

Appropriate Assessment Screening

In accordance with the requirements of
Article 6(3) of the EU Habitats Directive

Piltown Draft Local Area Plan 2010-2016

Kilkenny County Council



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Section 1 Introduction and Terms of Reference

1.1 Introduction

This is an appropriate assessment screening of the Piltown Draft Local Area Plan (LAP) 2010-2016 in accordance with the requirements of Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC) and in line with the Guidance for Planning Authorities entitled "*Appropriate Assessment of Plans and Projects in Ireland*" as published by the Department of the Environment, Heritage and Local Government in December 2009.

The 1992 Habitats Directive requires member states to designate areas of their territory containing a representative sample of important habitats and species. These areas are known as Natura 2000 sites, and they include Special Areas of Conservation (SACs) and Special Protection Areas (SPAs). Article 6(3) and (4) require that an Appropriate Assessment be carried out for these sites where projects, plans or proposals are likely to have an effect.

Article 6(3) of the Habitats Directive states:

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

Article 6(4) states:

'if, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of economic or social nature, the Member State shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted. Where the site concerned hosts a priority natural habitat type and/or a priority species the only considerations which may be raised are those relating to human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest.'

1.2 Methodology

The methodology as set out in *Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities* (December 2009) has been followed. In accordance with this guidance, the following four steps have been used to produce this screening statement:

Step 1: Description of Plan and plan area characteristics

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

Step 3: Assessment of Likely Effects

Step 4: Screening conclusion and statement

Section 2 Screening

Step 1: Description of Plan and plan area characteristics

The Piltown Draft Local Area Plan (LAP) will provide for the proper and sustainable development of the small town of Piltown in southwest Co. Kilkenny for a six year period from 2010-2016 and will replace the current 2003 LAP. A context map for Piltown is included as Map A. The Census recorded a population of 968 people in Piltown in 2006.

The area covered by the LAP is approximately 96 hectares with the bulk of this land to be zoned for mixed use (residential, industrial, commercial and community facilities) and 12.7 hectares zoned for open space. This Draft LAP decreases the amount of land available for development from the existing (2003) LAP, which zoned a total area of 113.42 hectares.

In the 2003 LAP a total of 60.59 hectares were zoned for residential use. Of the lands zoned for residential, just over 6.1 hectares of greenfield land was developed. In the Draft plan, 2.5 hectares is to be zoned for Residential Phase 1 and 13.54 are zoned for Residential Phase 2 (i.e. beyond the lifetime of this plan); the remainder of the residential zoning relates to the existing built area of the plan.

A copy of the Draft zoning map is included at the end of this document.

In addition, the limited capacity of the existing waste water treatment plant is acknowledged in the Draft LAP, and this reduces the development potential of the area. A policy is included in the Draft Plan stating that:

- IN4 - Significant additional development shall not be permitted to the wastewater treatment until such time as the scheme is upgraded to adequate capacity and treatment levels.

This Draft Plan therefore reduces the potential for future development significantly from that provided for in the 2003 LAP.

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

There is one candidate Special Area of Conservation (cSAC) in the immediate vicinity of Piltown, the Lower River Suir, site code 002137. Map A shows the location of this cSAC in relation to Piltown. A tributary of the Lower River Suir runs through the southern part of the town – the Pil River which is within the designated area of the cSAC of the Lower River Suir.

The Hugginstown Fen cSAC, site code 000404 is located 10km to the north-east of Piltown; Map A shows the location of this cSAC in relation to Piltown.

The River Barrow and River Nore cSAC (site code 002162) is located 14km to the north-east of Piltown, the location of the cSAC relative to Piltown is shown on Map A.

There are no other cSACs within 15 km of the plan area. It is considered that no other cSAC will be affected by the plan.

Lower River Suir cSAC

The designated SAC site consists of the freshwater stretches of the River Suir, the tidal stretches and many tributaries. In the vicinity of Carrick-on-Suir the river follows the limestone floor of the Carrick Syncline. The site is a candidate SAC selected for the presence of the priority habitats on Annex I of the E.U. Habitats Directive - alluvial wet woodlands and Yew Wood. The site is also selected as a candidate SAC for floating river vegetation, Atlantic salt meadows, Mediterranean salt meadows, old oak woodlands and eutrophic tall herbs, all habitats listed on Annex I of the E.U. Habitats Directive. The site is selected for the following species listed on Annex II of the same directive - Sea Lamprey,

River Lamprey, Brook Lamprey, Freshwater Pearl Mussel, Crayfish, Twaite Shad, Atlantic Salmon and Otter.

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. Good quality water is necessary to maintain the populations of the Annex II animal species listed above. Good quality is dependent on controlling fertilisation of the grasslands, particularly along the River Suir. It also requires that sewage be properly treated before discharge.

The full site synopsis of the cSAC may be accessed on the National Parks and Wildlife Service's website at:

<http://www.npws.ie/en/ProtectedSites/SpecialAreasofConservationSACs/Kilkenny/>

There is no Conservation Management Plan available for this site. The NPWS have published a number of Species Action Plans. An Otter Threat Response Plan was also published, and otters are included in this cSAC also.

Hugginstown Fen

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. The site is a candidate Special Area of Conservation selected for alkaline fen, a habitat listed on Annex I of the E.U. Habitats Directive.

The main threats to the site come from drainage, which has already damaged some of the southern part of the site.

There is no Conservation Management Plan available for this site. The full site synopsis of the cSAC may be accessed on the National Parks and Wildlife Service's website at:

<http://www.npws.ie/en/ProtectedSites/SpecialAreasofConservationSACs/Kilkenny/>

River Barrow and Nore

The River Barrow and Nore site has been designated due to the alluvial wet woodlands and petrifying springs priority habitats on Annex I of the E.U. Habitats Directive. The site is also selected for old oak woodlands, floating river vegetation, estuary, tidal mudflats, Salicornia mudflats, Atlantic salt meadows, Mediterranean salt meadows, dry heath and eutrophic tall herbs, all habitats listed on Annex I of the E.U. Habitats Directive. The site is also selected for the following species listed on Annex II of the same directive – 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.

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, for example Cherry Laurel and Rhododendron (*Rhododendron ponticum*). The water quality of the site remains vulnerable. Good quality water is necessary to maintain the populations of the Annex II animal species listed above. Good quality is dependent on controlling fertilisation of the grasslands, particularly along the Nore. It also requires that sewage be properly treated before discharge.

The full site synopsis of the cSAC may be accessed on the National Parks and Wildlife Service's website at: <http://www.npws.ie/en/ProtectedSites/SpecialAreasofConservationSACs/Kilkenny/>

There is no Conservation Management Plan available for this site. 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.

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

Step 3: Assessment of Likely Effects

This is assessed by using available information and data, through a literature survey and consultation with relevant stakeholders. 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. This screening matrix follows the template provided in Annex II of the EU methodology.

For clarity it is proposed to present this section of the screening in two parts:

Step 3 (a) – Lower River Suir cSAC

Step 3 (b) – Hugginstown Fen cSAC

Step 3 (b) – River Barrow and Nore

Step 3 (a) - Lower River Suir cSAC

Assessment Criteria

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

It is not expected that the proposed Draft Local Area Plan of itself will cause any significant negative impacts on the Lower River Suir cSAC.

The possible impacts would be on the water quality due to discharges from the wastewater treatment plant or from planting of invasive species in the open space area adjacent to the Pil River, which forms part of the designated site of the Lower River Suir cSAC.

Water Quality

A possible impact would be from the water quality of the site, due to the discharges from the wastewater treatment plant into the Pil River. This impact could be caused by increased development, and associated intensification of the treatment plant which discharges into the Pil River.

Piltown is served by a sewerage scheme with secondary treatment, which was constructed in 1985. This has a design Population Equivalent of 1500, and is currently operating with a population equivalent of 3000 and therefore does not have capacity to cater for future demand. Piltown has been included in the Water Services Investment Programme 2010-2012 for upgrading of the wastewater treatment plant to accommodate existing and future development as outlined in this plan.

Urban Waste Water Discharges in Ireland for Population Equivalents Greater than 500 Persons – A Report for the Years 2006 and 2007 identifies the Piltown wastewater treatment plant as failing to meet some of the effluent quality standards as set out in the *Urban Waste Water Treatment Regulations 2001* ([http://www.epa.ie/downloads/pubs/water/wastewater/web%20version\(low\).pdf](http://www.epa.ie/downloads/pubs/water/wastewater/web%20version(low).pdf))

Owing to the capacity constraints a policy is included in the Draft LAP stating that significant additional development shall not be permitted to connect to the wastewater treatment system until such time as the scheme is upgraded.

- IN4 - Significant additional development shall not be permitted to the wastewater treatment until such time as the scheme is upgraded to adequate capacity and treatment levels.

The Council have applied for a discharge licence (KK-WWDL-206); as part of the application process, an Appropriate Assessment of impacts was carried out by Ecologist, Pascal Sweeney in May 2009. The report notes that the discharge from Piltown Waste Water Treatment Plant enters the Pil River near the upper limit of the tidal section, within Special Area of Conservation 002137 (Lower River Suir SAC). The report's Conservation Objective Conclusion states that '*the main conservation objective pertaining to the discharge to Piltown WWTP must be to avoid impact from high BOD, suspended solids and nutrients by proper treatment of the effluent before discharge to the SAC. The fact that no biological impact of the discharge was detected in the present survey, indicates that this conservation objective is currently being achieved*'.

Open Space Adjacent to the River

There is an area designated as open space in the draft plan adjacent to the river that could be used for amenity purposes. Any amenity uses in this area are subject to the objectives that the ecological integrity of the cSAC is not affected:

- H1 To ensure that any development in or near sites of local conservation interest, as identified in Table 3 of Appendix 2, will minimise any significant adverse impact on the features for which the site has been designated.
- H2 Applicants shall demonstrate that there will be no adverse impacts on the ecological integrity of sites of high local ecological value identified in this plan from developments on adjacent sites.

No other projects or plans are proposed that may have likely effects in combination with this plan. A separate screening has been carried out for the Fiddown Draft Local Area Plan 2010, which is located south of Piltown. The screening report concludes that the draft Fiddown LAP poses no risk of a significant effect on the cSAC.

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.

The plan itself does not propose any construction measures and therefore there are no direct impacts on the cSAC. The plan area is directly adjacent to the cSAC, and as discussed above the main indirect impact would be on the water quality of the Natura 2000 site, due to intensification of usage of the treatment plant or from works to improve the open space area adjacent to the cSAC.

However, the plan contains the policy that no significant development shall be permitted until such time as the plant has been upgraded to a satisfactory standard to cater for the plan area. The plan also contains clear policies to ensure that the ecological integrity of the cSAC will not be affected by any works in the open space area.

An ecological survey of Piltown was carried out by Roger Goodwillie as part of the 2003 Local Area Plan. As part of this plan, a habitat assessment has been carried out by Mieke Muyliaert & Associates and Mary Tubridy & Associates. The assessment highlights the importance of the cSAC.

Policies for nature conservation of designated areas are found in Section 8.2.1 of the County Development Plan, policies H5-9.

H5 To protect natural heritage sites designated in National and European legislation. This includes sites proposed to be designated or designated as Special Areas of Conservation (SAC), Natural Heritage Areas (NHA), Nature Reserves and Wildfowl Sanctuaries. This protection will extend to any additions or alterations to sites that may arise during the lifetime of this plan.

- H6 To assess all proposed developments (individually or in combination with other proposals, as appropriate) which are likely to impact on designated natural heritage sites or those sites proposed to be designated.
- H7 To consult with the prescribed bodies and relevant government agencies when assessing developments which are likely to impact on designated natural heritage sites or those sites proposed to be designated.
- H8 To ensure that any development in or near a designated natural heritage site will avoid any significant adverse impact on the features for which the site has been designated.

- H9 To require an appropriate environmental assessment in respect of any proposed development likely to have an impact on a designated natural heritage site, or those sites proposed to be designated.

These policies will also apply in the Draft Plan, in addition, policies and objectives have been included as follows for the protection of identified habitats:

- H3 - To protect and enhance the habitat of the Pil River, and its associated ecological corridors and habitats, as identified as PL1, PL2 & PL3 on Map 2. An ecological impact assessment will be required in order to assess the impact of any development which could potentially affect this area; this should include a survey of protected species where appropriate. Where a proposal is deemed likely to have a significant effect on the Pil River it shall be subject to an appropriate assessment.

In addition to this, the Plan has been formulated with regard to the 'The Planning System and Flood Risk Management Guidelines' (November 2009). In line with the Guidelines, a staged approach has been adopted to the appraisal and assessment of flood risk.

Stage 1 – Flood Risk Identification

Stage 1 of this appraisal is Flood Risk Identification which includes a review of existing information and identifies if there are any flooding or surface water management issues in the plan area which may warrant further investigation.

The Flood Risk Management Guidelines recommend a Sequential Approach for taking account of flood risk. The sequential approach works by guiding development away from areas that have been identified through a flood risk assessment as being at risk from flooding. In accordance with this approach, no lands are zoned for development which may be at risk from flooding; lands adjacent to the river are zoned for open space uses, or zoned for Phase 2 (i.e. outside of the life of the plan). In this regard, the avoidance principle of the sequential approach has been met.

The Office of Public Works (OPW) has identified the levels of existing flood risk in and around the River Suir and its tributaries. In co-operation with various Local Authorities within its catchment area, the OPW are conducting a '*Catchment Flood Risk Assessment and Management (CFRAM) Study*' of the entire catchment area, including lands at Piltown.

Regard was had to the lands identified as 'Benefiting Lands' on the OPW's website as part of the '*National Flood Hazard Mapping*'; these are lands that might benefit from the implementation of Arterial (Major) Drainage Schemes (under the Arterial Drainage Act 1945) and indicating areas of land subject to flooding or poor drainage. This gives an approximate estimation of the extent of the floodplain at Piltown. The lands thus identified have been zoned as 'Open Space' under the Zoning and Land Use Map, or as Phase 2 development (i.e. not within the life of this plan), or are part of an existing use. Some of these lands are within the area identified as a candidate Special Area of Conservation under the EU Habitats Directive. In this regard, it is a policy of the LAP to keep this area free from all inappropriate development.

Flooding of the Pil River occurs a number of times per year, as recorded on the Office of Public Works (OPW) National Flood Maps and from information gathered from local residents. The worst areas affected being the Main street, Creamery Road and the Tybroughney road.

Stage 2 – Initial Flood Risk Assessment (FRA)

The purpose of the initial FRA is to ensure that all relevant flood risk issues are assessed in relation to the decisions to be made. It also ensures that potential conflicts between flood risk and development are addressed to the appropriate level of detail.

The 'Preliminary Report Pil River Drainage Study' carried out by Kilkenny County Council in December 2002 and submitted to the OPW states:

The main problematic flooding area is located where the two tributaries of the Pil meet. This meeting point is located in the centre of Piltown village, just south of the Main Street and to the west of the

Creamery Road. The Pil River is tidal and during periods of sustainable rainfall and high tides, the Pil River will burst its banks and flood the Main Street and Creamery Road areas of Piltown village and farmland south of the village to the River Suir, a distance of approximately 2.5km. A problem that is further aggravated by southerly winds.

Flooding appears to be caused by a number of contributing factors – the tidal nature of the Pil River, heavy rainfall, wind direction, silting of the river channel, blocking of the channel by debris and the restriction of water flow by a services pipe in the eye of the bridge.

Lands which may lead to flooding or are located in areas prone to flooding have been zoned for Open Space uses or Phase 2 development (i.e. not within the life of this plan), where not part of an existing development. Further development will not be permitted that may contribute to existing levels of flooding in Piltown. An objective has been included to remove the redundant service pipe in the bridge. Policies and objectives have been identified to ensure that any development taking place will not exacerbate the existing problems. The habitat assessment carried out by Mieke Muyllaert & Associates and Mary Tubridy & Associates as part of this plan also highlights the importance of the branches of the Pil River that are not within the designated area of the cSAC; policies are included in the plan to ensure that the ecological integrity and water quality of these branches of the Pil River outside of the cSAC are also protected.

As mitigation measures have been identified to ensure that any development taking place will not exacerbate the existing problems, and a preliminary report has been carried out to highlight causes in this area, it is not considered necessary to proceed to Stage 3, Detail Flood Risk Assessment.

Policies and objectives are included as follows:

- IN9 To require new development to demonstrate that it will not have a negative impact on the Pil River floodplains and to ensure that the banks of the Pil River will be maintained free from inappropriate development, and that its culverting or realignment will be discouraged.
- IN10 To require all significant developments impacting on flood risk areas to provide a Flood Impact Assessment, to identify potential loss of flood plain storage and how it would be offset.
- IN11 To investigate in conjunction with the OPW the causes of flooding in Piltown and to seek the necessary funding the remedial defence works required to prevent its reoccurrence in the future.
- IN12 To remove the obsolete watermain under the bridge to improve river flow at this location.

The benefits of the Pil River and associated habitats in flood prevention are acknowledged in the plan 'As a Green Infrastructure feature the most important characteristic of the river is that it provides for flood attenuation' (section 2.6.1.4) and an objective has been included for the protection of the Pil River:

- H3 - To protect and enhance the habitat of the Pil River, and its associated ecological corridors and habitats, as identified as PL1, PL2 & PL3 on Map 2. An ecological impact assessment will be required in order to assess the impact of any development which could potentially affect this area; this should include a survey of protected species where appropriate. Where a proposal is deemed likely to have a significant effect on the Pil River it shall be subject to an appropriate assessment.

There is limited possibility of the LAP inflicting a significant negative impact on the Pil River and the designated cSAC of the Lower River Suir; it is not considered necessary to proceed to Stage 3, Detailed Flood Risk Assessment.

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 the LAP is not expected to cause any potential impact on the cSAC, it will cause no changes to the site. More specifically, there will be no reduction in habitat area; no disturbance of key species, habitat or species fragmentation; no reduction in species density; no changes in key indicators of conservation value and no climate change brought about to the Lower River Suir cSAC as a result of the Piltown Local Area Plan.

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;

No projects giving rise to significant, adverse interference with key relationships that define the structure or function of Natura 2000 sites shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects).

Provide indicators of significance as a result of the identification of effects set out above in terms of:

- loss;

Not applicable.

- fragmentation;

Not applicable.

- disruption;

Not applicable.

- disturbance;

Not applicable.

- change to key elements of the sites (e.g. water quality etc.);

Not applicable.

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.

As detailed above, there is potential for an indirect impact on a Natura 2000 site as the Pil River, which forms part of the designated Lower River Suir sSAC Suir flows through the plan area, which means that there is potential for any developments in close proximity to the river to impact on the cSAC. However, no land is zoned for development (other than open space within the land of this plan, or which is not part of an existing use) adjoining the river. Therefore the element of the plan which will have a possible effect is water quality resulting from an intensification of the treatment plant, which discharges to the river, and as discussed, the treatment plant has been included in the Water Services Investment Programme for funding to upgrade the plant, and the plan contains the objective that no significant development shall be permitted until such time as the plant is satisfactorily upgraded. It is therefore considered that there will be no significant impact on the Natura 2000 site of the Lower River Suir or its conservation objectives as a result of the implementation of the Piltown LAP.

Step 4: Screening conclusion

The assessment of the likely significant effects is being forwarded for consultation with the specified environmental authority which is:

- The National Parks and Wildlife Service (NPWS) of the Department of the Environment, Heritage and Local Government (DoEHLG)

Step 3 (b) - Hugginstown Fen

Assessment Criteria

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

It is not expected that the proposed Draft Local Area Plan of itself will cause any significant negative impacts on the Hugginstown Fen cSAC.

Impacts on the Fen are improbable due to the topography between the draft plan area and the Fen. To the north and east of Piltown the land rises to the upland areas of Brown-Mountain and Corbally Wood at Templeorum. The land at Piltown drains towards the River Suir to the south. It is not anticipated that there would be any possible impacts on the water quality. In addition the water supply for the town comes from the Mooncoin Regional Water Supply Scheme and does not have drainage impacts on the Fen.

No other projects or plans are proposed that may have likely effects in combination with this plan. A separate screening has been carried out for the Draft Fiddown Area Plan 2010.

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.

The plan itself does not propose any construction measures and therefore there are no direct impacts on the cSAC.

Policies for nature conservation of designated areas are found in Section 8.2.1 of the County Development Plan, policies H5-9, and also apply in the draft plan.

- H5 To protect natural heritage sites designated in National and European legislation. This includes sites proposed to be designated or designated as Special Areas of Conservation (SAC), Natural Heritage Areas (NHA), Nature Reserves and Wildfowl Sanctuaries. This protection will extend to any additions or alterations to sites that may arise during the lifetime of this plan.
- H6 To assess all proposed developments (individually or in combination with other proposals, as appropriate) which are likely to impact on designated natural heritage sites or those sites proposed to be designated.
- H7 To consult with the prescribed bodies and relevant government agencies when assessing developments which are likely to impact on designated natural heritage sites or those sites proposed to be designated.
- H8 To ensure that any development in or near a designated natural heritage site will avoid any significant adverse impact on the features for which the site has been designated.
- H9 To require an appropriate environmental assessment in respect of any proposed development likely to have an impact on a designated natural heritage site, or those sites proposed to be designated.

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 the LAP is not expected to cause any potential impact on the cSAC, it will cause no changes to the site. More specifically, there will be no reduction in habitat area; no disturbance of key species, habitat or species fragmentation; no reduction in species density; no changes in key indicators of conservation value and no climate change brought about to the Hugginstown Fen cSAC as a result of the Piltown Local Area Plan.

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;

No projects giving rise to significant, adverse interference with key relationships that define the structure or function of Natura 2000 sites shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects).

Provide indicators of significance as a result of the identification of effects set out above in terms of:

- loss;

Not applicable.

- fragmentation;

Not applicable.

- disruption;

Not applicable.

- disturbance;

Not applicable.

- change to key elements of the sites (e.g. water quality etc.);

Not applicable.

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.

As detailed above, there is no potential for an indirect impact on the Natura 2000 site of Hugginstown Fen, having regard to the intervening topography and drainage patterns in the area of the draft plan, which flow in the opposite direction of the Fen. In addition no water drainage or abstraction of water from the Fen occurs to facilitate the plan.

Step 4: Screening conclusion

The assessment of the likely significant effects is being forwarded for consultation with the specified environmental authority which is:

- The National Parks and Wildlife Service (NPWS) of the Department of the Environment, Heritage and Local Government (DoEHLG)

Step 3 (c) - River Barrow and River Nore

Assessment Criteria

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

It is not expected that the proposed Draft Local Area Plan of itself will cause any significant negative impacts on the River Barrow and River Nore cSAC.

Impacts on the river network are improbable due to the topography between the draft plan area and the river network or its catchment area. To the north and east of Piltown the land rises to the upland areas of Brown-Mountain and Corbally Wood at Templeorum. The land at Piltown drains towards the River Suir to the south. It is not anticipated that there would be any possible impacts on the water quality.

No other projects or plans are proposed that may have likely effects in combination with this plan. A separate screening has been carried out for the Draft Fiddown Area Plan 2010.

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.

The plan itself does not propose any construction measures and therefore there are no direct impacts on the cSAC.

Policies for nature conservation of designated areas are found in Section 8.2.1 of the County Development Plan, policies H5-9, and also apply in the draft plan.

- H5 To protect natural heritage sites designated in National and European legislation. This includes sites proposed to be designated or designated as Special Areas of Conservation (SAC), Natural Heritage Areas (NHA), Nature Reserves and Wildfowl Sanctuaries. This protection will extend to any additions or alterations to sites that may arise during the lifetime of this plan.
- H6 To assess all proposed developments (individually or in combination with other proposals, as appropriate) which are likely to impact on designated natural heritage sites or those sites proposed to be designated.
- H7 To consult with the prescribed bodies and relevant government agencies when assessing developments which are likely to impact on designated natural heritage sites or those sites proposed to be designated.
- H8 To ensure that any development in or near a designated natural heritage site will avoid any significant adverse impact on the features for which the site has been designated.
- H9 To require an appropriate environmental assessment in respect of any proposed development likely to have an impact on a designated natural heritage site, or those sites proposed to be designated.

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 the LAP is not expected to cause any potential impact on the cSAC, it will cause no changes to the site. More specifically, there will be no reduction in habitat area; no disturbance of key species, habitat or species fragmentation; no reduction in species density; no changes in key indicators of conservation value and no climate change brought about to the River Barrow and Nore cSAC as a result of the Piltown Local Area Plan.

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;

No projects giving rise to significant, adverse interference with key relationships that define the structure or function of Natura 2000 sites shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects).

Provide indicators of significance as a result of the identification of effects set out above in terms of:

- loss;

Not applicable.

- fragmentation;

Not applicable.

- disruption;

Not applicable.

- disturbance;

Not applicable.

- change to key elements of the sites (e.g. water quality etc.);

Not applicable.

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.

As detailed above, there is no potential for an indirect impact on the Natura 2000 site of the River Barrow and Nore cSAC, having regard to the intervening topography and drainage patterns in the area of the draft plan, which flow in the opposite direction of the river network.

Step 4: Screening conclusion

The assessment of the likely significant effects is being forwarded for consultation with the specified environmental authority which is:

- The National Parks and Wildlife Service (NPWS) of the Department of the Environment, Heritage and Local Government (DoEHLG)

Section 3 Conclusion

This screening process was carried out to ascertain if the Plan was likely to have significant effects on three Natura 2000 sites. If this were the case then it would be necessary to carry out Appropriate Assessment. The draft Plan has been formulated to ensure that developments and effects arising from permissions based upon this draft Plan (either individually or in combination with other plans or projects) shall not give rise to significant adverse impacts on the integrity of any Natura 2000 sites. Following the review of the draft plan in accordance with the Guidance for Planning Authorities entitled "*Appropriate Assessment of Plans and Projects in Ireland*", this screening has established that the Plan poses no risk of a significant effect and as such requires no further appropriate assessment.



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

Piltown Draft Local Area Plan

Map 1 - Zoning Objectives

Legend

- Existing and General Development
- New Residential
- Phase 2
- Open Space
- Industrial
- Development Boundary
- Infill Potential Lands
(see section 2.1.2) ★ ★

