

# PROPOSED MATERIAL ALTERATIONS – APPROPRIATE ASSESSMENT SCREENING REPORT AND NATURA IMPACT REPORT

**Draft Callan Local Area Plan 2019**

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SLR 

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## 1.0 Introduction

SLR Consulting Ireland (SLR) was commissioned by Kilkenny County Council in May 2018 to prepare an Appropriate Assessment (AA) screening report, and if necessary an Natura Impact Report (NIR), for Callan Local Area Plan (LAP). This report considers the proposed material alterations to the LAP and the impacts and effects they may have on Natura 2000 sites.

### 1.1 Brief Plan Description

The following vision for Callan 2025 is extracted from the Callan LAP 2019-2025 and provides a broad summary description of the plan.

*“By 2025, Callan will be a vibrant low carbon district town approaching a population of 3,000 people supported by a consolidated town centre and employment centred on retail, creative industries, arts, tourism and community service sectors as well as a strong local industrial sector. Enhanced north – south connections for pedestrians and cyclists will be provided. Focusing on Bridge Street, these measures will be combined with a range of traffic management proposals including additional off street parking which will improve vitality of the town centre and Bridge Street in particular as well as supporting healthy living. Historic landmarks and a series of improved public spaces will provide a focus for new activities. A masterplanning approach to design will create high quality sustainable low carbon and adaptable residential areas that are well integrated with existing neighbourhoods. All new development will respect and enhance the character and quality of the existing built and natural environment in Callan.”*

## 2.0 Natura 2000 Sites / European Sites

The potential zone of influence adopted for the proposed Callan LAP is 15 km from the boundary of the plan area. Natura 2000 sites beyond this distance are considered to be sufficiently distant from the plan area and / or have no ecological connectivity with the plan area such that significant effects are not likely to occur as a result of the proposed LAP.

### 2.1 Natura 2000 Sites

There are four Natura 2000 sites within 15 km of the LAP area; three Special Areas of Conservation (SAC) and one Special Protection Area (SPA). The four Natura 2000 sites are River Barrow and River Nore SAC 002162, River Nore SPA 004233, Hugginstown Fen 000404 and Lower River Suir 002137, and these are discussed further in the following section. The description of each site has been prepared using the supporting information available on the NPWS website.

The conservation objectives for the four Natura 2000 sites within 15 km are available on the NPWS website and are summarised in Table 1 below. In addition, environmental objectives and targets as outlined in European Union Environmental Objectives (Freshwater Pearl Mussel) (Amendment) Regulations 2009 to 2018 were also considered as site specific objectives are not available for the species. The information presented in Table 1 was obtained from the NPWS website (last accessed 30 October 2018). Species and habitat types for which SAC are designated and bird species for which SPA are classified are referred to as Features of Interest on the NPWS website pages for protected sites<sup>1</sup>. The Features of Interest are listed for each Natura 2000 site identified within 15 km of the LAP boundary are listed within Table 1 below.

#### River Barrow and River Nore SAC 002162

"This site consists of most of the freshwater stretches of the Barrow/Nore River catchments. *The larger of the many tributaries include the Lerr, Fushoge, Mountain, Aughavaud, Owenass, Boherbaun and Stradbally Rivers of the Barrow and the Delour, Dinin, Erkina, Owveg, Munster, Arrigle and King's Rivers on the Nore. Both rivers rise in the Old Red Sandstone of the Slieve Bloom Mountains. They traverse limestone bedrock for a good proportion of their routes. A wide range of habitats associated with the rivers are included within the site, including substantial areas of woodland (deciduous, mixed), dry heath, wet grassland, swamp and marsh vegetation, salt marshes, a small dune system, biogenic reefs and intertidal sand and mud flats. Areas of improved grassland, arable land and coniferous plantations are included in the site for water quality reasons*

*The site supports many Annexed habitats including the priority habitats of alluvial woodland and petrifying springs. Quality of habitat is generally good. The site also supports a number of Annex II animal species - Salmo salar, Marqaritifera marqaritifera, M.m. durrovensis, Alosa fallax fallax, Austropotamobius pallipes, Petromyzon marinus, Lutra lutra, Lampetra fluviatilis and L. planeri. Annex I Bird species include Anser albifrons flavirostris, Falco peregrinus, Cygnus cygnus, Cygnus columbianus bewickii, Limosa lapponica, Pluvialis apricaria and Alcedo atthis. A range of rare plants and invertebrates are found in the woods along these rivers and rare plants are also associated with the saltmarsh."*

#### River Nore SPA 004233

*"The River Nore SPA is a long linear site that includes the Kings River from its junction with the River Nore to a bridge at Mill Island Co. Kilkenny. The site includes the river channel and marginal vegetation. The River Nore supports nationally important numbers of Alcedo atthis. Other species which occur within the site include Cygnus olor, Anas platyrhynchos, Phalacrocorax carbo, Ardea cinerea, Gallinula chloropus, Gallinago gallinago and Riparia riparia."*

<sup>1</sup> <https://www.npws.ie/protected-sites>

River Barrow and River Nore SAC and River Nore SPA are considered likely to be affected by the proposed material alterations to Callan LAP 2019 – 2025. However, given the strategic nature of the LAP and objectives the significance of such effects is uncertain. Therefore, in line with the recommendations of guidance and case law it is considered that the proposed material amendments to Callan LAP 2019 – 2025 should progress to the next stage of the process to determine if there will adverse effects to the integrity of the River Barrow and River Nore SAC and the River Nore SPA.

#### **Hugginstown Fen 000404**

*“Hugginstown Fen is situated approximately 4 km south-west of Ballyhale, Co. Kilkenny. The site consists of a relatively large, isolated area of swamp and floating fen developed in a small valley in hilly country. It is underlain by limestone glacial till overlying and surrounded by acid Old Red Sandstone. The catchment is relatively small and iron-rich springs are an important source of water for the wetland.*

*Two uncommon insect species recorded from Hugginstown Fen are Scarce Emerald Damselfly (*Lestes dryas*) and the Hoverfly *Parhelophis consimilis*. The Common Frog, a Red Data Book species, is frequent at the site. Although this site has been damaged to some extent by drainage, especially in the southern part, it contains an important example of an alkaline fen, a habitat listed on Annex I of the E.U. Habitats Directive and remains one of the most interesting and diverse fen sites in Ireland.”*

Hugginstown Fen SAC is excluded from consideration as the favourable conservation status of the fen is determined by the hydrological and hydrogeological regime and as such is sufficiently distant (ca. 15 km) from the plan area that there is no potential for effects through discharges to groundwater or alteration to groundwater levels. Hugginstown Fen SAC is not considered likely to be affected by the proposed material alterations of Callan LAP 2019 – 2025.

#### **Lower River Suir 002137**

*“Lower River Suir SAC consists of the freshwater stretches of the River Suir immediately south of Thurles, the tidal stretches as far as the confluence with the Barrow/Nore immediately east of Cheekpoint in Co. Waterford, and many tributaries including the Clodiagh in Co. Waterford, the Lingaun, Anner, Nier, Tar, Aherlow, Multeen and Clodiagh in Co. Tipperary. The Suir and its tributaries flow through the counties of Tipperary, Kilkenny and Waterford.*

*The Lower River Suir contains excellent examples of a number of Annex I habitats, including the priority habitats alluvial forest and Yew woodland. The site also supports populations of several important animals species, some listed on Annex II of the Habitats Directive or listed in the Irish Red Data Book. The presence of two legally protected plants (*Flora (Protection) Order, 1999*) and the ornithological importance of the site adds further to the ecological interest and importance.”*

Lower River Suir SAC is excluded from further consideration as it is at least 10 km from the LAP boundary and there are no surface water pathways or other ecological linkages between the plan area and this SAC. Lower River Suir SAC is not considered likely to be affected by the proposed material alterations to Callan LAP 2019 – 2025.

**Table 1 Features of Interest and Conservation Objectives for Natura 2000 sites within 15 km**

Natura 2000 Site	Distance from Plan Boundary	Features of Interest	Conservation objectives
River Barrow and River Nore SAC 002162	Within plan area	<ul style="list-style-type: none"> <li>• Estuaries [1130]</li> <li>• Mudflats and sandflats not covered by seawater at low tide [1140]</li> <li>• Reefs [1170]</li> <li>• Salicornia and other annuals colonising mud and sand [1310]</li> <li>• Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>) [1330]</li> <li>• Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410]</li> <li>• Water courses of plain to montane levels with the <i>Ranuncion fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation [3260]</li> <li>• European dry heaths [4030]</li> <li>• Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels [6430]</li> <li>• Petrifying springs with tufa formation (<i>Cratoneurion</i>) [7220]</li> <li>• Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91A0]</li> <li>• 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]</li> <li>• <i>Vertigo moulinsiana</i> (Desmoulin's Whorl Snail) [1016]</li> <li>• <i>Margaritifera margaritifera</i> (Freshwater Pearl Mussel) [1029]</li> <li>• <i>Austropotamobius pallipes</i> (White-clawed Crayfish) [1092]</li> <li>• <i>Petromyzon marinus</i> (Sea Lamprey) [1095]</li> <li>• <i>Lampetra planeri</i> (Brook Lamprey) [1096]</li> <li>• <i>Lampetra fluviatilis</i> (River Lamprey) [1099]</li> <li>• <i>Alosa fallax fallax</i> (Twaiite Shad) [1103]</li> <li>• <i>Salmo salar</i> (Salmon) [1106]</li> <li>• <i>Lutra lutra</i> (Otter) [1355]</li> <li>• <i>Trichomanes speciosum</i> (Killarney Fern) [1421]</li> <li>• <i>Margaritifera durrovensis</i> (Nore Pearl Mussel) [1990]</li> </ul>	<p>To maintain or restore the favourable conservation condition of the habitats and species listed as features of interest for the River Barrow and River Nore SAC, which is defined by a specific list of attributes and targets.</p> <p>Detailed conservation objectives can be accessed at:  <a href="https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002162.pdf">https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002162.pdf</a></p>
River Nore SPA 004233	Ca. 623 m south	<ul style="list-style-type: none"> <li>• <i>Alcedo atthis</i> (Kingfisher) [A229]</li> </ul>	<p>To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.</p>

Natura 2000 Site	Distance from Plan Boundary	Features of Interest	Conservation objectives
			<p>Generic Conservation objectives for the SPA can be accessed at:  <a href="https://www.npws.ie/protected-sites/spa/004233">https://www.npws.ie/protected-sites/spa/004233</a></p>
<p>Lower River Suir SAC 002137</p>	<p>Ca. 10 km south - west</p>	<ul style="list-style-type: none"> <li>• Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>) [1330]</li> <li>• Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410]</li> <li>• Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation [3260]</li> <li>• Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels [6430]</li> <li>• Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91A0]</li> <li>• 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]</li> <li>• <i>Taxus baccata</i> woods of the British Isles [91J0]</li> <li>• <i>Margaritifera margaritifera</i> (Freshwater Pearl Mussel) [1029]</li> <li>• <i>Austropotamobius pallipes</i> (White-clawed Crayfish) [1092]</li> <li>• <i>Petromyzon marinus</i> (Sea Lamprey) [1095]</li> <li>• <i>Lampetra planeri</i> (Brook Lamprey) [1096]</li> <li>• <i>Lampetra fluviatilis</i> (River Lamprey) [1099]</li> <li>• <i>Alosa fallax fallax</i> (Twaite Shad) [1103]</li> <li>• <i>Salmo salar</i> (Salmon) [1106]</li> <li>• <i>Lutra lutra</i> (Otter) [1355]</li> </ul>	<p>To maintain or restore the favourable conservation condition of the species listed and features of interest in the Lower River Suir SAC which is defined by a specific list of attributes and targets. These attributes and targets can be accessed at:  <a href="https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002137.pdf">https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002137.pdf</a></p>
<p>Hugginstown Fen SAC 000404</p>	<p>Ca. 15 km south - east</p>	<ul style="list-style-type: none"> <li>• Alkaline fens [7230]</li> </ul>	<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. Generic Conservation Objectives for this SAC can be accessed at:  <a href="https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000404.pdf">https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000404.pdf</a></p>



## 3.0 Proposed Material Alterations

The proposed material alterations to Callan LAP are considered for likely significant effects and adverse effects to River Barrow and River Nore SAC and River Nore SPA in this section of the report.

### 3.1 Likely Significant Effects

The proposed material alterations of Callan LAP 2019 – 2025 were examined and it is considered that significant effects are likely, or that the significance of effects is uncertain, as a result of some of the alterations. Table 2 below sets out the material alterations and identifies those that are considered likely to result in significant effects or where the significance of potential effects is uncertain. These alterations then proceed to consideration of effects on the integrity of the River Barrow and River Nore SAC and River Nore SPA.

**Table 2: Summary of potential impacts and effects of material alterations**

Material Alteration Number	Alteration Type	Identification of Potential Impacts	Likely Significant Effect	Adverse effect on the integrity of the site
<b>The following changes are proposed Figure A1: Zoning Map</b>				
1	Amend Figure 1; Zoning Map to omit area of public open space for Clonkil Development from the masterplan area and amend zoning to Open Space	No potential impact to Natura 2000 sites as a result.	No likely significant effect.	No adverse effect on integrity of the site
2	Amend Figure 1; Zoning Map to provide for Industrial zoning	No potential impact to Natura 2000 sites as a result.	No likely significant effect.	No adverse effect on integrity of the site
3	Amend Figure 1; Zoning Map from Community Facility to Existing Residential	No potential impact to Natura 2000 sites as a result.	No likely significant effect.	No adverse effect on integrity of the site
4	Amend Figure 1; Zoning Map from Open Space/Agriculture to New Residential.	No potential impact to Natura 2000 sites as a result.	No likely significant effect.	No adverse effect on integrity of the site
5	Amend Figure 1; Zoning Map from Agriculture to Existing Residential	No potential impact to Natura 2000 sites as a result.	No likely significant effect.	No adverse effect on integrity of the site
6	Amend Figure 1; Zoning Map from Agriculture to Existing Residential	No potential impact to Natura 2000 sites as a result.	No likely significant effect.	No adverse effect on integrity of the site
7	Amend Map 02; Bridge Street Masterplan to omit map reference data in relation to protected structures (blue marker).	No potential impact to Natura 2000 sites as a result.	No likely significant effect.	No adverse effect on integrity of the site.

Material Alteration Number	Alteration Type	Identification of Potential Impacts	Likely Significant Effect	Adverse effect on the integrity of the site
<b>Text changes</b>				
8.	<p><b>Chapter 1 Introduction and Strategic Context</b></p> <p>Amend Section 1.4;</p> <p>In summary the mitigation proposed include measures to ensure that sites will be developed in a manner that is sensitive to the natural and built heritage of Callan LAP area; <del>that there will be no development of sites within the river buffer zone (ca. 20 m from each riverbank);</del> that wastewater, drainage and drinking water infrastructure must be in place prior to development and that all contractors working on sites will be expected to provide site specific method statements detailing measures to prevent any impacts of the River Barrow and River Nore SAC 002162 and River Nore SPA 004233. These mitigation measures will apply for the lifetime of the plan (including any extension period).</p> <p>It is considered that if the proposed zoning, <del>including the 20 m buffer zone on either side of the river,</del> is strictly adhered to in-combination with the proper implementation of the proposed mitigation measures; Callan Local Area Plan 2019 -2025 is not likely to result in adverse effects on the integrity of either the River Barrow and River Nore SAC nor the River Nore SPA.</p>	<p>The removal of the buffer zone has the potential to increase the risk of emissions to the river during construction and operation of development.</p>	<p>Uncertain if significant effects are likely (in the absence of mitigation)</p>	<p>No adverse effects anticipated if the proposed zoning is adhered to in-combination with the proper implementation of the proposed mitigation measures (as set out in the NIS).</p>
8.	<p><b>Chapter 1 Introduction and Strategic Context</b></p> <p>Insert objectives 1A and 1B as follows into Section 1.4</p> <p><i>1A To implement the provisions of Articles 6(3) and 6(4) of the EU Habitats Directive.</i></p> <p><i>1B 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</i></p>	<p>No potential impact to Natura 2000 sites.</p>	<p>No likely significant effect.</p>	<p>n/a</p>

Material Alteration Number	Alteration Type	Identification of Potential Impacts	Likely Significant Effect	Adverse effect on the integrity of the site
	<i>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.</i>			
9.	<b>Chapter 2 Core Strategy &amp; Zoning</b> Amend heading 2.4 <del>Other Plans and Policies</del> to read <i>'Local Plans and Policies – Achievements in Town Centre Renewal and Community Engagement'</i> .	No potential impact to Natura 2000 sites.	No likely significant effect.	n/a
10	<b>Chapter 2 Core Strategy &amp; Zoning</b> Insert Section 2.3.11 <i>Government Policy on Architecture 2009-2015</i> <i>'The Policy recognises the place of architecture in society as an expression of cultural, aesthetic, and social values, both past and present, and the challenges and expectations of the future in shaping a sustainable quality environment.'</i>	No potential impact to Natura 2000 sites.	No likely significant effect.	n/a
11	<b>Chapter 3 Vision and Strategic Objectives</b> Amend Section 3.1 Key Issues for the Callan LAP 2019-2025 to include additional bullet as follows; <ul style="list-style-type: none"> <li><i>'Improvement and Restoration of the King's River'</i></li> </ul>	Potential for direct impacts to the King's River during any improvement and restoration works.	Significant effects are likely (in the absence of mitigation)	No adverse effects on site integrity anticipated if the proposed zoning is adhered to in-combination with the proper implementation of the proposed mitigation measures (as set out in the

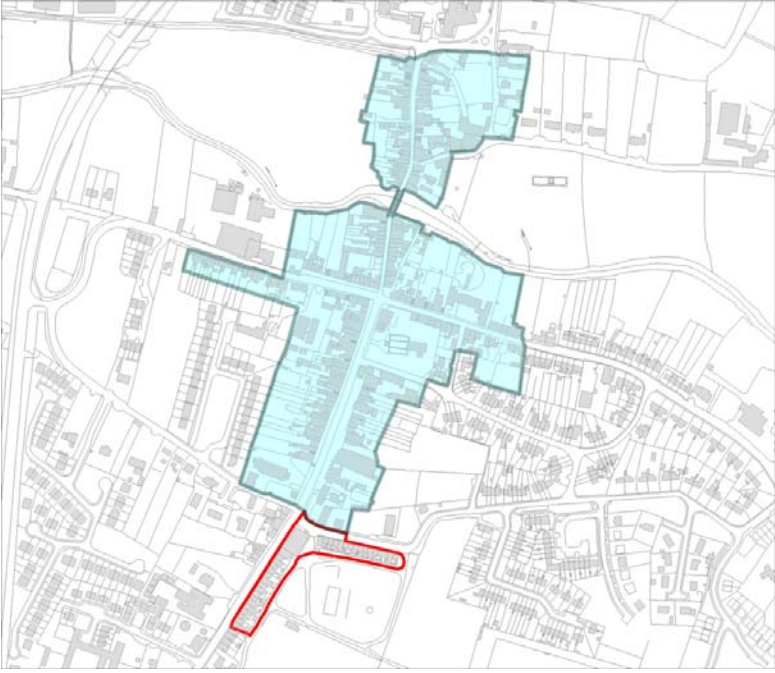
Material Alteration Number	Alteration Type	Identification of Potential Impacts	Likely Significant Effect	Adverse effect on the integrity of the site
				NIS).
12	<p><b>Chapter 5 Town Centre, Economic Development and Employment</b></p> <p>Amend EO5 as follows:</p> <p>To encourage work with the owners of the Westcourt Industrial Estate to ensure the continued improvement of road infrastructure at the Westcourt Industrial Estate to a level that is sufficient to allow the taking in charge of roads and associated infrastructure.</p>	No potential impact to Natura 2000 sites.	No likely significant effect.	n/a
13	<p><b>Chapter 5 Town Centre, Economic Development and Employment</b></p> <p>Amend transport objective TCO11 as follows;</p> <p>TCO11: Provide improved better pedestrian connections along Chapel Lane, <i>notwithstanding the restrictive width along parts of the lane</i>, which is the main pedestrian route linking Aldi and Green Street, and;</p>	No potential impact to Natura 2000 sites.	No likely significant effect.	n/a
14	<p><b>Chapter 6 Housing and Community</b></p> <p>Amend paragraph 3 of section 6.1 as follows:</p> <p>“The town is served by has a mixed number of primary <i>schools of which some are outside the town. Schools serving the town are</i> including Bunscoil McCauley Rice, <i>Ballytobin Primary School and Kilkenny Steiner School as well as</i> two secondary schools; St Brigids College and Colláiste Éamann Rís, located in the north part of town.”</p>	No potential impact to Natura 2000 sites.	No likely significant effect.	n/a
15	<p><b>Chapter 6 Housing and Community</b></p> <p>Amend Table 6.1.1 as follows:</p>	No potential impact to Natura 2000 sites.	No likely significant effect.	n/a

Material Alteration Number	Alteration Type				Identification of Potential Impacts	Likely Significant Effect	Adverse effect on the integrity of the site
	School	Current No. of Pupils	School Capacity	No. of available School Places			
	Bunsoil McCauley Rice	454	454	Limited			
	Poulacapple National School (In Co. Tipperary, 5 mins drive from Callan)	60 (3 teacher school)	72	12			
	<i>Ballytobin Primary School / Kilkenny Steiner School</i>	39	64	25			
	Primary School Total	553	590	37			
	<b>Table 6.1.1 Existing Schools Capacity</b>						
16	<b>Chapter 6 Housing and Community</b> Amend paragraph 5 of section 6.1 as follows  “Community organisations are also well established in Callan with the Callan Community Network established in 1999 as a voluntary group. The core aim of this group is in the betterment and advancement of Callan				No potential impact to Natura 2000 sites.	No likely significant effect.	n/a

Material Alteration Number	Alteration Type	Identification of Potential Impacts	Likely Significant Effect	Adverse effect on the integrity of the site
	and they run the Droichead family resource centre.”			
17	<p><b>Chapter 6 Housing and Community</b></p> <p>Amend paragraph 6 of section 6.1 as follows:</p> <p>“There are <del>three a number of</del> arts outlets <i>organisations in Callan</i> such as the <i>KCAT, Workhouse Union and Trasna Productions</i>. The KCAT (Kilkenny Collective for Arts Talent) Art Centre, an inclusive and participatory arts centre that works together with Equinox Theatre Company, combining artists with learning disabilities and other disadvantages with professional arts practitioners. <i>3 theatre companies in the town are Monkeyshine Theatre, Asylum Productions and Equinox Theatre;</i>”</p>	No potential impact to Natura 2000 sites.	No likely significant effect.	n/a
18	<p><b>Chapter 6 Housing and Community</b></p> <p>Amend paragraph 7 of section 6.1 as follows</p> <p>“Callan has two youth groups <del>under the Ossory Youth organisation</del> <i>including Callan Youth Project and Callan Street Art. Callan Youth group is managed by Foroige.</i>”</p>	No potential impact to Natura 2000 sites.	No likely significant effect.	n/a
19	<p><b>Chapter 6 Housing and Community</b></p> <p>Amend bullet no. 2 of 6.1.6 Housing and Community – Special Development Objective ‘HC- SDO 1’ as follows: ‘A site-specific Flood Risk Assessment (<i>to include drainage infrastructure</i>), appropriate to the type and scale of the proposed development and a site specific justification test if required must be submitted at planning application stage in line with the DoEHLG Guidelines “The Planning System and Flood Risk Management”, November 2009.</p>	No potential impact to Natura 2000 sites.	No likely significant effect.	n/a
20	<p><b>Chapter 7 Cultural, Built and Natural Heritage</b></p> <p>Revise the “Statement of Character” for the ACA by adding the following</p>			

Material Alteration Number	Alteration Type	Identification of Potential Impacts	Likely Significant Effect	Adverse effect on the integrity of the site
	<p>under Section 7.1.3 of the draft LAP</p> <p><i>At the turn of the 19<sup>th</sup> century, the town again extended, with the construction of single storey dwellings on Green Lane Lower and Clonmel Road, these contained small rear yards that backed on to the Fair Green. These building are different from the mixed use two storey Georgian buildings of the town core, and represent small scale residential expansion of the town. The architectural and social importance of these single storey terraced houses in the wider urban context is understated by their subtlety of form and urban finish.</i></p>	No potential impact to Natura 2000 sites.	No likely significant effect.	n/a
21	<p><b>Chapter 7 Cultural, Built and Natural Heritage</b></p> <p>Insert new objective BHDM 8 as follows in section 7.1.5;</p> <p><i>BHDM8: Assessment for new developments in the ACA should have regard to scale, height, fenestration, roofs and facades, which will enable such architectural details and context to be maintained and strengthened.</i></p>	No potential impact to Natura 2000 sites.	No likely significant effect.	n/a
22	<p><b>Chapter 7 Cultural, Built and Natural Heritage</b></p> <p>Replace Figure 4 (Section 7.1.5) Callan Architectural Conservation Area as follows;</p>	No potential impact to Natura 2000 sites.	No likely significant effect.	n/a



Material Alteration Number	Alteration Type	Identification of Potential Impacts	Likely Significant Effect	Adverse effect on the integrity of the site
				
23	<p><b>Chapter 7 Cultural, Built and Natural Heritage</b></p> <p>Amend NHB1 (Section 7.2.2) as follows;</p> <p>NHB1: In seeking to protect and enhance the natural environment, Kilkenny County Council will seek to;</p> <ul style="list-style-type: none"> <li>• Protect natural heritage sites designated in National and European legislation, specifically the River Barrow and Rivers Nore SAC;</li> <li>• <del>Provide for an appropriate riverside buffer of circa 20m that protects the integrity of the SAC and assists in the management of</del></li> </ul>	<p>The removal of the buffer zone has the potential to increase the risk of emissions to the river during construction and</p>	<p>Uncertain if significant effects are likely (in the absence of mitigation)</p>	<p>No adverse effects anticipated if the proposed zoning is adhered to in-combination with the proper</p>

Material Alteration Number	Alteration Type	Identification of Potential Impacts	Likely Significant Effect	Adverse effect on the integrity of the site
	<i>flood risk;</i>	operation of development.		implementation of the proposed mitigation measures (as set out in the NIR).
24	<p><b>Chapter 7 Cultural, Built and Natural Heritage</b></p> <p>Insert new objective NBH6 as follows;</p> <p><i>NHB6: It is an objective of Kilkenny County Council to avoid the spread of alien invasive species, to promote good practice in the control of invasive species and to raise awareness in relation to invasive species present within the LAP area and thereby preventing the spread of invasive species.</i></p>	No potential impact to Natura 2000 sites.	No likely significant effect.	n/a
25	<p><b>Chapter 8 Recreation, Tourism and the Arts</b></p> <p>Amend GI1 as follows;</p> <p>‘It is an objective of Kilkenny County Council to develop a Green Infrastructure Strategy for the town, linked to its urban regeneration’. <i>The strategy will identify a youth space on existing open space within the town.</i></p>	No potential impact to Natura 2000 sites.	No likely significant effect.	n/a
26	<p><b>Chapter 8 Recreation, Tourism and the Arts</b></p> <p>Amend SDO- OS2 as follows:</p> <p>‘SDO- OS2 To develop the Motte Field as part of the Green infrastructure Strategy for the town with all stakeholders <i>and to incorporate an appropriate pedestrian access to the Westcourt Industrial Estate and the Callan Bacon site as part of the Motte Fields Nature and Heritage Trail.</i>’</p>	No potential impact to Natura 2000 sites.	No likely significant effect.	n/a
27a	<p><b>Chapter 8 Recreation, Tourism and the Arts</b></p> <p>(a) Insert the following under Section 8.2.2 (paragraph 2)</p> <p><i>“The network of arts organisations and collectives in the town include KCAT</i></p>	No potential impact	No likely significant	

Material Alteration Number	Alteration Type	Identification of Potential Impacts	Likely Significant Effect	Adverse effect on the integrity of the site
	<p><i>Arts Centre, Equinox Theatre Company, Workhouse Union, Abhainn Rí Festival, Fennelly's of Callan, Monkeyshine Theatre, Asylum Productions, Tony O'Malley Residency and Trasna Productions. Over 30 people are employed on a full-time or part-time basis in the arts in Callan, with a considerable number of self-employed artists and creative practitioners working in the town too.</i></p> <p><i>KCAT is a multi-disciplinary Arts Centre dedicated to the fostering and nurturing of creative ambition and professional development in the arts. Over 100 participants per week take part in an aspect of KCAT's artistic activities. With support from this LAP and other policy and funding opportunities, Callan could be further developed as an excellent place to make, support and foster artistic production and engagement. The vibrancy of the arts activities in Callan also holds additional tourism potential."</i></p>	to Natura 2000 sites.	effect.	n/a
27b	<p><b>Chapter 8 Recreation, Tourism and the Arts</b></p> <p><b>(b)</b> Delete the following under Section 8.2.2</p> <p><del>"The strong arts community in Callan includes several theatre groups and facilitates the organization of the annual festival Abhainn Rí Festival of Participation and Inclusion since 2010, holding a series of events for a week each year aiming to bring people together. The vibrancy of the arts activities in Callan also holds additional tourism potential."</del></p> <p><del>"In Callan, there are also a number of very active arts and community groups which provide a strong basis for a community and arts led regeneration approach to improving the town centre, particularly around Bridge Street. Together with Callan's unique townscape and history these groups form part of an important cultural asset base in the town. They</del></p>	No potential impact to Natura 2000 sites.	No likely significant effect.	n/a

Material Alteration Number	Alteration Type	Identification of Potential Impacts	Likely Significant Effect	Adverse effect on the integrity of the site
	include an existing 'civic cluster' at Callan Workhouse."			
28	<p><b>Chapter 8 Recreation, Tourism and the Arts</b></p> <p>Insert the following in Section 8.2.2 (paragraph 5);</p> <p><i>Callan's artistic network has developed a particularly strong practice in participatory design and civic engagement, providing a solid basis for a community and arts-led regeneration approach to improving the town centre, particularly around Bridge Street. Public and community engagement work on the future of the Bridge Street Upper has been significant over the past five years and should be further developed and built on through the LAP. 'The Bridge Street Project' was an interdisciplinary collaboration between theatre-makers, architecture practitioners, residents and business owners of Bridge Street, and the wider community of Callan. Together with Callan's unique townscape and history, these creative initiatives form part of an important cultural asset base in the town. A similar approach has happened in the existing 'civic cluster' at Callan Workhouse and should be further developed and built on through the LAP.</i></p>	No potential impact to Natura 2000 sites.	No likely significant effect.	n/a
29a	<p><b>Chapter 8 Recreation, Tourism and the Arts</b></p> <p>(a) Amend Section 8.2.3 by inserting ACCE4 as follows</p> <p>ACCE4: It is an objective of Kilkenny County Council to support the further development of existing cultural facilities and activities in Callan <b>and to investigate the feasibility of providing additional cultural facilities in the town.</b></p>	No potential impact to Natura 2000 sites.	No likely significant effect.	n/a
29b	<p><b>Chapter 8 Recreation, Tourism and the Arts</b></p> <p>(b) Amend Section 8.2.3 by inserting ACCE5 as follows</p> <p><i>ACCES: It is an objective of Kilkenny County Council to support the development of the various arts organisations in the town</i></p>	No potential impact to Natura 2000 sites.	No likely significant effect.	n/a

Material Alteration Number	Alteration Type	Identification of Potential Impacts	Likely Significant Effect	Adverse effect on the integrity of the site
29c	<p><b>Chapter 8 Recreation, Tourism and the Arts</b></p> <p>(c) Amend Section 8.2.3 by inserting ACCE6 as follows</p> <p><i>ACCE6: It is an objective of Kilkenny County Council to support the development of Callan Workhouse as a civic and cultural cluster.</i></p>	No potential impact to Natura 2000 sites.	No likely significant effect.	n/a
30	<p><b>Chapter 9 Infrastructure and Environment</b></p> <p>Amend Section 9.1 paragraph 2 as follows;</p> <p><i>Irish Water's 2020-2024 Investment Plan has been submitted to the Commission for Regulation of Utilities (RCU); further details can be found on the CRU website at www.cru.ie.</i></p>	No potential impact to Natura 2000 sites.	No likely significant effect.	n/a
31	<p><b>Chapter 9 Infrastructure and Environment</b></p> <p>Amend Section 9.1 Waste Water Treatment as follows;</p> <p><i>'The existing treatment plant in Callan has a design capacity for population of 4000pe and all the majority of properties within the town are connected to the WWTP via the wastewater network serving the town. However it's The network is a combined system with mixed storm and foul water which can be problematic when flood events occur. The town also has a proliferation of pumping stations. The Callan network has been included on the national stormwater overflow (SWO) survey and assessment programme, which has commenced and will take 2-3 years to complete. A strategic assessment of the towns existing network of pumping stations is required and the requirement for additional stations should be limited where possible. Within Irish Water's Draft Investment Plan a provisional and draft list of projects and programmes is provided. The projects and programmes listed are expected to be commenced, progressed or completed during the 2020-2024 period. Callan WWTP is included under this list and Table 15 provides an extract from the supplementary capacity register. However, in relation to headroom (PE), the register states that</i></p>	No potential impact to Natura 2000 sites.	No likely significant effect.	n/a

Material Alteration Number	Alteration Type	Identification of Potential Impacts	Likely Significant Effect	Adverse effect on the integrity of the site
	<del>the available capacity is not confirmed until environmental and asset assessments are completed. In terms of additional comments in relation to the Callan WWTP, it also states that more stringent Emission Limit Values are required from 2020.</del>			
32	<p><b>Chapter 9 Infrastructure and Environment</b></p> <p>Amend Section 9.1 Waste Water Treatment as follows;</p> <p>This renders the overall water supply infrastructure functional but tenuous in respect of future development. There is sufficient pressure in the network at present. The key issue is the maintenance of sufficient head at the water tower and pipe restrictions within the network. <i>While capacity for further development is limited at present, further studies/surveys can be completed over the medium term to confirm the capacity of the sources, in order to determine how much new development can be accommodated; and if investment is needed it shall be in line with the relevant Irish Water policies.</i></p>	No potential impact to Natura 2000 sites.	No likely significant effect.	n/a
33	<p><b>Chapter 9 Infrastructure and Environment</b></p> <p>Amend Section 9.1 Infrastructure - Development Objectives as follows;</p> <p>‘IN3: It is an objective of Kilkenny County Council to align future development with capacity at the Callan Waste Water Treatment Plant to ensure that <i>any</i> improvements <i>needed</i> are sufficient to meet standards required to avoid significant adverse effects on the River Nore and River Barrow SAC.’</p>	No potential impact to Natura 2000 sites.	No likely significant effect.	n/a
34	<p><b>Chapter 9 Infrastructure and Environment</b></p> <p>Insert new objective IN6 in Section 9.1 as follows;</p> <p><i>IN6: To have regard to the suite of Irish Water objectives for development as set out in Appendix 3 in assessing applications for all new developments</i></p>	No potential impact to Natura 2000 sites.	No likely significant effect.	n/a

Material Alteration Number	Alteration Type	Identification of Potential Impacts	Likely Significant Effect	Adverse effect on the integrity of the site
	<i>within this Local Area Plan.</i>			
35	<p><b>Chapter 9 Infrastructure and Environment</b></p> <p>Delete the following text of ‘Section 9.2 Flooding’</p> <p><del>Flooding is a natural phenomenon and where there is no risk to human life and property it is beneficial as it provides fertile sediments for farmland, maintains valuable wildlife habitats and reduces flood risk elsewhere in the catchment. The floodplain, the flat or nearly flat land adjacent to a stream or river that experiences occasional or periodic flooding, plays a key role in this process and acts as a temporary store for flood waters and facilitates their conveyance and flood levels downstream. A number of human activities tend to restrict the capacity of rivers to accommodate large storm flows. These include:</del></p> <ul style="list-style-type: none"> <li><del>• Greenfield Development: Paving over previously permeable areas for roads, housing, car parks, etc. can significantly restrict the potential infiltration rate of the area covered. This activity might have a minor or negligible impact in large river basins (due to flood peak timing and proportion of area developed), but could substantially increase runoff in small river basins (i.e. by more than 100%).</del></li> <li><del>• Changes in Land Use or Land Use Practices: Changes in the vegetation cover, the way in which land is used, or measures which impact negatively on natural flood retention areas (wetlands), can have impacts on both interception and infiltration.</del></li> </ul>	No potential impact to Natura 2000 sites.	No likely significant effect.	n/a
36	<p><b>Chapter 9 Infrastructure and Environment</b></p> <p>Insert the following in Section 9.2</p> <p><i>A Strategic Flood Risk Assessment was carried out as part of this LAP and is attached as Appendix 1 to the Strategic Environmental Assessment. This</i></p>	No potential impact	No likely significant	n/a

Material Alteration Number	Alteration Type	Identification of Potential Impacts	Likely Significant Effect	Adverse effect on the integrity of the site
	<i>SFRA was an iterative process, and informed the making of this Plan. Recommendations were outlined in the SFRA and have been incorporated into the text where appropriate.</i>	to Natura 2000 sites.	effect.	
37	<p><b>Chapter 9 Infrastructure and Environment</b></p> <p>Amend FDM3 <b>Flooding – Development Management Objectives</b> as follows;</p> <p>FDM3: Where flood risk may be an issue for any proposed development, including pluvial flood risk, a flood risk assessment (<i>including an assessment of drainage infrastructure</i>) shall be carried out that is appropriate to the scale and nature of the development and the risks arising. This shall be undertaken in accordance with the Flood Risk Assessment Guidelines. Proposals for mitigation and management of flood risk will only be considered where avoidance is not possible and where development can be clearly justified with the Guidelines’ Justification Test.</p>	No potential impact to Natura 2000 sites.	No likely significant effect.	n/a
38	<p><b>Chapter 9 Infrastructure and Environment</b></p> <p>Insert new objective FDM5 as follows;</p> <p><i>FDM5: A site specific flood risk assessment should be completed for development in areas liable to surface water flooding, as identified in the SFRA.</i></p>	No potential impact to Natura 2000 sites.	No likely significant effect.	n/a
39	<p><b>Chapter 9 Infrastructure and Environment</b></p> <p>Insert new text in paragraph 2 of section 9.4 as follows;</p> <p><i>‘Future development with the potential to impact on national roads must be considered in the context of the policy provisions in relation to access to national roads which is set by the Spatial Planning and National Roads Guidelines and as per Section 11.7.3 of the Kilkenny County Development</i></p>	No potential impact to Natura 2000 sites.	No likely significant effect.	n/a



Material Alteration Number	Alteration Type	Identification of Potential Impacts	Likely Significant Effect	Adverse effect on the integrity of the site
	<i>Plan 2014-2020.'</i>			
40	<p><b>Chapter 9 Infrastructure and Environment</b></p> <p>Amend TSDO2 as follows;</p> <p>'TSDO2: Safety improvements on the National Road at the junction of the N76 and R699 are required to address general safety issues and sight lines in particular <i>in consultation with the TII.</i></p>	No potential impact to Natura 2000 sites.	No likely significant effect.	n/a
41	<p><b>Chapter 9 Infrastructure and Environment</b></p> <p>Amend TSDO3 as follows;</p> <p>'TSDO3: Improve Pedestrian crossing facilities on the N76 at the R695 and L1020 junctions <i>in consultation with the TII.</i></p>	No potential impact to Natura 2000 sites.	No likely significant effect.	n/a
42	<p><b>Chapter 9 Infrastructure and Environment</b></p> <p>insert new objective TSDO10 as follows;</p> <p><i>TSDO10: To require all significant developments to be accompanied by Traffic and Transport Assessments (TTA) and Road Safety Audit (RSA) to be assessed in association with their cumulative impact with neighbouring developments on the road network. Regard should be had to the thresholds advised in the TII Traffic and Transport Assessment Guidelines (2014) and sub threshold TAA requirements for proposals affecting National Roads.</i></p>	No potential impact to Natura 2000 sites.	No likely significant effect.	n/a
43	<p><b>Chapter 10 Implementation</b></p> <p>Amend Section 10.6.1 as follows;</p> <p>This masterplan, should be completed by a multidisciplinary team that includes the relevant professionals e.g architect, <i>conservation professional</i> as well as ....."</p>	No potential impact to Natura 2000 sites.	No likely significant effect.	n/a

Material Alteration Number	Alteration Type	Identification of Potential Impacts	Likely Significant Effect	Adverse effect on the integrity of the site
	<del>Conservation proposals for protected structures within the Masterplan area should be identified on the basis of condition survey;</del>			
44	<p><b>Chapter 10 Implementation</b></p> <p>Insert new bullet point in Section 10.6.1</p> <ul style="list-style-type: none"> <li><i>‘To review the protected structures within the Masterplan area, such a review will focus on the absence or continual presence of the building’s special interest. This review will allow an opportunity to assess and evaluate their importance, and their significance to the wider urban context.’</i></li> </ul>	No potential impact to Natura 2000 sites.	No likely significant effect.	n/a
45	<p><b>Chapter 10 Implementation</b></p> <p>Add additional bullet point under Section 10.6.2 as follows;</p> <ul style="list-style-type: none"> <li><i>Consult with key stakeholders including Irish Water to ensure that there is no conflict with nearby above or below ground assets. (it is recommended that a footnote is included to read as follows: The masterplan area is located in close proximity to the following above or below ground assets which belong to Irish Water. They include the wastewater pumping station at Clodeen Lane and Irish Water water mains and sewer pipes. It is also noted that there is both a wastewater rising main and a watermain crossing the King’s River in close proximity to the Clodeen Lane pump station and hence close to the proposed pedestrian and cycle bridge.)</i></li> </ul>	No potential impact to Natura 2000 sites.	No likely significant effect.	n/a
46	<p><b>Chapter 10 Implementation</b></p> <p>Amend paragraph 10.6.5 as follows:</p> <p><del>West Street</del> Clonmel Road / Chapel Lane Infill Area</p> <p>A masterplan approach is required for the area to the rear of <del>Bolton Woods</del></p>	No potential impact	No likely significant	n/a

Material Alteration Number	Alteration Type	Identification of Potential Impacts	Likely Significant Effect	Adverse effect on the integrity of the site
	<p><i>houses fronting onto Chapel Lane. Should a development proposal arise, the purpose of this designation is to prevent incremental development and maintain high standards of residential amenity in the surrounding area.</i></p> <p>This masterplan will focus on achieving high quality infill residential development. Masterplan proposals must be submitted and agreed with Kilkenny County Council in advance of any applications. The proposed design should:</p> <ul style="list-style-type: none"> <li>• <i>identify linkages with development in the surrounding area with particular regard to the need to deliver improved pedestrian connections with Chapel Lane and Clonmel Road;</i></li> <li>• <i>Identify measures to achieve zero or low carbon development, through the integration of renewable energy proposals and energy efficient design; and</i></li> <li>• <i>Maintain high standards of residential amenity of surrounding areas."</i></li> </ul>	to Natura 2000 sites.	effect.	
47	<p><b>Appendix 1: Land Use Zoning Objectives</b></p> <p><b>Agriculture</b></p> <p>Note: Residential uses are subject to the provisions set out in Section 6.1.5: Housing on Lands Zoned for Agriculture. <del>Residential, or caravan park, development within the flood zones (as identified in the Strategic Flood Risk Assessment of this LAP or other superceding document) will not be permissible. Extensions and expansions of existing uses will be considered on their own merits.</del></p>	No potential impact to Natura 2000 sites.	No likely significant effect.	n/a
48	<p><b>Appendix 1: Land Use Zoning Objectives</b></p> <p><b>Insert new text under zoning for "Agriculture", "Community Facilities", "Open Space" and "Residential"</b></p> <p><i>Flood Risk:</i></p>	No potential impact	No likely significant	n/a

Material Alteration Number	Alteration Type	Identification of Potential Impacts	Likely Significant Effect	Adverse effect on the integrity of the site
	<i>All proposed development within this zone which falls within flood zone A or B shall be subject to a site specific flood risk assessment. No highly vulnerable uses (as set out in the Flood Risk Management Guidelines) other than extensions to existing structures and uses, will be permitted within Flood Zone A or B. Less vulnerable uses will also not be allowed within Flood Zone A other than extensions to existing structures and uses as set out in the Flood Risk Management guidelines.</i>	to Natura 2000 sites.	effect.	
49	<p><b>Appendix 1: Land Use Zoning Objectives</b></p> <p>Delete the following from Appendix 1;</p> <p><del>Special Area of Conservation (SAC) Green Links/Biodiversity/Conservation</del></p> <p><del>Objective: To reserve riverfront within the SAC for green links / biodiversity /conservation purposes and to accommodate limited links across the river</del></p> <p><del>Permissible Uses: Biodiversity projects and works associated with the conservation and management of the River Nore/River Barrow Special Area of Conservation</del></p>	No potential impact to Natura 2000 sites.	No likely significant effect.	n/a
50	<p><b>Appendix 1: Land Use Zoning Objectives</b></p> <p>Insert new Appendix 3 to LAP to include suite of appropriate Objectives/Policies for Water Services as recommended by Irish Water (see attached).</p>	No potential impact to Natura 2000 sites.	No likely significant effect.	n/a

## 3.2 Assessment of the effects of the project or plan on the integrity of Natura 2000 sites

The integrity of the River Barrow and River Nore SAC 002162 and River Nore SPA 004233, in the absence of mitigation, due to material alterations of the LAP is likely to be affected by emissions of suspended solids and pollutants arising from development that may occur due to the removal of the proposed 20 m riparian buffer zone and the proposed 'Improvement and Restoration of the King's River.'

The potential impacts identified could result in deterioration in water quality or change in water chemistry. Disturbance and resultant displacement of species such as otter could occur due to proposed recreational activities and development in close proximity to the King's river. These effects could result in population reduction through mortality or reduction in the distribution of habitat. The effects described could undermine the conservation objectives for the features of interest affected which would adversely affect the integrity of both the River Barrow and River Nore SAC and River Nore SPA.

### 3.2.1 Describe what mitigation measures are to be introduced to avoid, reduce or remedy the adverse effects on the integrity of the site. Acknowledge uncertainties and any gaps in information.

Mitigation has been incorporated into Callan LAP 2019 – 2025 in the form of Development Management Objectives. The mitigation measures proposed in the Natura Impact Report for the LAP focus on the protection of the water quality of the river as deterioration in the quality or changes in chemistry has the potential to adversely affect features of interest of both the River Barrow and River Nore SAC and River Nore SPA. The mitigation measures for the proposed material alterations are the same as those proposed for the LAP.

It must also be noted that the assessment made at plan level does not exempt projects or plans arising from the plan from the assessment requirements of Article 6(3) at a later stage, when much more details about them are known. In other words projects or plans that result from the strategies and objectives of Callan LAP 2019 – 2025 are also required to undergo Article 6 assessment before they can be permitted or proceed.

The mitigation measures proposed are set out in detail within the NIR for the LAP but can be broadly summarised as follows:

- Identified vacant sites will be developed or redeveloped in a manner that is sensitive to the natural and built heritage of Callan LAP area.
- Wastewater, surface water drainage and drinking water infrastructure must be in place prior to development.
- Measures to protect the environment will be incorporated into projects or plans to avoid adverse effects to the integrity of Natura 2000 sites. These will include, but will not limited to, measures such as those set out in:
  - *Guidelines on Protection of Fisheries During Construction Works In and Adjacent to Waters* (IFI, 2016) and
  - *Environmental Good Practice on Site Guide* (CIRIA, 2015)

Kilkenny County Council will be responsible for ensuring that the mitigation measures proposed are implemented and that the measures are implemented for the lifetime of Callan LAP 2019 – 2025. Kilkenny County Council will also be responsible for ensuring that projects or plans that result from the strategies and objectives of Callan LAP 2019 – 2025 are also required to undergo Article 6 assessment before they can be permitted or proceed.

### 3.3 Cumulative Effects

Cumulative effects can result from individually insignificant but collectively significant actions taking place over a period of time or concentrated in a location. Cumulative effects are particularly important in EclA as ecological features may be already exposed to background levels of threat or pressure and may be close to critical thresholds where further impact could cause irreversible decline. Cumulative effects can also make habitats and species more vulnerable or sensitive to change (CIEEM, 2018).

Other plans and projects to be considered would include the following types of future development within the same zone of influence:

- proposals for which consent has been applied which are awaiting determination in any regulatory process (not necessarily limited to planning permission)
- projects which have been granted consent (not limited to planning permissions) but which have not yet been started or which have been started but are not yet completed (i.e. under construction)
- proposals which have been refused permission but which are subject to appeal and the appeal is undetermined
- to the extent that their details are in the public domain, proposed projects that will be implemented by a public body but for which no consent is needed from a competent authority. (CIEEM, 2018).

The following plans and projects were considered together with the proposed material alterations to Callan LAP 2019 – 2025 for potential cumulative impacts and effects:

- Kilkenny County Development Plan 2014 – 2020
- Kilkenny County Councils planning portal<sup>2</sup> was accessed for planning applications in the plan area.

The applications in the plan area in close proximity to the King's River are mainly house extensions, erection of agricultural sheds, extension of duration for developments and a single application for a recreational trail.

There is potential for other plans and projects, as set out above, to act in-combination and to give rise to likely cumulative effects.

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<sup>2</sup> <http://gis.kilkennycoco.ie/website/kilkennymaps/> - Last accessed 30/10/2018

## 4.0 Conclusions

The likely effect of the proposed material alterations to the LAP alone and in combination with other plans and programmes has been considered in this report. Three of the proposed material alterations are likely to result in significant effects to the River Barrow and River Nore SAC and River Nore SPA or the significance of their effects were uncertain. Therefore, these material alterations were progressed to Stage 2 Appropriate Assessment and mitigation measures proposed. The mitigation measures proposed are to protect water quality and the species using the river and are the same as those set out in the NIR for the LAP and were deemed sufficient to avoid adverse effects on the integrity of the River Barrow and River Nore SAC and River Nore SPA.

Therefore, the previous finding of no adverse effect on the integrity of the River Barrow and River Nore SAC and River Nore SPA as a result of the LAP remains. On the basis of the findings of this report for the Proposed Material Alterations, it can be concluded that the proposed Draft Callan Local Area Plan 2019 -2025 is not likely to result in adverse effects to the integrity of either the River Barrow and River Nore SAC (002162) nor the River Nore SPA assuming that the mitigation measures detailed in this report and the NIR for the plan are implemented as proposed and that all lower level plans and projects will be subject to assessment under Article 6 of the Habitats Directive prior to permission or commencement.

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## APPENDIX 01

Determination on AA




**TO:** SEAN MCKEOWN, DIRECTOR OF SERVICES  
**FROM:** DENIS MALONE, SENIOR PLANNER  
**SUBJECT:** APPROPRIATE ASSESSMENT (AA) SCREENING DETERMINATION UNDER THE PLANNING AND DEVELOPMENT ACT 2000 (AS AMENDED) FOR:  
Material Alterations to the Draft Callan Local Area Plan

At the meeting of Kilkenny County Council on the 21<sup>st</sup> January 2019, and in accordance with Section 20(d) of the Planning and Development Act 2000 (as amended), the Members considered the Draft Local Area Plan and the Chief Executive's Report on submissions, and decided to amend the Draft Local Area Plan.

As required by Section 20(f) of the Planning and Development Act 2000 (as amended), a determination shall be made if a Strategic Environmental Assessment or Appropriate Assessment or both such assessments, as the case may be, is or are required to be carried out as respects one or more than one proposed Material Alteration of the Draft Local Area Plan.

To this end, a report entitled "Appropriate Assessment Screening" has been prepared and it determines that the proposed material alterations are likely to result in significant effects to the River Barrow and River Nore SAC and River Nore SPA or the significance of their effects were uncertain.

Taking into account the findings of the AA process that are detailed in an AA Screening Report, Kilkenny County Council have determined that Stage 2 AA is required.

  
Denis Malone,  
Senior Planner

Date 30<sup>th</sup> Jan 2019

*It is considered that having regard to the nature of the amendments and the AA and screening documents for the Draft Local Area Plan that the required AA and SEA screening can be completed by*  
*6<sup>th</sup> Feb 2019.*  
*D.M. 30/1/2019*

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