>native</i> ' to text.	No change recommended
ENV 1-10 Features or Areas of Geological Interest	Unlikely to be significant impact.	No change recommended
ENV 1-11 Development Control in Environmentally Sensitive Areas	Unlikely to be significant impact.	No change recommended
ENV 1-12 Consultation in Management of Sites	Unlikely to be significant impact. Propose text change to objective.	It is an objective to participate where possible with landowners, the Department of the

November 2008

Volume 2 Appendix B

Draft Objective/Proposed Amendment	Comments	Recommendation/New Objective
		Environment, Heritage and Local Government and other stakeholders to contribute to the effective management of sites of natural conservation value.
ENV 2-1 The Landscape	Unlikely to be significant impact.	No change recommended
ENV 6-1 River Basin Management Plans	Unlikely to be significant impact. Include text change to objective to include ' <i>plans and programmes of measures</i> '	The River Basin Management Plans and programmes of measures 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.
ENV 6-2 Groundwater Protection	Unlikely to be significant impact.	No change recommended
ENV 6-3 Guidelines for Groundwater Protection	Unlikely to be significant impact. Objective needs strengthening relating to water dependent protected sites.	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. In particular the conservation objectives for water dependent protected sites will be addressed. 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.
ENV 6-4 Discharges in Unsewered Areas	Unlikely to be significant impact.	No change recommended
ENV 6-5 Discharges in Unsewered Areas	Unlikely to be significant impact.	No change recommended

Draft Objective/Proposed Amendment	Comments	Recommendation/New Objective
ENV 6-6 Protection from Nitrate Pollution	Unlikely to be significant impact.	No change recommended
ENV 6-7 Development relating to Agricultural Industry	Unlikely to be significant impact.	No change recommended
Proposed Change no. 7.12 (Amendment) Re. Appropriate Assessment	Unlikely to be significant impact. Reinforce wording of objective by inclusion of additional text.	Cork County Council shall carry out screening for possible impacts of any draft land use plan or amendment/variation to any such plan for any potential ecological impact on areas designated or proposed for inclusion as European Sites and shall make a determination with respect for the requirement for appropriate assessments, where necessary of the potential impacts of the plan on the conservation objectives of any European site.

November 2008

Volume 2 Appendix B

Draft Objective/Proposed Amendment	Comments	Recommendation/New Objective
2) Settlement Strategy		
Chpt 3 (Settlement)	<p>Unlikely to be significant impact. Include safeguards at Local Area Plan stage.</p> <ul style="list-style-type: none"> • An overarching objective/text should be included in relation to settlement. • Reference to 'sustainable' development should be included within objectives for each of the towns. • Consider specifically identifying the towns within/adjacent to designated European sites nb. Fermoy • Local circumstances and future zonings to be considered through the upcoming Local Area Plan process. • Reference to Housing Land Availability Study and future zonings should ensure adequate consideration is given to European Sites 	As per Section 1 (b) Main Change

Draft Objective/Proposed Amendment	Comments	Recommendation/New Objective
SET 1-17 Fermoy (proposed change 3.22)	Possible significant impact. Specific issue in relation to the proposed change to Fermoy. The proposed amendment includes the "support ...[of] commercial and retail development in the County area along the River Blackwater ..." As this area includes the floodplain and cSAC, it may result in significant adverse effects on the cSAC, unless it is qualified by "outside the floodplain and cSAC" after "River Blackwater".	Include additional text regarding development ' outside the floodplain and cSAC ' after River Blackwater
3) Water Supply, Wastewater & Drainage		
INF 5-1 Water Supply, Wastewater & Drainage	Possible significant impacts (See Section 1 (b)): <ul style="list-style-type: none"> • General comment that effects of water levels on European sites needs to be assessed particularly in light of climate change issues. • Consider checking of individual water sources and whether sourced from SAC's/SPA's (through Local Area Plans) • Consider general assessment of water conservation in a general objective. (see EPA submission) 	As per Section 1(b) Main Change (no's 1 & 3)
INF 5-2 Water Services Infrastructure Provision	Unlikely to be significant impact. General objective recommended.	As per Section 1(b) Main Change
INF 5-3 Water Services Infrastructure (CASP)	Unlikely to be significant impact. General objective recommended.	As per Section 1(b) Main Change

November 2008

Volume 2 Appendix B

Draft Objective/Proposed Amendment	Comments	Recommendation/New Objective
INF 5-4 Water Services Infrastructure Provision (North)	Unlikely to be significant impact. General objective recommended.	As per Section 1(b) Main Change
INF 5-5 Water Services Infrastructure Provision (West)	Unlikely to be significant impact. General objective recommended.	As per Section 1(b) Main Change
INF 5-6 Water Supplies and Wastewater Disposal (and proposed change no. 6.30)	Possible significant impacts (See Section 1(b)). Where potential impact on capacity for wastewater treatment with potential for impact on designated sites expansion should be strongly discouraged. Review possible through the Local Area Plan process.	As per Section 1(b) Main Change (no's 1 & 3)
INF 5-7 Drinking Water Quality	Unlikely to be significant impact.	As per Section 1(b) Main Change
INF 5-8 Protection of Quantity and Sources of Drinking Water	Unlikely to be significant impact.	As per Section 1(b) Main Change
INF 5-9 Sustainable Drainage Systems (SuDS)	Unlikely to be significant impact. Likely to be dealt with through the WaterFramework Directive (River Basin Management Plans)	No change recommended
INF 5-10 Surface Water Infrastructural Needs	Unlikely to be significant impact.	No change recommended
INF 5-11 River Channel Protection	Unlikely to be significant impact. Change from 'newly zoned' to 'all zoned' land. Reference to 'river banks' is also appropriate.	It is an objective to ensure that development on all zoned land is kept at an appropriate distance from stream and river banks and adequate protection measures put in place.
INF 5-12 Prevention of Flooding	Unlikely to be significant impact. Reference to conservation objectives of European sites with regard to flooding is necessary.	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 and with regard to any conservation objectives of European sites within the relevant catchments and floodplains.
INF 5-13 Drainage and Flooding (and proposed change 6.31)	Unlikely to be significant impact. Proposed change welcomed.	
4) Coastal, Islands and Marine:		
RCI 2-22 Coastal Zone Initiatives	Unlikely to be significant impact.	No change recommended

Draft Objective/Proposed Amendment	Comments	Recommendation/New Objective
RCI 2-23 Development in Coastal Areas	Unlikely to be significant impact.	No change recommended
RCI 2-24 Marine Leisure	Unlikely to be significant impact. Add ' <i>sustainable</i> ' and add ' <i>where this will not significantly adversely effect local livelihood's or the environmental objectives of the plan</i> ' to replace ' <i>where this is compatible with the long-term well-being of the environment and local livelihood.</i> ' (link to Econ 6-2, 6-4 and 6-5)	It is an objective to support the sustainable development of rural Cork's inland and coastal marine leisure facilities, where this will not significantly adversely effect local livelihood's or the environmental objectives of the plan.
RCI 2-25 Supporting the Islands	Unlikely to be significant impact.	No change recommended
RCI 2-26 Economic Development on the Islands	Unlikely to be significant impact. Include ' <i>sustainable</i> ' in text. Recognised that ECON 6-2 has overarching statement regarding ' <i>sustainable tourism</i> '.	It is an objective to support the sustainable 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.
ECON 6-4 Developing the Marine Leisure Sector	Unlikely to be significant impact.	No change recommended
ECON 6-5 Marine Leisure Hubs	Unlikely to be significant impact. Include reference to ' <i>sustainable</i> ' development (Marine Tourism Leisure Strategy may need to be screened)	It is an objective to encourage the sustainable development of marine tourism at selected locations along the whole county coastline. These locations should be identified
RCI 2-27 Development Proposals on the Islands (and proposed change 4.23)	Unlikely to be significant impact. Reference to sustainable development is included in proposed change 4.23, which is welcomed.	No change recommended
RCI 2-28 Islands in the Local Area Plans (and proposed change 4.9)	Unlikely to be significant impact.	No change recommended
RCI 2-29 Uninhabited islands	Unlikely to be significant impact.	No change recommended
4-15 Amendments: Coastal Amenities	Unlikely to be significant impact.	No change recommended

November 2008

Volume 2 Appendix B

Draft Objective/Proposed Amendment	Comments	Recommendation/New Objective
5) General Tourism		
ECON 6-1 Promoting Sustainable Tourism.	Unlikely to be significant impact.	No change recommended
ECON 6-2 Protection of Natural, Built and Cultural Heritage	Unlikely to be significant impact.	No change recommended
ECON 6-3 Spatial Framework for Sustainable Tourism.	Unlikely to be significant impact.	No change recommended
ECON 6-6 Walking and Cycling	Unlikely to be significant impact. Include reference to 'sustainable' development in order to address any issues with regard to hen harrier and similar habitats.	It is an objective to promote the sustainable development of more scenic walking and cycling routes throughout the county as an activity for both international visitors and local tourists.
6) Renewable Energy		
INF 7-1 Energy Networks and Infrastructure	Unlikely to be significant impact.	No change recommended
INF 7-2 Climate Change	Unlikely to be significant impact.	No change recommended
INF 7-3 Renewable Energy Production (and proposed change 6.33)	Unlikely to be significant impact.	No change recommended
INF 7-4 Wind Energy Projects (and proposed change 6.34)	Possible significant impacts. Overlay candidate SPA's (designated sites) with Strategic Search Areas. It is evident that there are overlaps. Recommended that a change to the policy be considered.	As per Section 1(b) Main Change
INF 7-5 Overhead Powerlines (and proposed change no. 6.36)	Unlikely to be significant impact. In proposed rewording to amendment consider including reference to ecological impact and including reference to European sites.	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 and the conservation value of European sites especially in landscape character areas that have been evaluated as being of high landscape sensitivity.

Draft Objective/Proposed Amendment	Comments	Recommendation/New Objective
7) Mineral Extraction:		
ECON 5-9 Safeguarding Mineral Reserves	Unlikely to be significant impact.	No change recommended
ECON 5-10 Identification of Strategic Reserves	Unlikely to be significant impact.	No change recommended
ECON 5-11 Impacts of Mineral Extraction	Unlikely to be significant impact. A number of textual changes are suggested.	<ul style="list-style-type: none"> 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, mines and other developments. b) It is an objective in particular for new quarries and mines and extensions to existing quarries and mines to have regard to visual impacts, methods of extraction, noise levels, dust prevention, protection of rivers, lakes, European sites 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. c) Restoration of decommissioned quarries and other extractions sites should be appropriately assessed and follow guidelines when prepared by the County Council from time to time and identify

November 2008

Volume 2 Appendix B

Draft Objective/Proposed Amendment	Comments	Recommendation/New Objective
		alternative safe uses that could be put to the land.
ECON 5-12 Monitoring of Quarries	Unlikely to be significant impact.	No change recommended
8) Forestry:		
ECON 5-4 Forestry	Unlikely to be significant impact.	No change recommended
ECON 5-5 Indicative Forestry Strategy	Unlikely to be significant impact.	No change recommended
ECON 5-6 Implementing the IFS	Unlikely to be significant impact. Additional wording to be added to reinforce the objective and to ensure that the IFS be subject to the objectives of the plan.	It is an objective to implement the policies and objectives outlined in the IFS subject to the objectives of this plan and to monitor the implementation and effectiveness of the policies and objectives of the IFS for County Cork
ECON 5-7 Neighbourhood Scheme	Unlikely to be significant impact.	No change recommended
HOU 5-1 Residential Land Supply	Unlikely to be significant impact.	No change recommended
9) Road Network:		
INF 3-1 National Roads	Unlikely to be significant impact. Consider reference to NRA guidelines on ecology, etc.	No change recommended
INF 3-2 Development Management and Access to National Roads	Unlikely to be significant impact.	No change recommended
INF 3-3 National Roads – Priority List	Unlikely to be significant impact. Environmental Impact Assessments required for projects.	No change recommended
INF 3-4 National Roads – Traffic Noise	Unlikely to be significant impact.	No change recommended
INF 3-5 National Roads – Protecting the Future Sites	Unlikely to be significant impact.	No change recommended
INF 3-6 National Roads – Protection of Interchanges	Unlikely to be significant impact.	No change recommended

Draft Objective/Proposed Amendment	Comments	Recommendation/New Objective
10) Industry:		
ECON 3-2 Location for Large Scale Industrial Development	Unlikely to be significant impact. Consider adding 'sustainable' to large scale industrial development and also adding in 'taking into account the objectives of this plan'	It is an objective to ensure that sufficient and suitable land is zoned for sustainable large scale and general industry taking into account the objectives of this plan (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.
ECON 3-3 Locations for Distribution Industry Development	Unlikely to be significant impact.	No change recommended
ECON 3-4 Location for Port Related Development	Unlikely to be significant impact. Revised wording in amendment is considered acceptable. Oral hearing for Port relocation dealt with issues.	No change recommended
ECON 3-5 Site Design, Access and Car Parking	Unlikely to be significant impact.	No change recommended
ECON 3-6 Building Design – Industrial Areas	Unlikely to be significant impact.	No change recommended
ECON 3-7 Prevention of Major Hazardous Accidents	Unlikely to be significant impact.	No change recommended
ECON 3-8 Proposals for New Establishments	Unlikely to be significant impact.	No change recommended
ECON 3-9 Proposed Development Adjacent to Existing Establishments.	Unlikely to be significant impact.	No change recommended
11) Waste:		
INF 6-1 Waste Management Plan	Unlikely to be significant impact.	No change recommended
INF 6-2 Waste Management	Unlikely to be significant impact.	No change recommended
INF 6-3 Materials Recovery Facility	Unlikely to be significant impact.	No change recommended
New objective (INF 6-4) Waste Management Assessment (proposed change no. 6.32)	Unlikely to be significant impact. Generally welcomed and should refer to DoE Guidelines if they have been taken from this.	No change recommended

November 2008

Volume 2 Appendix B

Draft Objective/Proposed Amendment	Comments	Recommendation/New Objective
12) Residential Land Supply:		
HOU 5-1 Residential Land Supply	Unlikely to be significant impact.	No change recommended
13) Local Area Process:		
	Possible significant impacts. Need for new objective to outline necessity for local area plans to consider European sites in their preparation.	As per Section 1(b) Main Change

Section 1(b) – Four Key Areas of Concern

This section outlines the 4 main areas that have been recommended for change following the meeting on the 24th of July 2008. These recommendations and those of section 1(a) have been incorporated within Volume 1, Parts A & D of the Main Report as appropriate.

Recommended Change 1: Water Conservation (Section 6.5 Water Supply)

IT IS PROPOSED TO ADD NEW TEXT AND NEW OBJECTIVE IN RELATION TO WATER CONSERVATION.

Comments:

There is a concern that water abstraction could have negative impacts on European sites. Currently there is no objective in either the draft plan or the proposed amendments relating to water conservation. It was suggested that each settlement should be assessed individually and that this could be done through the LAP process.

Proposed Change:

Additional text:

It is recommended that the following be included in the general text as paragraph 6.5.7:

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.

Additional objective:

It is recommended that the following objective be added as INF 5-9:

Water Conservation

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.

Recommended Change 2: Wind Energy (Section 6.7 Energy) (pp change 6.38)**IT IS PROPOSED TO ADD NEW TEXT AND NEW OBJECTIVE IN RELATION TO WIND ENERGY.****Comments:**

A number of the Strategic Search Areas identified for Windfarm development overlap with European sites thus there could be a potential conflict and a review of the Councils Wind Energy policy should be considered.

The policy in relation to Wind Energy is already adopted through the previous County Development Plan 2003-2009 and was brought forward within the current draft plan. It is recognised that there may be conflict and overlap between the designation of Strategic Search Areas and some candidate SPA's. The text of the current draft recognises this and states that the identification of Strategic Search Areas 'does not of course give any certainty about the outcome of any particular wind energy proposal'. The existing policy also states that individual wind energy proposals will be considered on their merits having regard to normal planning criteria including the impact of the project on nature conservation, archaeology and historic structures.

It is recognised that there may be a conflicting message in the existing policy and that a review is timely in light of the recently produced Draft Landscape Strategy and ongoing developments in the area of wind energy. Because of the advanced stage of the draft plan the review of the overall wind energy policy is not considered feasible but the Council are likely to consider a review during the plan period. Any amendment to the existing policy would be premature at this stage and would be without the benefit of a comprehensive review relating to wind energy.

Proposed Change:**Additional text:**

Include additional text (**highlighted in bold**) in objective INF 7-4 (Wind Energy) referring to 'European sites'.

(a) It is an objective to encourage prospective wind energy developers assessing potentially suitable locations for projects to focus on the strategic search areas identified in the plan and generally to discourage wind energy projects in the strategically unsuitable areas identified in this plan.

(b) It is an objective in the strategic search areas (and in those areas that are identified as neither strategic search areas nor strategically unsuitable areas), to consider any individual wind energy proposal on its merits having regard to normal planning criteria including, in particular, the following:

- The sensitivity of the landscape and of adjoining landscapes to wind energy projects;
- The scale, size and layout of the project, any cumulative effects due to other projects, and the degree to which impacts are highly visible over vast areas;
- The visual impact of the project on protected views and prospects, and designated scenic landscapes as well as local visual impacts;
- The impact of the project on archaeology and historic structures,
The impact of the project on nature conservation, in particular avoiding designated and proposed European sites,
- Local environmental impacts including noise, shadow flicker;
- The visual and environmental impacts of associated development such as access roads, plant, grid connections etc.

(c) Similar criteria would be taken into account in the strategically unsuitable areas except that suitable projects will generally be on a small scale and on very special, carefully chosen sites.

Recommended Change 3: Wastewater (proposed change 6.30)**IT IS PROPOSED TO AMEND OBJECTIVE INF 5-6 OUTLINING THE COUNCILS POSITION IN RELATION TO WASTEWATER DISPOSAL IN URBAN AREAS****Comments:**

It is recognised that proposals to extend or construct new waste water treatment systems could have a negative impact on European sites unless sufficient capacity is available. It is considered that detailed consideration to this issue can be given through the local area plans.

Proposed Change:**Additional text to an objective:**

Include additional text (**highlighted in bold**) in objective INF 5-6 (Water Supplies & Wastewater Disposal) referring to 'European sites'.

Water Supplies & Wastewater Disposal

(a) It is an objective generally to provide support for the funding and delivery of water supply and wastewater disposal infrastructure requirements broadly in accordance with the principles and strategies of this Plan in order to accommodate the planned levels of growth expected for the County.

(b) It is an objective generally to improve and extend the water supply and wastewater disposal infrastructure to serve the planned levels of growth for the County that are set out in this Plan, in order to facilitate balanced development maximising the economic potential of the County.

(c) In both the main towns and other settlements of the County identified in the Local Area Plans, development will normally be required to utilise public waste water treatment facilities subject to sufficient capacity being available.

(d) Where there is no public waste water infrastructure a temporary facility will only be encouraged where the provision of public facilities is in a programme and will be delivered at an early date and the scheme can be designed to facilitate connection to the public scheme.

(e) In settlements where no public waste water system is either available or proposed, new developments will only be encouraged where the developer is able to provide a sustainable waste water treatment system that will meet the needs of the settlement as a whole and is capable of being taken in charge by the Local Authority.

(f) ***It is an objective within the Local Area Plan process to identify and protect those European sites for which the maintenance of water quality is priority and to take appropriate measures to ensure they are not threatened by future development.***

November 2008

Volume 2 Appendix B

**Recommended Change 4: Local Area Development
(Section 9.1 Planning for Local Areas)**

IT IS PROPOSED TO ADD NEW TEXT AFTER PARAGRAPH 9.1.7 AND ADD A NEW OBJECTIVE IN RELATION TO EUROPEAN SITES AND THE LOCAL AREA PLAN PROCESS.

Comments:

The Departments circular on appropriate assessments requires that all land use plans and amendments must be screened for any potential impact on areas designated as Natura 2000 sites.

Proposed Change:

Additional text:

It is recommended that the following be included in the general text after paragraph 9.1.7:

Circular Letter SEA 1/08 & 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.

Additional objective:

It is recommended that the following be included as an additional objective after objective LAP 1-4:

European Sites

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.

Section 2 - Additional Proposed Amendments finalised after the Workshop of 24th July 2008

The finalised proposed amendments and SEA Report on the Draft County Development Plan went on display on the 19th September 2008. This involved a small number of changes to the draft amendments from that document initially produced on July 11th 2008 and which was considered at the Appropriate Assessment Workshop of 24th July 2008. The more significant changes to objectives have been highlighted, analysed and are listed below and considered in terms of their implications on European sites. The National Parks and Wildlife Service were consulted in reaching comments and conclusions in relation to the revised objectives.

Draft Objective/Proposed Amendment	Comments	Recommendation/New Objective
SET 1-X Annaghmore (PP change no. 3.42)	Unlikely to be significant impact on any European site. The proposed settlement is approximately 18km upstream of the Owenboy (Abhainn Bui) River part of Cork Harbour proposed Special Protection Area pSPA (4030). The proposed settlement is not considered likely to have significant adverse effects on the pSPA, due to its distance upstream.	No change recommended.
RCI 2-28 Islands (PP change no. 4.26)	Unlikely to be significant impact.	No change recommended
RCI 2-X Bere Island Conservation Plan	Unlikely to be significant impact.	No change recommended
INF 7-4 (and PP amendment 6.38)	Unlikely to be significant impact. The proposed change generally proposes minor changes to the wording of the original objective INF 7-4 as presented in the Draft County Development Plan. It is considered that the comments from the initial examination at the workshop of the 24 th July are still relevant.	Previously considered in Workshop. As per previous recommendation See Section 1 (b) Main Change of Appropriate Assessment report.

Section 3 – Overall Changes proposed to Plan/Amendments

Changes as a result of AA relating directly to the proposed amendments:

Proposed Change Number	Change addressed in:
3.22	Change included in Manager's Report
7.7	Change included in Manager's Report
7.12	Change included in Manager's Report
6.30	Change included in Manager's Report
6.36	Change included in Manager's Report
6.38	Change included in Manager's Report

There are a total of **6** changes arising from the Appropriate Assessment which relate to the proposed amendments. These are noted above and will be considered in the Section 12(8) Manager's Report on the Amendments.

Note: There are a total of **15** non-material changes which did not arise as amendments to the County Development Plan. These are as follows:

Additional non-material changes arising as a result of AA not considered in amendments: (proposed new text in bold)

In Volume 1, Part D of the Main Report these changes are highlighted in bold.

Current Objective	ENV 1-12 Consultation in Management of Sites
Proposed Change	It is an objective to participate where possible 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 and programmes of measures 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. In particular the conservation objectives for water dependent protected sites will be addressed. 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 all zoned land is kept at an appropriate distance from stream and river 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 and with regard to any conservation objectives of European sites within the relevant catchments and floodplains.'
Current Objective	RCI 2-24 Marine Leisure
Proposed Change	It is an objective to support the sustainable development of rural Cork's inland and coastal marine leisure facilities, where this will not significantly adversely effect local livelihood's or the environmental objectives of the plan.'
Current Objective	RCI 2-26 Economic Development on the Islands
Proposed Change	It is an objective to support the sustainable 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 sustainable development of marine tourism at selected locations along the whole county coastline. These locations should be identify
Current Objective	ECON 6-6 Walking and Cycling
Proposed Change	It is an objective to promote the sustainable 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 and the conservation value of European sites 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"> 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, mines and other developments. e) It is an objective in particular for new quarries and mines and extensions to existing quarries and mines to have regard to visual impacts, methods of extraction, noise levels, dust prevention, protection of rivers, lakes, European sites and other water sources, impacts on residential and other amenities, impacts on the road network (particularly with regard to making

November 2008

Volume 2 Appendix B

	<p>good any 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 be appropriately assessed and 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> <p>g) 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, mines and other developments.</p> <p>h) It is an objective in particular for new quarries and mines and extensions to existing quarries and mines to have regard to visual impacts, methods of extraction, noise levels, dust prevention, protection of rivers, lakes, European sites 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.</p> <p>i) Restoration of decommissioned quarries and other extractions sites should be appropriately assessed and 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 subject to the objectives of this plan 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 sustainable large scale and general industry taking into account the objectives of this plan (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 New Objective	<p>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.</p> <p>Water Conservation</p> <p>It is an objective to examine through the Local Area Plan process the environmental and other effects of the water requirements for</p>

	<p>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>
<p>Proposed New Objective</p>	<p>Circular Letter SEA 1/08 & 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.</p> <p>European Sites</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>

Volume 2 - Appendix C

Supplementary Manager's Report under section 12(4) on proposals for a New Settlement at Annaghmore (Issued 5th August 2008)

November 2008

Supplementary County Manager's Report to Members

Under Section 12 (4) of the
Planning and Development Act
2000

**Proposals for a
New Settlement
at Annaghmore**

Document Verification

Page 1 of 1

Job Title						
County Development Plan Review						
Document Title: Supplementary County Manager's Report 12 (4) Proposals for a New Settlement at Annaghmore						
File Ref: CDP Review						
Document Ref: Final Draft 5th August 2008						
Revision	Date	Filename:				
1.1	5 th of August 2008	Supplementary County Manager's Report 12 (4) Proposals for a New Settlement at Annaghmore				
		Description: Document prepared for Members of Cork County Council under the Planning and Development Acts				
			Prepared by	Drawn by	Checked by	Approved by
		<i>Name</i>	PPU	N/A		A.Hind

Introduction

- This supplementary report has been prepared because, at the meeting of Council held on Monday 28th of July 2008, elected members expressed the intention to consider amending the Draft County Development Plan 2007 to include proposals for a new settlement at Annaghmore.
- A submission was made on Annaghmore to the CASP update proposal and the County Development Plan under Section 12 of the Planning and Development Act.

Summary of Developers Submission to the Draft County Development Plan

- Annaghmore is located on the N71 National Secondary Route from Cork City to Bandon, Clonakilty and West Cork. The land is about 17 kilometres south west of Cork City and 12 kilometres north east of Bandon.
- Annaghmore is a 200 ha greenfield site.
- Annaghmore would provide homes for a community of about 3,000 people.
- Approximately 1,500 housing units are proposed for Annaghmore.
- Employment opportunities will be provided for approximately 460 people in local services, construction and enterprise.
- The developer states that the settlement will include sport, leisure and recreational facilities and provision will be made for schools, church and other community services.
- The proposal also claims the following;
 - o That a new settlement at Annaghmore can assist a new strategy to meet the projected housing needs of the Cork area, in a way that would avoid unacceptable impact on existing settlements and communities.
 - o That the development would support the settlements of Bandon, Kinsale and Innishannon.
 - o That a new settlement at Annaghmore would help offset the effects claimed in relation to delays in implementing a number of key service and infrastructure projects such as Carrigrennan Waste Water Treatment Plant, Northern Ring Road, Lee Bridge to the Docklands and an enhanced railway service on the Middleton to Mallow railway corridor.
 - o That it is consistent with CASP because it rebalances growth into a public transport corridor.
 - o That a new settlement at Annaghmore would act as a 'stepping stone', assisting in the strategy to develop Clonakilty as a Strategic Employment Centre to serve West Cork.
 - o That Annaghmore would function as a Key Village within the network of settlements proposed in the Draft County Development plan.

The County Manager's Assessment of the Annaghmore Proposal

Response to the Submission

- **That Annaghmore can assist a new strategy to meet the projected housing needs of the Cork area**
 - o The consultants commissioned to prepare the CASP Update considered carefully the submission in support of Annaghmore claiming that the existing settlements and other growth locations in the CASP area were not capable of delivering the uplift in population expected from the region. The consultants recommended that growth should be targeted on the city docklands and the existing suburban rail corridor. Two new public transport corridors (Mahon-Ballincollig and Ballyvolane-Airport) were also identified for major growth and investment but the Cork-Bandon corridor put forward in the Annaghmore submission was not selected.
 - o The CASP consultants concluded that the Annaghmore proposal was not consistent with the updated CASP strategy and made no provision for it in the updated CASP plan.

- **That Annaghmore could avoid unacceptable impacts on existing settlements and communities and would support Bandon and Kinsale**
 - o Annaghmore will have an adverse impact on existing settlements and communities. The growth of the Ring Towns, particularly Kinsale and Bandon, will be significantly reduced below the levels proposed in the CASP Update plan and those towns will not realise their full economic and social potential. The proposal for Annaghmore will also have a strong negative impact on the future population and viability of the villages and rural areas that make up the CASP Ring Strategic Planning Area, particularly nearby villages like Halfway and Crossbarry. There will be a significant impact on existing services such as schools, shops and pubs in these locations.

- **That a new settlement at Annaghmore would help offset the effects claimed in relation to delays in implementing a number of key service and infrastructure projects**
 - o The proposal at Annaghmore will not help offset any adverse effects arising from difficulties in delivering key infrastructure elsewhere in the CASP area. If the Annaghmore proposal were to proceed the more likely impact will be that public funding destined for planned infrastructure elsewhere will need to be diverted to help resolve transport and infrastructure issues associated with Annaghmore itself.

- **That Annaghmore is consistent with CASP because it rebalances growth into a public transport corridor.**
 - o The proposal at Annaghmore is not consistent with CASP or the Southwest Regional Planning Guidelines. The site is not located within the Cork Suburban Rail Corridor or either of the planned Rapid Transit Corridors identified in the CASP Update. Public transport would be most likely to be based on an adaptation of existing county bus services rather than the high quality proposals envisaged in CASP that are intended to be of benefit to the population of Metropolitan Cork generally rather than the future population of an individual settlement such as Annaghmore.

- **That a new settlement at Annaghmore would act as a 'stepping stone', assisting in the strategy to develop Clonakilty as a Strategic Employment Centre to serve West Cork.**
 - o The proposal would not act as a 'stepping stone' to assist the development of West Cork. Rather the proposal will compete with the balanced development of the existing settlement network in West Cork. One of the principal effects on West Cork would be increased congestion on the Cork-Bandon section of the N71. This would adversely affect prospects for towns such as Clonakilty and Dunmanway, whose ability to attract new businesses is sensitive to travel time from Cork City.
- **That Annaghmore would function as a Key Village within the network of settlements proposed in the Draft County Development plan.**
 - o The proposals for Annaghmore suggest that it should be described a Key Village within the network of settlements set out in the Draft County Development plan. This approach is wholly inappropriate. The estimated population (2007) of Inishannon (a nearby 'key village') is 646 persons. This is typical of the general magnitude of population in this category of settlement throughout the County. Many of the main towns of the County have a population less than that proposed for Annaghmore such as Buttevant, Castletownbere, Dunmanway, Kanturk, Millstreet, Newmarket, Schull and Skibbereen. Failing to designate the Annaghmore settlement properly as a proposed new town, if it were to proceed, would result in future investment in the town receiving a lower order of priority than its population would require.
- **That employment opportunities will be provided for approximately 460 people in local services, construction and enterprise.**
 - o Of the 460 permanent jobs likely to be provided, about 310 would be local service and construction sector jobs that would be provided wherever this population was located. The 150 additional jobs are most likely to result from the relocation of jobs from other locations (such as Bandon or Clonakilty) and are unlikely to be 'net new' jobs to the County.

The Cork Area Strategic Plan

- The proposed development lies within the CASP Ring Area.
- The Cork Area Strategic Plan determines how Cork City Council, Cork County Council and the relevant town councils manage and co-ordinate development in the CASP area to achieve a balanced spatial development pattern.
- Monard was the only new settlement recommended as part of the strategy outlined in the 2001 Cork Area Strategic Plan. This location was chosen because of its location in the suburban rail corridor north of Cork City. It was envisaged that this new settlement would fulfill the role of a Metropolitan Town. Provision has been made for this settlement in the Blarney-Kilbarry Special Local Area Plan 2005 and an application has been to the Minister to designate the location as a Strategic Development Zone (SDZ). The settlement of Monard will play a vital role in re-balancing the development of Cork City and the wider Metropolitan Cork area.
- CASP has now been updated and it confirms the importance to the region as a whole of securing the completion of the new settlement at Monard in the Suburban Rail Corridor north of Cork and proposes no additional new settlements.

- The CASP Update sets out a strategy for the distribution of the additional population that is expected to arise in the CASP area in line with the latest Government population targets for the South West Region. The updated strategy gives priority for new population growth to the city itself and along the Suburban Rail Corridor. The population targets for other locations in Metropolitan Cork, the Ring Towns and their rural hinterlands have also been increased in response to the higher regional expectations arising from the most recent Government targets and so that they do not fall behind other locations and can raise their expectations and provide more sustainable patterns of development. This is to maximize the economic potential of the region and to meet sustainable development objectives and facilitate a high quality public transport provision.
- In the CASP Ring area, which includes the site of the new settlement proposed at Annaghmore, the strategy suggests that the priority should be to strengthen the urban areas of the existing Ring towns, which include Kinsale and Bandon, by a strategy aiming to accelerate the modest growth in population and employment evident in recent years. These towns can then develop as the main focus for sustainable population growth, employment and services development in this area.
- In the rural areas of the CASP Ring, CASP identifies the need to moderate recent rates of population growth to support a strengthening of the towns.
- The update of CASP includes a detailed infrastructure investment programme totalling just less than €1.4billion. The implementation of the programme is reliant on all the stakeholders including Government Departments and City and County Councils coordinating their decisions and actions to deliver the shared strategy set out in CASP. The Annaghmore proposal cuts across this shared strategy and its inclusion in the County Development Plan may undermine commitment to the programme by the other agencies.

Annaghmore and the Draft County Development Plan

- The County Development Plan takes its strategy from the Cork Area Strategic Plan, the North and West Cork Strategic Plan and the Southwest Regional Planning Guidelines. The aim of the County Development Plan is to guide detailed land use zoning in Local Area Plans and public and private investment in infrastructure in order to provide a sustainable framework for the implementation of its overall strategy, including CASP.
- In the CASP area, its aim is to support growth in the city and guide new development to the Cork Suburban Rail Corridor, the two new public transport corridors identified in CASP, to stimulate growth in the Ring Towns and moderate growth in villages and rural areas in the CASP ring.
- To achieve this, the Draft County Development Plan (and the amendments proposed to it) set out population targets for the main towns and for the villages and rural areas and also sets targets for each Electoral Area to guide the future review of the Local Area Plans.
- If provision is to be made within the plan for the development of the new settlement at Annaghmore then the population targets for either the towns or the villages and rural areas of the County will need to be reduced so that the plan remains consistent with national and regional population objectives. This will require the inclusion of objectives intended to curtail future development below the level currently proposed and as a result their future growth will not achieve the economic or social potential currently suggested for those towns, villages and rural areas.

- The main towns likely to be most directly affected by this proposal are Bandon and Kinsale.
- In West Cork, the proposals in the Draft County Development Plan to designate Clonakilty as a Strategic Employment Centre for West Cork linked to proposals for investment in the N71 strategic transport corridor, in order to improve the quality of this critical economic link to the West Cork area, may be undermined by the inclusion of the Annaghmore proposal.

Other Issues Concerning the Annaghmore Proposal

Secondary Education

- If the Annaghmore proposals were to be implemented, children of secondary school age would need to travel to either Bandon, Carrigaline, Cork or Kinsale for secondary education.
- Guidance from the Department of Education suggests that settlements with a population at the scale of Annaghmore will not be able to support the development of new secondary schools for a catchment population of that magnitude because schools of that size cannot deliver a sufficiently broad and balanced curriculum.

Drinking Water

- Drinking Water and Waste Water have not been addressed in any detail in the proposal and no indication has been given regarding the funding of the substantial new works that will inevitably be required. To supply drinking water to the site, it will be necessary to either construct several kilometres of new pipe from the Inniscarra Reservoir or develop a new aquifer supply.

Wastewater

- The capacity of the River Owenabue to receive additional wastewater effluent is limited. Wastewater will require pumping to Inishannon. If the works necessary to address these issues are to be carried out at public expense then this will involve seeking additional approvals from Government and diverting resources away from other projects that have already been prioritised.

Traffic & Transport

- The development would have a major impact on traffic volumes on the N71 and on regional and local roads close to the site. Access to the site from the N71 is inadequate and would need to be upgraded.
- Re-routing buses off the N71 through Annaghmore would lengthen journey times for existing users.

Landscape & Visual Impact

- The development would have a negative impact on the landscape setting of the area and of this otherwise attractive rural area beside a popular tourist route.

Annaghmore and the Cork County Development Plan 2003

- The Council recognised that Annaghmore may have a role to play in the development of the Cork Region.
- However, it was considered that the scale of any new settlement must be carefully considered to support the objectives of the Cork Area Strategic Plan without diverting development pressure from the suburban rail corridor. A decision on a detailed zoning objective for any new settlement was therefore deferred pending the outcome of the Rail Study.

- The Cork Suburban Rail Feasibility Study 2003 supported the proposals for a suburban rail network linking Mallow, Blarney, Monard, Cork, Little Island, Carrigtwohill, Midleton and Cobh and asked the local authorities to set out the land use proposals for the full implementation of CASP in local area plans to guarantee the future population of the proposed station hinterlands. The County Council put these in place in 2005 and the Government have since authorised the construction of the new line and other infrastructure, which is now underway.
- As a result of either the references to Annaghmore in the County Development Plan 2003 or the outcome of the rail study, the County Council is not committed to supporting the Annaghmore proposal.

Conclusion

- It is the County Manager's opinion that:
 - o The new settlement proposed at Annaghmore is contrary to both the CASP plan adopted in 2001 and its Update prepared in 2008.
 - o The new settlement proposed at Annaghmore is contrary to the Southwest Regional Planning Guidelines.
 - o That the strategy to guide the future development of the County put forward in the Draft County Development Plan and the Manager's recommended amendments (i.e. excluding Annaghmore) represents the most sustainable option for the future of the County as whole
 - o That the Annaghmore proposal is generally inconsistent with the proper planning and sustainable development of the County.