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22/02/2024

IW-LT0726

RE: Inchigeelagh Waste Water Discharge Licence Application (A0349-02) – Reg 25(3)(b) Notice

Dear Inspector,

In response to the Reg 25(3)(b) Notice, dated 6th February 2024, Uisce Éireann wish to confirm that an Environmental Impact Assessment (EIA) Screening was completed as part of the Planning Permission Application, which was lodged with Cork Co. Co. Planning Authority on 09/07/2020, for the 'Construction of a wastewater treatment scheme for the village of Inchigeelagh' (Planning Reference 20/05438).

The EIA Screening was prepared in compliance with Schedule 7A of the Planning and Development Regulations 2001, as amended, for the purposes of a screening determination as to the likelihood of significant effects on the environment arising from the proposed development.

The EIA Screening (attached in Appendix A) concluded:

It is submitted that the proposed scheme does not come within the classes of development that European and Irish legislation identify as being likely to have significant effects on the environment, as set out in Part 1 or Part 2 of Schedule 5 of the Planning and Development Regulations 2001 – 2017. As the proposed Scheme does not come within the specified classes, an EIA is not required for the proposed scheme.

In addition to the above, a sub threshold assessment has been undertaken. The potential for impacts has been identified, both positive and negative but none that would be likely to have significant effects on the environment.

Cork County Council Planning Authority granted Planning Permission for the proposed development on 01/06/2021. The 'Senior Executive Planners Report' dated 02/09/2020 (attached in Appendix B), stated the following:

The proposed scheme does not comprise a change to or an extension to a project that meets the thresholds above. Therefore, these classes do not apply to the proposed scheme. The scheme does not fall within the mandatory EIA requirements.

&

The nature, size and scale of the development, the sensitivity of the geographical area potentially affected and the potential degree and extent of the impact are noted. In light of the above, it is considered that a mandatory or sub-threshold EIAR would not be required in this case.

(From: Section 12 – Assessment – EIAR – Page 11)

I trust the above is to the satisfaction of the Agency.

Yours Sincerely,

Emma Sweeney Butler

Emma Sweeney Butler

Wastewater Strategy

APPENDIX A

Irish Water

UTAS Cork Bundle

Inchigeelagh - EIA Screening Report

257589_Inchigeelagh EIA Screening

Issue 4 | May 2020



This report takes into account the particular instructions and requirements of our client. It is not intended for and should not be relied upon by any third party and no responsibility is undertaken to any third party.

Job number 257589_00

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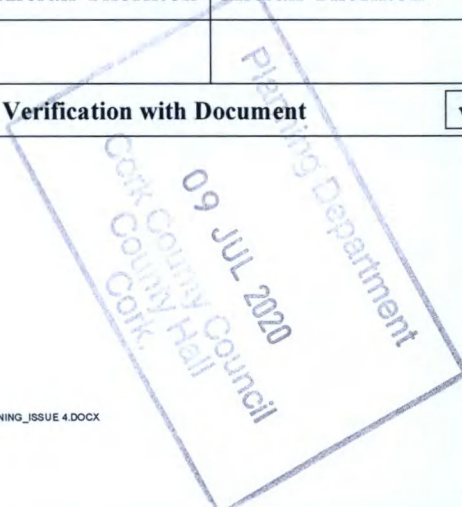
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Document Verification

ARUP

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1 Introduction

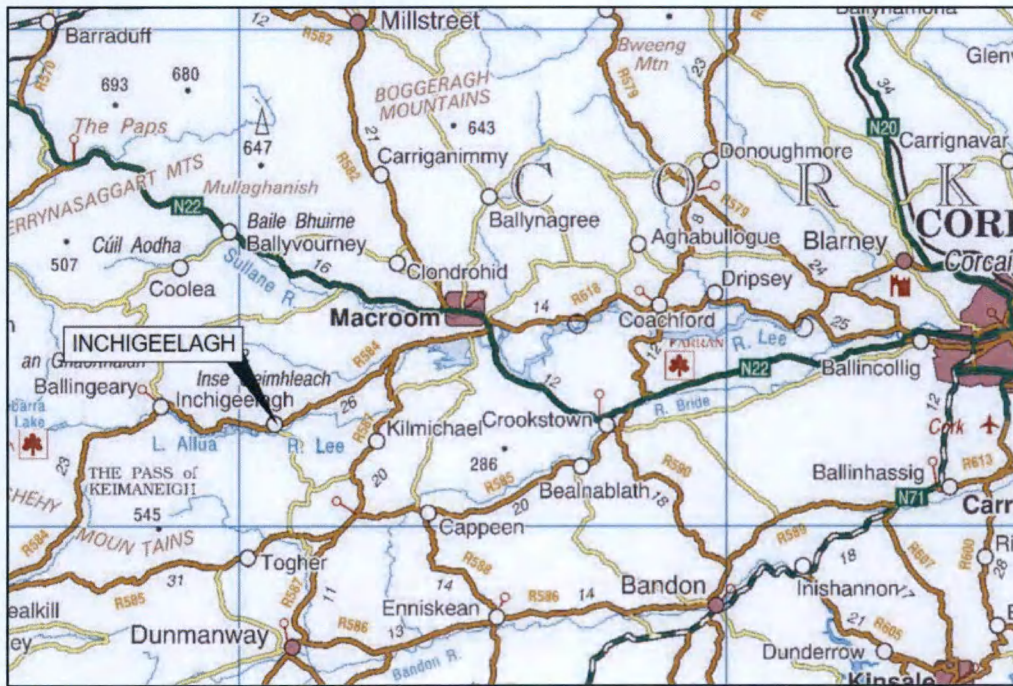


Figure 1.1: Site Location

Irish Water identified 44 agglomerations in Ireland where untreated sewerage is discharged directly to receiving waters, either from sewer network outfalls or via septic tanks where the level of treatment provided is negligible.

Inchigeelagh is one of the agglomerations which has been identified. Inchigeelagh is a village in County Cork situated on the banks of the River Lee. It is approximately 14km from the town of Macroom along the R584. As of the 2016 census, Inchigeelagh has a population of 153 people.

At present, wastewater generated in the agglomeration is collected in three separate collection systems, all of which discharge into the River Lee with little or no treatment. This practice of discharging untreated wastewater to the river is no longer acceptable and Irish Water intends to fix this problem in partnership with Cork County Council by developing a sewerage scheme

The Inchigeelagh Sewerage Scheme involves the construction a new Wastewater Treatment Plant (WWTP) providing secondary treatment and a pumping station (PS). The WWTP will discharge the treated effluent to the River Lee through a new outfall pipeline. A site has been identified for the scheme for a 30-year projected capacity but the initial project objective is to provide infrastructure for the 10-year projected load.

Planning Department
 09 JUL 2020
 Cork County Council
 Cork

The proposed treatment plant will provide secondary treatment to achieve, as a minimum, an effluent quality that meets the requirements described in the Environmental Protection Agency's Wastewater Treatment Manuals:

- BOD – 25mg/l maximum
- SS – 35mg/l maximum



2 Description of the Proposed Scheme

2.1 Current Scheme

The Inchigeelagh agglomeration is divided into three sub-catchments, two of which are the subject of the current proposed development. The three catchments are described below.

2.1.1 North Catchment

This collection system is the largest of the existing networks and serves the older part of the village north of the River Lee. A pipeline starting at Marian Terrace runs westward along the R584 road before turning southward along the L3404 road. The network discharges untreated wastewater into the River Lee along the northern riverbank, to the east of Inchigeelagh Bridge. This collection system is the largest of the three existing systems.

2.1.2 North Eastern Catchment

The NE catchment collection system serves the newer Cois Na Coillte housing estate which consists of 19 detached and semi-detached houses. Cois Na Coillte has its own private WWTP which discharges to a percolation area adjacent to the River Lee.

This WWTP has not been properly maintained in recent times and as such is not providing adequate treatment. The HSE has directed Cork County Council to maintain the WWTP on health and safety grounds. The WWTP is currently de-sludged on a regular basis.

2.1.3 Southern Catchment

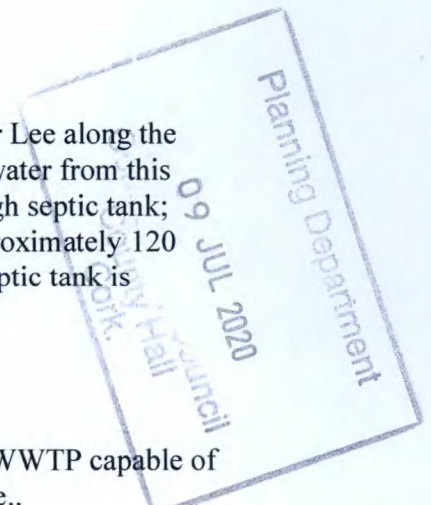
There are a small number of dwellings located south of the River Lee along the L3404. A single pipeline, located in the road, collects the wastewater from this area. The pipeline discharges the wastewater into the Inchigeelagh septic tank; located on the southern bank of the River Lee in a farmyard approximately 120 metres downstream of Inchigeelagh Bridge. Effluent from the septic tank is discharged into the River Lee.

2.2 Proposed Scheme

The objective of the Inchigeelagh UTAS project is to provide a WWTP capable of secondary treatment for the agglomeration north of the River Lee..

The proposed development comprises of the following:

1. Below ground Pumping Station (PS) with emergency storage capacity to be located on the north bank of the River Lee, just to the east of Inchigeelagh Bridge.



2. Wastewater Treatment Plant (WWTP) providing secondary treatment for a population equivalent of 292 people.
3. Outfall pipe to convey treated effluent to the River Lee.
4. Access road from the R584 road to the WWTP site.
5. Access road from the WWTP site to the PS site.
6. All associated ancillary site development works above and below ground.

The scheme will also include the following infrastructure which is considered to be exempt from requiring planning permission in accordance with S.I. No. 29/2018 (subclause 4(b)(i)) of the Planning and Development (Amendment) Regulations 2018.

1. Gravity sewer to reroute the existing combined sewer to the proposed Pumping Station.
2. Rising main to convey flows from the pumping station to the Wastewater Treatment Plant.
3. Gravity sewer to convey flows from Cois Na Coillte to the Wastewater Treatment Plant.

Wastewater (combined foul and stormwater) flows will be diverted from the existing outfall, just east of Inchigeelagh bridge (Northern sub-catchment) to the proposed pumping station.

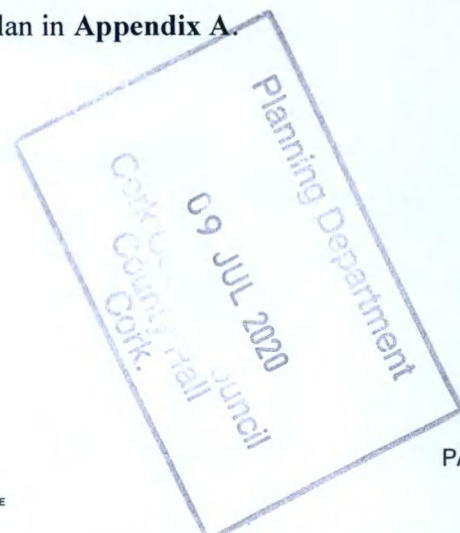
This pumping station will be located on the northern bank of the River Lee, just east of the bridge. From this pumping station the wastewater will be pumped eastward along the river bank to the WWTP which is to be located on a greenfield site just south of the Cois Na Coillte housing estate.

The pumping station has been designed in accordance with Irish Water Technical Standard IW-TEC-800-02 (Wastewater Pumping Stations and Rising Mains).

Foul flows from the Cois Na Coillte housing estate (North-east sub-catchment) will be diverted prior to entering the existing private WWTP and delivered by gravity sewer to the proposed WWTP.

The proposed WWTP will provide secondary treatment. The treated effluent will then be discharged to the River Lee via a new outfall pipe.

The proposed development is shown in the layout plan in **Appendix A**.



3 Requirements for EIA

3.1 EIA Legislation

The Environmental Impact Assessment Directive is based on the precautionary principle and on the principles that preventive action should be taken, that environmental damage should, as a priority, be rectified at source and that the polluter should pay. Effects on the environment should be taken into account at the earliest possible stage in all the technical planning and decision-making processes.

The original Environmental Impact Assessment (EIA) Directive 85/337/EEC has been amended three times (Directives 97/11/EC, 2003/35/EC and 2009/31/EC) and subsequently codified in an informal consolidated version by EIA Directive 2011/92/EU. The EIA Directive 2014/52/EU (the 'EIA Directive'), amending Directive 2011/92/EC on the assessment of the effects of certain public and private projects on the environment, came into force on the 15th May 2014 and Member States had three years to transpose the Directive (i.e. by 16th May 2017).

The EIA Screening has been prepared with reference to the provisions of Directive 2014/52/EU and the EIA regulations 2018.

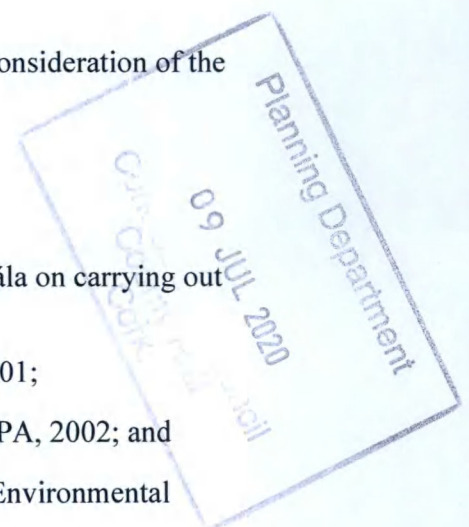
The EIA Directive is implemented in Ireland by the Planning and Development Acts 2000 to 2017, the Planning and Development Regulations 2001 to 2017 and the European Communities (Environmental Impact Assessment) Regulations 1989 to 2018.

3.2 EIA Screening Methodology

EIA Screening is the first stage of the EIA process and determines whether the environmental impact of a proposed development or project will be such that an EIA is required.

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

- Planning and Development Acts, 2000 to 2017;
- Planning and Development Regulations, 2001 to 2017;
- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment, 2018
- Guidance on EIA Screening, European Commission, 2001;
- Guidelines on the information to be contained in EIS, EPA, 2002; and
- Draft Guidelines on the information to be contained in Environmental Impact Assessment Reports, EPA, 2017.
- Guidelines for Planning authorities and An Bord Pleanála on carrying out Environmental Impact Assessment – August 2018



3.3 EIA Screening – Consideration of Requirement for Mandatory EIA

The EIA Directive specifies the classes of project for which an EIA is required and the information which must be furnished within an Environmental Impact Assessment Report (EIAR). In accordance with Article 4(1) of the EIA Directive, all projects listed in Annex I to the EIA Directive are considered as having significant effects on the environment and shall be subject to Environmental Assessment. For projects listed in Annex II to the EIA Directive, the national authorities may determine whether an EIA is needed, either on the basis of thresholds/criteria or on a case by case examination.

The obligations as set out in the 2011 EIA Directive have been implemented into Irish law by the provisions of the Planning and Development Acts 2000 to 2017, and the Planning and Development Regulations 2001 to 2017. The provisions of the 2014 EIA Directive have been incorporated into Irish legislation through the European Union (Environmental Impact Assessment 2018).

Wastewater Treatment Plants

Schedule 5, Part 1, Class 13 requires EIA for the following:

11. Wastewater treatment plants with a capacity exceeding 150,000 population equivalent as defined in Article 2, point (6), of Directive 91/271/EEC.

Schedule 5, Part 2, Class 11 requires EIA for the following:

11. Other projects

(c) Wastewater treatment plants with a capacity greater than 10,000 population equivalent as defined in Article 2, point (6), of Directive 91/271/EEC not included in Part 1 of this Schedule.

The proposed Scheme does not exceed the thresholds for mandatory EIA under these classes.

Pipelines

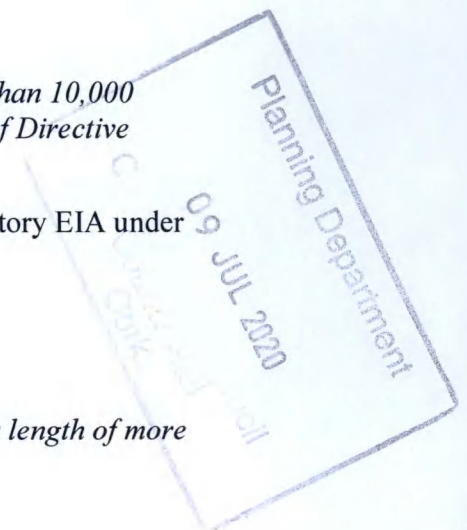
Schedule 5, Part 1, Class 16 requires EIA for the following:

16. Pipelines with a diameter of more than 800mm and a length of more than 40km:

- for the transport of gas, oil, chemicals, and,

- for the transport of carbon dioxide (CO₂) streams for the purposes of geological storage, including associated booster stations.

The pipelines within the scheme do not have a diameter of more than 800mm, the pipelines are not more than 40km long, the pipelines are not associated with the transport of the materials set out in the legislation, and therefore Class 16 does not apply.



Extensions

Schedule 5, Part 1, Class 22 requires EIA for the following:

22. Any change to or extension of projects listed in this Annex where such a change or extension in itself meets the thresholds, if any, set out in this Annex.

Schedule 5, Part 2, Class 13 requires EIA for the following:

13. Changes, extensions, development and testing.

(a) Any change or extension of development already authorised, executed or in the process of being executed (not being a change or extension referred to in Part 1) which would: -

(i) result in the development being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of this Schedule, and

(ii) result in an increase in size greater than –

- 25 per cent, or

- an amount equal to 50 per cent of the appropriate threshold, whichever is the greater.

The proposed Scheme does not comprise a change to or an extension to a project that meets the thresholds above. Therefore, these classes do not apply to the proposed Scheme.

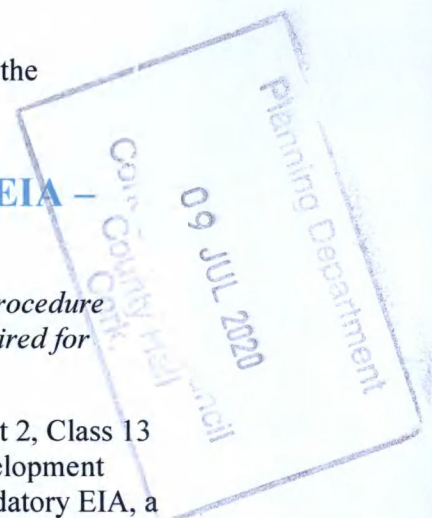
As set out above, it is submitted that the proposed Scheme does not exceed the thresholds within the classes of development listed in Schedule 5 of the Planning and Development Regulations 2001-2017, and therefore, Class 15 of Part 2 does not apply to the proposed Scheme.

On the basis of the above, the proposed Scheme does not fall within the mandatory EIA requirements.

3.4 Sub-Threshold Development requiring EIA – Criteria to Determine Significance

The EIA Directive comments at paragraph 27 that “*The Screening procedure should ensure that an environmental impact assessment is only required for projects likely to have significant effects on the environment.*”

As noted above, the proposed Scheme comes within Schedule 5, Part 2, Class 13 of the Planning and Development Regulations 2001-2017. As a development within this class, but one that does not exceed the threshold for mandatory EIA, a sub-threshold assessment of the need for EIA is required based on the approach and criteria set out in Annex IIA and III of the 2014 Directive and Schedule 7 of the Planning and Development Regulations.



3.4.1 Environmental Sensitivities within the area

This section has regard to the environmental topics as set out within the EIA Directive, as amended, as follows:

- population, materials assets and human health;
- biodiversity;
- land and soil;
- water;
- air and climate;
- landscape and cultural heritage, including architectural and archaeological aspects; and
- the interrelationship between the environmental topics.

3.4.1.1 Population, materials assets and human health

A proposal of this nature has the potential to impact positively on population, material assets and human health by way of an enhanced wastewater treatment facility.

The proposed Scheme lies within a small sparsely populated village. During construction, disturbance to local roads and paths will be managed in line with best practice measures to minimise effect upon the local population.

There will be some temporary negative effects to properties and residents in and around construction zones from increased construction traffic, dust, noise and vibration. There may be some short-term negative impacts on traffic during construction, particularly along roadways where pipe is being buried.

3.4.1.2 Biodiversity

A study has been carried out to inform the decision-making process regarding the proposed works to be undertaken. European sites were isolated for consideration in the study based on the presence of qualifying features within the proposed scheme's Zone of Influence and potential connectivity to European sites. The following European sites were considered:

- The Gearagh Special Area of Conservation (SAC 000108), located approximately 7km to the east of the proposed development and at a fluvial distance of approximately 9km.
- The Gearagh Special Protection Area (SPA 004190), located approximately 8.5km to the north-east of the proposed development and at a fluvial distance of approximately 10km.
- Bandon River Special Area of Conservation (SAC 002171), located c. 7km to the south of the proposed development.

- St. Gobnet's Wood Special Area of Conservation (SAC 000106), located over 11km to the north of the proposed development.
- Mullaghanish to Musheramore Special Protection Area (SPA 004162), located over 10km to the north.
- Also considered was the Lough Allua proposed Natural Heritage Area (pNHA 001065), at the eastern end of which the outfall location is proposed.

Given the small-scale, temporary nature of the works, and given that Irish Water proposes to provide secondary treatment for wastewater collected in the existing collection systems in Inchigeelagh, it was concluded that only minimal noise disturbance and air quality impacts would occur.

The proposed secondary wastewater treatment plant will assist in improving water quality in the River Lee.

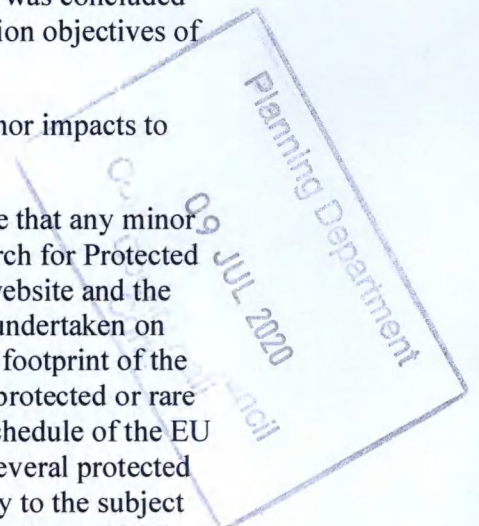
The Cork County Development Plan 2014 was considered in the assessment of in-combination effects that may arise from the project in-combination with other plans and projects.

The source-receptor pathways identified are not considered to have a likely significant effect on any designated features of the European sites, acting either alone or in-combination with other plans or projects, such that would compromise the sites' Conservation Objectives. The Appropriate Assessment process should not proceed beyond stage one (Screening), and there is no requirement for a Natura Impact Statement of the works by the Competent Authority at stage two.

Following a review of the potential for impacts to these areas, it was concluded that there is no likelihood of significant effects on the conservation objectives of any qualifying interest of any SAC or SPA.

An ecological assessment was undertaken to ensure that any minor impacts to local biodiversity are identified and mitigated.

The following ecological assessments were undertaken to ensure that any minor impacts to local biodiversity are identified and mitigated; A search for Protected Species was carried out using the National Parks and Wildlife website and the National Biodiversity Data Centre website. Field surveys were undertaken on three occasions, in which the entire terrestrial habitat within the footprint of the proposed development was walked, habitats were assessed and protected or rare species were checked for. Invasive species listed in the Third Schedule of the EU Birds and Habitats Regulations 2011 were checked for. While several protected plant and mammal species are reported as occurring in proximity to the subject site, none were found within the footprint of the proposed works. Several bird species, all of which are protected under the Wildlife Acts, were seen and/or heard. The recorded presence of the legally protected freshwater pearl mussel (*Margaritifera margaritifera*) in the river downstream of the subject site was taken into consideration. While two invasive alien plant species were recorded close to the footprint of the proposed development, they are at sufficient distance for direct contact to be avoided during construction phase.



Further details on the ecological assessments described above can be found in the Planning Assessment section of the Inchigeelagh Sewerage Scheme Planning Report.

Given the nature of the proposal (which will improve existing water quality) together with its modest scale and use of standard best practice construction methods, it is considered that the potential for any significant impact upon protected species is highly unlikely.

3.4.1.3 Land and soil

The use of natural resources such as aggregates, and energy will be required during the construction and operational stages of the proposed Scheme. While exact quantities of materials/resources are not known at this stage, it is not considered to be significant in the context of environmental effects.

Minimal impacts are anticipated to soils and geology. There will be some excavation of material needed in order to lay pipelines and construct both the WWTP and pumping station.

3.4.1.4 Water

Watercourses can be sensitive to pollution, particularly suspended solids released into the water course during the construction phase of the project. Aquatic life has the potential to be disturbed during construction, be physically obstructed from migrating through the waterbody, and be impacted by accidental pollution incidents. However, construction within watercourses is limited to the point of discharge so any potential for physical obstruction of the River Lee would be of a short-term nature. Also, construction of the outfall in the River Lee will be carried out at the appropriate time as agreed with Inland Fisheries Ireland.

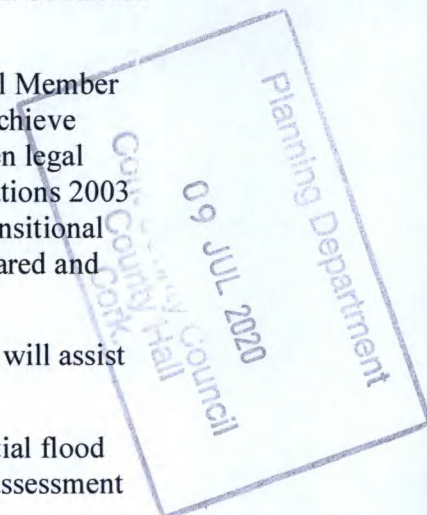
The EU Water Framework Directive (WFD) (2000/60/EC) requires all Member States to protect and improve water quality in all waters so that they achieve “good” ecological status by 2015 or, at the latest, by 2027. It was given legal effect in Ireland by the European Communities (Water Policy) Regulations 2003 (S.I. No. 722 of 2003). It applies to rivers, lakes, groundwater, and transitional coastal waters. The Directive requires that management plans be prepared and specifies a structured method for developing these plans.

The provision of a WWTP with secondary treatment for Inchigeelagh will assist in meeting the objective of the WFD.

The Stage 1 Flood Risk Assessment concluded that there was a potential flood risk to the proposed sites from the 0.1% AEP flood event. A Stage 2 assessment was therefore required.

The Stage 2 Flood Risk Assessment was undertaken which concluded that part of the WWTP site was below the 0.1% AEP flood event level.

The Stage 3 Flood Risk Assessment set out how the proposed development would be provided so that all of the crucial wastewater infrastructure within the WWTP



site is outside the 0.1% AEP flood extent. Therefore, it is determined that the flood risk is acceptable.

The PS site and the access roads are above the 0.1% AEP flood extent level.

The Stage 1, 2 and 3 Flood Risk Assessment report are included as part of the Inchigeelagh Sewerage Scheme planning application.

3.4.1.5 Air and climate

There may be short-term impacts to air quality during the construction phase of the proposed Scheme caused by increased construction traffic and excavation and stockpiling activities.

Wastewater facilities have the potential to generate odour and noise. A minimum distance of 50m will be provided between the WWTP and the nearest existing development which is the recommended separating distance given in the EPA Wastewater Treatment Manual – Treatment Systems for Small Communities, Business, Leisure Centres and Hotels for WWTPs with a capacity over 161. The sludge holding tank will be covered. Noise levels will be maintained to acceptable levels.

3.4.1.6 Landscape and Cultural Heritage, including architectural and archaeological aspects

An Archaeological desk top review and walk over survey was carried out for the proposed Scheme in April 2018. The site for the proposed Scheme is not situated within a Historic Town.

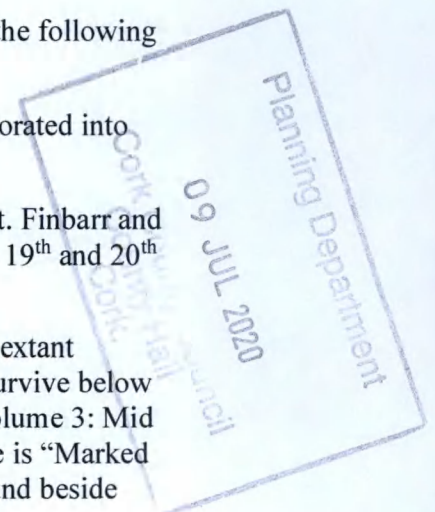
Inchigeelagh has significant archaeological features. These include the following recorded monuments:

Church (CO081-014/001): Located adjacent to and possibly incorporated into present day hall.

Church and Graveyard (CO081-014/002 and 003): The church (St. Finbarr and Holy Angels) and graveyard are still extant. The graveyard contains 19th and 20th century inscribed headstones.

Standing Stone (CO081-014/004): The standing stone is no longer extant although sub-surface remains associated with this monument may survive below present ground level. 'Archaeological Inventory of County Cork. Volume 3: Mid Cork' (Dublin: Stationery Office, 1997) notes that the standing stone is "Marked as single standing stone only on 1842 OS 6-inch map. On level ground beside driveway leading to house. Removed; no visible surface trace".

Military Barracks (CO081-014/005): Above ground, little remains of the military barracks, apart from a substantial stone wall which may mark its southern extent.



Rock Scribing (C0081-014/006): This is located on the western side of the entrance yard to St. Finbarr's Church and a smooth-faced stone with carvings, of unknown origin.

Inchigeelagh Bridge (CO081-040): Seven arch bridge across the River Lee

Church (CO081-015/002): Roughly rectangular graveyard, on R584 road just east of the village and close to the north bank of the River Lee. Contains ruins of nineteenth century C of I parish church of Inchigeelagh and site of old parish church of Inchigeelagh. Many old unmarked, rough stone grave markers.

The proposed works are located outside of the zone of archaeological notification for all of the recorded monuments in the area.

In light of the archaeological potential of the area, archaeological testing and monitoring will be carried out for the proposed scheme.

The only significant visible elements of the proposed Scheme once construction is completed will be the proposed WWTP. The pipelines will all be underground as will the pumping station except for a small control kiosk and the fencing around the pumping station compound. It is not anticipated that the proposed Scheme will result in significant effects to the surrounding landscape.

The relevant Archaeological Reports are included as part of the Inchigeelagh Sewerage Scheme planning application.

3.4.1.7 The interrelationship between the environmental topics

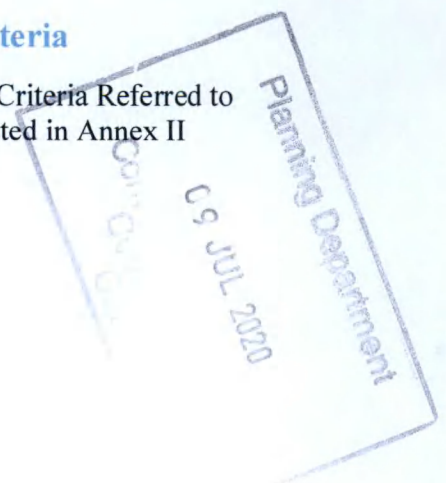
It is considered in the case of the proposed Scheme that the most important potential interaction is that between water quality and aquatic ecology. Therefore, it is important that the project includes within its design, best practice construction methodologies to ensure that the water quality of the River Lee is not unduly harmed. A treated waste discharge of the scale proposed will not have any significant negative impact on the local environment. The proposal will result in considerably less nutrient input to the River Lee than is presently the case and will therefore have a significant positive impact on the aquatic environment.

3.4.2 Consideration of the EIA Screening Criteria

The EIA Directive includes an updated Annex III 'Selection Criteria Referred to in Article 4(3)' (Criteria to determine whether the projects listed in Annex II should be subject to an Environmental Impact Assessment).

The criteria are grouped under three headings:

- characteristics of projects;
- location of projects; and
- type and characteristics of the potential impacts.



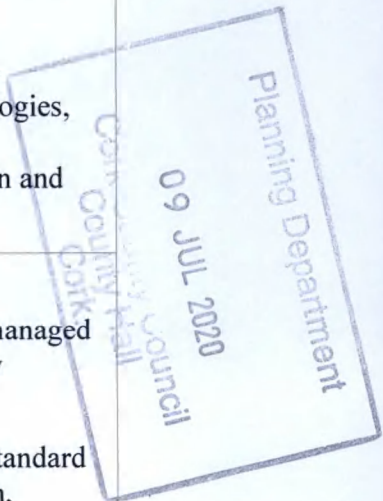
The sub criteria associated with each of the above criteria have been taken into account and are considered in the context of the proposed Scheme in the sections below.

Table 1 – Criteria for determining whether the project would or would not be likely to have a significant effect on the environment.

1. Characteristics of the project	
(a) Size and design of the whole project	<p>The proposed Scheme has the potential to provide secondary treatment for up to 292 people.</p> <p>At present, there is little treatment for the agglomeration north of the River Lee with raw effluent from the North catchment discharging directly to the River Lee. The proposed Scheme will provide secondary treatment for the North and North East catchments and create a higher standard of discharge to the River Lee.</p>
(b) Cumulation with existing and/or approved projects	<p>A search of the Cork County Council website, the County Cork Development Plan 2014, and general web searches for major infrastructure projects in Cork has been undertaken to identify other projects that may result in cumulative impacts. The majority of recent planning applications in the vicinity of the proposed Scheme appear to be small scale domestic applications.</p> <p>In the context of the above, it is considered unlikely that there will be any significant effects either during construction or operation of the proposed Scheme.</p>
(c) The use of natural resources, in particular land, soil, water and biodiversity	<p>The use of soil and rock resources associated with the development would not cause significant or adverse effects. Natural resources will be required for construction however; given the scale of the proposed Scheme this is not considered to be significant.</p>
(d) The production of waste	<p>There will be no major demolition works associated with the proposed Scheme. However, during construction, waste will be generated. During operation sludge waste will be produced and stored on site before being transported to a licensed facility for disposal.</p> <p>All waste generated in any phase of the proposed Scheme will be handled, transferred and disposed of appropriately in accordance with the waste hierarchy</p>

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	<p>and relevant waste management regulations / guidelines. It is not anticipated that the production of waste during either construction or operation is likely to result in a significant effect.</p> <p>The production of waste during both construction and operation is unlikely to cause significant effects.</p>
<p>(e) Pollution and nuisances</p>	<p>During construction and operation, in the absence of standard best practice construction methodologies, there is potential for localised pollution impacts in regard to the River Lee. In addition, there is also potential for temporary impacts, such as noise, vibration and dust to affect property owners in the vicinity of the proposed Scheme. The likelihood and severity of construction phase impacts will be minimised through adherence to standard best practice construction management and this will be demonstrated by the appointed Contractor in their project specific Construction Environmental Management Plan (CEMP).</p> <p>A CEMP accompanies the Inchigeelagh Sewerage Scheme Planning Application.</p> <p>The measures listed in the CEMP are proposed for the protection of local water quality. The AA Screening completed for the project has placed no reliance on any of these protection measures in concluding that AA can be screened out.</p> <p>Subject to the implementation of appropriate standard best practice construction methodologies, there will be no potential for significant pollution/nuisance effects during construction and operation of the proposed Scheme.</p>
<p>(f) The risk of major accidents and/or disasters which are relevant to the project concerned, including those caused by climate change, in accordance with scientific</p>	<p>The risk of any major accidents during the construction and operational stages will be managed in accordance with relevant health and safety legislation.</p> <p>All works will be in line with Irish Waters Standard Operating Procedure 'Management of Health, Safety, Quality and Environment on Capital Projects' IW-HSQE-SOP-021. This includes the requirement for the development of a Construction Safety and Health Plan.</p> <p>The potential for any accidents during construction and operation, such as spillages into the aquatic</p>



	<p>environment is eliminated by the implementation of appropriate standard best practice measures.</p>
<p>(g) The risks to human health (for example due to water contamination or air pollution).</p>	<p>Human health could be impacted during the construction phase as a result of noise, dust, odour and vibration. This impact is of a short terms nature and are not deemed to be significant.</p> <p>The effects of the proposed scheme on the surrounding environment have been considered in detail and the proposed scheme does not come within the classes of development that European and Irish legislation identify as being likely to have significant effects on the environment, as set out in Part 1 or Part 2 of Schedule 5 of the Planning and Development Regulations 2001-2017. As a result, it is considered unlikely that there will be any significant risks to human health.</p>
<p>2. Location of Project</p>	
<p>(a) The existing and approved land use</p>	<p>The proposed WWTP and pumping station are to be located on greenfield sites currently used for agricultural purposes.</p> <p>It is not considered that the location of the site, its approved or existing uses would give rise to any potential significant effects either during construction or operation.</p>
<p>(b) The relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground</p>	<p>This is a small-scale project that will require a limited amount of natural resources associated with the construction phase. Construction will include materials such as steel, concrete and pipe which will be imported.</p> <p>The Certificate of Authorisation states that <i>“The Certificate of Authorisation Holder shall maintain such available capacity within the wastewater works as is necessary to ensure that there is no environmental risk posed to the receiving water environment as a result of the discharge”</i>. The</p>

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	<p>proposed Scheme has been designed to ensure compliance with this requirement.</p> <p>Subject to appropriate standard best practice construction methodologies, it is considered unlikely that there will be any significant effects on natural resources within the area.</p>
<p>(c) The absorption capacity of the natural environment, paying particular attention to the following areas:</p> <ul style="list-style-type: none"> (i) Wetlands, riparian areas and the aquatic environment; (ii) Mountain and forest areas; (iii) Nature reserves and parks; (iv) Areas classified or protected under legislation, Natura 2000 areas designated by Member States pursuant to Directive 92/43/EEC and Directive 2009/147/EC; (v) Areas in which there has already been a failure to meet the environmental quality standards, laid down in Union legislation and relevant to the project, or in which it is considered that there is such a failure; (vi) Densely populated areas; 	<p>Wetlands riparian areas and the aquatic environment:</p> <p>There are no wetlands in the study area and there will be no significant effects upon these areas.</p> <p>The proposal will result in considerably less nutrient input to the River Lee than is presently the case and will therefore have a significant positive impact on the biodiversity of the aquatic environment.</p> <p>Mountain and forest areas: There are no mountain ranges in the study area. The proposed Scheme is within a small coastal village and there will be no significant effects upon any mountain or forested area.</p> <p>Nature reserves and parks: There are no Nature Reserves or Parks within the vicinity of proposed Scheme and there will be no significant effects upon these areas.</p> <p>Natura 2000 Sites:</p> <p>As there is no pathway by which by which the proposed works could impact on the Bandon River SAC, St. Gobnet’s Wood SAC, or the Mullaghanish to Musheramore SPA, there will be no impact on these Natura 2000 sites.</p> <p>The subject site is located approximately 9km upstream of the Gearagh SAC and 10km upstream of the Gearagh SPA. Throughout the construction phase, in order to comply with national legislation that prohibits any. ‘polluting matter’ to enter ‘waters’, e.g. Fisheries (Consolidation) Act 1959, Environmental Protection Agency Acts 1992 and 2003, and Local Government (Water Pollution) Acts 1977 and 1990, standard operational procedures, both published and unpublished, and guidance of IFI, will be adhered to.</p>

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Landscapes of historical, cultural or archaeological significance.

The adherence to these environmental protection measures would be implemented on site to avoid impacts on species protected under the Wildlife (Amendment) Act 2000 and under the Fisheries Acts, irrespective of the presence of any European designated site downstream. Furthermore, at operational phase, the new WWTP will significantly improve the quality of the effluent, in comparison to the current situation. Thus, the proposed development will have no significant negative impact on the Conservation Objectives of these two Natura 2000 sites.

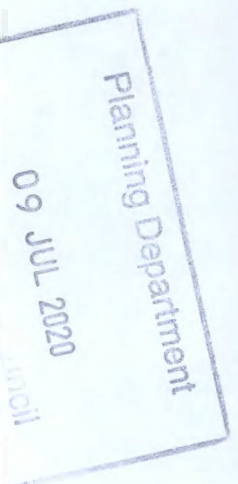
Areas in which environmental quality standards laid down by the EU have already been exceeded:

At present, the North catchment consists of a combined sewer. Sewage in this network is currently not provided with any form of treatment with raw effluent discharging directly to the River Lee. The North Eastern catchment is served by a private treatment plant which currently is providing inadequate treatment. The existing Certificate of Authorisation states that the holder shall identify appropriate improvements to the sewerage system, including the WWTP, which are necessary to ensure all discharges(s) from the agglomeration contribute towards achieving at least good status in accordance with the Surface Water Regulations 2009 and/or Groundwater Regulations 2010. The Proposed Scheme is required to comply with this requirement and will create a betterment of the existing situation.

Densely populated areas: The proposed Scheme is located within the sparsely populated village of Inchigeelagh. The lands within the immediate vicinity of the site are primarily of residential or agricultural use types.

Landscapes of historical, cultural or archaeological significance: The Proposed Scheme is not situated within a Historic Town or a Zone of Archaeological Potential.

No National Monuments or Protected Structures of National Importance are situated within the study area. There are archaeological sites within the study area, however no significant impacts have been predicted on cultural heritage assets during construction or operation of the Proposed Scheme.



3. Type and characteristics of the potential impact

The potential significant effects of the projects on the environment must be considered in relation to the criteria set out in 1 & 2 above and having regard to the factors specified in Article 3 (1) of the EIA Directive) taking into account aspects of the impact as outlined in 9a) to (h) below.

Article 3(1) Factors

- a) Population and human health;
- b) Biodiversity, with particular attention to species and habitats protected under Directive 92/43/EEC and Directive 2009/147/EC;
- c) Land, soil, water, air and climate;
- d) Materials assets, cultural heritage and the landscape;
- e) The interaction between the factors referred to in points (a) to (d).

(a) The magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected)

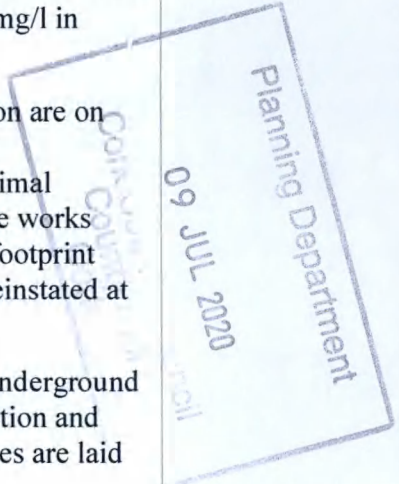
The proposed Scheme is an improvement to the existing sewage treatment in place at present which discharges untreated or inadequately treated effluent into the River Lee. It is a betterment that will provide appropriate treatment to meet the emission limit values set out in the discharge licence.

Secondary treatment will limit the level of cBOD in the treated effluent discharge to 25mg/l and the level of suspended solids will be limited to 35mg/l in accordance with EPA guidelines.

The proposed WWTP and pumping station are on greenfield sites and the pipework will be underground and therefore will have minimal construction and operational impacts. The works areas outside of the schemes immediate footprint will be temporary in nature and will be reinstated at the conclusion of the construction stage.

The rising main/ gravity sewers will be underground and therefore will have minimal construction and operational impacts. The areas where pipes are laid will be reinstated upon completion.

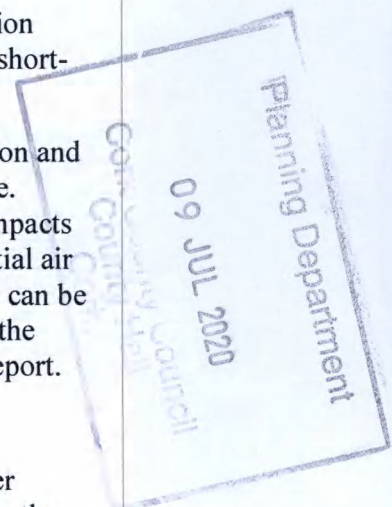
The population directly impacted by the construction of the proposed Scheme is relatively small as Inchigeelagh is a small village and therefore the spatial extent of any potential impact is likely to be limited. The magnitude of any potential impacts is not considered to be significant.



<p>(b) The nature of the impact</p>	<p>Population and human health impact:</p> <p>During the construction period road users may experience traffic delays, noise and vibration. However, these impacts are of a short-term nature and will not result in any significant effects.</p> <p>The primary source of odour is the sludge holding tank. This will be a covered tank and it will incorporate an odour scrubbing unit. The pumping station will be covered and will have a high-level ventilation stack.</p> <p>There are clear positive impacts for population and human health associated with providing secondary treatment to the wastewater of Inchigeelagh which currently discharges untreated or inadequately treated effluent into the River Lee.</p> <p>Biodiversity:</p> <p>During construction, there is potential for small scale water quality impacts on the river from sediment during construction of the proposed outfall. However, these impacts would be of a short-term nature and are not considered to be significant. During operation, the treated effluent from the proposed Scheme could impact upon aquatic ecology in the immediate vicinity of the outfall. However, as the scheme will result in improved water quality in the WWTP, there will be an overall improvement in biodiversity of aquatic species.</p> <p>Other/interacting impact:</p> <p>Other impacts are considered to be minor in nature and do not have potential to significantly impact on the environment, either by themselves or in combination with other impacts.</p>
<p>(c) The transboundary nature of the impact</p>	<p>There are no transboundary impacts associated with the proposed Scheme.</p>
<p>(d) The intensity and complexity of the impact</p>	<p>The main potential impacts during construction relate to traffic, noise and vibration during construction. During operation potential impacts</p>

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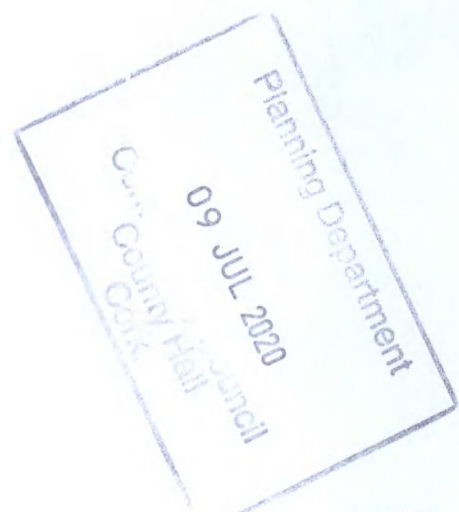
	<p>upon aquatic ecology are not considered to be significant or complex.</p> <p>The key positive impact as a result of the proposed Scheme is the improvement to the existing water quality of the River Lee and ultimately the existing discharge into the sea.</p>
<p>(e) The probability of the impact</p>	<p>The probability of a significant impact as a result of the proposed Scheme given its scale and nature is considered to be unlikely.</p> <p>The probability of any significant impacts upon aquatic ecology during operation has been reduced through design and appropriate standard operational best practices. After secondary treatment, the effluent will comply with the standards set out in the Urban Wastewater Treatment Regulations 2001 (S.I. No. 254/2001) for biochemical oxygen demand and total suspended solids.</p>
<p>(f) The expected onset, duration, frequency and reversibility of the impact</p>	<p>Population and human health</p> <p>Construction stage traffic will be temporary in nature. Operation stage traffic will be long term but limited to occasional maintenance.</p> <p>Noise and vibration will occur during the construction phase but not during the operation phase. Therefore, these impacts will be of a short-term nature.</p> <p>Air quality impacts may arise during operation and have the potential to be of a long-term nature. However, with standard procedures, these impacts are reversible. Further information on potential air quality impacts and best practice procedures can be found in the planning assessment section of the Inchigeelagh Sewerage Scheme Planning Report.</p> <p>Biodiversity</p> <p>The proposed Scheme will introduce a higher standard of effluent treatment than that currently being discharged into the aquatic environment. The projected quality of the discharge that will meet standards for secondary treatment should improve the quality of receiving waters in the River Lee. Damage from eutrophication is often reversible and it might be expected that the water quality and / or</p>



	the fish habitat capability of river would consequently improve.
(g) The cumulation of the impact with the impact of other existing and/or approved projects	There are no significant impacts considered likely as a result of the proposed Scheme in cumulation with other existing and/or approved projects.
(h) The possibility of effectively reducing the impact	<p>Population and human health</p> <p>Standard traffic and construction management best practice measures will be implemented. In addition, odour abatement measures will be put in place to reduce any potential impacts during the operation phase.</p> <p>Biodiversity</p> <p>With the application of good practice construction methods and secondary treatment to the discharge effluent, no likely significant negative effects are anticipated from potential water quality changes.</p> <p>The terrestrial habitats within the subject site are of low value, in accordance with the NRA site evaluation scheme (NRA, 2009). Negative impacts on terrestrial habitats will therefore be minor.</p>

4. Screening Decision

Having regard to the above, and in particular the nature, scale and location of the proposed Scheme, by itself and in combination with other plans and projects, it is considered that an EIA is not required in this instance.



4 Conclusion

It is submitted that the proposed Scheme does not come within the classes of development that European and Irish legislation identify as being likely to have significant effects on the environment, as set out in Part 1 or Part 2 of Schedule 5 of the Planning and Development Regulations 2001-2017. As the proposed Scheme does not come within the specified classes, an EIA is not required for the proposed Scheme.

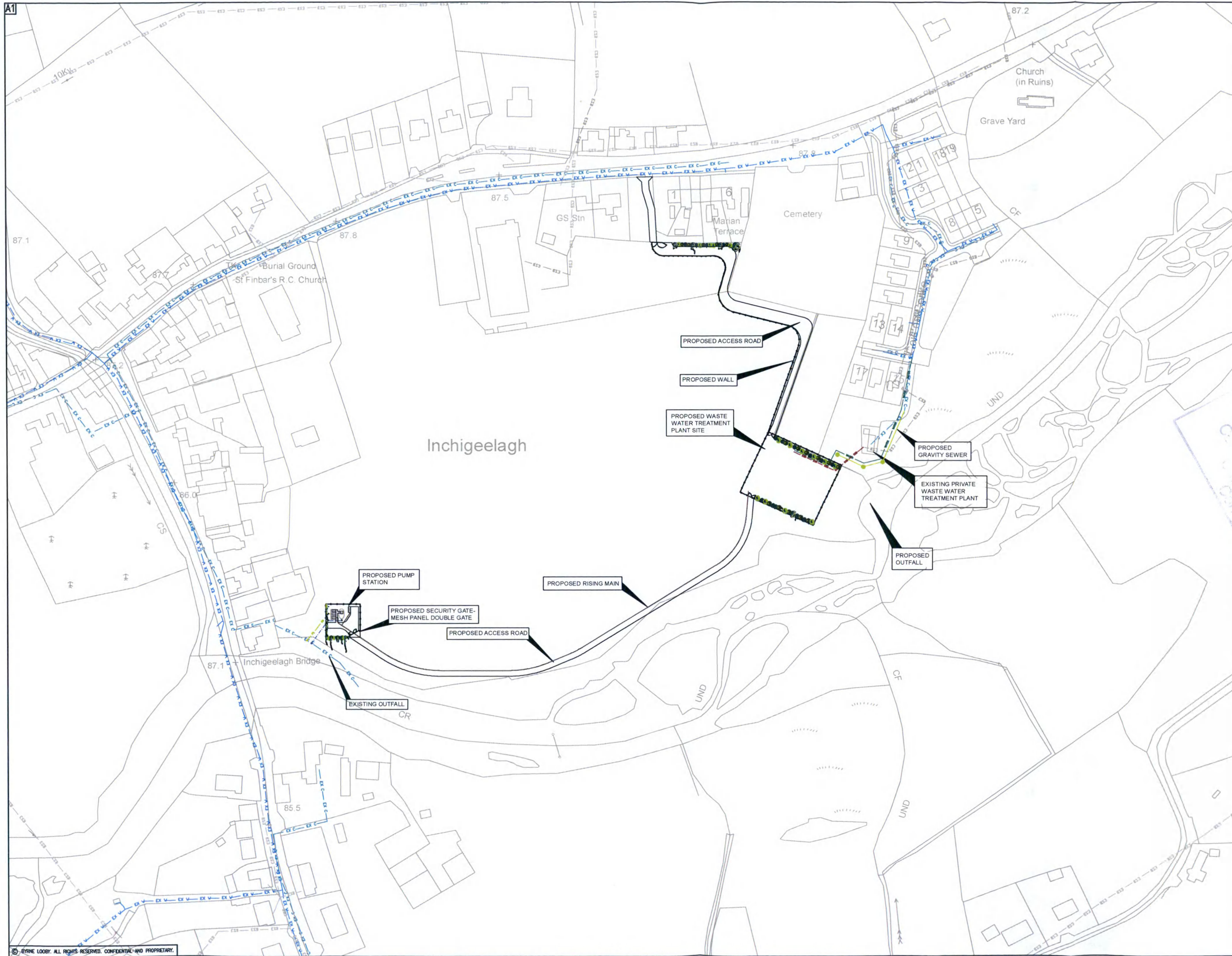
In addition to the above, a sub threshold assessment has been undertaken. The potential for impacts has been identified, both positive and negative but none that would be likely to have significant effects on the environment.



Appendix A

Layout of Proposed Development

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GENERAL NOTES

NOTES:

1. ORDNANCE SURVEY IRELAND LICENCE NUMBER EN 3-3-34.
2. FIGURED DIMENSIONS ONLY TO BE TAKEN FROM THIS DRAWING.
3. ALL DIMENSIONS TO BE CHECKED ON SITE.
4. ANY QUERIES OR DISCREPANCIES SHOULD BE REFERRED TO THE EMPLOYERS REPRESENTATIVE IMMEDIATELY.
5. EXISTING PIPE LOCATIONS ARE INDICATIVE ONLY.

LEGEND:

- EXISTING SEWER: — EX C — EX C —
- EXISTING WATERMAIN: — EX W — EX W —
- EXISTING ESB: — EX E — EX E —
- PROPOSED SEWER: — PR C — PR C —
- PROPOSED WATER: — PR W — PR W —
- PROPOSED ESB: — PR E — PR E —
- PROPOSED RISING MAIN: — PR R — PR R —
- PROPOSED OUTFALL: — PR O — PR O —

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Cork City Council

Rev	Date	Description	By	Chk	App
F3	29.05.20	REVISED WH/TP & PS LAYOUTS	LT	OL	KT
A2	19.07.19	REVISED WH/TP SITE	LT	OL	KT
A1	12.07.19	LAYOUT UPDATED	LT	OL	KT

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Working in Partnership

PROJECT
**UTAS - CORK BUNDLE
INCHIGEELAGH**

DRAWING TITLE
PROPOSED SCHEME LAYOUT

STATUS
FOR INFORMATION

Date: 10.05.19	Scale: 1/1000	Drawn: LBR	Chk: OL	App: KT
Project No: 257589_00	Dwg. No: IW-10015227-04-01-002	Rev: F3		

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APPENDIX B

PLANNER'S REPORT
PRIMARY

APPLICATION NO.	20/05438
APPLICANT	Irish Water
DESCRIPTION	The development will consist of the construction of a wastewater treatment scheme for the village of Inchigeelagh. Permission is sought for the following components of the scheme; 1. Below ground pumping station (PS) with emergency storage capacity, control kiosk and boundary treatment, to be located on the north bank of the River Lee, just to the east of Inchigeelagh Bridge. 2. Wastewater treatment plant (WWTP) for a population equivalent of 292 people with associated and ancillary development works including tanks, kiosks, inlet works, hardstanding and boundary fencing. 3. Outfall pipe to convey treated effluent from the WWTP to the River Lee. 4. Access road from the R584 road to the WWTP site with boundary treatment. 5. Access road from the WWTP site to the PS site. 6. All associated ancillary site development works above and below ground.
LOCATION	Townland of Carrigeigh Inchigeelagh Co. Cork
DECISION DUE DATE	02/09/2020

1. Site notice and date of inspection

Site was inspected on 16/7/2020 and site notices were correctly displayed.





2. Site Description

The subject site is located in Townland of Carrigleagh, Inchigeelagh, Co. Cork. The site is made up of two main areas of land, one located to the south of Cois na Coillte housing estate, where the proposed waste water treatment site will be positioned (south of an existing private treatment plant) and an area east of Inchigeelagh Bridge where the pump station will be located. There will be an access road connecting the pump station site and the WWTP site and an access road from the WWTP site northwards onto the public road via a private access at the rear of Marian Terrace. The overall site is part of an existing agricultural field located to the south and east of Inchigeelagh Village. The western end of the site, where the pump station will be positioned is clearly visible from Inchigeelagh Bridge while the eastern end of the site is well screened by existing trees along the River bank and is not clearly visible from public roads.



Approx. location of WWTP in red and Pumping Station in yellow

3. History

On subject site

No relevant applications on subject site.

Other relevant applications

11/629

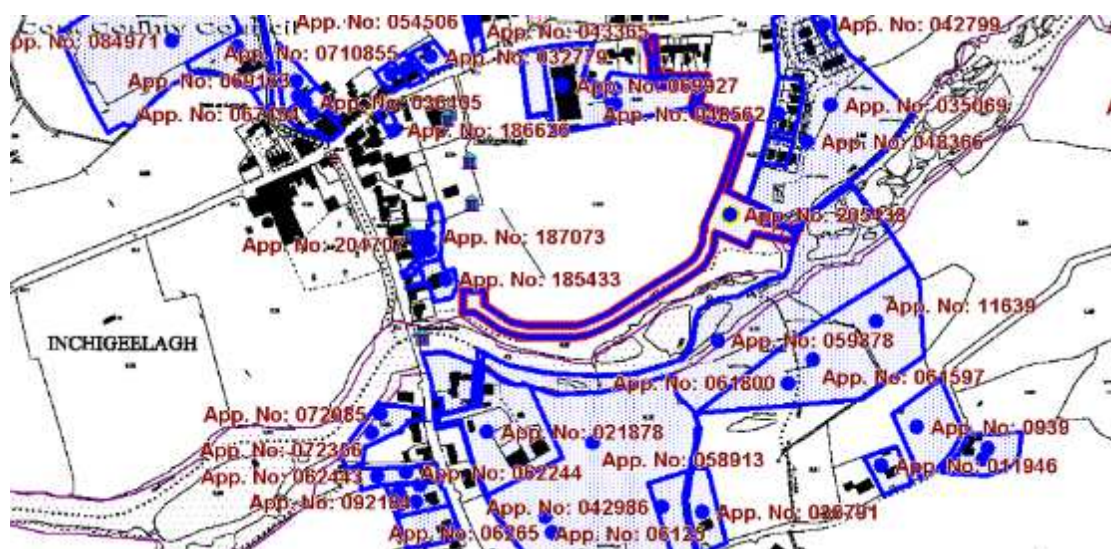
Planning permission was **refused** for an extension of duration of 06/1800 for the construction of 29 no. dwelling houses, 23 no. serviced sites, sewage treatment plant with outfall to river and associated site works for Batty Hayes on the ands to the immediate south of the River Lee. (It was notes that the site was no longer zoned and is in a flood zone etc.)

07/11387

Planning permission was granted on lands to the north for the construction of a Garden and Home Centre to include two storey main building and partially roofed outdoor display/sales area for plants and landscaping for Denis Hurley.

04/8562

Planning permission was granted for modifications to 9 no. dwellinghouses permitted under Reg. No. 03/5069 to include relocation of chimney and single storey extension to kitchen at rear at the Cois na Coillte site to the north for JMT & Associates.



4. Proposed Development

This application seeks planning permission for a new development which will consist of the construction of a wastewater treatment scheme for the village of Inchigeelagh. Permission is sought for the following components of the scheme;

1. Below ground pumping station (PS) with emergency storage capacity, control kiosk and boundary treatment, to be located on the north bank of the River Lee, just to the east of Inchigeelagh Bridge.
2. Wastewater treatment plant (WWTP) for a population equivalent of 292 people with associated and ancillary development works including tanks, kiosks, inlet works, hardstanding and boundary fencing.

3. Outfall pipe to convey treated effluent from the WWTP to the River Lee.
4. Access road from the R584 road to the WWTP site with boundary treatment.
5. Access road from the WWTP site to the PS site.
6. All associated ancillary site development works above and below ground at Inchigeelagh Village.

5. Policy Context

The site is located within the 'Settlement Boundary for Inchigeelagh Village' as outlined in the Cork County Development Plan 2014 and Blarney/Macroom Municipal District Local Area Plan, 2017.

The Cork County Development Plan, 2014

Objective WS 2-1 of the CDP states;

- a) *Prioritise the provision of water services infrastructure in: the Gateway, Hub and Main Towns to complement the overall strategy for economic and population growth while ensuring appropriate protection of the environment. all settlements where services are not meeting current needs, are failing to meet existing license conditions, and where these deficiencies are*
 - *interfering with Councils ability to meet the requirements of the Water Framework Directive; or*
 - *having negative impacts on Natura 2000 sites; and*
- b) *Development may only proceed where appropriate wastewater treatment is available which meets the requirements of environmental legislation, the Water Framework Directive and the requirements of the Habitats Directive.*

Objective WS 3-1 states;

- a) *Ensure implementation of the South Western River Basin Management Plans and their associated programmes of measures.*
- b) *Require that development in all main settlements connect to public waste water treatment facilities subject to sufficient capacity being available which does not interfere with Council's ability to meet the requirements of the Water Framework Directive and the Habitats Directive. In settlements where no public waste water system is either available or proposed, or where design, capacity or licensing issues have been identified in existing plants, new developments will be unable to proceed until adequate waste water infrastructure is provided.*
- c) *Ensure that proposals for development incorporating smaller treatment systems align with the Guidance manual on treatment Systems for Small Communities, Business, Leisure Centres and Hotels published by the EPA or other appropriate guidance.*
- d) *Any new developments in the County disposing of effluent to ground will be required to comply with the groundwater protection plan and the Waste Water Discharge Regulations.*

Blarney/Macroom MD LAP 2017

"The vision for Inchigeelagh is to protect the viability of existing services by promoting small scale development in tandem with the provision of infrastructural services, to encourage high quality amenities and facilities and the development of the tourism and leisure economy".

Objective DB-01 of the LAP states;

Within the development boundary encourage the development of up to 60 additional dwelling units during the plan period. In order to secure sustainable population growth proposed appropriate and sustainable water and waste water infrastructure that will help secure the objectives of the Water Framework Directive and protect the Gearagh SAC and SPA, need to be provided where not already available, in advance of the commencement of discharges from new development permitted in this settlement.

The proposed pumping station will be located within a parcel of land zoned O-02 in the LAP, **Objective O-02 states;**

This area is comprised mainly of the floodplain of the River Lee and should generally be retained free from development. Some opportunities may exist for recreational or amenity purposes on part of the site.

There is also an objective in the plan to provide a walkway through the land zoned O-02,

Objective U-01 states;

Provide amenity walk along the bank of the River Lee.

The access road to the proposed WWTP is partly located on lands zoned C-01.

Objective C-01 states;

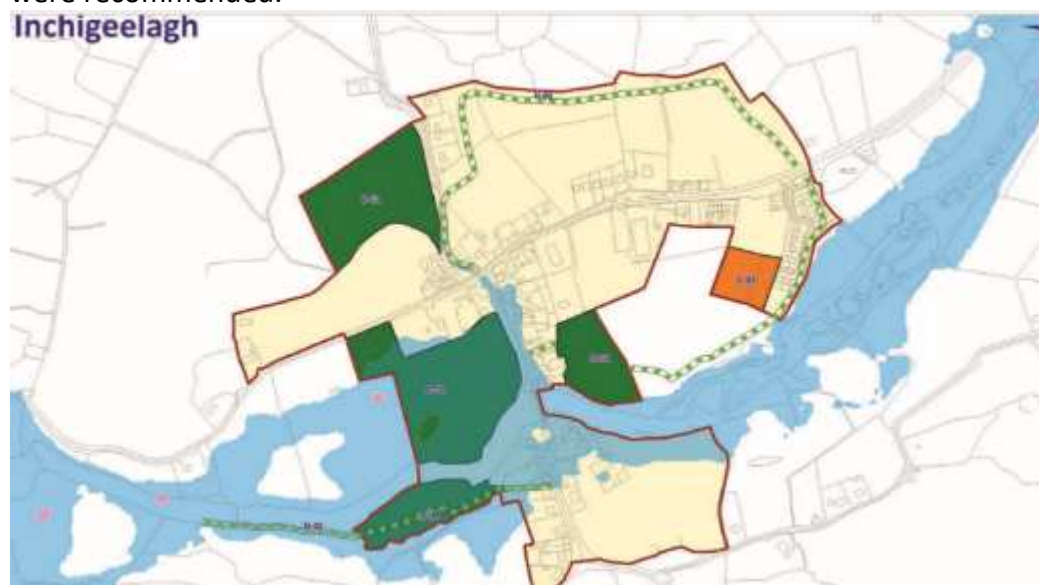
Allow for expansion of graveyard.

There are a number of recorded monuments in the vicinity of the proposed development.

The site is within a Natura 2000 Screening zone for The Gearagh SAC.

The site is also adjacent to a Proposed Natural Heritage Areas (NHA) Lough Allua.

The site is not within a flood zone as per LAP maps but has been identified as having a potential flood risk. Stage 1, 2 and 3 flood risk assessments were carried out, focussing on the WWTP site and it was concluded that the flood risk is acceptable. Mitigation measures were recommended.



6. Pre-planning

It is stated that pre-planning discussions were held with former SEP.

7. AA Checklist Option

Requirement for Appropriate Assessment has been screened out for this proposed development having regard to the lack of ecological or hydrological connection between the development site and any European site.

8. Internal Consultants

The Area Engineer recommends deferring a decision for further information.

The Heritage Officer recommends deferring a decision for further information.

The County Archaeologist recommends deferring a decision for further information.

The Environment Office recommends granting permission subject to conditions.

9. External Consultants

Submission from Inland Fisheries Ireland – works are welcomed in general however in the event of a grant of permission IFI request that conditions be attached to ensure the proposed sewage pumping station is designed in a manner so that there can be no overflow discharge to waters and that there is no interference with bridging, draining or culverting of the adjacent river or of any watercourse, its banks or bankside vegetation to facilitate the development without the prior approval of IFI.

10. Public Submissions

1 no. submission received from T.P.Coughlan on behalf of Donal & Geraldine, who reside close to the site of the proposed pumping station. The submission raises a number of issues including noise, ventilation, concerns over boundary treatment of pumping station. They support the proposal in general but wish to have their concerns considered.

11. Public Representative Submissions

None received.

12. Assessment

Public submission has been considered. The planning report prepared by ARUP and Byrne Looby addresses the issues of noise and vibration and air quality as well as the general layout and siting of the proposed development.

Proposed development

This application proposes the construction of a new waste water treatment plant with capacity to treat a population equivalent (PE) of 292, outfall and associated infrastructure in Inchigeelagh village. Inchigeelagh has been identified as requiring wastewater treatment. Currently wastewater is collected in Inchigeelagh's public sewer network and discharged into the River Lee with little treatment. The Inchigeelagh agglomeration is currently divided into three sub-catchments, two of which are located north of the River Lee and one which is south of the River Lee. This application proposes a new wastewater scheme to serve the two northern sub-catchments. The WWTP will be used to treat the wastewater before

discharging it to the River Lee through a new outfall pipeline. The plant has been designed to cater for a 10-year design horizon.

The application includes a Planning report, a screening report for AA, screening report for EIA, Invasive alien plant species report, Archaeological impact assessment report, flood risk assessment report and preliminary construction and environmental management plan.

With regard to consent, a CPO for wayleave, right of way and land acquisition was approved by ABP in 2019 (ABP-304080-19).

Planning policy/principle of development

National, Regional and local policy support the provision of high quality infrastructure to improve and protect the environment and to encourage and support economic development.

Based on the 2016 census Inchigeelagh has a population of 153 people.

The proposed development seeks to construct a new waste water treatment plant with capacity to treat a population equivalent (PE) Of 292, outfall and associated infrastructure in Inchigeelagh village which is obviously a very positive development in environmental and economic terms. The planning authority welcomes the proposal overall, subject to normal proper planning and sustainable development considerations.

Visual impact/Residential amenity

Most of the development is located so that it is not readily visible from the main roads through the village of Inchigeelagh except for the proposed pumping station which is located east of Inchigeelagh Bridge and will be visible from the Bridge and on approach to the Bridge from the south. The pumping station is mainly underground but a control kiosk of c.2.7m in height and 3.4m in width will stand overground and a vent stack will be located at the northwestern end of the site which will reach a height of c.6m. A paladin type fencing is proposed around the perimeter of the site with creeper planting on the fencing and additional landscaping/planting along the southern and western boundaries to help lessen the visual impact of the development. Provided the landscaping is put in place there is little more that can be done to soften the development.

With regard to impacts on residential amenity it is noted that at pre-planning stage other options were looked at and ruled out in terms of site location and impacts on neighbouring residential developments etc. The selected site is removed from dwellinghouses by c. 40metres from both the pumping station and the treatment plant. There will be some traffic and transport impacts particularly on the Residents of Marian Terrace and the Area Engineer has recommended that further information ne sought in this regard. In terms of air quality it is noted that there will be some impacts during construction in terms of dust but no odours are anticipated from the construction work. During the operational phase there is potential for odour generation at the pumping station and WWTP. Odour control units (vent stacks) will be installed at the pumping station to ensure that no odour issues arise. Sludge holding tanks at the WWTP will be covered. Odour control equipment will be installed to

treat air coming from the sludge holding tank and associated chambers. With regard to noise there are mitigation measures proposed using best practise and it is considered that there will be no significant residual noise impacts as a result of the proposed development.

Archaeological Impact

The County Archaeologist has considered the submissions and notes that the proposed development is large in scale and close to Recorded Archaeological Monuments CO081-040-Inchigeelagh bridge and CO081-014 005 Barracks and within 200m of 5 other Recorded Monuments (see www.archaeology.ie for details). Recorded Monuments are subject to statutory protection in the Record of Monuments and Places, established under section 12 of the National Monuments (Amendment) Act 1994.

CORK County Development Plan 2014

Objective HE 3-1: Protection of Archaeological Sites

a) Safeguard sites and settings, features and objects of archaeological interest generally. b) Secure the preservation (i.e. preservation in situ or in exceptional cases preservation by record) of all archaeological monuments including the Sites and Monuments Record (SMR) (see www.archaeology.ie) and the Record of Monuments and Places as established under Section 12 of the National Monuments (Amendment) Act, 1994, as amended and of sites, features and objects of archaeological and historical interest generally. In securing such preservation, the planning authority will have regard to the advice and recommendations of the Department of Arts, Heritage and Gaeltacht as outlined in the Frameworks and Principles for the Protection of the Archaeological Heritage.

County Development Plan 2014

Objective HE 3-2: Underwater Archaeology

Protect and preserve the archaeological value of underwater archaeological sites and associated features. In assessing proposals for development, the Council will take account of the potential underwater archaeology of rivers, lakes, intertidal and subtidal environments.

County Development Plan 2014 Objective

HE 3-3: Zones of Archaeological Potential

Protect the Zones of Archaeological Potential (ZAPs) located within historic towns and other urban areas and around archaeological monuments generally. Any development within the ZAPs will need to take cognisance of the potential for subsurface archaeology and if archaeology is demonstrated to be present appropriate mitigation (such as preservation in situ/buffer zones) will be required.

County Development Plan

Objective 2014 HE 3-4 Industrial and Post Medieval Archaeology

Protect and preserve the archaeological value of industrial and post medieval archaeology such as mills, limekilns, bridges, piers, harbours, penal chapels and dwellings. Proposals for refurbishment, works to or redevelopment/conversion of these sites should be subject to careful assessment.

County Development Plan

Objective 2014 HE 3-5 Burial Grounds

Protect all historical burial grounds in County Cork and encourage their maintenance and care in accordance with appropriate conservation principles.

The County Archaeologist has read and assessed the Archaeological Assessments and the final Archaeological Assessment by Tobar Archaeology dated 22nd of February 2019 for the proposed development. She is satisfied with the report and concurs with the recommendations for pre development testing and archaeological monitoring. It is recommended the testing is carried out in advance as further information to inform the planning decision and the monitoring can be dealt with by condition

Engineering issues

Entrance/access

The Area Engineer notes that the proposed main entrance to the WWTP and pumping station is off the R-584 immediately west of Marian Terrace. There is an existing entrance at this location which serves the rear access lane behind the terrace. This will become a shared space as residents will still need access during the construction phase. This entrance would have to be upgraded and widened to facilitate construction traffic initially and service traffic thereafter. The applicant should submit proposals for the enlarged entrance.

The applicant should also upgrade the initial existing section of the access to make it suitable for intensified use during the construction stage.

The applicant should submit proposals in this regard however it will be necessary to provide an SMA finish on the initial section of access track in order to ensure that this road remains in good condition throughout the construction phase.

Surface water

The applicant should satisfy themselves that sufficient surface water drainage is in place for the proposed access routes.

Water supply

There is an existing public supply in the area and it will be possible to connect to this.

The applicant should detail the route of any water connection to the site or any other underground services required for the WWTP or Pumping Station.

Flooding

The applicant has submitted a Flood Risk Assessment for the proposal. Both the Pumping Station and WWTP are located in areas at risk of flooding. A Stage 3 assessment has been carried out and the levels of the building adjusted so that critical elements are above the predicted flooding level. Other parts of the building have been lowered to offer compensatory flooding volume in return.

The Area Engineer is generally satisfied with the proposals.

Overall assessment & conclusion

AE has no objection to the proposal in principle however there are concerns about the effect of the intensified traffic volumes on the existing terraced road west of Marian Terrace. The applicant should quantify the volume of construction traffic that will be using this entrance and clarify how the residents right of access will be maintained. They also need to confirm how the safety of residents using this access will be guaranteed during the construction phase.

They should submit proposals for widening the existing entrance in order to accommodate the expected construction traffic.

They should also submit proposals for widening the existing section of road and upgrading the surface to a stone mastic asphalt before construction commences.

Further information is therefore required before a final recommendation can be made.

Environmental Issues

The Environmental Officer of Cork County Council has considered the proposal and notes the following;

A 292 PE wastewater treatment plant and outfall is proposed to upgrade the existing wastewater infrastructure of the Northern catchment of Inchigeelagh agglomeration. To remove an untreated discharge, and replace an existing dysfunctional wastewater treatment plant. A pumping station, rising main and sewer replacement forms part of this scheme upgrade works.

The Southern catchment will continue to discharge to a septic tank, although provision has been made to connect this part of the catchment to the Inchigeelagh Bridge pumping station at a future date. Other than complying with IW design manual IW_TEC_800-02, no details of the pumping station emergency capacity or controls have been provided. A DBO model of delivery is proposed, with indicative details of the works provided.

Final discharge is to the River Lee (WFD Code: LEE (CORK) 030). Current status is "Good" for the periods 2007-2018, and "not at risk" of failing to achieve WFD objectives. Although not a designated SAC the waters are however recognized for having pearl mussel populations, are designated salmonid waters, and form part of the Proposed Natural Heritage Area Lough Allua (code 001065). The waterbody is downstream of Lough Allua WFD "Area for Action" and upstream of high status waterbody LEE (CORK) 040. The current WFD objective is "Good". The development is sub EIA threshold, and has been supported with a NIS screening report.

As the design loading is less than 500 PE, discharge compliance must be in accordance with a Certificate of Authorization (COA) from the EPA. Emission limits for a COA secondary treatment plant are currently 25/35/125 (BOD/SS/CD). Nutrient removal is not required at this stage. Having regard to the sensitivity of the downstream waters, provision should be made for retrofitting nutrient removal plant.

Although an assimilative capacity assessment has been submitted, a mass balance has not been submitted to support the application. The Environment officer has assessed the proposals and recommends that planning permission should be granted subject to conditions.

EIAR

An EIA screening report was submitted with the application.

Schedule 5 of the Planning and Development Regulations 2001, as amended, sets out the prescribed classes of development for the purposes of EIA.

Class 13, Part 1, Schedule 5 of the Regulations refers to 'Wastewater treatment plants with a capacity exceeding 150,000 population equivalent as defined in Article 2, point (6) of Directive 91/271/EEC5. The capacity of the WWTP would not exceed this threshold.

Class 11c, Part 2, Schedule 5 of the Regulations refers to 'Wastewater treatment plants with a capacity greater than 10,000 population equivalent, as defined in Article 2, point (6), of Directive 91/271/EEC not included in Part 1 of this Schedule'.

The proposed scheme does not exceed the thresholds for mandatory EIA.

(Pipelines) Class 16, Part 1, Schedule 5 requires EIA for the following;

Pipelines with a diameter of more than 800mm and a length of more than 40km.

-for the transport of gas, oil, chemicals, and,

-for the transport of carbon dioxide (CO₂) streams for the purposes of geological storage, including associated booster stations.

The pipelines within the scheme do not have a diameter more than 800mm, the pipelines are not more than 40km long, the pipelines are not associated with the transport of the materials set out in the legislation, and therefore Class 16 does not apply.

(Extensions) Class 22, Part 1, Schedule 5 requires EIA for the following;

Any change to or extension of projects listed in this Annex where such a change or extension in itself meets the thresholds, if any, set out in this Annex.

Class 13, Part 2, Schedule 5 requires EIA for the following;

Changes, extensions, development and testing.

(a) Any change or extension of development already authorised, executed or in the process of being executed (not being a change or extension referred to in Part 1) which would:-

- (i) Result in the development being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of this schedule, and
- (ii) Result in an increase in size greater than-
 - 25 per cent, or
 - An amount equal to 50 per cent of the appropriate threshold, whichever is the greater.

The proposed scheme does not comprise a change to or an extension to a project that meets the thresholds above. Therefore these classes do not apply to the proposed scheme. The scheme does not fall within the mandatory EIA requirements.

Sub threshold Development

Sub-threshold development means development of a type set out in Schedule 5 which does not exceed a quantity, area or other limit specified in that Schedule in respect of the relevant class of development.

Schedule 7 of the Planning and Development Regulations 2001, as amended, sets out the criteria for determining whether a development would or would not be likely to have significant effects on the environment;

- Characteristics of the proposed development
- Location of the proposed development
- Characteristics of potential impacts

The nature, size and scale of the development, the sensitivity of the geographical area potentially affected and the potential degree and extent of the impact are noted.

In light of the above, it is considered that a mandatory or a sub-threshold EIAR would not be required in this case.

Appropriate Assessment

The site is within a Natura 2000 Screening zone for The Gearagh SAC. The site is also adjacent to a Proposed Natural Heritage Areas (NHA) Lough Allua.

The Heritage Officer has considered the proposal and notes the following;

There is currently limited/no treatment of wastewater discharging from this settlement to the River Lee. The proposed treatment plan will provide secondary treatment to achieve the following effluent quality:

- Biological Oxygen Demand – 25mg/l

- Suspended Solids – 35mg/l

The plant will cater for combined (foul and stormwater) flows. A septic tank will continue to be used to cater for wastewater treatment for the southern catchment of the village, although provision has been made to connect this part of the catchment to the Inchigeelagh Bridge pumping station at a future date. In overall terms, this is a positive project in that it will provide for treatment of waste water at a location where there has been no treatment to date.

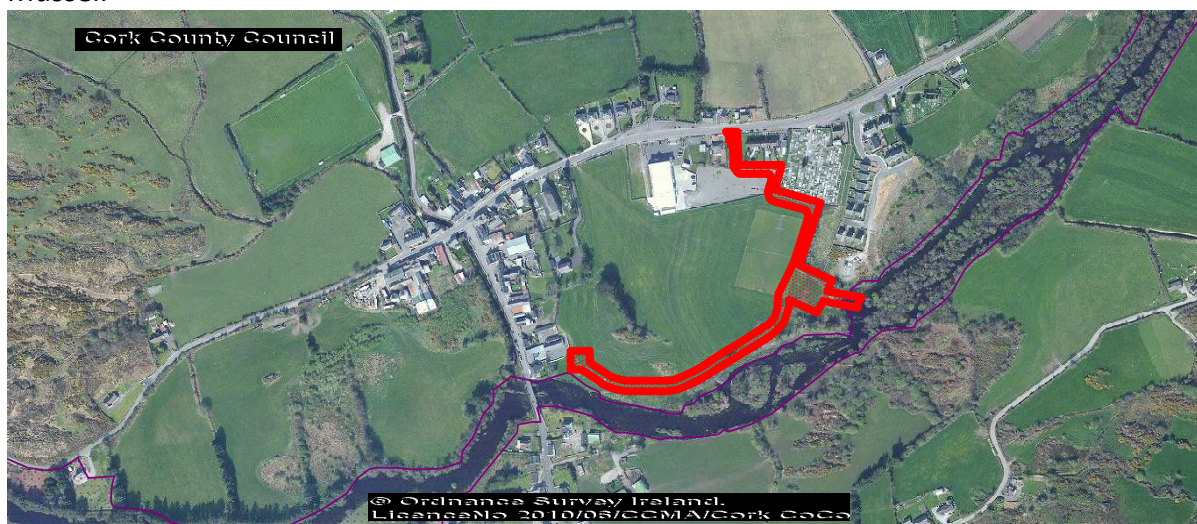
Site Details: The site which is the subject of this application is located on the north bank of the River Lee east of Lough Allua. The physical site comprises improved agricultural grassland and appears to be located outside the river flood risk zone. Information contained in the application documents indicates that there are records of two invasive alien species (Japanese Knotweed and Giant Rhubarb) at locations proximal to the works area.

Lough Allua is proposed to be designated as a Natural Heritage Area. The proposed discharge point for the treatment plant is within the boundary of the pNHA (1065). The site is stated to be of significant value because of its diversity of habitats (including aquatic habitats, acid and alluvial woodland and rocky outcrops which support rare plant species) and the presence of several unusual plants, including protected species (Pale Dog-violet). It also supports a diverse population of winter waterfowl;

The River Lee is a salmonid river (Salmonid River Regs (SI 293) apply).

There are two European sites located on the river approximately 9km downstream of the site – the Gearagh Special Area of Conservation (0108) and the Gearagh Special Protection Area (4109).

Though not designated for same, the river hosts an extant population of Freshwater Pearl Mussel.



Assessment: The applicants have submitted a Habitats Directive Screening Assessment Report and an Environmental Impact Assessment Screening Report. They have also included an Ecological Impact Assessment within the Planning Report and an Invasive Alien Species Survey Report and Management Plan.

The focus of the Habitats Directive Screening Assessment Report is on potential for the project to give rise to negative effects on the Gearagh SAC and on the Gearagh SPA. The conclusions of the assessment are that the project does not pose a risk of impact to these sites taking account of the following:

- the distance between the project site and the SAC and the SPA (9km) – therefore no risk of disturbance or pollution related impacts during the construction phase;
- evidence indicates that the current untreated discharges from this agglomeration are not impacting negatively on water quality at the Gearagh, the upgrades to the system will improved water quality; and
- the proposed project will not interfere with hydrological conditions in the river.

The Planning Report includes details relating to terrestrial and freshwater habitats and species. The proposed footprint of the plant is located on improved agricultural grassland. Evidence of Otter was recorded adjacent to the proposed route for the rising main. Aquatic habitats at the location of the proposed outfall are stated to be suitable for adult salmon and trout, but is not suitable as spawning or nursery habitat for salmon, trout or lamprey spp. An impact assessment predicts potential for temporary disturbance of Otter and no significant effects on water quality which would result in negative impacts on aquatic species. Mitigation measures are proposed as follows:

- scrub clearance to allow for the construction of the outfall to take place outside the bird breeding season;
- eradication of invasive alien species in accordance with a management plan;
- standard measures to be implemented during the construction phase to prevent a water pollution event;

The conclusions of the EIAR screening assessment report are that a sub-threshold EIA is not required primarily because its construction will improve water quality and thereby improve the environment for people and for biodiversity, in particular aquatic habitat and fish species. In terms of biodiversity, it is stated that no protected plant or animal species were recorded within the footprint of the proposed development of the proposed works. It is also stated that the presence of Freshwater Pearl Mussel in the river downstream of the subject site was taken into consideration.

The Heritage Officer notes and accepts the conclusions of the Habitats Directive Screening Report. She also notes that the scheme will provide for an improvement on the current situation where there is little or no treatment for waste water generated in Inchigeelagh. She is also satisfied that the proposed development does not pose a risk of impact to terrestrial habitats for which the Lough Allua pNHA is proposed to be designated.

There are concerns however, that no provision is made in the scheme for nutrient removal and she is concerned as to whether the standard of treatment proposed is sufficient to provide for the protection of the Freshwater Pearl Mussel population, to be compatible with the requirements of the Salmonid Regulations and to meet the High Water Quality status objective which has been set for the Lee River in the area which has been recorded in the river downstream of Inchigeelagh.

It is also noted that evidence of Otter activity was noted in the vicinity of the works area, however, no mitigation has been proposed to ensure the avoidance of disturbance of this species during the works phase.

Further information is therefore required to further assess the proposal.

13. Conclusion

Having regard to the nature of the proposal the planning authority welcomes the development overall however further information is required before a final recommendation can be made.

14. Recommendation

It is recommended that a decision be DEFERRED for the following further information.

1. While the proposed treatment plant is to be welcomed, and will bring about improved water quality standards, it is noted that the proposed WWTP does not provide for nutrient removal. Applicants are requested to clarify whether the proposed treatment standard is compatible with meeting the requirements to
 - maintain/restore High water quality standard in the River Lee downstream of this proposal in accordance with the requirements of the Water Framework Directive;
 - protect the extant population of Freshwater Pearl Mussel; and to
 - ensure compatibility with the requirements of the Salmonid Regulations.Applicants are requested to clarify the locations, status and extent of the recorded Freshwater Pearl Mussel populations downstream of the proposed development as part of their response. This may be submitted as a confidential report if there are relevant issues of concern relating to the locations arising.
2. It is noted that evidence of Otter activity was recorded on the river bank during survey work. Applicants are requested to propose appropriate mitigation to ensure that disturbance related impacts to individuals of this species are avoided at both construction and post construction stages.
3. There are some concerns relating to the effect of the intensified traffic volumes on the existing terraced road west of Marian Terrace. The applicant should quantify the volume of construction traffic that will be using this entrance (at construction and at operational phases) and clarify how the residents right of access will be maintained. They also need to confirm how the safety of residents using this access will be guaranteed during the construction phase and subsequently on operation of the plant.
4. Please submit proposals for widening the existing entrance onto R584 in order to accommodate the expected construction traffic.
5. Please submit proposals for widening the existing section of road and upgrading the surface to a stone mastic asphalt before construction commences.
6. The applicant is required to engage the services of a suitably qualified archaeologist (licensed under the National Monuments Acts 1930–2004) to carry out pre-development testing along the proposed access road, rising main, proposed pumping station and all green spaces associated with the Waste Water Treatment Plant to the satisfaction of the Local Authority and the National Monuments Service there is no significant subsurface archaeology within the proposed development site. No subsurface work shall be undertaken in the absence of the archaeologist without his/her express consent. The testing plan shall be submitted to the Local Authority for written approval prior to applying for the license. Where archaeological material is shown to be present, avoidance, preservation in situ, preservation by record (excavation) and/or monitoring may be required and the Planning Authority and National Monuments Service will advise the Applicant with regard to these matters. The consultant archaeologist is advised to contact the Local Authority Archaeologist to agree a mitigation strategy.
7. It is noted that part of the access road to the proposed WWTP runs through land which is zoned C-01 in the LAP and earmarked as an extension to the graveyard.

While the planning assessment refers to this and notes that “the proposed access road could be incorporated into the circulation layout of any future graveyard extension” it is not clear how this could be managed, given that the road will be fenced off and used on a regular basis for removal of sludge etc. Can you submit any further detail on the possible management of this aspect of the proposal so as not to undermine the potential for expansion of the graveyard and also to ensure that visitors to the graveyard would not be unduly impacted on by WWTP operations?

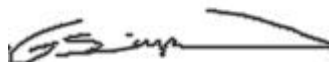
Senior Executive Planner

I note and agree with the assessment as set out by the Area Planner above.

I had pre planning discussions with the applicant and gave favourable feedback on the proposal. The issues highlighted in the feedback related to the zoning issue associated with the cemetery expansion and also highlighted the engineering and ecological issues in broad terms.

While this proposed upgrade to the infrastructure serving the village is to be supported, the various reports on file have identified a number of issues with the proposal. It is considered the applicant should be asked to provide further information on the points highlighted in order to allow for a full assessment of the proposal.

Defer Application



Greg Simpson
Senior Executive Planner
01/09/2020