

Screening Report for Appropriate Assessment Ferrybank /Belview Draft Local Area Plan (2017)



Forward Planning
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1 Introduction

The Ferrybank/Belview Local Area Plan (LAP) was adopted in 2009. This Plan is being reviewed and a new Draft Plan will be proposed for the period 2017-2023. This is a Screening Report for Appropriate Assessment of the Draft LAP.

An Appropriate Assessment is a requirement of Article 6 of the Council Directive 92/43/EEC of 21 May 1992 on the Conservation of Natural Habitats and of Wild Fauna and Flora (as amended) (hereafter referred to as the “Habitats Directive”). The overall aim of the Habitats Directive is to maintain or restore the “Favourable Conservation Status” of habitats and species of European Community Interest. These habitats and species are listed in the Habitats and Birds Directives (Council Directive 2009/147/EC on the conservation of wild birds) with Special Areas of Conservation and Special Protection Areas designated to afford protection to the most vulnerable of them. These two designations are collectively known as European Sites.

European and national legislation places a collective obligation on Ireland and its citizens to maintain habitats and species in the Natura 2000 network at favourable conservation condition. The Government and its agencies are responsible for the implementation and enforcement of regulations (in particular Part XAB of the Planning and Development (Amendment) Act 2010 and the European Communities (Birds and Natural Habitats) Regulations, 2011 (S.I. 477) (often referred to as the Habitats Regulations) to ensure the ecological integrity of these sites. Appropriate Assessment (AA) is an assessment of whether a plan or project, alone and in combination with other plans or projects, could have significant effects on a European site in view of the site’s conservation objectives.

A Strategic Environmental Assessment (SEA) has been undertaken to assess the impacts of the Plan on a number of environmental considerations including biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage, landscape and the interrelationship between these considerations, whenever applicable.

The recommendations of the Departmental Guidelines on ‘[Appropriate Assessment of Plans and Projects in Ireland](#)’ (2009)¹ will be adhered to in the structure of this report.

1.1 Legislative Context

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

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

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

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

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

A scientific approach must be taken to Appropriate Assessment. This report details a Screening Report to inform the AA process which is finalised by the statutory authority.

1.2 Source-Pathway-Receptor Model

Ecological impact assessment of potential indirect impacts on European Sites is conducted utilising a standard SOURCE-PATHWAY-RECEPTOR model, where, in order for an indirect impact to be established all three elements of this mechanism must be in place. The absence or removal of one of the elements of the mechanism is sufficient to conclude that a potential effect is not of any relevance or significance.

Source(s) – e.g. pollutant run-off from proposed works.

Pathway(s) – e.g. groundwater connecting to nearby qualifying wetland habitats.

Receptor(s) – Qualifying aquatic habitats and species of European sites.

This report determines if direct, indirect and cumulative adverse effects (however minor) will arise from the proposed development.

1.3 Guidance

This Natura Impact Report has been prepared in accordance with the following guidance:

- *Appropriate Assessment of Plans and Projects in Ireland. Guidance for Planning Authorities. Department of the Environment, Heritage and Local Government, 2010.*
- *Assessment of plans and projects significantly affecting Natura 2000 sites: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC, European Commission Environment DG, 2002.*
- *Managing Natura 2000 sites: The Provisions of Article 6 of the Habitats Directive 92/43/EEC: European Commission, 2000.*
- *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, Office for Official Publications of the European Communities, Luxembourg (EC 2001);*
- *Guidance document on Article 6(4) of the 'Habitats Directive' 92/43/EEC – Clarification of the concepts of: alternative solutions, imperative reasons of overriding public interest, compensatory measures, overall coherence, opinion of the commission. Office for Official Publications of the European Communities, Luxembourg (EC 2007).*
- *Flora (Protection) Order, 1999 (As amended 2016)*

In addition, information from the National Parks and Wildlife was reviewed, including mapping and available reports for relevant sites and in particular sensitive qualifying interests and their conservation objectives.

Definitions of conservation status, integrity and significance used in this assessment are defined in accordance with 'Managing Natura 2000 sites: The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC' (EC, 2000).

The conservation status of a natural habitat is defined as the sum of the influences acting on a natural habitat and its typical species that may affect its long-term natural distribution, structure and functions as well as the long-term survival of its typical species;

The conservation status of a species is defined as the sum of the influences acting on the species concerned that may affect the long-term distribution and abundance of its population;

The integrity of a European Site is defined as the coherence of the site's ecological structure and function, across its whole area, or the habitats, complex of habitats and/or populations of species for which the site is or will be classified;

Significant effect should be determined in relation to the specific features and environmental conditions of the protected site concerned by the plan or project, taking particular account of the site's conservation objectives.

1.4 Stages of Appropriate Assessment

There are four main stages in the AA process; the requirement for each stage depends on the likely impacts to the European Sites.

Stage One: Screening

The process which identifies the likely impacts upon a European site of a project or plan, either alone or in combination with other projects or plans, and considers whether these impacts are likely to be significant. If there is no potential for significant effects, there is no requirement to proceed to Stage 2.

Stage Two: Appropriate Assessment

The consideration of the impact on the integrity of the European site of the project or plan, either alone or in combination with other projects or plans, with respect to the site's structure and function and its conservation objectives. Additionally, where there are adverse impacts, an assessment of the potential mitigation of those impacts. If adequate mitigation is proposed to ensure no significant adverse impacts on European sites, then the process may end at this stage. However, if the likelihood of significant impacts remains, then the process must proceed to Stage 3.

Stage Three: Assessment of Alternative Solutions

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

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

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

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

1.5 Relationship between the Appropriate Assessment process and the Plan

Appropriate Assessment (AA) needs to be fully integrated with the various stages of the plan process in order to ensure that the ecological implications of the plan do not impact upon any areas designated as Natura 2000 sites. As the AA process has been managed by part of the Forward Planning team, interaction has occurred from the early stages of writing of the draft plan to impress the importance of protection of the Natura 2000 network and that the plan should be formulated to avoid adverse impacts on these sites. In addition the Strategic Environmental Assessment process has been taken into account in the appropriate assessment process. The screening of objectives and the assessment of objectives in the context of mitigation measures and potential impacts of the designated sites, has been an iterative process throughout each stage of the plan-making process.

1.6 Screening process

The Departmental [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.

2 Screening for Appropriate Assessment

2.1 Introduction to Screening

2.1.1 Background to Screening

This stage of the process identifies any likely significant impacts upon European Sites from a project or plan, either alone or in combination with other projects or plans. A series of questions are asked during the Screening Stage of the AA process in order to determine:

- Whether a plan or project can be excluded from AA requirements because it is directly connected with or necessary to the management of a European Site.
- Whether the project will have a potentially significant effect on a European Site, either alone or in combination with other projects or plans, in view of the site's conservation objectives or if residual uncertainty exists regarding potential impacts.

An important element of the AA process is the identification of the "Qualifying Interests" of European Sites requiring assessment. Qualifying Interests are the habitats and species for which each European Site has been designated and afforded protection. It is also vital that the threats to the ecological / environmental conditions that are required to support Qualifying Interests are considered as part of the assessment.

Site specific conservation objectives have been designed to define favourable conservation status for a particular habitat or species at that site. According to the European Commission interpretation document 'Managing Natura 2000 sites: The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC', paragraph 4.6(3) states:

"The integrity of a site involves its ecological functions. The decision as to whether it is adversely affected should focus on and be limited to the site's conservation objectives."

Favourable conservation status of a habitat is achieved when:

- its natural range, and area it covers within that range, are stable or increasing,
- the specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future, and
- the conservation status of its typical species is favourable.

The favourable conservation status of a species is achieved when:

- population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats,
- the natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future, and
- there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

2.1.2 Desktop Studies

The ecological desktop study completed for the Draft Plan in October 2016 comprised the following elements:

- Identification of European Sites within 15km with identification of potential pathways links for specific sites (if relevant) greater than 15km from the proposed development study area;
- Review of the NPWS site synopsis and conservation objectives for European Sites with identification of potential pathways from the proposed development (Full site synopses are available at <http://www.npws.ie/protectedsites/>)
- Literature review of available AA documents, including for the 2009 LAP, for the 2014 Kilkenny County Development Plan, the 2013 Waterford City Development Plan and the 2010 Regional Planning Guidelines

2.2 Step 1 - Description of plan or project

The Ferrybank/Belview Local Area Plan consists of strategies, policies, objectives and maps for the area of Ferrybank, north of Waterford City, in Co. Kilkenny, and also includes the area encompassing Belview Port. The plan will last for a period of 6 years from the date of its adoption. The Plan also contains development management guidelines to ensure that the agreed objectives and policies are complied with from adoption.

The Ferrybank/Belview LAP study area (as amended in 2012) encompassed a total of 2,204 hectares of land. The development boundary for this Draft LAP is slightly smaller (1,909 hectares). Approximately one half of this land area however is zoned either for Agricultural use or Strategic Reserve.

The total hectares of land in each zoning category are set out below (See Figure 2.1):

Zone	Area (hectare)
Active open space	67.2
Agricultural	689.8
Arcadian Residential	4.9
Business, Industry and Technology Parks	53.8
Community Facilities	21.3
Industrial Technology Park	127.5
Milepost Infill Zone	7.7
Neighbourhood Centre	0.9
Opportunity site	11.2
Passive Open Space	306.8
Port Facilities and Industry	236.1
Protect-Enhance Existing Residential Amenity	96.9
Public Utility	17.5
Residential	22.4
Residential (Low Density)	1.8
Residential Amenity Belview	28

Strategic Reserve	185
Urban Village	7.2
Water compatible development	37
Total	1,909

Each of these zoning categories allow for specific uses, which are detailed in Appendix 1 of the Draft LAP.

The Draft LAP is not directly connected with or necessary to the management of any Natura 2000 site.

2.2.1 Draft Plan Vision

The Vision for the Draft Plan is set out in Chapter 1: *To ensure that the people of the Waterford City Environs in County Kilkenny enjoy a good quality of life with a high standard of education, excellent employment prospects and easy access to a full range of social, economic and cultural services. Through integrated planning and cooperation with Waterford City and County Council, all other stakeholders in the region, ensuring that Waterford City will fulfil its role as a Gateway city and as an economic driver of the South East Waterford City region, and facilitating the provision of key investment priorities and ensuring that development takes place in a balanced, sustainable, transport friendly, attractive manner with good quality of life and opportunities for the people of the City, environs and the region.*

2.2.2 Relationship with other Relevant Plans and Programmes

A number of relevant policy documents have informed the preparation of this LAP including the following.

2.2.2.1 [The National Spatial Strategy](#)

Waterford City was designated as a “gateway” for the southeast region. The [National Spatial Strategy](#) (NSS)² believes that there is substantial potential for the enhancement of critical mass through the further expansion of Waterford, including the port at Belview.

In 2002 the NSS projected that the population of the southeast region would be 440,000 by 2020, of which 138,000 could be located in Waterford City and its hinterland. (Note: hinterland is defined as those areas within which significant numbers of persons journey to the city for work from surrounding areas).

² Department of the Environment and Local Government, [The National Spatial Strategy 2002-2020, People, Places and Potential](#), 2002

2.2.2.2 Regional Planning Guidelines

The strategic policies and objectives set out in the [South East Regional Planning Guidelines](#)³ (RPGs) form the backdrop for socio-economic planning by national and regional agencies. Some of the specific policies which affect the LAP area include:

- Securing the future balanced development of Waterford City through enhanced additional connectivity by means of development of a downstream river crossing (a third bridge).
- Supporting the upgrading and rescheduling of services on the Rosslare to Limerick Rail Line (via Waterford) to provide for high quality and frequent commuter services with onward connections to Limerick and the Western Rail corridor.

The RPGs also set out population figures for Waterford City and Environs. They revised the population projections from the NSS and projected that the region would reach a population of 580,000 by 2022 and that Waterford city would reach 62,500 by 2022⁴.

2.2.2.3 Waterford Planning, Land Use and Transportation Study 2004-2020

The Waterford Planning, Land Use and Transportation Study (herein referred to as the PLUTS)⁵ sets out a strategy for the balanced and sustainable growth of Waterford, while providing a high quality of life for its inhabitants over the next twenty years. The principal features included in the PLUTS strategy include:

- Provision for a population increase of almost 30,000 people, or 57% population growth, in Waterford City and Environs between 2004 and 2020;
- Investment needed for almost 12,800 new jobs, or 46% growth, by 2020;
- Requirement for approximately 11,500 new dwellings located both north and south of the River Suir;
- Significant retail expansion in the expanding City Centre;
- A downstream river crossing to facilitate the extension of the Outer Ring Road northwards to the N25;
- A new city centre bridge for pedestrians and cyclists which will link the redeveloped North Quays with the existing City Centre;
- Provision of a rail-passenger platform on the North Quays as part of a new Public Transport Interchange;
- Development of a high-quality bus-based public transport system in the City supported by Park and Ride facilities located north and south of the River;
- Expansion and improvement of the South-East Regional Airport with an extended runway, more operators and improved transport linkages.

³ South East Regional Authority, *Regional Planning Guidelines for the South East Region 2010-2022*, 2010

⁴ *National Population Projections and Regional Population Targets 2010-2022* (2009) and *Regional Planning Guidelines Review – Gateway and Hub Population Targets* (2009)

⁵ Atkins, *Waterford Planning and Land Use Transportation Study 2004-2020*, 2004

2.2.2.4 Kilkeny County Development Plan 2014-2020

Kilkenny County Council is committed to the role of Waterford City as a Gateway. The Council will facilitate the continued development of the Waterford City environs (i.e. the Ferrybank-Belview area) and in particular the Port of Waterford at Belview. These two areas are seen as having the potential to enhance the critical mass of the southern portion of County Kilkenny. It is a policy of the County Development Plan to implement the NSS and RPGs by encouraging developments into the environs of the Waterford Gateway. In addition, the County Development Plan seeks to develop the national role of Belview Port. The CDP also states that *“The Council in its approach to developing the Ferrybank/Belview area as an integral part of the Gateway City for the South East Region is conscious of maintaining the area’s social, cultural, sporting and political identity into the future”*.

2.2.2.5 Waterford City Development Plan 2013-2019

The Waterford City Development Plan (WCDP) contains a Neighbourhood Strategy, which identifies six neighbourhoods, of which Ferrybank is one⁶. The WCDP contains two objectives specifically for the area of Ferrybank within the WCDP boundary, as follows:

- To extend the scheme of green routes to the Ferrybank Dual Carriageway and to realign and widen Abbey Road.
- To provide a riverside walk along the northern bank of the Suir as part of the redevelopment of the North Quays, from Rice Bridge to the City boundary

The need for a small park and playground within Ferrybank was also identified.

2.2.3 Environmental Protection Objectives

The Draft Plan is subject to a number of high level environmental protection policies and objectives with which it must comply. Examples of Environmental Protection Objectives include the aims of the EU Habitats Directive which is to contribute towards ensuring biodiversity through the conservation of natural habitats and of wild fauna and flora in the European territory of Member States and the purpose of the Water Framework Directive which is to establish a framework for the protection of inland surface waters, transitional waters, coastal waters and groundwater which, among other things, prevents deterioration in the status of all water bodies and protects, enhances and restores all waters with the aim of achieving good status.

⁶ Waterford City Council, Waterford City Development Plan 2013-2019, Section 7.3.7

2.3 Step 2 - Identification of relevant Natura 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. Considering that this Draft LAP is a land use plan for a limited area, and not a development proposal, it is considered that sites further than 15 km away will not be affected. A full Natura Impact Assessment was carried out for the County Development Plan 2014-2020⁷, which assessed the impacts of the CDP on all Natura 2000 sites in the vicinity of the county. This LAP sits at a lower level in the plan-making hierarchy.

There is one SAC situated partly within the plan area: site code 2137, the Lower River Suir. There is another SAC situated 500m from the plan boundary; 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, as listed in Table 2.1 below. Figure 2.2 shows the location of these Natura 2000 sites.

Table 2.1: Natura Sites within 15km of the LAP boundary			
Site Name	SAC Site Code	SPA Site Code	Distance from LAP boundary
Lower River Suir	002137	-----	Within LAP boundary
River Barrow & Nore	002162	-----	500 metres from LAP boundary
Tramore Dunes and Backstrand	000671	004027	9km from LAP boundary
Bannow Bay	000697	004033	12km from LAP boundary
Mid-Waterford Coast SPA	-----	004193	13 km from LAP boundary
River Nore	-----	004233	(not within 15km of LAP boundary)

⁷ Kilkenny County Council, *Kilkenny County Development Plan 2014-2020* (2014)

Table 2.2: Summary of Natura 2000 sites within 15 km of plan area			
Site code & name & distance from Plan Area	Qualifying interests	Conservation Objectives	Threats to site integrity
002137 Lower River Suir SAC Within LAP Boundary	Priority status - Listed in Annex I of HD: <ul style="list-style-type: none"> ▪ Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, <i>Alnion incanae</i>, <i>Salicion albae</i>) (91E0) ▪ Yew Woodlands - <i>Taxus baccata</i> woods of the British Isles (91J0) Listed in Annex I of HD: <ul style="list-style-type: none"> ▪ Atlantic salt meadows (<i>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>Callitriche-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) Listed on Annex II of HD: <ul style="list-style-type: none"> ▪ Sea Lamprey (<i>Petromyzon marinus</i> - 1095) ▪ River Lamprey (<i>Lampetra fluviatilis</i> - 1099) ▪ Brook Lamprey (<i>Lampetra planeri</i>- 1096) ▪ Freshwater Pearl Mussel (<i>Margaritifera margaritifera</i> - 1029) ▪ Crayfish (<i>Austropotamobius pallipes</i> - 1092) ▪ Twaite Shad (<i>Alosa fallax</i> - 1103) ▪ Atlantic Salmon (<i>Salmo salar</i>- 1106) ▪ Otter (<i>Lutra lutra</i> - 1355) 	Generic Conservation Objective: To maintain the Annex I habitats and Annex II species for which the cSAC has been selected at favourable conservation status.	<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.

Site code & name & distance from Plan Area	Qualifying interests	Conservation Objectives	Threats to site integrity
<p>002162</p> <p>River Barrow and River Nore cSAC</p> <p>500 m from LAP Boundary</p>	<p>Annex I - priority habitat</p> <ul style="list-style-type: none"> ▪ Alluvial wet woodlands - Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>) (91E0) ▪ Petrifying springs - Petrifying springs with tufa formation (<i>Cratoneurion</i>) (7220) <p>Annex I</p> <ul style="list-style-type: none"> ▪ Old oak woodlands - Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in British Isles (91A0) ▪ Floating river vegetation - Water courses of plain to montane levels with the <i>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</i> 	<p>Generic Conservation Objective:</p> <p>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 physical

<p>continued . . . 002162 River Barrow and River Nore cSAC</p>	<p><i>margaritifera</i> (1029)</p> <ul style="list-style-type: none"> ▪ Nore Freshwater Pearl Mussel – (<i>Margaritifera durrovensis</i>) (1990) ▪ 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) 		<p>siltation.</p> <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.
<p>Site code & name & distance from Plan Area</p>	<p>Qualifying interests</p>	<p>Conservation Objectives</p>	<p>Threats to site integrity</p>
<p>Tramore Dunes and Backstrand 000671 - SAC 9km from LAP boundary</p>	<p>Listed in Annex I of HD – priority habitat</p> <ul style="list-style-type: none"> ▪ Fixed coastal dunes with herbaceous vegetation ("grey dunes") [2130] <p>Listed in Annex I of HD</p> <ul style="list-style-type: none"> ▪ Mudflats and sandflats not covered by seawater at low tide [1140] ▪ Annual vegetation of drift lines [1210] ▪ Perennial vegetation of stony banks [1220] ▪ Salicornia and other annuals colonizing mud and sand [1310] ▪ Atlantic salt meadows (<i>Glauco-Puccinellietalia 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 dunes") [2120] 	<p>Generic Conservation Objective: To maintain or restore the favourable conservation condition of the Annex I habitat and / or Annex II species for which the SAC has been selected.</p>	<ul style="list-style-type: none"> ▪ 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

			<p>interruption of coastal processes, caused by development such as car parks and coastal defence structures such as rock armour and sea wall.</p> <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. ▪
Site code & name & distance from Plan Area	Qualifying interests	Conservation Objectives	Threats to site integrity
<p>Tramore Dunes and Backstrand</p> <p>004027 - SPA</p> <p>9km from LAP boundary</p>	<ul style="list-style-type: none"> ▪ Brent Geese - Branta bernicla hrota [wintering] ▪ Golden Plover - Pluvialis apricaria [wintering] ▪ Grey Plover - Pluvialis squatarola [wintering] ▪ Lapwing - Vanellus vanellus [wintering] ▪ Dunlin - Calidris alpina [wintering] ▪ Black-tailed Godwit - Limosa limosa [wintering] ▪ Bar-tailed Godwit - Limosa lapponica [wintering] ▪ Sanderling - Numenius arquata [wintering] 	<p>Generic Conservation Objective: To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.</p>	<ul style="list-style-type: none"> ▪ Disturbance, Water Quality, Invasive Species.
<p>Bannow Bay</p> <p>000697 – SAC</p> <p>12km from LAP boundary</p>	<p>Listed in Annex I of the HD – priority habitat</p> <ul style="list-style-type: none"> ▪ Fixed coastal dunes with herbaceous vegetation ("grey dunes") [2130] <p>Listed in Annex I of the HD</p> <ul style="list-style-type: none"> ▪ Estuaries [1130] ▪ Mudflats and sandflats not covered by seawater at low 	<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</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.

	<p>tide [1140]</p> <ul style="list-style-type: none"> ▪ Annual vegetation of drift lines [1210] ▪ Perennial vegetation of stony banks [1220] ▪ Salicornia and other annuals colonizing mud and sand [1310] ▪ Atlantic salt meadows (Glauco - Puccinellietalia maritimae) [1330] ▪ Mediterranean salt meadows (Juncetalia maritimi) [1410] ▪ Mediterranean and thermo - Atlantic halophilous scrubs (Sarcocornetea fruticosi) [1420] ▪ Embryonic shifting dunes [2110] ▪ Shifting dunes along the shoreline with Ammophila arenaria ("white dunes") [2120]* 	<p>been selected.</p>	<p>Overgrazing and under-grazing.</p> <ul style="list-style-type: none"> ▪ 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.
<p>Bannow Bay 004033 - SPA</p>	<ul style="list-style-type: none"> ▪ Brent goose - Branta bernicla hrota [wintering] ▪ Shelduck - Tadorna tadorna [wintering] ▪ Pintail - Anas acuta [wintering] ▪ Oystercatcher - Haematopus ostralegus [wintering] 	<p>Generic Conservation Objective: To maintain or restore the favourable conservation condition of the bird species</p>	<p>Disturbance, Water Quality, Invasive Species.</p>

<p>12km from LAP boundary</p>	<ul style="list-style-type: none"> ▪ Golden Plover - Pluvialis apricaria [wintering] ▪ Grey Plover - Pluvialis squatarola [wintering] ▪ Lapwing - Vanellus vanellus [wintering] ▪ Sanderling - Calidris canutus [wintering] ▪ Dunlin - Calidris alpina [wintering] ▪ Black-tailed Godwit - Limosa limosa [wintering] ▪ Bar-tailed Godwit - Limosa lapponica [wintering] ▪ Curlew - Numenius arquata [wintering] ▪ Redshank - Tringa totanus [wintering] 	<p>listed as Special Conservation Interests for this SPA.</p>	
<p>Mid-Waterford Coast 004193 - SPA 13 km from LAP boundary</p>	<p>Cormorant - Phalacrocorax carbo [breeding] Peregrine - Falco peregrinus [breeding] Herring Gull - Larus argentatus [breeding] Chough - Pyrrhocorax pyrrhocorax [breeding]</p>	<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>Development, change in agricultural practices, agricultural abandonment, encroachment of scrub, loss of closes-ward grazing.</p>

2.3.1 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 SAC. An Otter Threat Response Plan was also published, and otters are included in this SAC also and in the Lower River Suir SAC.

In 2010, two Freshwater Pearl Mussel Management Plans were published for the Rivers Nore and Clodiagh (tributary of the River Suir)⁸.

Every six years, the NPWS publish a report on the conservation status of habitats and species protected under the Habitats Directive. The second report was published in 2008⁹. The third assessment report was published in 2013. Volume 2¹⁰ (Habitats) and Volume 3¹¹ (Species) contain the detailed reports and relevant scientific information, including the conservation status of each SAC and the SPA by habitats and species. Table 2.3 sets out the conservation status of the two SACs within/adjacent to the plan boundary for both 2008 and 2013.

2.3.2 Consultation with NPWS

The NPWS were consulted in relation to this screening, and a meeting was held with Jimi Conroy on the 9th October 2014, which highlighted issues to be considered as part of this screening assessment.

⁸ Produced by NS2, funded by DEHLG, [Freshwater Pearl Mussel \(Second Draft\) Nore Sub-basin Management Plan](#), 2010

Produced by NS2, funded by DEHLG [Freshwater Pearl Mussel Second Draft Clodiagh Sub-Basin Management Plan](#), 2010

⁹ NPWS, [The Status of EU Protected Habitats and Species in Ireland](#), 2008

¹⁰ NPWS, [The Status of EU Protected Habitats and Species in Ireland 2013, Habitat Assessments, Volume 2](#), 2013

¹¹ NPWS, [The Status of EU Protected Habitats and Species in Ireland 2013, Species Assessments, Volume 3](#), 2013

Table 2.3 Conservation status of Natura 2000 sites (habitats and species) in Plan area

Site Name	Site Code/Ref	Habitats *Includes note on whether habitat is mapped in Plan area	Conservation Status		Species* *Includes note on whether species is mapped in Plan area	Conservation Status	
			2008	2013 (Trend)		2008	2013 (Trend)
Lower River Suir cSAC	002137	Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330] (mapped in Plan area)	Poor	Inadequate (stable)	Margaritifera margaritifera [1029] (not mapped in Plan area)	Bad	Bad (declining)
		Mediterranean salt meadows (Juncetalia maritimi) [1410] (mapped in Plan area)	Poor	Inadequate (stable)	Austropotamobius pallipes [1092] (mapped in Plan area)	Poor	Inadequate (stable)
		Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation [3260] (mapped in Plan area)	Bad	Inadequate (declining)	Petromyzon marinus [1095] (range is mapped in Plan area)	Poor	Bad (Stable)
		Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels [6430] (mapped in Plan area)	Poor	Bad (stable)	Lampetra planeri [1096] (range is mapped in Plan area)	Good	Favourable (N/A)
		Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0] (mapped in Plan area)	Bad	Bad (improving)	Lampetra fluviatilis [1099] (range is mapped in Plan area)	Good	Favourable (N/A)
		Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae)[91E0] (mapped in Plan area)	Bad	Bad (improving)	Alosa fallax [1103] (mapped in plan area)	Bad	Bad (Stable)
		* Taxus baccata woods of the British Isles [91J0]	Bad	Bad (improving)	Salmo salar (only in fresh water) [1106]	Bad	Inadequate (stable)

		(Not mapped in Plan area)			(mapped in Plan area)		
					Lutra lutra [1355] (mapped in Plan area)	Poor	Favourable (N/A)
River Barrow & River Nore/ Barrow Estuary/ Abbeyleix Wood Complex cSAC	002162	Estuaries [1130] (mapped in Plan area)	Poor	Inadequate (improving)	Vertigo moulinsiana [1016] (not mapped in Plan area)	Bad	Inadequate (declining)
		Mudflats and sandflats not covered by seawater at low tide [1140] (mapped in Plan area)	Poor	Inadequate (improving)	Margaritifera margaritifera [1029] (not mapped in Plan area)	Bad	Bad (declining)
		Salicornia and other annuals colonizing mud and sand [1310] (mapped in plan area)	Poor	Inadequate (declining)	Austropotamobius pallipes [1092] (mapped in Plan area)	Poor	Inadequate (stable)
		Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330] (mapped in plan area)	Poor	Inadequate (stable)	Petromyzon marinus [1095] (range is mapped in Plan area)	Poor	Bad (Stable)
		Mediterranean salt meadows (Juncetalia maritimi) [1410] (mapped in plan area)	Poor	Inadequate (stable)	Lampetra planeri [1096] (range is mapped in Plan area)	Good	Favourable (N/A)
					Lampetra fluviatilis [1099] (range is mapped in Plan area)	Good	Favourable (N/A)
					Alosa fallax [1103] (mapped in plan area)	Bad	Bad (Stable)
					Salmo salar (only in fresh water) [1106] (mapped in Plan area)	Bad	Inadequate (stable)
					Lutra lutra [1355] (mapped in Plan area)	Poor	Favourable (N/A)
					Trichomanes speciosum [1421] (Not mapped in Plan area)	Good	Favourable (N/A)

					Margaritifera durrovensis (Margaritifera margaritifera) [1990] (Not mapped in Plan area)	Bad	Bad (declining)
River Nore SPA	004233				<i>Alcedo atthis</i> [breeding] Kingfisher	Amber ¹²	Amber

¹² BirdWatch Ireland and the RSPB NI have agreed a list of priority bird species for conservation action on the island of Ireland. These Birds of Conservation Concern in Ireland are published in a list known as the BoCCI List. The most recent list (2014-2019) was published in early 2014, see <http://www.birdwatchireland.ie/LinkClick.aspx?fileticket=EjODk32LNcU%3d&tabid=178>. In this BoCCI List, birds are classified into three separate lists (Red, Amber and Green), based on the conservation status of the bird and hence conservation priority. The **Red List** birds are of high conservation concern, the **Amber List** birds are of medium conservation concern and the **Green List** birds are not considered threatened.

2.3.3 Literature Review

The [Screening Assessment for the Regional Planning Guidelines](#)¹³ 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 Natura Impact Report for the County Development Plan 2014-2020 has also been reviewed and this identified that many of the qualifying interests of the Natura 2000 sites in Co. Kilkenny are water dependent and so negative effects on water quality and quantity may have significant effects on the integrity of Natura 2000 sites.

The Habitats Directive Article 6, Screening Assessment of the Waterford City Development Plan 2013-2019 was also reviewed. This found that the Waterford City Plan would not have any adverse effects on the integrity of Natura 2000 sites in or within a 15km catchment of Waterford City.

2.3.3.1 Previous Appropriate Assessments for Ferrybank/Belview LAP

As part of the making of the previous Ferrybank/Belview LAP (2009), 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 2008¹⁴) to examine these possible impacts in more detail and mitigation measures were recommended to ensure no impact on the cSAC.

A screening was carried out for Amendment 1 to the Ferrybank LAP in 2012¹⁵. This found that the Amendment was not likely to have any significant effects on any Natura 2000 sites. A review of both of these assessments is detailed below.

The AA as carried out for the 2009 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.

¹³ [Regional Planning Guidelines for the South-East Region 2010-2022 Environmental Report & Habitats Directive Assessment](#), 2010

¹⁴ Openfield, [Appropriate Assessment of the Ferrybank-Belview Local Area Plan in relation to the Lower River Suir Special Area of Conservation \(SAC\) and the Grannyferry Natural Heritage Area \(NHA\)](#), 2008

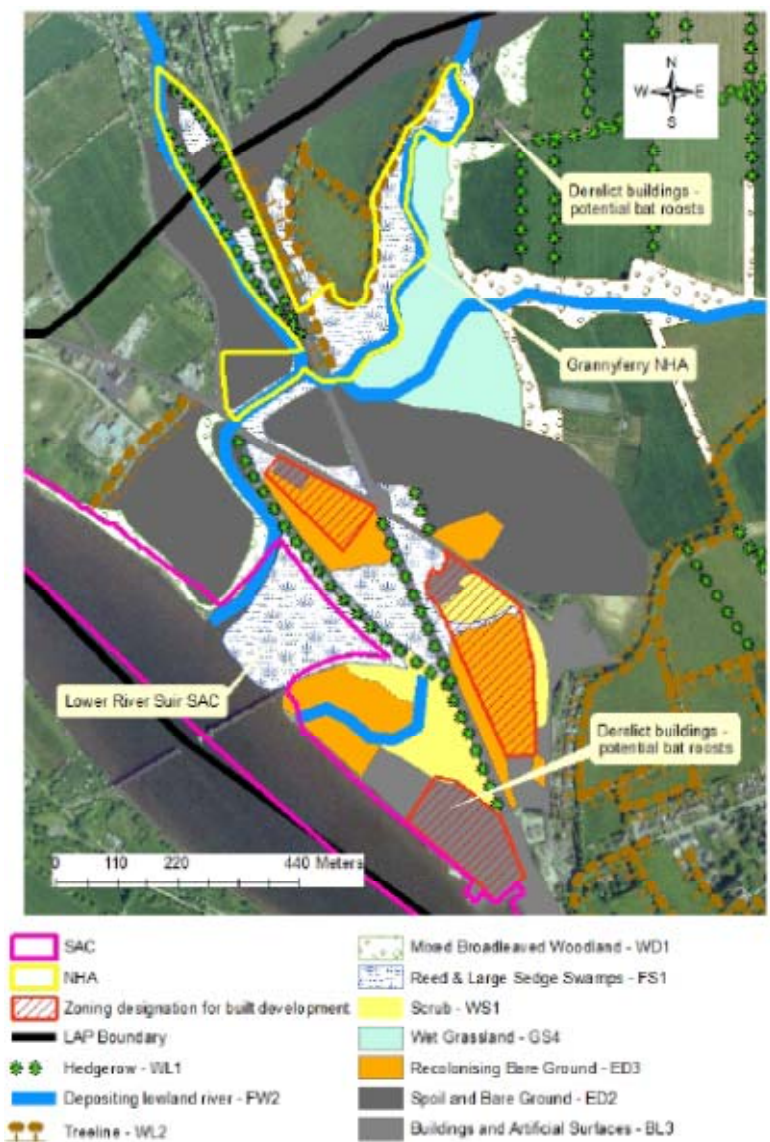
¹⁵ Forward Planning, Kilkenny County Council, [Screening Report for Appropriate Assessment Amendment 1 to Ferrybank Belview Local Area Plan](#), August 2011

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

Through the screening report for AA (dated May 2008), possible habitat loss due to zoning of two sites adjacent to the River Suir cSAC were identified as having possible significant impacts on the cSAC. As part of the June 2008 AA a site survey was conducted in two areas; Newrath and Belview.

In Newrath, in an area designated in the Draft Plan (2009) 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. This area was located between the Grannyferry NHA and the Lower River Suir SAC, as can be seen on Figure 2.3 below.

Figure 2.3 Habitat map of the Newrath area, taken from the Appropriate Assessment of the Ferrybank-Belview Local Area Plan (June 2008)



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 (see Figure 2.5: Zoning (2012) showing location of European sites), 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.

As part of the AA screening carried out for Amendment 1 to the Ferrybank Belview LAP in 2012, these issues were re-examined and local NPWS Conservation Ranger was consulted. Following that consultation an objective was 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".

In this current draft LAP, the site around the Redbridge Filling Station is zoned for Water compatible development and the site east of the railway line is now zoned for Passive Open Space/Green Links/Biodiversity Conservation. These zonings, which allow for a limited range of development, will remove any possibility of significant impacts. In addition, the objectives as outlined above will be revised to reflect the zoning changes, and included in the Draft LAP as follows:

7C Protect existing wetlands from fill while encouraging the enhancement of wetland habitats and landscape features which form part of habitat networks, such as river corridors and associated habitats.

7D To investigate the possibility of wetland habitat creation as part of any development on lands at Newrath and to consult with the NPWS at pre-planning stage in any development. Measures to ecologically enhance sites 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.

A large proportion of wetland adjoining the NHA was purchased by Waterford Council in conjunction with the development of the N25. The land in the immediate vicinity of the NHA will continue to be zoned for POS: Passive Open Space/Green Links/Biodiversity Conservation, see Figure 2.1.

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 2009 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 new plan, as objective 7E:

7E Require a specialist bat ecologist to survey the old mill buildings in the Newrath area prior to any development taking place. This report is to be submitted to Kilkenny County Council at planning application stage.

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 June 2008 AA. This identified a total of nine habitats in an area zoned for PFI – Port Facilities and Industry in the Draft Plan. Four 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.

Figure 2.4 Habitat map of the Belview area, taken from the Appropriate Assessment of the Ferrybank-Belview Local Area Plan (June 2008)



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 2017 LAP into alignment with the County Development Plan, this policy will now be replaced with Objectives 1A and 1B from the CDP in relation to any plan or project which has the potential to impact on a European designated site. These are as follows:

1A To implement the provisions of Articles 6(3) and 6(4) of the EU Habitats Directive.

- 1B To ensure that any plan or project within the functional area of the Planning Authority is subject to appropriate assessment in accordance with the Guidance [Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, 2009](#)¹⁶ and is assessed in accordance with Article 6 of the Habitats Directive in order to avoid adverse impacts on the integrity and conservation objectives of the site.**

Impact 4: Indeterminate impacts through 'Passive Open Space' zoning

The recommendation contained in the June 2008 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".

This zone is now designated as: Passive Open Space/Green Links/Biodiversity Conservation – Allows for passive open space/green links/ biodiversity conservation throughout the area.

Conclusion of Literature Review

As set out above, the Draft Plan does not propose any changes to the zoning at these locations which may result in significant effects. Therefore the conclusions of these AAs in relation to these locations, which stated that implementing the avoidance and mitigation measures would reduce the impacts to neutral, remains valid. This AA screening does not replace these existing AAs and as outlined, the relevant objectives will still stand. This Screening report is supplementary to assess the alterations proposed under the Draft Plan.

2.4 Step 3 - Assessment of likely Effects

This section documents the final stage of the screening process. It uses the information collected on the sensitivity of each European site and describes any likely **significant** effects resulting from the implementation of the Draft LAP. This assumes the absence of any controls, conditions, or mitigation measures. In determining the potential for significant effects, a number of factors have been taken into account. First, the sensitivity and reported threats to the European site. Second, the individual elements of the Draft Plan and the potential effect they may cause on the site were considered. This assessment is informed by using available information and data, through a literature survey and consultation with the National Parks and Wildlife Service.

¹⁶ The Department of the Environment, Community and Local Government, [Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities](#), 2009

It should be noted that the policies and objectives that make up the Draft Plan are strategic in nature and therefore the impact assessment can at best be generalised. The expansion of the Ferrybank/Belview area through development facilitated under the plan will result in possible changes in land use and an increase in population and business/industrial activities. The elements of the Draft Plan with potential to cause significant effects on European sites are presented in Table 2.4 below. All potential impacts are identified including those that are direct, indirect and cumulative.

Table 2.4 Elements of the Draft Plan and the Potential for Effects on European Sites

Element of the Draft Plan	Potential effects
Construction phase	
New (commercial, industrial residential) development. There are a total of 29.1 hectares zoned for new residential development and a total of approx. 300 hectares zoned for commercial and industrial use.	The provision for new developments may potentially lead to the run-off of silt and other harmful pollutants to watercourses. This may lead to adverse impacts on the water dependant European sites. There may also be effects due to construction traffic and related activities, such as noise disturbance and increased dust. This provision may potentially lead to: Changes in indicators of conservation value (water quality), and Disturbance of key species
Development within the boundary of the European site	There is one SAC located within the Plan boundary and development here may lead to a reduction in habitat area.
Operational Phase	
Increase in population	Increased flows of domestic wastewater Increased abstraction of water Discharge of untreated surface water from paved surfaces
Increase in business/industrial activities	Increased flows of wastewater Increased abstraction of water Discharge of untreated surface water from paved surfaces

2.4.1 Identification of Potential Likely Significant Effects

The effects above are now examined in relation to the qualifying interests of each European site as set out in Table 2.2.

Sites are screened out based on one or a combination of the following criteria:

- where it can be shown that there are no hydrological links between activities permitted under the Ferrybank LAP and the site to be screened;
- where the site is located at such a distance from Ferrybank LAP that impacts are not foreseen;

- where it is that known threats or vulnerabilities at a site cannot be linked to potential impacts that may arise from implementation of the Draft Plan.

There are 7 Natura 2000 sites within 15km of the plan area, including one within the plan area (Lower River Suir). The qualifying interests and threats to the site integrity as set out in Table 2.2 are referred to in assessing the likely direct, indirect or secondary impacts or likely changes to the sites.

Table 2.5 Screening of European Sites within 15 km of the LAP Boundary

European Site	Distance	Description of potential significant impacts on qualifying interests	Potential for Significant Effects	Potential for In-Combination Effects
River Suir SAC (002137)	Within LAP boundary	<p>This SAC runs through the study area, see Maps 3 and 4. For the most part, appropriate zonings have been applied, such as Passive Open Space and Water Compatible development, to ensure no change to the site. There are some very small areas where the zoning objectives appear to conflict with the SAC, see Maps 3 & 4. However, these areas merely reflect the current uses, such as the port quay in Belview, and any development will still be subject to project level appropriate assessment.</p> <p>The potential threats as a result of developments facilitated by this plan are to water quality, from inadequate treatment of sewage, or threats from abstractions or discharges to the river or into the river catchment. The RPGs also identified water quality and waste water treatment as being the pressure topic for this SAC. 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. The WWTP has sufficient capacity for the development envisaged under this Draft LAP.</p> <p>There may be in combination effects from upstream WWTPs, such as from Waterford City, Clonmel and Carrick-on-Suir WWTPs and from other developments in the vicinity.</p>	No	Yes
River Barrow/River Nore SAC (002162)	500m from LAP boundary	<p>Under the last Plan this area was included within the LAP boundary, but under the current Draft, this SAC does not fall within the Plan area, see Maps 3 & 4. However, it is located less than 500m from the LAP boundary.</p> <p>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 potential threats as a result of developments facilitated by this plan are to water quality, from inadequate treatment of sewage, or threats from abstractions or discharges to the river or into the river catchment.</p> <p>The RPGs also identified water quality and waste water treatment as being the pressure topic for this SAC. 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 WWTP has sufficient capacity for the</p>	No	Yes

		<p>development envisaged under this Draft LAP.</p> <p>There may be in combination effects from upstream WWTPs, such as from Carlow, Kilkenny and New Ross WWTPs and from other developments in the vicinity.</p>		
Tramore Dunes and Backstrand SAC (000671) & SPA (004027)	9km from LAP boundary	<p>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.</p> <p>Water quality has been identified as a potential threat to the conservation objectives of the SPA. There is sufficient capacity in the Belview waste water treatment plant, which has an outfall to the Suir, to cater for development proposed under this plan.</p> <p>The distance between the Plan Area and the SAC/SPA boundary is extensive, and the hydrological link is tenuous at best due to the dilution factor of the Celtic Sea. Therefore, the Plan is foreseen to have very low effects on the conservation objectives of the Natura 2000 sites.</p>	No	No
Bannow Bay SAC (000697) & SPA (004033)	13km from LAP boundary	<p>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 Belview waste water treatment plant, which has an outfall to the Suir, to cater for development proposed under this Plan.</p> <p>The distance between the Plan Area and the SAC/SPA boundary is extensive, and the hydrological link is tenuous at best due to the dilution factor of the Celtic Sea. Therefore, the Plan is foreseen to have very low effects on the conservation objectives of the Natura 2000 sites.</p>	No	No
Mid-Waterford Coast SPA (004193)	13km from LAP boundary	<p>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.</p> <p>This site is designated for wading birds. Water quality is not a major factor for these birds and their threats are more likely to be noise or physical disturbance.</p> <p>As the site is 13km away, there are NO potential for significant effects. The impacts are seen to be 'Very Low' which means they do not need to be considered for in combination effects.</p>	No	No

The development envisaged under the plan, in combination with the expansion of other settlements further up-stream, may have in combination effects on two European sites; the River Suir and the River Nore/Barrow. Changes to water quality is the main pressure topic for these two sites.

2.4.2 Water quality

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.

In addition, it should be noted that individual construction projects will be subject to their own Appropriate Assessment. This is enshrined in the County Development Plan (2014-2020) and these objectives will also be included within the Draft LAP as follows:

- 1A To implement the provisions of Articles 6(3) and 6(4) of the EU Habitats Directive.**
- 1B To ensure that any plan or project within the functional area of the Planning Authority is subject to appropriate assessment in accordance with the Guidance [Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, 2009](#)¹⁷ and is assessed in accordance with Article 6 of the Habitats Directive in order to avoid adverse impacts on the integrity and conservation objectives of the site.**

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.

Indicators of water quality are available as part of the Water Framework Directive (WFD), which established 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. Under the WFD, the River Suir at Waterford is divided into the Middle Suir Estuary and the Lower Suir Estuary (Little Island – Cheekpoint), both of which are classified as Transitional (Estuarine) waterbodies. According to the EPA, the status of the Middle Suir Estuary was Poor and the status of the Lower Suir Estuary was moderate¹⁸.

¹⁷ The Department of the Environment, Community and Local Government, [Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities](#), 2009

¹⁸ <http://gis.epa.ie/Envision>

In addition, the current water quality of the Middle Suir Estuary (EPA website accessed 26/1/2017) 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 (EPA website accessed 26/1/2017).

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 New Ross Port was moderate and the status of the Barrow Suir Nore Estuary was good (EPA website accessed 26/1/2017). The water quality of New Ross Port and the Barrow Suir Nore was also Intermediate eutrophic (EPA website accessed 26/1/2017).

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.

Plans and projects for the Suir and Barrow/Nore catchments could possibly result in '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 Waste Water Treatment Plant at Gorteens, Belview, has improved water quality in the River Suir and it has the capacity to cater for the expansion envisaged under this 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 (2009) stated 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 (Purcellsinch) but that the plant required nutrient removal and plans were underway in this regard. The [Natura Impact Report for the Kilkenny City & Environs Development Plan](#)¹⁹ stated that the EIS application for a major upgrade of the plant was approved by An Bord Pleanála²⁰. Irish Water are now the responsible authority for such upgrades, and as of November 2014, they advised that Nutrient removal (Phosphorus) was installed in 2013 and is now operating. An upgrade of the Inlet works took place in early 2017.

The in-combination impact of development in the Suir and Barrow/Nore catchment was examined through the [Natura Impact Report for the Kilkenny County Development Plan](#)²¹. This found that it was unlikely that the County Development Plan would cause significant effects on water quality.

¹⁹ Planning Department, Kilkenny Borough and County Councils, [Natura Impact Report for the Kilkenny City & Environs Development Plan](#), 13th June 2014

²⁰ An Bord Pleanála ref. PL10 .JA0011, Kilkenny City Purcellsinch Wastewater Treatment Plant upgrade and Sludge Management Hub Centre

²¹ Planning Department, Kilkenny County Council, [Natura Impact Report for the Kilkenny County Development Plan](#), May 2014

The RPGs also 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 SAC.

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.

Regular assessments of the waste water output and capacity of the Treatment Plants are undertaken by the local authorities. This will provide an indication of the potential significant effects resulting from the plan.

In light of these factors it is believed that the potential for negative impacts on water quality are not significant and that there will be no changes to the sites.

2.4.3 Other Plans and Programmes

Article 6(3) of the Habitats Directive requires an assessment of a plan or project to consider other plans or programmes that might, in combination with the plan or project, have the potential to adversely impact upon European sites. Table 2.6 outlines plans or programmes that may interact with the Draft LAP to cause in-combination effects to European sites. As demonstrated in the Literature Review, a Screening Assessment was carried out for the Regional Planning Guidelines, which would have considered the plans or programmes at International and National level, therefore only the Regional and Local level plans/programmes will be considered here.

Table 2.6 Plans & Projects Likely to Cause In-Combination Effects				
Plan/programme	Purpose	Interactions resulting in Cumulative Impacts	Consideration of impacts	Potential for Significant Effects
Regional				
Regional Planning Guidelines for The South East 2010-2022	Policy document which aims to direct the future growth of the South east Area over the medium to long term and works to implement the strategic planning framework set out in the NSS.	Potential in-combination impacts may arise where there is a requirement to provide for new infrastructure. Provision of infrastructure may result in: Alteration of hydrology Deterioration in water quality Disturbance	No risk of likely significant in-combination effects will result as one of the aims of the RPGs (Strategic Vision) is to “conserve the region’s characteristic environment, landscape and heritage assets”.	No

		during construction / operation		
Local				
Waterford City Development Plan 2013-2019 Kilkenny County Development Plan 2014-2020 Waterford County Development Plan 2011-2017 Wexford County Development Plan 2013-2019 Carlow County Development Plan 2015- 2021	Overall strategies for the proper planning and sustainable development of the administrative area of the relevant Local Authorities. Include provisions relating to housing, economic (including tourism), community, transport and infrastructural development.	Provision of infrastructure may result in: Alteration of hydrology Deterioration in water quality Disturbance during construction / operation	No risk of likely significant in-combination effects will result as each of the Development Plans contain policies and objectives for the improvement of environmental quality, and to ensure the protection of European sites.	No
Waterford to New Ross Greenway	Plan for the provision of a cycle route along the old New Ross-Waterford Railway line	An Appropriate Assessment was undertaken for this project.	The AA for this project includes consideration of In-Combination Effects, which will ensure no significant effects.	No

2.5 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 AAs carried out for the 2009 LAP and the 2012 Amendment, and having examined the potential for effects on European Sites of the plan (direct, indirect and cumulative adverse effects), it is concluded that this Plan will not have any likely significant effects on any European Site.

3 Conclusion

A Habitats Directive Screening Assessment was carried out on 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 Assessments carried out in June 2008 for the Draft Ferrybank/Belview LAP, and the screening carried out in August 2011 for Amendment No. 1.

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 Plan. 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 new 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.

It is concluded that this 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 likely Significant Effects Report (attached at end of this report) is proposed. It is therefore concluded that there is no requirement for a Stage 2 assessment.

Finding of no significant effects report

- **Name of project or plan:**
The Draft Ferrybank/Belview Local Area Plan 2017
- **Name and location of Natura 2000 sites:**

Table 3.1: Natura Sites within 15km of the LAP boundary

Site Name	SAC Site Code	SPA Site Code	Distance from LAP boundary
Lower River Suir	002137	-----	Within LAP boundary
River Barrow & Nore	002162	-----	Within 500m of LAP boundary
River Nore		0004233	(not within 15km of LAP boundary)
Tramore Dunes and Backstrand	000671	004027	9km from LAP boundary
Bannow Bay	000697	004033	12km from LAP boundary
Mid-Waterford Coast SPA	-----	004193	13 km from LAP boundary

- **Description of the project or plan:**
- The Ferrybank/Belview Local Area Plan consists of strategies, policies, objectives and maps for the area of Ferrybank, north of Waterford City, in Co. Kilkenny, and also includes the area encompassing Belview Port. The plan will last for a period of 6 years from the date of its adoption. The Plan also contains development management guidelines to ensure that the agreed objectives and policies are complied with from adoption.
- The Ferrybank/Belview 2009 LAP study area (as amended in 2012) encompassed a total of 2,204 hectares of land. The development boundary for this Draft LAP is slightly less, at 1,909 hectares.

- **Is the project or plan directly connected with or necessary to the management of the site (provide details)?**

The Draft LAP 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 Draft LAP 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. The Draft LAP area adjoins the area covered by the Waterford City Development Plan 2013-2019. Each of these has been subject to their own Appropriate Assessment.

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 Draft LAP 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. The primary area for potential significant effects is on water quality.

The County Development Plan and Draft LAP contain existing policies for the conservation and protection of Natura 2000 sites, and also for the protection of non-designated sites.

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

Policies in the LAP and the Kilkenny County Development Plan 2014-2020 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 October 2014 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.

Data collected to carry out the assessment

- **Who carried out the survey**

Kilkenny County Council, Forward Planning Section.

- **Sources of Data**

Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs; European Commission; Kilkenny County Council; National Parks and Wildlife Service, Environmental Protection Agency.

- **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

Comhairle Chontae Chill Chainnigh

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

Kilkenny County Council

County Hall, John Street, Kilkenny, R95 A39T.



Fónamh don Phobal - Caomhnú don Oidhreacht

Serving People – Preserving Heritage

Appropriate Assessment (AA) Screening Determination under the Planning and Development Acts 2000-2015 for:**Draft Ferrybank Belview Local Area Plan 2017**

An Appropriate Assessment (AA) Screening determination has been made by Kilkenny County Council regarding the Draft Ferrybank Belview Local Area Plan 2017 in accordance with the EU's Habitats Directive 6(3) and Section 177U of the Planning and Development Act 2000 (as amended).

The Draft LAP sets out the vision and direction for the future development of the Ferrybank-Belview area. Proposed land use plans must undergo a formal 'test' or 'screening' to ascertain whether they are likely to result in any significant adverse effects on specific sites designated for their nature conservation importance. These sites are those designated under the European Commission's Natura 200 network of sites (hereafter termed 'European sites'). European sites are designated on the basis of the presence of certain habitats and species that are deemed to be of international importance. The Irish Government, and planning authorities, have a legal obligation to protect these sites. The Habitats Directive requires the screening of plans and projects. If the screening process results in a judgement that likely significant effects may occur or cannot be ruled out, then a more detailed assessment is required.

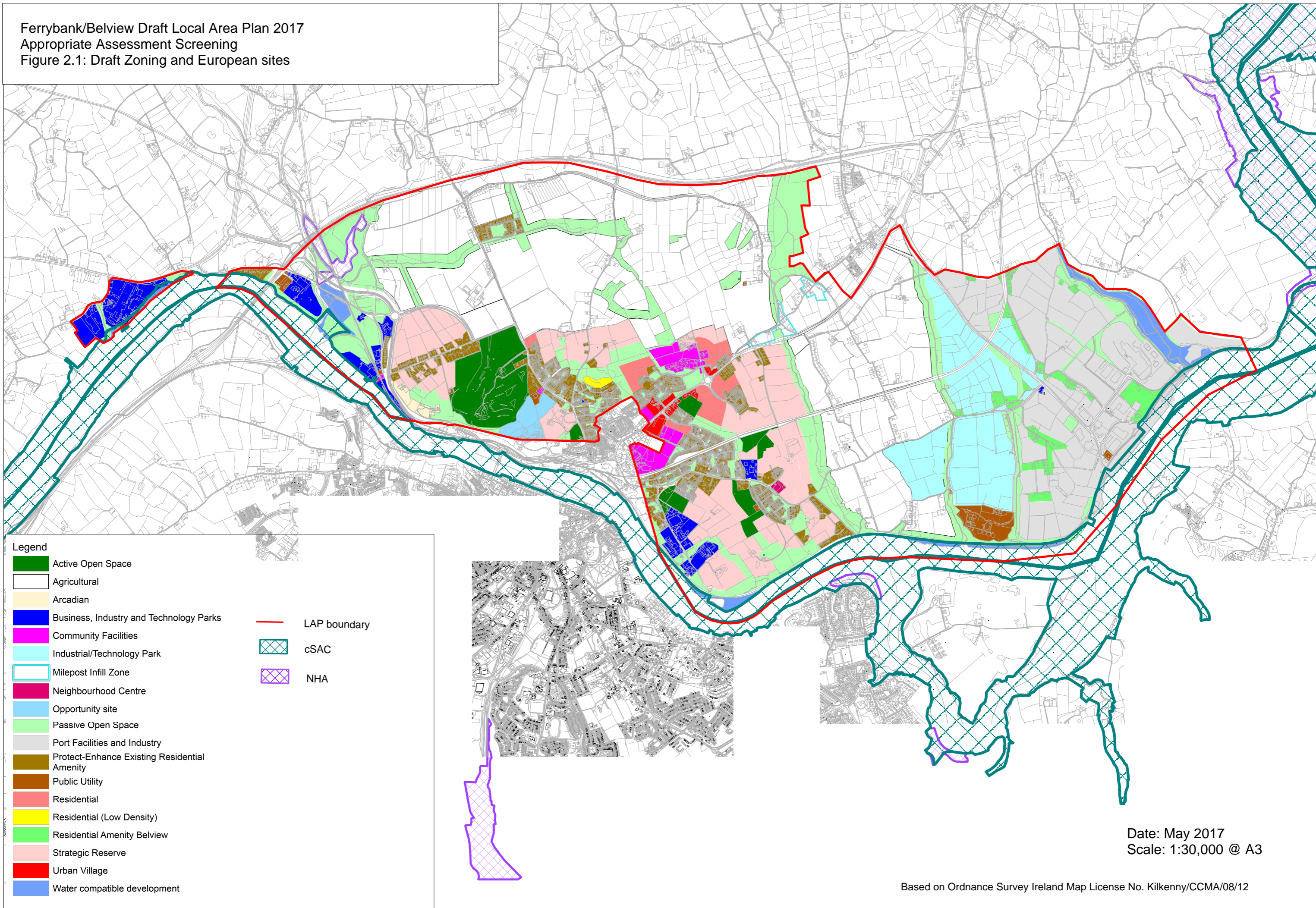
The AA screening process for this Draft LAP has found that the Draft LAP does not require any further assessment to demonstrate compliance with the Directive in accordance with the methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC.

Taking into account the findings of the AA process that are detailed in an AA Screening Report that accompanies this Determination, Kilkenny County Council have determined that Draft LAP will not result in any effects on European Sites and consequently Stage 2 AA is not required.

Signed 
Denis Malone
Senior Planner

Date 6/6/2017

Ferrybank/Belview Draft Local Area Plan 2017
 Appropriate Assessment Screening
 Figure 2.1: Draft Zoning and European sites



- Legend**
- Active Open Space
 - Agricultural
 - Arcadian
 - Business, Industry and Technology Parks
 - Community Facilities
 - Industrial/Technology Park
 - Milepost Infill Zone
 - Neighbourhood Centre
 - Opportunity site
 - Passive Open Space
 - Port Facilities and Industry
 - Protect-Enhance Existing Residential Amenity
 - Public Utility
 - Residential
 - Residential (Low Density)
 - Residential Amenity Belview
 - Strategic Reserve
 - Urban Village
 - Water compatible development

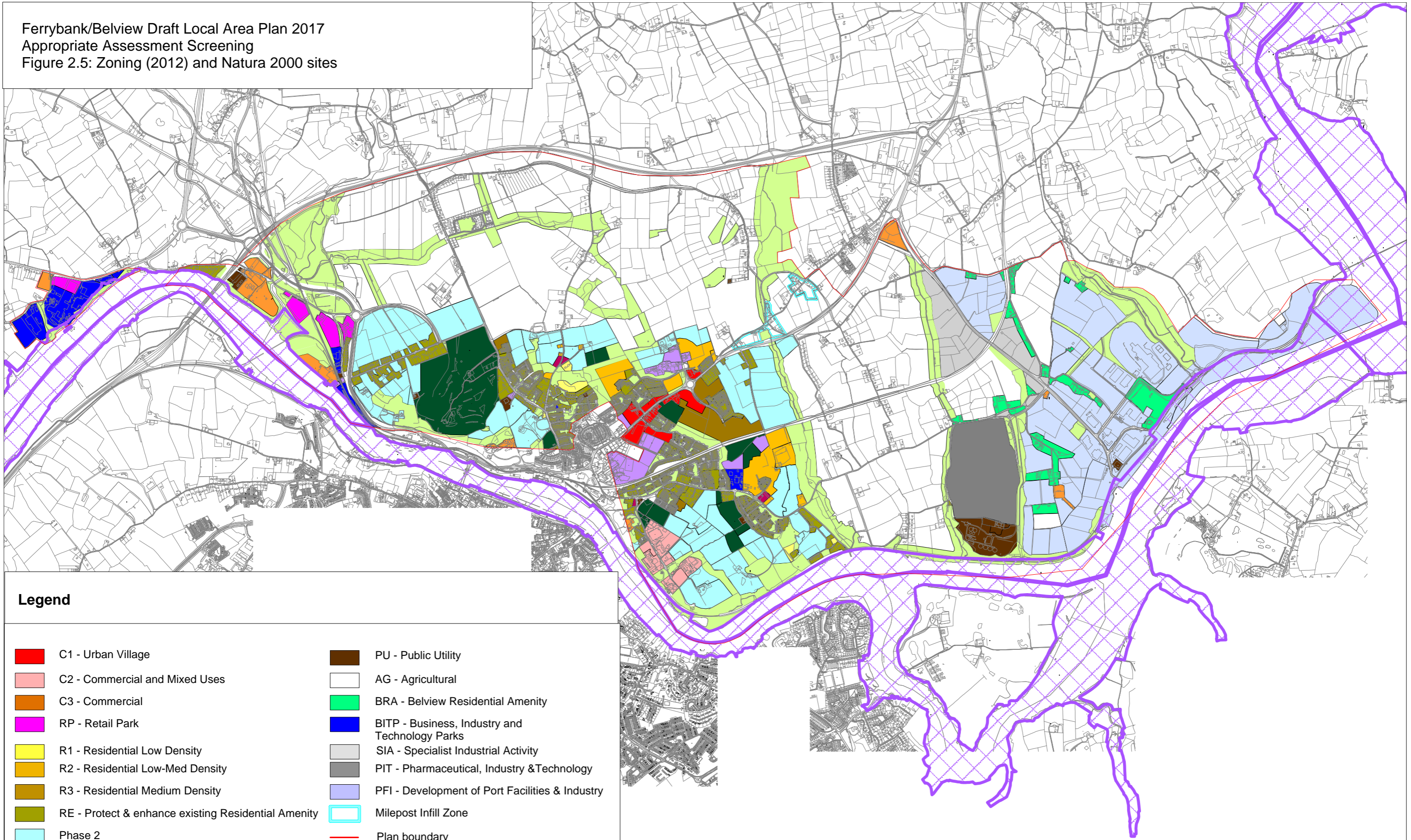
- LAP boundary
- cSAC
- NHA

Date: May 2017
 Scale: 1:30,000 @ A3
























Ferrybank/Belview Draft LAP 2017 - Appropriate Assessment Screening
Figure 2.2: European sites within 15 km of Plan boundary



Ferrybank/Belview Draft Local Area Plan 2017
 Appropriate Assessment Screening
 Figure 2.5: Zoning (2012) and Natura 2000 sites



Legend

- | | |
|--|---|
|  C1 - Urban Village |  PU - Public Utility |
|  C2 - Commercial and Mixed Uses |  AG - Agricultural |
|  C3 - Commercial |  BRA - Belview Residential Amenity |
|  RP - Retail Park |  BITP - Business, Industry and Technology Parks |
|  R1 - Residential Low Density |  SIA - Specialist Industrial Activity |
|  R2 - Residential Low-Med Density |  PIT - Pharmaceutical, Industry & Technology |
|  R3 - Residential Medium Density |  PFI - Development of Port Facilities & Industry |
|  RE - Protect & enhance existing Residential Amenity |  Milepost Infill Zone |
|  Phase 2 |  Plan boundary |
|  NC - Neighbourhood Centres |  cSAC |
|  CF - Community Facilities | |
|  POS - Passive Open Space | |
|  AOS - Active Open Space | |

Date: May 2017
 Scale: 1:30,000 @ A3