

APPROPRIATE ASSESSMENT SCREENING REPORT

**Proposed Variation 1 (a), (b) and (c)
to the
Kilkenny County Development Plan
2014 – 2020**

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Section 1 Introduction

1.1 Background

This is the Appropriate Assessment Screening Report for Variation No. 1 (a, b, c and d) to the Kilkenny County Development Plan 2014 – 2020 (KCDP) in accordance with the requirements of Article 6(3) of the EU Habitats Directive¹. This report is divided into the following three sections:

- Section 1 Introduction
- Section 2 Stage 1 Screening
- Section 3 Conclusions

1.2 Legislative Context

The Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora, better known as “The Habitats Directive”, provides legal protection for habitats and species of European importance. Articles 3 to 9 provide the legislative means to protect habitats and species of Community interest through the establishment and conservation of an EU-wide network of Sites known as Natura 2000. These are candidate Special Areas of Conservation (cSACs) designated under the Habitats Directive and Special Protection Areas (SPAs) designated under the Conservation of Wild Birds Directive (Directive 2009/147/EC - codified version of Directive 79/409/EEC as amended), hereafter referred to as European sites.

Articles 6(3) and 6(4) of the Habitats Directive set out the decision-making tests for plans and projects likely to affect Natura 2000 sites (Annex 1.1). Article 6(3) establishes the requirement for Appropriate Assessment (AA):

“Any plan or project not directly connected with or necessary to the management of the [Natura 2000] site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subjected to appropriate assessment of its implications for the site in view of the site’s conservation objectives. In light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public

If, in spite of a negative assessment of the implications for the [Natura 2000] site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature, Member States shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted.

Where the site concerned hosts a priority natural habitat type and/or a priority species the only considerations which may be raised are those relating to human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest.”

These requirements are implemented in the Republic of Ireland by the European Communities (Birds and Natural Habitats) Regulations 2011. These Regulations consolidate the European Communities

¹ Directive 92/43/EEC

(Natural Habitats) Regulations 1997 to 2005 and the European Communities (Birds and Natural Habitats) (Control of Recreational Activities) Regulations 2010, as well as addressing transposition failures identified in judgments of the Court of Justice of the European Union (CJEU)².

1.3 Stages of Appropriate Assessment

This Appropriate Assessment has been prepared in accordance with the following guidance:

- *Appropriate Assessment of Plans and Projects in Ireland. Guidance for Planning Authorities.* Department of the Environment, Heritage and Local Government, 2010.
- *Assessment of plans and projects significantly affecting Natura 2000 sites: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC,* European Commission Environment DG, 2002.
- *Managing Natura 2000 sites: The Provisions of Article 6 of the Habitats Directive 92/43/EEC.* European Commission, 2000.

AA comprises up to four successive stages:

Stage One: Screening

The process which identifies the likely impacts upon a European Site of a project or plan, either alone or in combination with other projects or plans, and considers whether these impacts are likely to be significant.

Stage Two: Appropriate Assessment

The consideration of the impact on the integrity of the European Site of the project or plan, either alone or in combination with other projects or plans, with respect to the Site's structure and function and its conservation objectives. Additionally, where there are adverse impacts, an assessment of the potential mitigation of those impacts.

Stage Three: Assessment of Alternative Solutions

The process which examines alternative ways of achieving the objectives of the project or plan that avoid adverse impacts on the integrity of the European Site.

Stage Four: Assessment where no alternative solutions exist and where adverse impacts remain

An assessment of compensatory measures where, in the light of an assessment of imperative reasons of overriding public interest (IROPI), it is deemed that the project or plan should proceed.

The Habitats Directive promotes a hierarchy of avoidance, mitigation and compensatory measures. First, the plan should aim to avoid any impacts on European Sites by identifying possible impacts early in the plan-making process and writing the plan in order to avoid such impacts. Second, mitigation measures should be applied, if necessary, during the AA process to the point where no adverse impacts on the Site(s) remain. If the plan is still likely to result in impacts on European Sites, and no further practicable mitigation is possible, then it must be rejected. If no alternative solutions are identified and the plan is required for imperative reasons of overriding public interest (IROPI test) under Article 6(4) of the Habitats Directive, then compensation measures are required for any remaining adverse effect.

In the case of this Appropriate Assessment Screening Report, it is found that the Variation only requires Stage 1 Screening.

² Notably cases C-418/04 and C-183/05, in respect of failure to transpose elements of the Birds Directive and the Habitats Directive into Irish law.

Section 2 Stage 1 Screening

2.1 Description of the Proposed Variation

2.1.1 The Kilkenny County Development Plan 2014 - 2020

The Kilkenny County Development Plan 2014 - 2020 was prepared under the provisions of the Planning and Development Acts 2000-2015 and sets out the Council's policies and objectives for the proper planning and sustainable development of the County from 2014 – 2020. A separate Development Plan covers the City and Environs of Kilkenny.

The Plan contents are best described through a list of the chapter headings:

1. Introduction
2. Demographic and Socio-Economic Trends
3. Core Strategy
4. Economic Development
5. Housing and Community
6. Rural Development
7. Recreation, Tourism & the Arts
8. Heritage
9. Infrastructure & Environment
10. Renewable Energy Strategy
11. Transport
12. Requirements for Developments

The main objectives and ethos of the Plan can be summarised in the Council's Mission Statement (section 1.7) as follows: "Kilkenny Local Authorities aim to work in partnership with the people of Kilkenny and relevant agencies to deliver quality services and to promote sustainable economic, social and cultural development for current and future generations." The Plan provides a land use framework for the sustainable development of the County. The Plan sets the strategic context for any lower-tier plans, such as Local Area Plans to be prepared in the County. In its making, the Plan had regard to all relevant planning and environmental policy and legislation including European Union directives, Ministerial guidelines and other national, regional and county plans and policies.

2.1.2 Variation to the Plan

Variation No.1 to the Kilkenny County Development Plan is set out below:

- (a) Amendment to Section 7.9.5 relating to site specific development standards for Mount Juliet estate.
- (b) To incorporate the requirements of the Urban Regeneration and Housing Act 2015, to apply Part V to developments of 10+ houses with 10% social housing requirement.
- (c) To align the minimum development standards for new apartments with the Department's *Guidelines for Planning Authorities on Sustainable Urban Housing: Design Standards for New Apartments*.

The Kilkenny County Development Plan has already undergone Appropriate Assessment (AA) in accordance with Article 6(3) of the Habitats Directive.

2.1.3 Environmental Protection Objectives

The Kilkenny County Development Plan has been subject to AA during its preparation and adoption/approval. The Appropriate Assessment process has informed the contents of the Development Plan during its development. The relevant provisions of the KCDP in relation to biodiversity are presented in Appendix I of this report.

2.2 European sites in and within 15 km of the Plan Area

2.2.1 cSACs and SPAs

This section of the screening process describes the European sites within 15 km of the KCDP Plan Area. A distance of 15 km is currently recommended in the DoE document *Guidance for Planning Authorities*⁴ and as a precautionary measure, to ensure that all potentially affected European sites are included in the screening process. A map indicating the locations of the sites in relation to the Variation to the KCDP Plan Area is presented in Figure 2.1. Table 2-1 below lists the European sites that occur within 15 km of the lands referred to by the Variation to the KCDP.

The following European sites have been identified within the Plan area; the River Barrow and River Nore cSAC (NPWS Site Code: 002162), River Nore SPA (004233), and Thomastown Quarry cSAC (002252), Culahill Mountain cSAC (000831), Hugginstown Fen cSAC (000404), Galmoy Fen cSAC (001858), Spahill and Clomantagh Hill cSAC (000849), The Loughans cSAC (000407), Lower River Suir cSAC (002137)

The qualifying features for each site (those habitats and species listed on the tables below) have been obtained through a review of information pertaining to each site available from the NPWS website.

Information regarding the main threats to European sites was derived from a variety of sources:

- Ireland's Article 17 Report to the European Commission "Status of EU Protected Habitats and Species in Ireland" (NPWS, 2013).
- Site Synopses.
- NATURA 2000 Standard Data Forms.

Since the conservation management objectives for the European sites focus on maintaining the favourable conservation status of the qualifying interests of each site, the Screening process concentrated on assessing the potential implications of the Variation against the qualifying interests of each site.

⁴ DoEHLG (2010). Appropriate Assessment of Plans and Projects in Ireland. Guidance for Planning Authorities.

Table 2.1 List of Natura 2000 sites in County Kilkenny & within 15kms of County Kilkenny

Site Name	SAC Site Code	SPA Site Code	Sites within 5/10/15km of Kilkenny county boundary		
			5km	10km	15km
Cullahill Mountain	000831	-----			
Hugginstown Fen	000404	-----			
Galmoy Fen	001858	-----			
Spa Hill & Clomangtah Hill	000849	-----			
The Loughans	000407	-----			
Thomastown Quarry	002252	-----			
Lower River Suir	002137	-----			
River Barrow & Nore	002162	-----			
River Nore*	002162	0004233			
Adjacent Counties:			5km	10km	15km
Ballyprior Grassland	002256	-----	x	x	√
Blackstairs Mountain	000770	-----	√	√	√
Comeragh Mountains	001952	-----	x	x	√
Tramore Dunes and Backstrand	000671	004027	x	√	√
Bannow Bay	000697	004033	x	x	√
Slaney River Valley	000781	-----	x	√	√
Mid-Waterford Coast SPA	-----	004193	x	x	√

Table 2.2: Natura 2000 sites within County Kilkenny – Conservation Objectives and threats to site integrity

Site code & name	Qualifying interests	Special Areas of Conservation	Threats to site integrity
		Conservation Objectives	
000831 Cullahill Mountain	<p>Priority status - Listed in Annex I of HD</p> <ul style="list-style-type: none"> ▪ Semi-natural dry grasslands and scrubland facies on substrates (Festuco Brometalia)(*important orchid sites) (6210) 	<ul style="list-style-type: none"> ▪ To maintain and enhance the quality of the orchid-rich calcareous grassland (72%). ▪ To maintain the quality of other habitats present i.e. dry deciduous woodland (8%), scrub (15%) and rock outcrops (5%). ▪ To maintain and possibly increase the populations of rare and important species present i.e. Green-winged, Frog and Bee Orchids. ▪ To continue effective liaison between the NPW, the landowner and other interested parties, so as to conserve the cSAC. 	<p>Abandonment of traditional agricultural practices or land reclamation. Intensive or very low grazing levels. The use of artificial fertiliser.</p>
000404 Hugginstown Fen	<p>Listed in Annex I of HD</p> <ul style="list-style-type: none"> ▪ Alkaline fens (7230) 	<p>Generic Conservation Objective: To maintain the Annex I habitats for which the cSAC has been selected at favourable conservation status – Alkaline Fens.</p>	<p>Draining for cropland Infilling Fertiliser pollution Eutrophication</p>
001858 Galmoy Fen	<p>Listed in Annex I of HD</p> <ul style="list-style-type: none"> ▪ Alkaline fens (7230) 	<p>Generic Conservation Objective: To maintain the Annex I habitats for which the cSAC has been selected at favourable conservation status – Alkaline Fens.</p>	<p>Peat mining Draining for cropland Infilling Fertiliser pollution Eutrophication</p>

<p>000849 Spa Hill & Clomangtah Hill</p>	<p>Priority status - Listed in Annex I of HD <ul style="list-style-type: none"> ▪ Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco Brometalia</i>) (*important orchid sites) (6210) </p>	<p>Generic Conservation Objective: To maintain or restore the favourable conservation condition of the Annex I habitat for which the SAC has been selected.</p>	<p>Abandonment of traditional agricultural practices or land reclamation. Intensive or very low grazing levels. The use of artificial fertiliser.</p>
<p>000407 The Loughans</p>	<p>Priority status - Listed in Annex I of HD <ul style="list-style-type: none"> ▪ Turloughs (3180) </p>	<p>Generic Conservation Objective: To maintain or restore the Annex I habitats for which the cSAC has been selected - Turlough.</p>	<p>Nutrient enrichment Inappropriate grazing regimes</p>
<p>002252 Thomastown Quarry</p>	<p>Priority status - Listed in Annex I of HD <ul style="list-style-type: none"> ▪ Petrifying springs with tufa formation (<i>Cratoneurion</i>) (7220) </p>	<p>Generic Conservation Objective: To maintain or restore the Annex I habitats for which the cSAC has been selected at favourable conservation status.</p>	<p>Land reclamation Drainage Abandonment</p>
<p>002137 Lower River Suir</p>	<p>Priority status - Listed in Annex I of HD: <ul style="list-style-type: none"> ▪ Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>) (91E0) ▪ Yew Woodlands - <i>Taxus baccata</i> woods of the British Isles (91J0) Listed in Annex I of HD: <ul style="list-style-type: none"> ▪ Atlantic salt meadows (<i>Glaucopuccinellietalia maritimae</i>) (1330) ▪ Mediterranean salt meadows (<i>Juncetalia maritimi</i>) (1410) ▪ Floating river vegetation - water courses of </p>	<p>Generic Conservation Objective: To maintain the Annex I habitats and Annex II species for which the cSAC has been selected at favourable conservation status.</p>	<ul style="list-style-type: none"> ▪ Fragmentation, abundance of alien invasive species, sub-optimal grazing regimes, drainage. ▪ Restricted distribution and lack of suitable habitats for expansion, Invasive aliens. ▪ Overgrazing by sheep or cattle, and erosion. Presence of common cordgrass invasive species. Loss of habitats due to infilling and reclamation. ▪ Over-grazing by cattle or sheep ▪ Infilling and reclamation. ▪ Eutrophication, overgrazing, excessive fertilisation, afforestation, introduction of invasive alien species. ▪ Invasive alien species, sub-optimal grazing. ▪ Spread of invasive species, arterial drainage and

	<p>plain to montane levels with the <i>Ranunculus fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation (3260)</p> <ul style="list-style-type: none"> ▪ Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in British Isles (91A0) ▪ Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels (6430) <p>Listed on Annex II of HD:</p> <ul style="list-style-type: none"> ▪ Sea Lamprey (<i>Petromyzon marinus</i> - 1095) ▪ River Lamprey (<i>Lampetra fluviatilis</i> - 1099) ▪ Brook Lamprey (<i>Lampetra planeri</i> - 1096) ▪ Freshwater Pearl Mussel (<i>Margaritifera margaritifera</i> - 1029) ▪ Crayfish (<i>Austropotamobius pallipes</i> - 1092) ▪ Twaite Shad (<i>Alosa fallax</i> - 1103) ▪ Atlantic Salmon (<i>Salmo salar</i> - 1106) ▪ Otter (<i>Lutra lutra</i> - 1355) 		<p>agricultural improvement at the river edge.</p> <ul style="list-style-type: none"> ▪ Restricted access to spawning grounds due to weirs. ▪ Channel maintenance removing silt deposits and gravel shoals. ▪ Poor substrate quality due to increased growth of algal and macrophyte vegetation as a result of severe nutrient enrichment, as well as physical siltation. ▪ Introduction of diseases transmitted by introduced American crayfish. ▪ Restricted access to spawning grounds due to weirs. ▪ Diseases, parasites, water pollution. ▪ Road kill, fishing nets and lobster pots.
<p>002162 River Barrow and River Nore cSAC</p>	<p>Annex I - priority habitat</p> <ul style="list-style-type: none"> ▪ Alluvial wet woodlands - Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>) (91E0) ▪ Petrifying springs - Petrifying springs with tufa formation (<i>Cratoneurion</i>) (7220) <p>Annex I</p> <ul style="list-style-type: none"> ▪ Old oak woodlands - Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in British Isles (91A0) ▪ Floating river vegetation - Water courses of plain to montane levels with the <i>Ranunculus fluitantis</i> and <i>Callitriche-</i> 	<p>Generic Conservation Objective: To maintain the Annex I habitats and Annex II species for which the cSAC has been selected at favourable conservation status.</p>	<ul style="list-style-type: none"> ▪ Fragmentation, abundance of alien invasive species, sub-optimal grazing regimes, drainage. ▪ Land reclamation, drainage. ▪ Invasive alien species, sub-optimal grazing. ▪ Eutrophication, overgrazing, excessive fertilisation, afforestation, introduction of invasive alien species. ▪ Aquaculture, fishing, coastal development and water pollution. ▪ Aquaculture, fishing, bait digging, removal of fauna, reclamation of land, coastal protection works and invasive species. ▪ Hard coastal defence structures, sea-level rise. ▪ Invasive species, natural erosion, accretion cycles and storms. ▪ Overgrazing by sheep or cattle, and erosion. Presence

<p>continued . . . 002162 River Barrow and River Nore cSAC</p>	<p>Batrachion vegetation (3260)</p> <ul style="list-style-type: none"> ▪ Estuary – (1130) ▪ Tidal mudflats - <i>Spartina</i> swards (<i>Spartinion maritimae</i>) (1320) ▪ <i>Salicornia</i> mudflats - <i>Salicornia</i> and other annuals colonizing mud and sand (1310) ▪ Atlantic salt meadows - (<i>Glauco-Puccinellietalia maritimae</i>) (1330) ▪ Mediterranean salt meadows (<i>Juncetalia maritimi</i>) (1410) ▪ Dry heath - European dry heaths (4030) ▪ Eutrophic tall herbs - Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels (6430) <p>Annex II</p> <ul style="list-style-type: none"> ▪ Sea Lamprey - <i>Petromyzon marinus</i> (1095) ▪ River Lamprey - <i>Lampetra fluviatilis</i> (1099) ▪ Brook Lamprey – <i>Lampetra planeri</i> (1096) ▪ Freshwater Pearl Mussel – <i>Margaritifera margaritifera</i> (1029) ▪ Nore Freshwater Pearl Mussel – (<i>Margaritifera durrovensis</i>) (1990) ▪ Crayfish – <i>Austropotamobius pallipes</i> (1092) <ul style="list-style-type: none"> ▪ Twait Shad – <i>Alosa fallax</i> (1103) ▪ Atlantic Salmon – <i>Salmo salar</i> (1106) ▪ Otter – <i>Lutra lutra</i> (1355) ▪ Desmoulin's Whorl Snail - <i>Vertigo moulinsiana</i> (1016) ▪ Killarney Fern – <i>Trichomanes speciosum</i> (1421) 		<p>of common cordgrass invasive species. Loss of habitats due to infilling and reclamation.</p> <ul style="list-style-type: none"> ▪ Over-grazing by cattle or sheep ▪ Infilling and reclamation. ▪ Afforestation, over-burning, over-grazing, under-grazing and bracken invasion. ▪ Invasive species, arterial drainage and agricultural improvement at the river edge. ▪ Weirs restricting access to spawning beds. Channel maintenance which removes silt deposits and gravel shoals used by lampreys. ▪ Poor substrate quality due to increased growth of algal and macrophyte vegetation as a result of severe nutrient enrichment, as well as physical siltation. <ul style="list-style-type: none"> ▪ Poor quality of river substrate. ▪ Introduction of diseases transmitted by introduced American crayfish. ▪ Restricted access to spawning grounds due to weirs. ▪ Diseases, parasites, water pollution. ▪ Road kill, fishing nets and lobster pots. ▪ Drainage of wetlands and riparian management, spread of urban development. ▪ Modifications to the site's hydrology, through pollution, or woodland clearance.
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Note: Proposed SPA – full details not available from NPWS at time of writing this report

		Special Protection Area	
Site code & name	Qualifying interests	Conservation Objectives	Threats to site integrity
River Nore 0004233 - proposed SPA	<ul style="list-style-type: none"> ▪ Kingfisher (<i>Alcedo atthis</i>) 	<p>Generic Conservation Objective: To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.</p>	<ul style="list-style-type: none"> ▪ Disturbance, Water Quality, Invasive Species.

Table 2.3 : Natura 2000 sites within 15km of County Kilkenny – Conservation Objectives and threats to site integrity

Adjacent Counties		Special Areas of Conservation	
Site code & name	Qualifying interests	Conservation Objectives	Threats to site integrity
Ballyprior Grassland 002256 - SAC	<p>Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco Brometalia)(*important orchid sites)[6210]</p> <p>Priority status - Listed in Annex I of HD</p>	<p>Generic Conservation Objective: To maintain or restore the favourable conservation condition of the Annex I habitat and / or Annex II species for which the SAC has been selected.</p>	<ul style="list-style-type: none"> ▪ Abandonment of traditional agricultural practices or land reclamation. ▪ Intensive or very low grazing levels. The use of artificial fertiliser.
Blackstairs Mountain 000770 - SAC	<ul style="list-style-type: none"> ▪ European dry heath (4030) ▪ Northern Atlantic wet heath with <i>Erica tetralix</i>' (4010). <p>Listed in Annex I of HD</p>	<p>To maintain the Annex I habitats for which the cSAC has been selected at favourable conservation status; European dry heaths (all sub-types) (84% area of the site in mosaic with Dry Grassland and Exposed Rock) and North Atlantic Wet Heaths with <i>Erica tetralix</i></p>	<ul style="list-style-type: none"> ▪ All terrain vehicles (ATVs) ▪ Burning ▪ Decline of the Red Grouse Population ▪ Grazing ▪ Erosion ▪ Group water schemes

		<p>(1% area of the site).</p> <ul style="list-style-type: none"> • To maintain the extent, biodiversity and species richness of the site. • To establish effective liaison and co-operation with landowners, legal users and relevant authorities. 	
<p>Comeragh Mountains 001952 - SAC</p>	<p>Listed in Annex I of HD</p> <ul style="list-style-type: none"> ▪ Upland oligotrophic lakes - Oligotrophic to mesotrophic standing waters with vegetation of the Littorelletea uniflorae and/or of the Isoëto-Nanojuncetea [3130] ▪ Floating river vegetation - Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation [3260] ▪ Northern Atlantic wet heaths with Erica tetralix [4010] ▪ European dry heaths [4030] ▪ Alpine and Boreal heaths [4060] ▪ Calcareous rocky slopes with chasmophytic vegetation [8210] ▪ Siliceous rocky slopes with chasmophytic vegetation [8220] <p>Listed in Annex II of HD</p> <ul style="list-style-type: none"> ▪ Slender Green Feather Moss - Drepanocladus (Hamatocaulis) vernicosus [1393] 	<p>Generic Conservation Objective: To maintain or restore the favourable conservation condition of the Annex I habitat and / or Annex II species for which the SAC has been selected.</p>	<ul style="list-style-type: none"> ▪ Eutrophication and species competition ▪ Eutrophication arising from agricultural practices such as overgrazing and excessive fertilization, afforestation and introduction of invasive alien species. ▪ Eutrophication, overgrazing, excessive fertilisation, afforestation and the introduction of invasive alien species. ▪ Reclamation, afforestation and burning. Overstocking through overgrazing and trampling allowing invasion by non-heath species, or exposure of peat to severe erosion.
<p>Tramore Dunes and Backstrand</p>	<p>Listed in Annex I of HD – priority habitat</p> <ul style="list-style-type: none"> ▪ Fixed coastal dunes with herbaceous vegetation ("grey dunes") [2130] 	<p>Generic Conservation Objective: To maintain or restore the favourable conservation condition of the Annex I habitat and / or Annex II species for which the SAC</p>	<ul style="list-style-type: none"> ▪ Threats from development and recreation - such as sports pitches, golf courses, caravan parks, coniferous plantations, housing, roadways and airstrips. Pedestrian and vegetation cover leading to exposure of

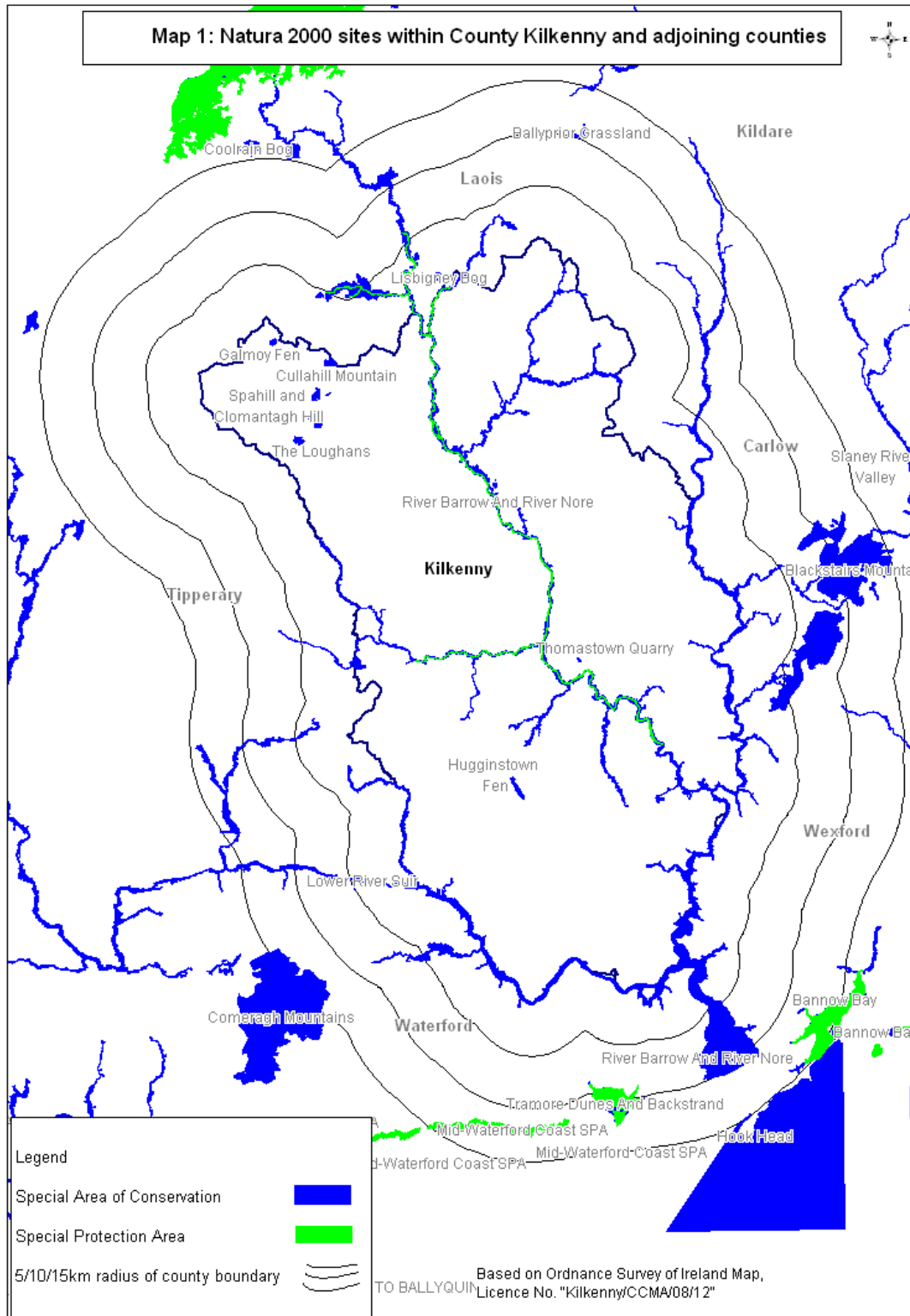
000671 - SAC	<p>Listed in Annex I of HD</p> <ul style="list-style-type: none"> ▪ Mudflats and sandflats not covered by seawater at low tide [1140] ▪ Annual vegetation of drift lines [1210] ▪ Perennial vegetation of stony banks [1220] ▪ Salicornia and other annuals colonizing mud and sand [1310] ▪ Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>) [1330] ▪ Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410] ▪ Embryonic shifting dunes [2110] ▪ Shifting dunes along the shoreline with <i>Ammophila arenaria</i> ("white dunes") [2120] 	has been selected.	<p>bare sand, which becomes mobile. Overgrazing and under-grazing. Introduction of non-native species.</p> <ul style="list-style-type: none"> ▪ Aquaculture, fishing, bait digging, removal of fauna, reclamation of land, coastal protection works, invasive species and hard coastal defence structures. ▪ Recreational uses, including trampling horse riding, vehicles use and mechanized removal of tidal litter. Grazing, sand and gravel extraction, removal of beach material and sea defence and coastal protection works. ▪ Disruption of sediment supply, owing to the interruption of coastal processes, caused by development such as car parks and coastal defence structures such as rock armour and sea wall. Removal of gravel. Damage from trampling, horse riding and vehicles. ▪ Infilling, reclamation and embankment for agricultural purposes. Invasive species. Natural erosion, accretion cycles and storms. ▪ Overgrazing and erosion. Invasive species. Infilling and reclamation. ▪ Overgrazing, infilling and reclamation. ▪ Stabilisation, recreation. ▪ Removal of beach material, construction of coastal protection works by sand compaction caused by motorised vehicles. High visitor pressure causing trampling.
Adjacent Counties		Special Protection Area	
Site code & name	Qualifying interests	Conservation Objectives	Threats to site integrity
Tramore Dunes and Backstrand 004027 - SPA	<ul style="list-style-type: none"> ▪ Brent Geese - <i>Branta bernicla hrota</i> [wintering] ▪ Golden Plover - <i>Pluvialis apricaria</i> [wintering] ▪ Grey Plover - <i>Pluvialis squatarola</i> [wintering] 	<p>Generic Conservation Objective: To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.</p>	<ul style="list-style-type: none"> ▪ Disturbance, Water Quality, Invasive Species.

	<ul style="list-style-type: none"> ▪ Lapwing - <i>Vanellus vanellus</i> [wintering] ▪ Dunlin - <i>Calidris alpina</i> [wintering] ▪ Black-tailed Godwit - <i>Limosa limosa</i> [wintering] ▪ Bar-tailed Godwit - <i>Limosa lapponica</i> [wintering] ▪ Sanderling - <i>Numenius arquata</i> [wintering] 		
<p>Mid-Waterford Coast</p> <p>004193 - SPA</p>	<p>Cormorant - <i>Phalacrocorax carbo</i> [breeding]</p> <p>Peregrine - <i>Falco peregrinus</i> [breeding]</p> <p>Herring Gull - <i>Larus argentatus</i> [breeding]</p> <p>Chough - <i>Pyrrhocorax pyrrhocorax</i> [breeding]</p>	<p>Generic Conservation Objective:</p> <p>To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.</p>	<p>Development, change in agricultural practices, agricultural abandonment, encroachment of scrub, loss of close-ward grazing.</p>
<p>Bannow Bay</p> <p>000697 - SAC</p>	<p>Listed in Annex I of the HD – priority habitat</p> <ul style="list-style-type: none"> ▪ Fixed coastal dunes with herbaceous vegetation ("grey dunes") [2130] <p>Listed in Annex I of the HD</p> <ul style="list-style-type: none"> ▪ Estuaries [1130] ▪ Mudflats and sandflats not covered by seawater at low tide [1140] ▪ Annual vegetation of drift lines [1210] ▪ Perennial vegetation of stony banks [1220] ▪ <i>Salicornia</i> and other annuals colonizing mud and sand [1310] ▪ Atlantic salt meadows (<i>Glaucopuccinellietalia maritimae</i>) [1330] ▪ Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410] ▪ Mediterranean and thermo - Atlantic halophilous scrubs (<i>Sarcocornetea fruticosi</i>) [1420] ▪ Embryonic shifting dunes [2110] ▪ Shifting dunes along the shoreline with <i>Ammophila arenaria</i> ("white dunes") 	<p>Generic Conservation Objective:</p> <p>To maintain or restore the favourable conservation condition of the Annex I habitat(s) and /or the Annex II species for which the SAC has been selected.</p>	<ul style="list-style-type: none"> ▪ Threats from development and recreation - such as sports pitches, golf courses, caravan parks, coniferous plantations, housing, roadways and airstrips. Pedestrian and vegetation cover leading to exposure of bare sand, which becomes mobile. ▪ Overgrazing and under-grazing. ▪ Introduction of non-native species ▪ Aquaculture, fishing, coastal development and water pollution. ▪ Aquaculture, fishing, bait digging, removal of fauna, reclamation of land, coastal protection works and invasive species, hard coastal defence structures. ▪ Recreational uses, trampling, horse riding, vehicles use and mechanized removal of tidal litter. Grazing, sand and gravel extraction, removal of beach materials and sea defence or coastal protection works. ▪ Interruption of coastal processes, caused by developments such as car parks and coastal defence structures. Removal of gravel, trampling, horse riding and vehicles. ▪ Infilling, reclamation, embankment for agricultural purposes. Invasive species, natural erosion, accretion

	[2120]*		<p>cycles and storms.</p> <ul style="list-style-type: none"> ▪ Over-grazing, erosion, invasive species, infilling and reclamation. ▪ Over-grazing, infilling and reclamation. ▪ Cattle-poaching and off-road vehicles. Recreation and sand extraction, construction of coastal protection works. ▪ Construction of coastal protection works, recreation and sand extraction. ▪ Removal of beach materials, construction of coastal protection works, sand compaction caused by motorized vehicles. High visitor pressure.
<p>Bannow Bay 004033 - SPA</p>	<ul style="list-style-type: none"> ▪ Brent goose - <i>Branta bernicla hrota</i> [wintering] ▪ Shelduck - <i>Tadorna tadorna</i> [wintering] ▪ Pintail - <i>Anas acuta</i> [wintering] ▪ Oystercatcher - <i>Haematopus ostralegus</i> [wintering] ▪ Golden Plover - <i>Pluvialis apricaria</i> [wintering] ▪ Grey Plover - <i>Pluvialis squatarola</i> [wintering] ▪ Lapwing - <i>Vanellus vanellus</i> [wintering] ▪ Sanderling - <i>Calidris canutus</i> [wintering] ▪ Dunlin - <i>Calidris alpina</i> [wintering] ▪ Black-tailed Godwit - <i>Limosa limosa</i> [wintering] ▪ Bar-tailed Godwit - <i>Limosa lapponica</i> [wintering] ▪ Curlew - <i>Numenius arquata</i> [wintering] ▪ Redshank - <i>Tringa totanus</i> [wintering] 	<p>Generic Conservation Objective: To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.</p>	<p>Disturbance, Water Quality, Invasive Species.</p>
<p>Slaney River Valley 000781 - SAC</p>	<p>Annex I - priority habitat</p> <ul style="list-style-type: none"> ▪ Alluvial wet woodland - Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>) [91E0] 	<p>Generic Conservation Objective: To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/ or the Annex II species for which the SAC has been selected.</p>	<ul style="list-style-type: none"> ▪ Fragmentation, abundance of alien invasive species, sub-optimal grazing regimes, drainage. ▪ Aquaculture, fishing, coastal development and water pollution. ▪ Eutrophication, overgrazing, excessive fertilisation,

	<p>Annex I</p> <ul style="list-style-type: none"> ▪ Estuaries [1130] ▪ Floating river vegetation - Water courses of plain to montane levels with the <i>Ranunculus fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation (3260) ▪ Old oak woodlands - Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in British Isles (91A0) ▪ Mudflats and sandflats not covered by seawater at low tide [1140] <p>Annex II</p> <ul style="list-style-type: none"> ▪ Freshwater Pearl Mussel – <i>Margaritifera margaritifera</i> (1029) ▪ Brook Lamprey – <i>Lampetra planeri</i> (1096) ▪ River Lamprey - <i>Lampetra fluviatilis</i> (1099) ▪ Twait Shad – <i>Alosa fallax</i> (1103) ▪ Atlantic Salmon – <i>Salmo salar</i> (1106) ▪ Sea Lamprey - <i>Petromyzon marinus</i> (1095) ▪ Otter – <i>Lutra lutra</i> (1355) 		<p>afforestation, introduction of invasive alien species.</p> <ul style="list-style-type: none"> ▪ Invasive alien species, sub-optimal grazing. ▪ Aquaculture, fishing, bait digging, removal of fauna, reclamation of land, coastal protection works and invasive species, hard coastal defence structures. ▪ Poor substrate quality due to increased growth of algal and macrophyte vegetation as a result of severe nutrient enrichment, as well as physical siltation. ▪ Weirs restricting access to spawning beds. Channel maintenance which removes silt deposits and gravel shoals used by lampreys. ▪ Invasive species, arterial drainage and agricultural improvement at the river edge. ▪ Restricted access to spawning grounds due to weirs. ▪ Diseases, parasites, water pollution. ▪ Afforestation, over-burning, over-grazing, under-grazing and bracken invasion. ▪ Road kill, fishing nets and lobster pots.
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Figure 2.1: Location of European Sites in Relation to the Kilkenny County Development Plan 2014 – 2020



2.3 Assessment Criteria

2.3.1 Is the Plan Necessary to the Management of European Sites?

Under the Habitats Directive, plans that are directly connected with or necessary to the management of a European site do not require AA. For this exception to apply, management is required to be interpreted narrowly as nature conservation management in the sense of Article 6(1) of the Habitats Directive. This refers to specific measures to address the ecological requirements of annexed habitats and species (and their habitats) present on a site(s). The relationship should be shown to be direct and not a by-product of the plan, even if this might result in positive or beneficial effects for a site(s).

The primary purpose of the Variation to the KCDP 2014 - 2020 is not the nature conservation management of the sites. Therefore, the Variation to the KCDP is not considered by the Habitats Directive to be directly connected with or necessary to the management of European designated sites.

2.3.2 Elements of the Variation with Potential to Give Rise to Effects

There are three amendments as part of the Proposed Variation. These have been assessed in relation to their potential to result in effects on European Sites within and beyond the Plan area taking into account the baseline, the content of the Proposed Variation and other plans and programmes. The potential for each of the changes to impact on European sites is presented in Table 2-2.

As outlined in the European Commission Environment DG document "Assessment of plans and projects significantly affecting Natura 2000 sites: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC", impacts that require consideration can be categorised under a number of headings:

- Loss / reduction of habitat area (e.g. due to the development of new projects);
- Disturbance to Key Species (e.g. increased public access to protected sites, or during the construction phase of infrastructure projects);
- Habitat or species fragmentation;
- Reduction in species density; and
- Changes in key indicators of conservation value such as decrease in water quality / quantity (e.g. through inadequate wastewater treatment, run-off of pollutants during construction and operation of developments, agricultural runoff).

In summary it is concluded that adverse impacts on European sites will not occur due to the implementation of the Variation.

Table 2-2: Summary of the individual elements of the Variation and the potential for these to give rise to impacts on European sites

Variation text	Potential effects on European Sites
Amendment to Section 7.9.5 relating to the site specific development standards for Mount Juliet estate	<p>The site specific development standards for Mount Juliet, which are set out in the CDP, already provide for housing development within the Mount Juliet estate. Variation 1(a) provides for additional housing development within the estate. All foul effluent from the Mount Juliet estate discharges to the Thomastown WWTP which has been upgraded. This WWTP has sufficient capacity to cater for all potential additional development provided for by this variation.</p> <p>Furthermore, provisions are included within the existing KCDP to ensure that all development proposals will comply with appropriate environmental protection and sustainable development requirements. No potential effects on European sites arising from this change are foreseen.</p>

Amendment to Chapter 5 regarding Part V requirements for social housing	The County Development Plan already provides for housing development with associated requirements in relation to minimum development standards for new apartments. Variation No. 1 (c) and (d) provide for changes in relation to minimum development standards for new apartments. In considering the potential for significant environmental effects, these changes are minor and would not result in effects on European Sites.
Amendment to Chapter 12 relating to minimum development standards for apartments	The County Development Plan already provides for housing development with associated requirements in relation to minimum development standards for new apartments. Variation No. 1 (c) and (d) provide for changes in relation to minimum development standards for new apartments. In considering the potential for significant environmental effects, these changes are minor and would not result in effects on European Sites.

2.3.3 Identification of Potential Likely Effects

This section documents the final stage of the screening process and determines the likelihood of impacts to arise on individual European sites. It has used the information collected on the sensitivity of each European site and describes any effects of the implementation of the Variation with respect to these sites.

In determining the potential for effects, a number of factors have been taken into account. Firstly, the sensitivity and reported threats to the European site. Secondly, the individual elements of the Variation and other plans and programmes and the potential effect they may cause on the site were considered.

The outcome of this screening is presented in Table 2-3 below. In summary, taking into consideration the provisions of the variation together with the overarching provisions contained in the KCDP, there is no potential for effects on any European site and therefore there is no need to advance to Stage II Appropriate Assessment.

Table 2-3 Screening of European sites

Site Name	Potential for impacts	Stage 2 AA required
River Barrow and River Nore cSAC	None. See also Section 2.3.2.	No
River Nore SPA	None. See also Section 2.3.2.	No
Thomastown Quarry cSAC	None. See also Section 2.3.2.	No
Culahill Mountain cSAC	None. See also Section 2.3.2.	No
Hugginstown Fen cSAC	None. See also Section 2.3.2.	No
Galmoy Fen cSAC	None. See also Section 2.3.2.	No
Spahill and Clomantagh Hill cSAC	None. See also Section 2.3.2.	No
The Loughans cSAC	None. See also Section 2.3.2.	No
Lower River Suir cSAC	None. See also Section 2.3.2.	No
Ballyprior Grassland	None. See also Section 2.3.2.	
Blackstairs Mountain	None. See also Section 2.3.2.	
Comeragh Mountains	None. See also Section 2.3.2.	
Tramore Dunes and Backstrand	None. See also Section 2.3.2.	
Bannow Bay	None. See also Section 2.3.2.	
Slaney River Valley	None. See also Section 2.3.2.	
Mid-Waterford Coast SPA	None. See also Section 2.3.2.	

2.4 Other Plans and Programmes

Article 6(3) of the Habitats Directive requires an assessment of a plan or project to consider other plans or programmes that might, in combinations with the plan or project, have the potential to adversely impact upon European sites.

The existing County Development Plan 2014-2020 to which the Proposed Variation relates was subject to its own Appropriate Assessment Screening process that determined "Having incorporated mitigation measures, it is considered that the Kilkenny County Development Plan will not have a significant adverse effect on Natura 2000 sites, and that the integrity of the Natura 2000 sites will not be adversely affected".

It has been determined that the individual parts of the Proposed Variation will not result in any effects on European Sites.

Taking into account all of the above it is determined that there are no 'in-combination' effects arising from the Proposed Variation.

Table 2-4 lists the plans or programmes that relate to the County Development Plan to which Proposed Variation No. 1 relates.

Table 2-4 Plans & Programmes Likely to Cause In-Combination Effects

Directive	Purpose
International	
EU Water Framework Directive (2000/60/EC)	Objectives seek to maintain and enhance the quality of all surface waters in the EU.
EU Freshwater Fish Directive (78/659/EEC)	Objectives seek to protect those fresh water bodies identified by Member States as waters suitable for sustaining fish populations. For those waters it sets physical and chemical water quality objectives for salmonid waters and cyprinid waters.
EU Groundwater Directive (2006/118/EC)	This directive establishes a regime, which sets underground water quality standards and introduces measures to prevent or limit inputs of pollutants into groundwater.
EU Floods Directive (2007/60/EC)	The Floods Directive applies to river basins and coastal areas at risk of flooding. With trends such as climate change and increased domestic and economic development in flood risk zones, this poses a threat of flooding in coastal and river basin areas.
Nitrates Directive (91/676/EEC)	This Directive has the objective of reducing water pollution caused or induced by nitrates from agricultural sources and preventing further pollution.
The Urban Wastewater Treatment Directive (91/271/EEC)	The primary objective is to protect the environment from the adverse effects of discharges of urban wastewater, by the provision of urban wastewater collecting systems (sewerage) and treatment plants for urban centres. The Directive also provides general rules for the sustainable disposal of sludge arising from wastewater treatment.
Sewage Sludge Directive (86/278/EEC)	Objective is to encourage the appropriate use of sewage sludge in agriculture and to regulate its use in such a way as to prevent harmful effects on soil, vegetation, animals and man. To this end, it prohibits the use of untreated sludge on agricultural land unless it is injected or incorporated into the soil.
The Integrated Pollution Prevention Control Directive (96/61/EC)	Objective is to achieve a high level of protection of the environment through measures to prevent or, where that is not practicable, to reduce emissions to air, water and land from industrial sources.
National	
National Spatial Strategy 2002-2020	Objectives of the NSS are to achieve a better balance of social, economic and physical development across Ireland, supported by more effective planning.
Grid 25	Grid25 is a high-level strategy outlining how EirGrid intends to undertake the development of the electricity transmission grid in the short, medium and longer terms, to support a long-term sustainable and reliable electricity supply. The Grid25 strategy thereby seeks to implement the provisions of the 2007 Government White Paper on Energy - "Delivering a Sustainable Energy Future for Ireland" in terms of development of electricity transmission infrastructure. The Grid25 Implementation Programme (IP) is a practical strategic overview of how the early stages of Grid25 are intended to be implemented.
Energy Policy framework 2007-2020, Governments White Paper	This policy states that the Government is committed to delivering a significant growth in renewable energy as a contribution to fuel diversity in power generation with a 2020 target of 33% electricity consumption
Irish Water's Water Services Strategic Plan 2015 and associated Proposed Capital Investment Plan 2014-2016	This Water Services Strategic Plan sets out strategic objectives for the delivery of water services over the next 25 years up to 2040. It details current and future challenges which affect the provision of water services and identifies the priorities to be tackled in the short and medium term.
Regional	
Regional Planning Guidelines for the South-East Region 2010 – 2022.	Policy document which aims to direct the future growth of the South-East Area over the medium to long term and works to implement the strategic planning framework set out in the National Spatial Strategy (NSS)
Ireland's First National Cycle Policy Framework (2009)	<ul style="list-style-type: none"> • Outlines objectives and actions aimed at developing a strong cycle network in Ireland • Sets out 19 specific objectives, and details the 109 actions, aimed at ensuring that a cycling culture is developed
Local	
Kilkenny City and Environs Development Plan 2014 – 2020 Kilkenny County Development Plan 2014-2020 Carlow County Development Plan 2015 – 2021 Laois County Development Plan 2012-2018 North Tipperary County Development Plan 2010 – 2016 South Tipperary County Development Plan 2009 – 2015 Waterford County Development Plan 2011 – 2017 Waterford City Development Plan 2013 – 2019 Wexford County Development Plan 2013 - 2019	Overall strategies for the proper planning and sustainable development of the administrative area of the relevant Local Authorities.

Section 3 Conclusion

The requirement for a Stage 2 AA would arise if the Variation to the KCDP would have the potential to have effects on a Natura 2000 site. This screening report evaluates the Variation to see if it needs to be the subject of a Stage 2 AA. It finds that the Variation to the KCDP has been formulated to ensure that uses, developments and effects arising from permissions based upon the Variation (either individually or in combination with other plans or projects) shall not give rise to effects on the integrity of any Natura 2000 sites. Therefore, in accordance with the Methodological guidance on the provision of Article 6(3) and (4) of the Habitats Directive 92/43/EEC, it is concluded that the Variation does not require any further assessment to demonstrate compliance with the Directive.

APPENDIX I

Kilkenny County Development 2014-2020 Provisions Relating to Biodiversity and Flora and Fauna

Kilkenny County Development Plan Provisions (policy/objective/development management standard) relating to Biodiversity, Flora and Fauna, including:

- To implement the provisions of Articles 6(3) and 6(4) of the EU Habitats Directive
- To ensure that any plan or project within the functional area of the Planning Authority is subject to appropriate assessment in accordance with the Guidance Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, 2009 and is assessed in accordance with Article 6 of the Habitats Directive in order to avoid adverse impacts on the integrity and conservation objectives of the site.
- To manage rural change and guide development to ensure vibrant and sustainable rural areas whilst conserving and sustainably managing our environment and heritage
- To protect and where possible enhance the natural heritage sites designated under EU and National legislation (Habitats Directive, Birds Directive, European Communities (Birds and Natural Habitats) Regulations 2011 and Wildlife Acts). This protection will extend to any additions or alterations to sites that may arise during the lifetime of this plan.
- To protect, and where possible, enhance the plant and animal species and their habitats that have been identified under European Legislation (Habitats and Birds Directive) and protected under National Legislation (European Communities (Birds and Natural Habitats) Regulations (SI 477 of 2011), Wildlife Acts 1976 – 2010 and the Flora Protection Order (SI94 of 1999)
- To prepare and support the implementation of a Green Infrastructure Strategy for County Kilkenny, as resources allow.
- To protect and, where possible, enhance wildlife habitats and landscape features which act as ecological corridors/networks and stepping stones, such as river corridors, hedgerows, and road verges, and to minimise the loss of habitats and features of the wider countryside (such as ponds, wetlands, trees) which are not within designated sites. Appropriate mitigation and/or compensation measures to conserve biodiversity, landscape character and green infrastructure networks will be required where habitats are at risk or lost as part of a development.
- Promote the planting of native trees and shrub species, by committing to using native species (of local provenance where possible) in its landscaping work and on County Council property.
- To protect and sustainably manage the landscape character of County Kilkenny, having regard to the findings of the landscape character assessment and the development management standards for the sustainable development of the county and appropriate conservation of its landscape character.
- To provide a framework for the protection of the environment, including water quality, the avoidance of flood risk and the provision of a high quality telecommunications infrastructure.
- To establish an environmental management plan for the River Nore Linear Park
- Require that adequate provisions are made to accommodate free upstream and downstream migration of all fish in development proposals.
- Protection of water quality will be a primary consideration in relation to assessing development proposals.
- To encourage sustainable forest management and require a diversity of species in afforestation proposals...to reduce the potential for adverse impact on the landscape resulting from monoculture.
- To implement, in partnership with the Kilkenny Heritage Forum and all relevant stakeholders, a County Heritage Plan and County Biodiversity Plan
- Consult with NPWS (a) in respect of any proposed development where there is a possibility that such development may have an impact on a protected area of international or national importance, and (b) take account of any licensing requirements, when undertaking, or approving development which is likely to affect plant, animal or bird species protected by national or European legislation.
- To ensure that an ecological impact assessment is carried out for any proposed development likely to have a significant impact on rare and threatened species including those species protected by law and their habitats. Ensure appropriate avoidance and mitigation measures are incorporated

into development proposals as part of any ecological impact assessment.

- To consult with Geological Survey of Ireland when considering undertaking or approving, authorizing developments which are likely to affect County Geological sites and encourage and promote access to geological and geomorphological features.
- To protect existing woodlands, trees and hedgerows which are of amenity or biodiversity value and/or contribute to the landscape character of the city and environs, and to ensure that proper provision is made for their protection and management, when undertaking, approving or authorising development.
- To ensure that when undertaking, approving or authorising development that sufficient information is provided to enable an assessment of impacts on woodlands, trees, and hedgerows
- Retain hedgerows, and other distinctive boundary treatment such as stone walls, when undertaking, authorising or approving development; where the loss of the existing boundary is unavoidable as part of development, to ensure that a new hedgerow is planted using native species, and species of local provenance to replace the existing hedgerow and/or that the wall is re-built using local stone and local vernacular design.
- To promote the use of native plants and shrub species from indigenous seed sources in all landscape projects
- To consult with Inland Fisheries Ireland and the National Parks and Wildlife Service prior to undertaking, approving or authorising any works or development which may have an impact on rivers, streams and waterways.
- Proposals must demonstrate that they will not adversely affect any habitats and/or species of interest or compromise the river's function as a green infrastructure corridor
- To protect peatlands from inappropriate development having regard to their amenity and biodiversity value and their visual sensitivity.
- Ensure, as far as is possible, that the potential for spread of invasive species is examined as part of any application
- To seek the protection and sustainable management of historic gardens, parklands and designed landscapes in the county, their setting and their visual amenity.
- To require an assessment of the potential visual, heritage and environmental impacts of proposals to floodlight buildings and structures
- To provide a framework for the protection of the environment, including water quality, the avoidance of flood risk and the provision of a high quality telecommunications infrastructure.
- To assess all new applications for single houses in accordance with the EPA Manual entitled Code of Practice – Wastewater Treatment and Disposal Systems serving Single Houses.
- To promote and facilitate all forms of renewable energies and energy efficiency improvements in a sustainable manner as a response to climate change.

APPENDIX 2 AA Screening Determination

Comhairle Chontae Chill Chainnigh

Halla an Chontae, Sráid Eoin, Cill Chainnigh, R95 A39T.

Fóramh don Phobal - Caomhnú don Oidhreacht

Kilkenny County Council

County Hall, John Street, Kilkenny, R95 A39T.

Serving People - Preserving Heritage



Appropriate Assessment (AA) Screening Determination under the Planning and Development Acts 2000-2015 for:

Proposed Variation 2 to the Kilkenny City and Environs Development Plan 2014 - 2020

An Appropriate Assessment (AA) Screening determination has been made by Kilkenny County Council regarding Proposed Variation 2 to the Kilkenny City and Environs Development Plan 2014 - 2020.

Section 12 (7) of the Planning and Development Act 2000 (as amended), requires, inter alia, a determination to be made as to whether Proposed Variation 2 warrants the undertaking of AA.

The Proposed Variation:

- (a) To incorporate the requirements of the Urban Regeneration and Housing Act 2015, to apply Part V to developments of 10+ houses with 10% social housing requirement.
- (b) To align the minimum development standards for new apartments with the Department's *Guidelines for Planning Authorities on Sustainable Urban Housing: Design Standards for New Apartments*.
- (c) Change zoning objective from 'Community Facilities' to 'Residential' at St Josephs' Road, Kilkenny City

The AA screening process has found that the Variation does not require any further assessment to demonstrate compliance with the Directive in accordance with the Methodological guidance on the provision of Article 6(3) and (4) of the Habitats Directive 92/43/EEC.

Taking into account the findings of the AA process that are detailed in an AA Screening Report that accompanies this Determination, Kilkenny County Council have determined that Proposed Variation 2 to the Kilkenny City and Environs Development Plan 2014 - 2020 will not result in any effects on European Sites and consequently Stage 2 AA is not required.

Denis Malone
Senior Planner

Date 19/8/2016

I agree with the above recommendation:

Maria Melia,
Director of Services

Date 19/8/2016