

Screening Report for Appropriate Assessment Amendment 1 to Ferrybank Belview Local Area Plan



Forward Planning
Kilkenny County Council
August 2011

1 Introduction

The Planning and Development (Amendment) Act 2010 introduced a requirement for Development Plans to contain a 'Core Strategy' which is an evidence based strategy for the zoning of land. Variation No. 2 to the Kilkenny County Development Plan was published in May 2011 to incorporate such a Core Strategy into the Development Plan. Amendment No. 1 to the Ferrybank Belview Local Area Plan (LAP) is necessary to ensure the LAP remains consistent with the varied Development Plan. This is a Screening Report for Appropriate Assessment of Amendment 1 as required by Articles 6(3) and 6(4) of the European Habitats Directive.

The recommendations of the Departmental Guidelines on 'Appropriate Assessment of Plans and Projects in Ireland'¹ will be adhered to in the structure of this report. The purpose of screening is to establish whether the proposed plan or project (in this case the amended plan) either alone or in combination with other plans or projects, could have significant effects on any Natura 2000 site in view of the site's conservation objectives. A Natura 2000 site is a European designated site – either a candidate Special Area of Conservation (cSAC) or a candidate Special Protection Area (cSPA). SACs are protected either because they are a habitat listed on Annex 1 of the Habitats Directive or are a habitat of species (other than birds) listed on Annex 2 of the Habitats Directive. Special Protection Areas are designated for the protection of birds listed on Annex 1 of the Birds Directive.

The Guidelines set out how a screening assessment should be structured, which can be broken into four steps.

Step 1: Description of plan or project. This should also include a determination as to whether the proposed plan or project can be excluded from AA requirements because it is directly connected with or is necessary for the management of the site.

Step 2: to identify relevant Natura sites and compilation of information on their qualifying interests and conservation objectives.

Step 3: to establish whether the plan is likely to have effects on the Natura 2000 sites, followed by a determination of whether there is a risk that the effects identified could be significant.

Step 4: Screening statement with conclusions

If the effects are deemed to be significant, potentially significant, or uncertain, or the screening process becomes overly complicated, then the process must proceed to full Appropriate Assessment. If screening establishes that there is no potential for significant effects, the project can proceed as proposed. Following the screening assessment, if it can be concluded that there are unlikely to be significant effects on the Natura 2000 sites, it should be good practice to complete the Finding of No Significant Effects Report which should be made available to relevant stakeholders.

¹ Department of the Environment, Heritage and Local Government (2009) *Appropriate Assessment of Plans and Projects in Ireland, Guidance for Planning Authorities*

2 Screening

2.1 Step 1: Description of plan or project

Amendment No. 1 to the Ferrybank/Belview LAP mainly comprises phasing the zoned land in the LAP area. The County Core Strategy, as published as Variation 2 to the County Development Plan, has set out that Ferrybank should include approximately 27 hectares of zoned land. The LAP at present includes over 200 hectares of undeveloped land zoned for either residential, or a mix of residential and other uses. Therefore this Amendment will significantly reduce the amount of land available for residential use by dividing it into two phases; 58 hectares of land in Phase 1 and 184 hectares of land in Phase 2. Phase 1 will be available for development during the lifetime of the LAP, Phase 2 will not. In addition, applications for development on Phase 1 lands will be required to satisfy a Core Strategy Justification Test, which ensures that the development will only be permitted where there is an established need, and where local services and infrastructure can cater for the development.

The Amendment also includes a minor alteration to the development boundary in the area of Slieverue. Having regard to the current use of some of this land as improved agricultural land it is considered that the Passive Open Space zoning at this location should be removed. The zoning here was intended to reflect the forested and wetland nature of the land (as outlined on Map 4 Environmental Parameters of the LAP). The three fields which are to be removed from the POS zoning are neither wetland nor forested, therefore this change will not negatively affect any of the objectives of the Plan. The development boundary will now not include these three fields, and they will be governed by the provisions of the County Development Plan.

Amendment No.1 to the LAP is not directly connected with or necessary to the management of any Natura 2000 site.

2.2 Step 2: Identification of relevant Nature 2000 sites and compilation of information on their qualifying interests and conservation objectives.

In compliance with the Departmental Guidance, this includes any Natura 2000 sites within or adjacent to the plan area, any sites within 15 km of the area, and depending on the likely impacts of the plan and the sensitivities of the receptors, could be further than 15 km away. In this case, due to the nature of the amended plan and the likely limited impacts from the reduction in the amount of land available for development, no impacts are likely to occur on sites more than 15 km away, therefore they are not considered.

There are two SACs situated partly within the plan area: site code 2137, the Lower River Suir and site code 2162 the River Barrow and River Nore. There are a further five Natura 2000 sites within a 15 km distance from the LAP boundary.

Site Name	SAC Site Code	SPA Site Code
Lower River Suir	002137	-----
River Barrow & Nore	002162	-----
River Nore	002162	0004233 (not within 15km of LAP boundary)
Tramore Dunes and Backstrand	000671	004027
Bannow Bay	000697	004033
Mid-Waterford Coast SPA	-----	004193

2.2.1 NPWS site synopses

The following is a brief description of the sites within 15km as taken from the site synopses published by the NPWS. Full site synopses are available at <http://www.npws.ie/protectedsites/>

Map 1 shows the location of these Natura 2000 sites.

- Lower River Suir cSAC (002137)

The site is a candidate SAC selected for the following habitats and species listed in the E.U. Habitats Directive - (a) priority habitats on Annex I - alluvial wet woodlands and Yew Wood, (b) habitats listed on Annex I -floating river vegetation, Atlantic salt meadows, Mediterranean salt meadows, old oak woodlands and eutrophic tall herbs, and (c) species listed on Annex II - Sea Lamprey, River Lamprey, Brook Lamprey, Freshwater Pearl Mussel, Crayfish, Twaite Shad, Atlantic Salmon and Otter.

The site is of particular conservation interest for the presence of Annex II animal species, including Freshwater Pearl Mussel, Freshwater Crayfish, Salmon, Twaite Shad, three species of Lampreys - Sea Lamprey, Brook Lamprey and River Lamprey and Otter. This is one of only three known spawning grounds in the country for Twaite Shad. The site also supports populations of several other animal species.

Parts of the site have also been identified as of ornithological importance for a number of Annex I (EU Birds Directive) bird species, including Greenland White-fronted Goose, Golden Plover, Whooper Swan and Kingfisher. Wintering populations of migratory birds use the site.

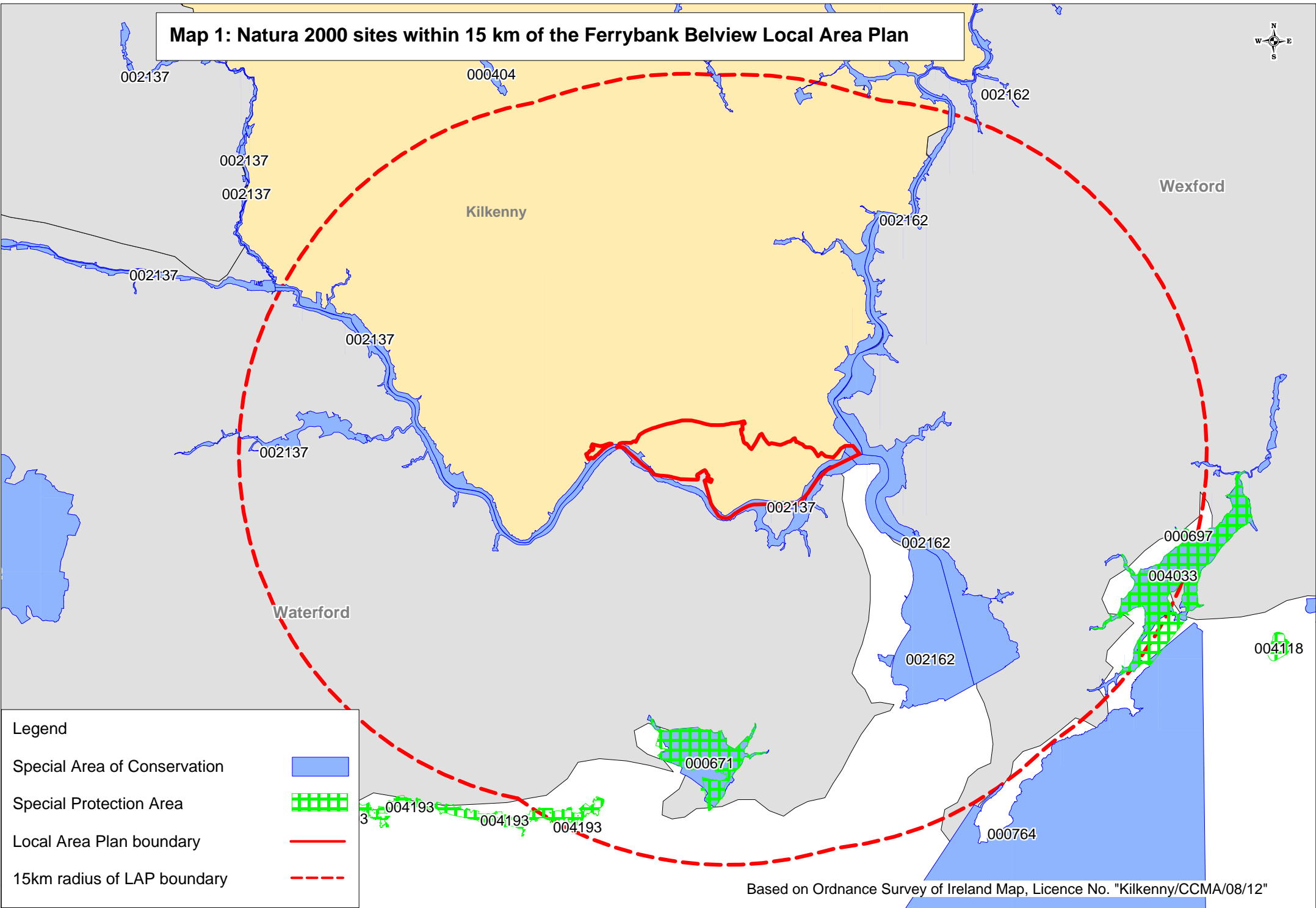
The Lower River Suir contains excellent examples of a number of Annex I habitats, including the priority habitat Alluvial Forest. The site also supports populations of several Annex II animal species and a number of Red Data Book animal species. The presence of two legally protected plants (Flora (Protection) Order, 1999) and the ornithological importance of the river adds further to the ecological interest of this site.

The SAC runs through the study area and for the most part is coincident with the high water mark. In the Newrath area the boundary includes a terrestrial portion – an island in the Blackwater estuary.





- River Barrow and River Nore cSAC (002162)

The site is a candidate SAC selected for the following habitats and species listed on the E.U. Habitats Directive – (a) priority habitats on Annex I - alluvial wet woodlands and petrifying springs, (b) habitats listed on Annex I - old oak woodlands, floating river vegetation, estuary, tidal mudflats,

Map 1: Natura 2000 sites within 15 km of the Ferrybank Belview Local Area Plan



Legend

- Special Area of Conservation 
- Special Protection Area 
- Local Area Plan boundary 
- 15km radius of LAP boundary 

Based on Ordnance Survey of Ireland Map, Licence No. "Kilkenny/CCMA/08/12"

Salicornia mudflats, Atlantic salt meadows, Mediterranean salt meadows, dry heath and eutrophic tall herbs, and (c) species listed on Annex II – Sea Lamprey, River Lamprey, Brook Lamprey, Freshwater Pearl Mussel, Nore Freshwater Pearl Mussel, Crayfish, Twaite Shad, Atlantic Salmon, Otter, *Vertigo moulinsiana* and the plant Killarney Fern.

Eutrophic tall herb vegetation occurs in association with the various areas of alluvial forest and elsewhere where the flood-plain of the river is intact. Floating River Vegetation is well represented in the Barrow and in the many tributaries of the site. Dry Heath at the site occurs in pockets along the steep valley sides of the rivers especially in the Barrow Valley and along the Barrow tributaries where they occur in the foothills of the Blackstairs Mountains.

Dry Heath at the site generally grades into wet woodland or wet swamp vegetation lower down the slopes on the river bank. Saltmeadows occur at the southern section of the site in old meadows where the embankment has been breached, along the tidal stretches of in-flowing rivers below Stokestown House, in a narrow band on the channel side of Common Reed beds and in narrow fragmented strips along the open shoreline. *Salicornia* and other annuals colonising mud and sand are found in the creeks of the saltmarshes and at the seaward edges of them. The estuary and the other Habitats Directive Annex I habitats within it form a large component of the site.

Seventeen Red Data Book plant species have been recorded within the site, most in the recent past. The site is very important for the presence of a number of EU Habitats Directive Annex II animal species including Freshwater Pearl Mussel, Freshwater Crayfish, Salmon, Twaite Shad, three Lamprey species - Sea, Brook and River, the marsh snail *Vertigo moulinsiana* and Otter. This is the only site in the world for the hard water form of the Pearl Mussel *M. m. durrovensis* and one of only a handful of spawning grounds in the country for Twaite Shad. The freshwater stretches of the River Nore main channel is a designated salmonid river. The upper stretches of the Barrow and Nore are very important for spawning. The site is of ornithological importance for a number of E.U. Birds Directive Annex I species including Greenland White-fronted Goose, Whooper Swan, Bewick's Swan, Bartailed Godwit, Peregrine and Kingfisher.

Overall, the site is of considerable conservation significance for the occurrence of good examples of habitats and of populations of plant and animal species that are listed on Annexes I and II of the E.U. Habitats Directive respectively. Furthermore it is of high conservation value for the populations of bird species that use it. The occurrence of several Red Data Book plant species including three rare plants in the salt meadows and the population of the hard water form of the Pearl Mussel which is limited to a 10 km stretch of the Nore, add further interest to this site.

A small portion of the site is located within the plan area at Belview at the confluence of the Rivers Suir and Barrow.

- Tramore Dunes and Backstrand cSAC (000671)

Tramore is of major ecological importance for the range of good quality coastal habitats which occur, including fixed dunes, which are listed as a priority habitat on Annex I of the European Habitats Directive. The site has a remarkably rich flora, featuring a number of rare and protected species, and the intertidal area is important for wintering waterfowl.

- Tramore Back Strand SPA (004027)

This site lies a little east of Tramore town in County Waterford. It comprises a medium sized estuary sheltered from the open sea by a long, shingle spit, with high dunes. Tramore Back Strand SPA is of high ornithological importance for wintering waterfowl, with one species having a population of International Importance and a further seven species having populations of National Importance. In addition, three of the species are listed on Annex I of the E.U. Birds Directive i.e. Golden Plover, Bartailed Godwit and Little Egret.

- Bannow Bay cSAC (000697)

Bannow Bay is a relatively large estuarine site, approximately 14 km long, on the south coast of Co. Wexford. Eleven coastal habitats listed on Annex I of the E.U. Habitats Directive occur within the site. Most of the estuary has been designated a Special Protection Area (SPA) under the E.U. Birds Directive, because of its significant bird interest, particularly during the winter. Parts of this area have also been designated a Wildfowl Sanctuary.

- Bannow Bay SPA (004033)

Bannow Bay supports an excellent diversity of wintering waterfowl and is one of the most important sites in the south-east. Bannow Bay SPA provides an excellent example of an enclosed estuarine system, with habitats generally of good quality. It is of international importance for Brent Geese and supports a further twelve species in numbers of national importance. Of particular significance is that two species, Golden Plover and Bar-tailed Godwit, are listed on Annex I of the E.U. Birds Directive.

- Mid-Waterford Coast SPA (004193)

The Mid-Waterford Coast SPA encompasses the areas of high coast and sea cliffs in Co. Waterford between Newtown Cove to the east and Ballyvoyle to the west. It is an important site for Chough and Peregrine, both species that are listed on Annex I of the E.U. Birds Directive. It also supports a range of breeding seabirds, including populations of Cormorant and Herring Gull of national importance.

2.2.2 Additional information

In addition to the site synopses, the NPWS also publishes other reports and documents, including Conservation Management Plans, Threat Response Plans and Species Action Plans.

There are no Conservation Management Plans available for any of these sites. The NPWS have published a number of Species Action Plans including one for the Killarney Fern, which has been identified in the River Barrow and Nore cSAC. An Otter Threat Response Plan was also published, and otters are included in this cSAC also and in the Lower River Suir cSAC. A Bats Species Plan was published in 2008. Three types of bats have been listed as conservation aspects for the River Suir cSAC and one type for the River Barrow/Nore cSAC by the NPWS (NPWS Site Synopses, 2005).

A Draft Nore Sub-basin Management Plan for the Freshwater Pearl Mussel was published in March 2009.

2.2.3 Previous Appropriate Assessment for Ferrybank Belview LAP

As part of the making of the Ferrybank/Belview LAP, a Screening for Appropriate Assessment was carried out by Openfield Ecological Services in May 2008 on the Draft LAP. This found that there were some areas of zoning in the Draft Plan at Granny and Belview that could have possible significant impacts on the conservation status of the Lower River Suir cSAC. A full Appropriate Assessment was then carried out (dated June 2008) to examine these possible impacts in more detail and mitigation measures were recommended to ensure no impact on the cSAC.

2.2.4 Summary of Natura 2000 sites

The table below sets out all relevant sites together with their qualifying interests, the conservation objectives and threats to the site's integrity based on their qualifying interests.

Table 1: Summary of Natura 2000 sites within 15 km of plan area

County Kilkenny		Special Areas of Conservation	
Site code & name	Qualifying interests	Conservation Objectives	Threats to site integrity
002137 Lower River Suir	<p>Priority status - Listed in Annex I of HD:</p> <ul style="list-style-type: none"> ▪ Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, <i>Alnion incanae</i>, <i>Salicion albae</i>) (91E0) ▪ Yew Woodlands - <i>Taxus baccata</i> woods of the British Isles (91J0) <p>Listed in Annex I of HD:</p> <ul style="list-style-type: none"> ▪ Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>) (1330) ▪ Mediterranean salt meadows (<i>Juncetalia maritimi</i>) (1410) ▪ Floating river vegetation - water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation (3260) ▪ 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) ▪ Twaité Shad (<i>Alosa fallax</i> - 1103) ▪ Atlantic Salmon (<i>Salmo salar</i>- 1106) ▪ Otter (<i>Lutra lutra</i> - 1355) 	<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 agricultural improvement at the river edge. ▪ 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.

County Kilkenny		Special Areas of Conservation	
Site code & name	Qualifying interests	Conservation Objectives	Threats to site integrity
002162 River Barrow and River Nore cSAC	<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>Ranunculion fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation (3260) ▪ 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) 	<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 of common cordgrass invasive species. Loss of habitats due to infilling and reclamation. ▪ 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

continued . . . 002162 River Barrow and River Nore cSAC	<ul style="list-style-type: none"> ▪ Crayfish – <i>Austropotamobius pallipes</i> (1092) ▪ Twaité 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) 		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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Adjacent Counties		Special Areas of Conservation	
Site code & name	Qualifying interests	Conservation Objectives	Threats to site integrity
Tramore Dunes and Backstrand 000671 - SAC	<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>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>Glaucopuccinellietalia maritimae</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 	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.	<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, 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.

	dunes") [2120]		<p>Removal of gravel. Damage from trampling, horse riding and vehicles.</p> <ul style="list-style-type: none"> ▪ 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
<p>Tramore Dunes and Backstrand</p> <p>004027 - SPA</p>	<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] ▪ 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>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>	<ul style="list-style-type: none"> ▪ Disturbance, Water Quality, Invasive Species.
<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>Pyrhocorax 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 closes-ward grazing.</p>

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Adjacent Counties		Special Areas of Conservation	
Site code & name	Qualifying interests	Conservation Objectives	Threats to site integrity
Bannow Bay 000697 - SAC	<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] ▪ Salicornia 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") [2120]* 	<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"> ▪ 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 cycles and storms. ▪ 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.
Adjacent Counties		Special Protection Area	
Site code & name	Qualifying interests	Conservation Objectives	Threats to site integrity

<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>
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2.3 Step 3: Assessment of likely Effects

This is assessed by using available information and data, through a literature survey and consultation with the National Parks and Wildlife Service. This is followed by a determination of whether there is a risk that effects identified could be significant. All potential impacts are identified including those that are direct, indirect and cumulative.

The Screening Assessment for the Regional Planning Guidelines carried out in August 2010 detailed the key issues for the region and this found that adequate waste water treatment is the key issue to be addressed. The AA for Variation 2 to the County Development Plan has also been reviewed and this identified primary areas for potential significant effects coming from possible encroachment on sites of new development, groundwater contamination, pollution from inadequately treated waste from treatment plants or ground water abstractions affecting water-dependent sites.

The previous AA for the adopted LAP, carried out in June 2008 assessed the impacts of the plan on the Lower River Suir cSAC (and Grannyferry NHA). As this amended plan proposes a reduction in the amount of land available for development, the findings of this AA in relation to the River Suir cSAC remain valid. This AA has been reviewed and an evaluation has been carried out on any changes that have taken place since.

The format of this section follows the assessment criteria in the screening matrix which is included in the *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, (November 2001)*.

Assessment Criteria

i) Describe the individual elements of the plan (either alone or in combination with other plans or projects) likely to give rise to impacts on the Natura 2000 sites.

This Amendment provides for a reduction in the amount of land available for development, primarily through phasing the existing zoning. The primary areas of impact of this amended plan would be the same as those identified in the AA for the existing LAP, however as the amount of land available for development will be reduced, then the impacts are likely to be reduced.

The expansion of the Waterford Environs area through development facilitated under the amended plan will see an increase in population and business/industrial activities. This will require greater use of freshwater and generation of wastewater. The demand for water resources, and the potential pollution arising thereof, is in combination with the expansion of other towns further up-stream. The water services in the area have been improved recently as follows:

1. Until 2010, the sewerage infrastructure serving the area was rudimentary, based on septic tanks and a primary treatment plant in Slieverue. A new WWTP was opened in Gorteens, Belview in 2010 and this provides secondary treatment for sewage from Waterford City, Slieverue and the Plan area. There is capacity available in this WWTP.

2. The water supply serving the area is the Mooncoin Regional Water Supply Scheme. This was upgraded in 2010 by the addition of 3 boreholes in Kilmacow. There is now spare capacity available in this scheme.

Considering that the amended LAP will reduce the amount of land available for development and having regard to these improvements in water services, it is not likely to give rise to impacts on the Natura 2000 sites.

ii) Describe any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the Natura 2000 sites by virtue of:

- *size and scale;*
- *land take;*
- *distance from the Natura 2000 site or key features of the site;*
- *resource requirements (water abstraction etc.)*
- *emissions (disposal to land, water or air);*
- *excavation requirements;*
- *transportation requirements;*
- *duration of construction, operation, decommissioning, etc.;*
- *other.*

There are 7 Natura 2000 sites within 15km of the plan area, including two within the plan area (Lower River Suir and River Barrow/River Nore). The qualifying interests and threats to the site integrity as set out in Table 1 are referred to in assessing the likely direct, indirect or secondary impacts or likely changes to the sites.

- Tramore Dunes and Backstrand SAC (000671) & SPA (004027)

The area of the SAC & SPA sites overlap, and they are located approximately 9km from the plan area. The threats to the integrity of the Natura 2000 sites are predominantly from activities that are likely to occur in close proximity to the site. Water quality has been identified as a potential threat to the conservation objectives of the SPA. There is sufficient capacity in the new Belview waste water treatment plant, which has an outfall to the Suir, to cater for development proposed under the amended plan. It is therefore not anticipated that development facilitated within the plan area is likely to have significant adverse impacts on the site's conservation objectives.

- Bannow Bay SAC (000697) & SPA (004033)

The area of the SAC & SPA sites overlap, and are located approximately 13km from the plan boundary. The threats to the integrity of the Natura 2000 sites are predominantly from activities that are likely to occur in close proximity to the site. Water quality and water pollution have been identified as potential threats to the conservation objectives of the SPA and SAC. There is sufficient capacity in the new Belview waste water treatment plant, which has an outfall to the Suir, to cater for development proposed under the amended plan. It is unlikely that developments facilitated within the plan area will give rise to adverse impacts on the conservation objectives of the SAC or SPA.

- Mid-Waterford Coast SPA (004193)

The site is located more than 13km from the plan area. Identified threats to the site integrity are likely to come from activities in close proximity to the site. It is unlikely that the development to be facilitated by the plan will have significant adverse impacts on the site's conservation objectives.

- River Barrow/River Nore cSAC (002162)

A very small area of this site is located within the plan area at Belview at the confluence of the Rivers Suir and Barrow. The main threats to the site and current damaging activities include high inputs of nutrients into the river system from agricultural run-off and several sewage plants, overgrazing within the woodland areas and invasion by non-native species. The water quality of the site remains vulnerable. The potential threats as a result of developments facilitated by the amended plan are to water quality, from inadequate treatment of sewage, or threats from abstractions or discharges to the river or into the river catchment. As discussed under point (i) above there have been improvements to the water services in the area and specifically the new waste water treatment plant has improved the quality of discharge to the Suir at a point near to its confluence with the River Barrow.

The RPGs identified water quality and waste water treatment as being the pressure topic for this cSAC. It found that the provisions of Waste Water Discharge (Authorisation) Regulations SI no. 684 of 2007 and application of Departmental Circular letter PD7/09, in combination with the provisions of DoEHLG Water Services Investment Programme would be sufficient mitigation, as they control projects which may impact on the cSAC.

- River Suir cSAC (002137)

This cSAC runs through the study area, as shown on Map 1. The RPGs identified water quality and waste water treatment as being the pressure topic for this cSAC. The potential threats as a result of developments facilitated by the amended plan are to water quality, from inadequate treatment of sewage, or threats from abstractions or discharges to the river or into the river catchment. As discussed under point (i) above there have been improvements to the water services in the area and specifically the new waste water treatment plant has improved the quality of discharge to the Suir.

Similar to the possible impacts on the River Barrow/Nore cSAC, the RPGs found that the provisions of Waste Water Discharge (Authorisation) Regulations SI no. 684 of 2007 and application of Departmental Circular letter PD7/09, in combination with the provisions of DoEHLG Water Services Investment Programme would be sufficient mitigation.

In addition, it should be noted that individual construction projects that may have the potential to impact negatively on the conservation status of any cSAC, are subject to their own Appropriate Assessment. This was enshrined recently in Proposed Variation 2 to the County Development Plan which included a policy as follows:

“Ensure that any plan or project which has the potential to directly, indirectly or cumulatively impact on a European designated site (SAC or SPA), 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. Any such plans or projects shall be referred to the National Parks and Wildlife Service. Potential threats to a designated site may arise from developments such as water abstraction, or discharges from wastewater treatment plants, surface water or surface water attenuation at locations which are geographically remote from the site, through hydrological links with the designated site (tributaries, streams, drainage ditches and drains)”.

Policy NEP11 of the LAP requires that “future planning applications for development in the vicinity of the proposed NHA (Grannyferry) and the SAC (Lower River Suir) include a report on the likely potential impacts and any necessary mitigation impacts. This report should be carried out by a professional ecologist or other suitably qualified professional”.

To bring the LAP into alignment with the CDP, this policy will now be replaced with the same text as is contained in the CDP. This will ensure that any proposal which may have an effect on water quality in the plan area will be subject to assessment at project level stage.

iii) Describe any likely changes to the sites arising as a result of:

- *reduction of habitat area;*
- *disturbance to key species;*
- *habitat or species fragmentation;*
- *reduction in species density;*
- *changes in key indicators of conservation value (water quality etc.);*
- *climate change.*

As identified above, the main threat to the Natura 2000 sites is possible deterioration in water quality in the Rivers Suir and Barrow as a result of changes in land use. The changes in land use as proposed under the LAP can impact on water quality in three ways: ① through increased flows of treated or untreated domestic wastewater; ② increased abstraction for commercial, industrial and

domestic use; and ③ the discharge of untreated surface water from paved surfaces. These activities all have the potential to increase pollutant concentrations in the rivers and consequently impact negatively on the ecology of the systems.

Water Framework Directive (WFD)

This Directive establishes a framework for the protection of all waters including rivers, lakes, estuaries, coastal waters, groundwater, canals and other artificial bodies for the benefit of everyone. Good ecological and chemical status for all waters must be achieved by 2015 with no deterioration in existing status in the meantime. The South Eastern River Basin District Management Plan 2009-2015 identifies a programme of measures to protect and restore water status by addressing the main pressures (that is sources of pollution or status impact) in the district.

Under the WFD, the River Suir at Waterford is divided into the Middle Suir Estuary and the Lower Suir Estuary, both of which are classified as Transitional (Estuarine) waterbodies. According to the EPA in 2011, the status of the Middle Estuary was moderate and the status of the Lower Estuary was good.

In addition, the current water quality of the Middle Suir Estuary is classified as 'eutrophic' (eutrophic refers to a high nutrient status and is associated with polluted waters). The Lower Suir Estuary is classified as Intermediate. Given the status of both of these water bodies, it is believed that the operation of the new Belview WWTP is likely to improve the water quality along this stretch of the river.

For the Barrow/Nore catchment in combination impacts could result from development upstream in either river. Under the WFD, the River Barrow is broken into two units at Belview - New Ross Port to the north and the Barrow Suir Nore Estuary to the south. The status of the New Ross Port transitional waterbody was moderate in 2011 while the status of the Barrow Suir Nore Estuary was moderate/fail.

The water quality of both units is currently classified as Intermediate eutrophic.

Plans and projects for the Suir and Barrow/Nore catchments could possibly result 'in combination' impacts. For the Suir, the RPGs identified a risk of significant impact from the Waterford City, Clonmel and Carrick-on-Suir WWTPs. Mitigation as outlined in the RPGs is that policies in the Clonmel and Carrick-on-Suir Town Plans only allow further development where WWT infrastructure is in place. In the plan area, the recently completed Waste Water Treatment Plant at Gorteens, which opened in 2011, has improved water quality in the River Suir and it has the capacity to cater for the expansion envisaged under the amended plan.

In relation to the Barrow/Nore catchment the RPGs identified a risk of significant impact from Carlow, Kilkenny and New Ross. The RPGs outlined that the Carlow Town Plan states that an upgrade to treatment plant of 70,000 p.e. is expected to be completed by 2013. Domestic population serviced cannot exceed 25,000 p.e. unless this upgrade has taken place. The RPGs also stated that sufficient capacity exists in the WWTP in Kilkenny but plant requires nutrient removal and plans are underway in this regard. The AA Screening report for Variation 1 to the City & Environs Development Plan (May 2011) stated that the EIS application for a major upgrade of the

plant has been with An Bord Pleanála since October 2008 and that short term improvement measures are planned for 2012.

The in combination impact of development in the Suir and Barrow/Nore catchment were examined recently through the screening for AA which was carried out for Variation 2 to the Kilkenny County Development Plan (May 2011). This found that it was unlikely that the varied County Development Plan would cause significant effects on water quality.

It is also anticipated that 'Sustainable Urban Drainage' (SUDS) will be fully integrated with the LAP, thereby minimising the potential impact of pollutant run-off from surface water. In light of these factors it is believed that the potential for negative impacts on water quality are not significant.

iv) Describe any likely impacts on the Natura 2000 sites as a whole in terms of:

- *interference with the key relationships that define the structure of the site;*
- *interference with key relationships that define the function of the site*

The upgrading of the Waterford wastewater treatment plant, and the usage of SUDS in the LAP, will improve the quality of water in the Suir estuary and thereby potentially improve the conservation status of aquatic species.

v) Provide indicators of significance as a result of the identification of effects set out above:

It is not possible to quantify the level of improvement in water as a direct result of this plan however the Environmental Protection Agency maintain a monitoring programme in the estuary that will allow changes to be tracked.

vi) Describe from the above those elements of the project or plan, or combination of elements, where the above impacts are likely to be significant or where the scale or magnitude of impacts is not known.

Likely significant impacts are not expected as a result of zoning designations in the amended Plan.

2.3.1 Impacts on the Lower River Suir cSAC – review of the June 2008 AA

The AA as carried out for the current LAP identified four negative impacts. These will each be addressed below, outlining the recommendations of the AA and including an assessment of any changes that have taken place since the writing of the AA in June 2008.

Impact 1: Loss of scrub and recolonising bare ground at Newrath

Through the screening report for AA, habitat loss at two sites adjacent to the River Suir cSAC were identified as having possible significant impacts on the cSAC. As part of the AA a site survey was conducted in two areas; Newrath and Belview.

In Newrath, in an area designated in the Draft Plan for Retail Park development, scrub and recolonising bare ground were identified which were subject to potential impacts. Both of these habitats were rated as being of moderate value, locally important.

One of these areas, at the site of the Redbridge Filling Station, was granted permission under 05/1973, An Bord Pleanála reference PL.10.219971 on the 19/10/2007, for retention of inert fill material over an area of 1.964 hectares of reclaimed land and enabling works. This decision was taken in agreement with the NPWS, and this grant of permission was taken into account in the AA.

The second area was the site around the former Texaco Service station, to the east of the railway line, and the AA stated that this was infilled and the legality of this action was under question. This area was designated for Retail Park zoning in the Draft LAP. The AA stated that the possible loss of scrub and recolonising bare ground at this location through the zoning designation would be a 'minor negative' impact and recommended not to zone for built development in this area.

As stated in the AA, an examination of the infilling at this location had been ongoing since 2002, following the issue of a notice by Kilkenny County Council under Section 18 of the Waste Management Act 1996 in relation to previous infill /waste activity. No response was received to this notice and in 2003, successful court proceedings were taken against Mr. Patrick Haley for failure to comply with the statutory notice. A full environmental assessment was submitted in 2003. This detailed extensive site investigations that were carried out to assess the impact of the historic infilling activity on the environment, including the River Suir cSAC and Granny NHA. Following detailed consideration of the report and consultation with the EPA, additional information in the form of a landfill gas survey was requested and submitted in May 2004. A further Landfill Gas Monitoring report was submitted in March 2005. At that stage no further enforcement action was considered necessary. Therefore, the legality of the infill was not in question in 2008.

Considering that the impact was identified as minor negative, zoning was permitted at this location, but an objective was included relating to this site to mitigate this minor negative impact as follows:

“NE5: Protect existing wetlands from fill while encouraging the enhancement of wetlands habitats and landscape features which form part of habitat networks, such as river corridors and associated habitats”.

In 2009, Patrick Haley applied for planning permission (file Ref. 09/413) on this site to retain fill over 2.7 of a total 3 hectares and for site development works for a retail park. The NPWS were notified of the application and comments were submitted by Lorcan Scott on the 13/8/09, recommending that

construction mitigation measures would be agreed with the local NPWS staff prior to construction. Permission was granted for the retention of fill but refused for the site development works.

Having examined the issues and consulted with the local NPWS Conservation Ranger, the following objective will now be attached to this site as NE5 (a):

“To investigate the possibility of wetland habitat creation as part of any development on lands zoned for Retail Park in Newrath and to consult with the NPWS at pre-planning stage in any development. Measures to ecologically enhance the site adjoining the wetland may include the provision of a tree line boundary between any development and the wetland, a reduction in gradient changes at the edges of the site and an emphasis on retaining the hydrological and topographical connectivity of the wetland”.

Impact 2: Loss of bat populations through destruction of derelict buildings

Some buildings in Newrath were identified as comprising a suitable habitat for bats. A policy - NE6 - was included in the LAP to ensure that a specialist bat ecologist would survey the old mill buildings in the Newrath area prior to any development taking place. This remains valid and the objective will be retained in the amended plan.

Impact 3: Loss of habitats in the Belview Area and disturbance to wildlife/pollution during construction

A habitats survey of the Belview area was carried out as part of the AA. This identified a total of nine habitats in an area zoned for PFI – Port Facilities and Industry in the Draft Plan. Five of these habitats were identified as being of high value, locally important. The AA stated that there was a potential for moderate negative impacts on the SAC at Belview as a result of habitat loss. The mitigation recommended by the AA was the inclusion of a policy which would require an Ecological Impact Assessment at the planning application stage.

Policy NEP11 was included which required that future planning applications for development in the vicinity of the proposed NHA (Grannyferry) and the SAC (Lower River Suir) include a report on the likely potential impacts and any necessary mitigation impacts. This report should be carried out by a professional ecologist or other suitably qualified professional.

To bring the LAP into alignment with the CDP, this policy will now be replaced with the policy as discussed under 2.3 (ii) in relation to any plan or project which has the potential to impact on a European designated site.

Impact 4: Indeterminate impacts through ‘Passive Open Space’ zoning

The recommendation contained in the AA was to rezone areas of conservation value from ‘passive open space’ to ‘biodiversity conservation’. This zone was changed to POS Passive Open Space/Green Links/Biodiversity conservation and the zoning objective was “Allows for the zoning of passive open space/green links/biodiversity conservation throughout the area”.

As part of this Amendment, no changes are proposed which affect the aspects of the Plan as were examined under the previous Appropriate Assessment. Therefore the conclusion of that AA, which stated that implementing the avoidance and mitigation measures would reduce the impacts to neutral, remains valid for this amended Plan.

2.4 Step 4: Screening Conclusion

Having examined the Natura 2000 sites within 15km of the plan area, having consulted with the NPWS, having reviewed the previous AA carried out for the LAP and having examined the potential impacts of the plan, it is concluded that the amended Plan will not have any likely significant effects on any Natura 2000 site.

3 Conclusion

A Habitats Directive Screening Assessment was carried out on Proposed Amendment No. 1 to the Ferrybank/Belview LAP. Preparation of the assessment included consultation with the NPWS Conservation Ranger to identify any areas of concern and also a review of the previous Appropriate Assessment carried out in June 2008 for the Draft Ferrybank/Belview LAP.

A review of conservation objectives and threats to site integrity of any Natura site within 15 km of the plan area was undertaken to identify sites that may be impacted by the Proposed Amendment. This found that the two sites most likely to be affected were the Rivers Barrow/Nore cSAC and the Lower River Suir cSAC. The main threat identified in both cases was to water quality. However, the newly commissioned WWTP at Belview has improved the discharge to the area and this has the capacity to deal with all waste water arising from the area. Additionally there have been improvements to the water supply serving the area as part of Phase 1A of the Mooncoin Regional Water Supply Scheme.

Another threat which was identified is damage to wetlands in Newrath, either from infilling or from pollution and run-off. The existing policy in the 2009 LAP in relation to wetland, Policy NE5 “Protect existing wetlands from fill while encouraging the enhancement of wetlands habitats and landscape features which form part of habitat networks, such as river corridors and associated habitats” has now been augmented with Policy NE5(a) which is also intended to mitigate the effects of previous infilling and to examine the possibility of wetland creation.

The amended Plan proposes a reduction in the amount of land available for development from that contained in the 2009 LAP. It is concluded that this Amended Plan (either individually or in combination with other plans or projects) shall not give rise to significant effects on the integrity of any Natura 2000 sites and it can proceed as proposed, without a need for full Appropriate Assessment.

As per the process outlined in Section 1, and subject to comments by the National Parks and Wildlife Service on this screening assessment, a Finding of No Significant Effects Report (attached at end of this report) is proposed.

Finding of no significant effects report

- **Name of project or plan:**
Amendment No. 1 to the Ferrybank/Belview Local Area Plan
- **Name and location of Natura 2000 sites:**

Site Name	SAC Site Code	SPA Site Code
Lower River Suir	002137	-----
River Barrow & Nore	002162	-----
River Nore	002162	0004233 (not within 15km of LAP boundary)
Tramore Dunes and Backstrand	000671	004027
Bannow Bay	000697	004033
Mid-Waterford Coast SPA	-----	004193

- **Description of the project or plan:**
Amendment No. 1 is intended to bring the Ferrybank/Belview Local Area Plan into alignment with Variation 2 to the County Development Plan, which introduced a Core Strategy for the county. The amendment will significantly reduce the amount of land available for development by classifying zoned land into two phases, phase 1 will be available for development during the lifetime of the LAP, Phase 2 will not. The Amendment also includes a change to the development boundary in the vicinity of Slieverue, which will now omit three parcels of land which were previously zoned as Passive Open Space.
- **Is the project or plan directly connected with or necessary to the management of the site (provide details)?**
The Amendment is not directly connected to the management of any Natura 2000 sites.
- **Are there other projects or plans that together with the project or plan being assessed could affect the site (provide details)?**
The Amendment is set within the framework of higher level plans including the County Development Plan and any Variations to it, the Regional Planning Guidelines and National Spatial Strategy.

As the Amendment will facilitate reduced levels of growth than previously envisaged under the Ferrybank/Belview LAP 2009, the potential for significant effects on the Natura 2000 sites within or adjoining the county have been reduced.

The assessment of significance of effects

- **Describe how the project or plan (alone or in combination) is likely to affect the Natura 2000 site.**
The Amendment is set within the framework of higher level plans including the existing County Development Plan and any Variations, the Regional Planning Guidelines and the National Spatial Strategy. As the Amendment will facilitate reduced levels of growth than previously envisaged under the Ferrybank/Belview LAP 2009, the potential for significant effects on the Natura 2000 sites within or adjoining the plan area will be reduced. The primary area for potential significant effects is on water quality.

The County Development Plan and LAP contains existing policies for the conservation and protection of Natura 2000 sites, and also for the protection of non-designated sites; however the Amendment proposes increased protection for Natura 2000 sites with particular regard to projects which have the potential for significant effects on the protected site or its nature conservation objectives.

- **Explain why these effects are not considered significant.**

Policies in the existing 2009 LAP and the Kilkenny County Development Plan 2008-2014, together with the proposed policies in the Amendment, provide for the protection and conservation of Natura 2000 habitats, animal and bird species. Improved water services infrastructure in the area will result in an improvement to water quality.

- **List of agencies consulted: provide contact name and telephone or e-mail address.**

National Parks and Wildlife Service, Jimi Conroy, Conservation Ranger

jimi.conroy@npws.ie

- **Response to consultation**

Meeting held with NPWS Conservation Ranger in June which highlighted issues to be considered as part of the assessment. In addition this report will be forwarded to the National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

Data collected to carry out the assessment

- **Who carried out the survey**

Kilkenny County Council, Forward Planning Section.

- **Sources of Data**

Department of Environment, Heritage and Local Government; European Commission; Kilkenny County Council; National Parks and Wildlife Service.

- **Level of assessment completed**

Desktop studies

- **Where can the full results of the assessment be accessed and viewed**

Council Office: Planning Counter, Kilkenny County Council, County Hall, John's Street, Kilkenny.
Website: www.kilkennycoco.ie