

AA SCREENING REPORT

FOR
PROPOSED VARIATION No. 1
TO THE
ATHY TOWN DEVELOPMENT PLAN 2012-2018

**IN ACCORDANCE WITH THE REQUIREMENTS OF
ARTICLE 6(3) OF THE EU HABITATS DIRECTIVE**

for: Kildare County Council

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Section 1 Introduction

1.1 Background

Kildare County Council has prepared Proposed Variation No. 1 to the Athy Town Development Plan 2012-2018 under Section 13 of the Planning and Development Act 2000 (as amended).

This is the Appropriate Assessment (AA) Screening Report for the Proposed Variation in accordance with the requirements of Article 6(3) of the EU Habitats Directive¹. This report is divided into the following three sections:

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

1.2 Legislative Context

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

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

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

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

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

These requirements are implemented in the Republic of Ireland by the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended) and the Planning and Development Act 2000 (as amended) and the Planning and Development Acts 2000-2015. The European Communities (Birds and

¹ Directive 92/43/EEC

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

1.3 Stages of Appropriate Assessment

This AA Screening 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

Appropriate Assessment comprises up to four stages:

Stage One: Screening

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

Stage Two: Appropriate Assessment

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

Stage Three: Assessment of Alternative Solutions

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

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

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

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

In the case of this AA screening exercise, it is found that the Proposed Variation only requires Stage 1 AA Screening.

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

Section 2 Stage 1 Screening

2.1 Description of the Town Development Plan and associated Proposed Variation No. 1

The Athy Town Development Plan 2012-2018 sets out an overall strategy for the proper planning and sustainable development of the town over the period 2012-2018. It is prepared with reference to the Kildare County Development Plan 2011-2017 which sets out strategies, policies and objectives for the development of County Kildare.

The following vision statement is included within the Plan: "To plan for and facilitate appropriate levels of sustainable development in Athy, addressing its weaknesses and building on its strengths based on high quality employment, residential and recreational areas with a balanced range of facilities to meet the needs of those living, working or visiting the town, thereby improving the quality of life for all."

The Proposed Variation:

1. Provides clarity in relation to the specific intentions of Kildare County Council in relation to a Distributor Road for Athy.
2. Ensures consistency with the Kildare County Development Plan 2011-2017 which the Council is also planning to vary³.

2.2 European Sites

This section of the screening process describes the European sites within a potential zone of impact of the Plan area to which the Proposed Variation relates. A distance of 15 km is currently recommended in the DoE document *Appropriate Assessment of Plans and Projects - Guidance for Planning Authorities*, however, sites beyond this distance can also be considered as a result of, for example, hydrological linkages with the County.

Based on the above approach, an initial total of two European sites (two SACs) require consideration in the AA process. A map indicating the locations of the sites is presented as Figure 1.

Table 2.1 below lists the European sites that are within the Plan area.

Table 2.2 below lists the European sites that are within 15km of the Plan area (no additional sites are necessary to include beyond this 15km distance, given, for example, hydrological linkages).

Table 2.1 and Table 2.2 also present the qualifying features of each site. cSAC sites are selected for a range of different habitats and species listed on Annex I and Annex II of the Habitats Directive, known as Qualifying Interests (QIs).

In order to determine the potential for impacts from the Proposed Variation, information on the qualifying features, known vulnerabilities and threats to site integrity pertaining to European sites was also reviewed and is presented in Appendix I⁴. The assessment considers the potential implications of the implementing the Proposed Variation against the qualifying features of each site.

³ Proposed Variation No. 4 to the Kildare County Development Plan 2011-2017 is also being subjected to AA Screening and the findings of that screening have informed this AA Screening for Proposed Variation No. 1 to the Athy Town Development Plan 2012-2018

⁴ derived from a variety of sources, including: Ireland's Article 17 Report to the European Commission "Status of EU Protected Habitats and Species in Ireland" (NPWS, 2013), Site Synopses and NATURA 2000 Standard Data Forms

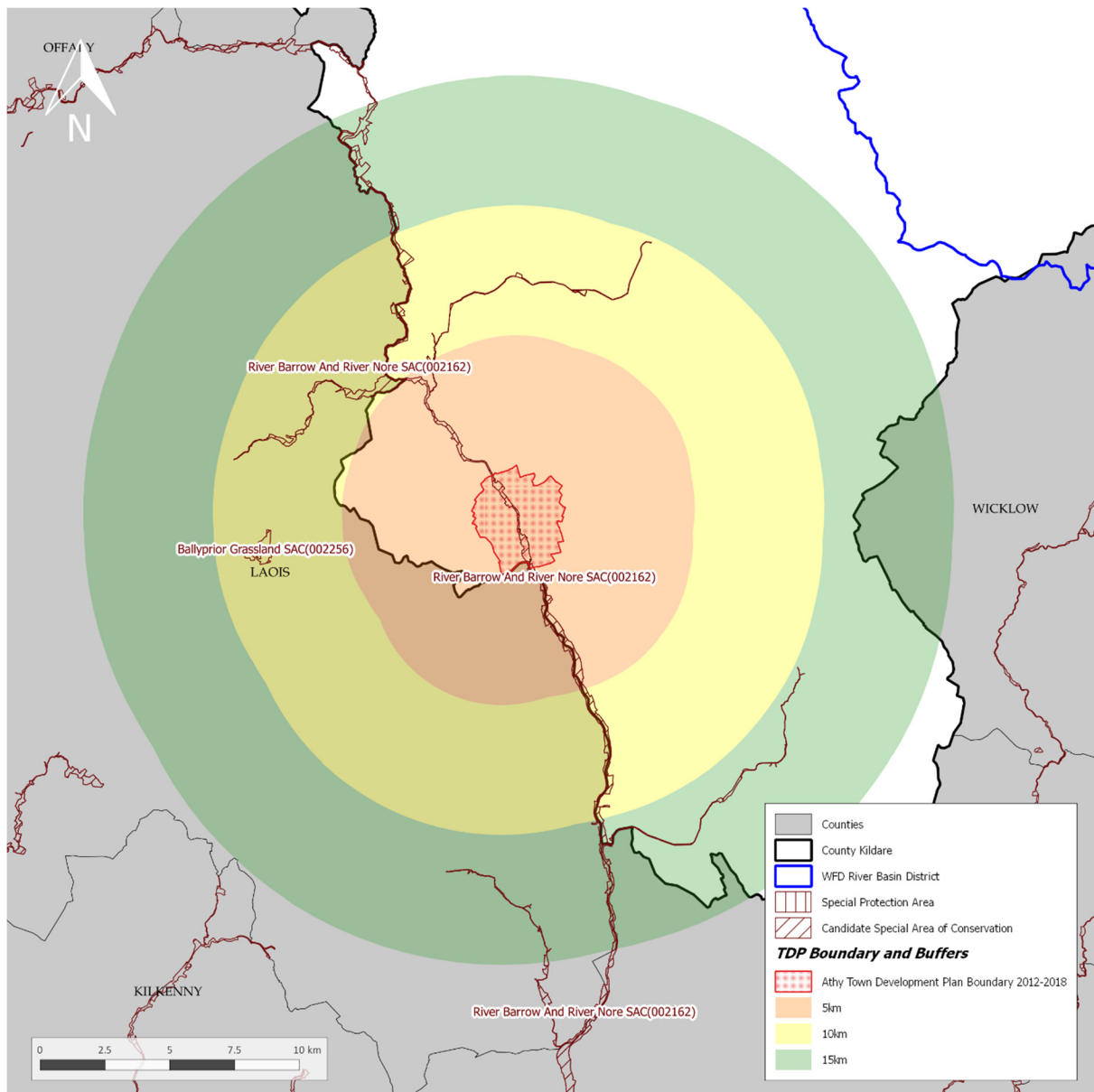


Figure 1 European sites within the Plan area and within 15 km of the Plan area

Table 2.1 European Site within the Plan area and its qualifying features

(listed according to their NPWS site code, see Figure 1 for corresponding location)

Site Code	Site Name	Qualifying features (QIs or SCIs)
2162	River Barrow And River Nore SAC	<ul style="list-style-type: none"> • Estuaries • Mudflats and sandflats not covered by seawater at low tide • Salicornia and other annuals colonising mud and sand • Atlantic salt meadows (Glauco-Puccinellietalia maritimae) • Mediterranean salt meadows (Juncetalia maritimi) • Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation • European dry heaths • Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels • Petrifying springs with tufa formation (Cratoneurion) • Old sessile oak woods with Ilex and Blechnum in the British Isles • Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) • Spartina swards (Spartinion maritimae) • Allis shad (Alosa alosa) • Atlantic salmon (Salmo salar) • Brook lamprey (Lampetra planeri) • Desmoulin's whorl snail (Vertigo moulinsiana) • Freshwater Pearl Mussel (Margaritifera margaritifera) • Killarney Fern (Trichomanes speciosum) • Freshwater Pearl Mussel (Margaritifera durrovensis) • Otter (Lutra lutra) • European river lamprey (Lampetra fluviatilis) • Twait shad (Alosa fallax) • White clawed crayfish (Austropotamobius pallipes)

Table 2.2 European Site within 15 km of the Plan area and its qualifying features

(listed according to their NPWS site code)

Site Code	Site Name	Location	Qualifying features (QIs or SCIs)
2256	Ballyprior Grassland SAC	c. 10.6 km from Plan area	<ul style="list-style-type: none"> • Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco Brometalia)(*important orchid sites)

*Indicates priority habitat

2.3 Assessment Criteria

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

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

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

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

The Proposed Variation has been assessed in relation to its potential to result in effects on European Sites within and beyond the Plan area taking into account the baseline, the content of the Proposed Variation and other plans and programmes.

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

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

In summary, it is determined that the Proposed Variation will not result in any effects on European Sites.

Table 2.3 AA Screening of Proposed Variation No. 1

No.	Chapter of Plan	Section of Plan	Existing Plan Content	Proposed Amendment	AA Screening Determination	AA Screening Determination Explanation
1	Chapter 1 Introduction and Strategic Context	1.6 Appropriate Assessment	Text - In particular, provisions for transport infrastructure (i.e. The Southern and Northern Distributor Roads) and a marina have the potential to significantly impact on the SAC	In particular, provisions for transport infrastructure and a marina have the potential to significantly impact on the SAC	Stage 2 AA is not required.	This text provides context to Plan provisions/commentary and does not comprise Plan provisions. This amendment will not result in any effects on European Sites.
2	Chapter 2 Core Strategy	2.5 Assessment of Future Growth Needs	Text - Ensure accessibility to the proposed new road infrastructure such as the Northern Distributor Route	Ensure accessibility to the proposed new road infrastructure	Stage 2 AA is not required.	This text provides context to Plan provisions/commentary and does not comprise Plan provisions. This amendment will not result in any effects on European Sites.
3	Chapter 2 Core Strategy	Map 2.1 Core Strategy	Map - Map 2.1 Core Strategy	Map Change 1 Remove Northern Distributor Road Study Area alignment and text from legend. 2. Change alignment of Athy Distributor Road to reflect emerging preferred route option 3. Amend legend on map from Southern Distributor Road to Indicative Alignment of Athy Distributor Road 4. Remove alignment of Distributor Road that curves towards the train station 5. Remove bridge crossings associated with town centre streets.	Stage 2 AA is not required.	Following a feasibility study and public consultation a preferred route option for the Athy Distributor Road has emerged. The New Town Centre Street and Northern Distributor Road are being removed from the Plan to provide clarity in relation to the specific intentions of Kildare County Council in relation to a Distributor Road for Athy. Some proposed town centre streets will be retained where deemed appropriate to open up backland areas in the southern town centre area for future development. No canal or river crossings are proposed. The selected route option was identified through the constraints and route selection studies as having a higher preference in terms of environment, economy and safety. The Plan provisions that are proposed to be removed could, if unmitigated, result in adverse effects on the integrity of European Sites. The AA screening process undertaken alongside the preparation of current Plan has ensured that such effects would be mitigated by various provisions that have been integrated into the Plan, allowing for that process to conclude that, having incorporated mitigation measures, it is considered that the Plan shall not give rise to significant effects on the integrity of any European Site ⁵ . The removal of potential adverse effects, if unmitigated, that have already been mitigated by provisions integrated into the Plan would not result in any effects on European Sites. The alignment shown on the map is indicative. Changing the alignment of the Athy Distributor Road would not change the assessment provided

⁵ Except as provided for in Section 6(4) of the Habitats Directive, viz. There must be:

- (a) no alternative solution available,
- (b) imperative reasons of overriding public interest for the plan to proceed; and
- (c) adequate compensatory measures in place.

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No.	Chapter of Plan	Section of Plan	Existing Plan Content	Proposed Amendment	AA Screening Determination	AA Screening Determination Explanation
						<p>in the AA for the Town Development Plan and would not result in any effects on European Sites.</p> <p>The insertion of the word "indicative" ahead of legend entries clarifies the status of the Plan with respect to the relevant provision and any applications for development arising, which, as is the case with applications for development arising from all Plan provisions, would need to be further defined and detailed at project level, informed by a variety of planning and environmental requirements.</p>
4	Chapter 3 Economic Strategy	3.5 Factors influencing Future Economic Development II Infrastructure	Text - the Southern Distributor Road in Athy has been identified as a key infrastructural priority and its delivery is viewed as being essential for the future economic expansion of the town as well as the significant improvement of the accessibility and attractiveness of the town centre. The Northern Distributor Road is identified in this Plan as a longer term objective in order to further improve accessibility and economic development of the town	The Athy Distributor Road has been identified as a key infrastructural priority and its delivery is viewed as being essential for the future economic expansion of the town as well as the significant improvement of the accessibility and attractiveness of the town centre.	Stage 2 AA is not required.	This text provides context to Plan provisions/commentary and does not comprise Plan provisions. This amendment will not result in any effects on European Sites.
5	Chapter 3 Economic Strategy	Table 3.4: Location and Availability of Employment Land in Athy	Text - Along Southern Distributor Rd	Along Athy Distributor Rd	Stage 2 AA is not required.	This text provides context to Plan provisions/commentary and does not comprise Plan provisions. This amendment will not result in any effects on European Sites.
6	Chapter 5 Town Centre	5.6 Movement, Access and the public realm	Text - This Plan also seeks to encourage the full or part pedestrianisation of parts of the town centre such as Emily Square during the plan period and the development of a pedestrian crossing over the River Barrow to the North of Cromaboo Bridge	This Plan also seeks to examine the feasibility of the full or part pedestrianisation of parts of the town centre such as Emily Square and to examine the feasibility of constructing a pedestrian crossing over the River Barrow as appropriate to link schools, parks, playing fields and residential areas on both sides of the river.	Stage 2 AA is not required.	<p>The current Plan – which has been subject to Stage 2 AA – “seeks to encourage” pedestrianisation of parts of the town centre and the development of a pedestrian crossing over the River Barrow. Any development arising from the Plan would be required to be subject to compliance with environmental legislation and the various provisions that have been integrated into the Plan contributing towards the protection of European Sites.</p> <p>This change proposes to, inter alia, replace “seeks to encourage” with “seeks to examine the feasibility of”. This amendment will not result in any effects on European Sites.</p>
7	Chapter 5 Town Centre	5.6 Movement, Access and the public realm	Text - it is the policy of the Council: RP1: To provide pedestrian links from the nearby schools on the east and west of the River Barrow to recreational facilities and residential areas through the development of safe pedestrian routes and a pedestrian footbridge over the River Barrow	RP1: To examine the feasibility of providing a pedestrian / cycle crossing over the River Barrow as appropriate to link schools, parks, playing fields and residential areas on both sides of the river.	Stage 2 AA is not required.	<p>The policy of the current Plan – which has been subject to Stage 2 AA – is “to provide” pedestrian links including a pedestrian footbridge over the River Barrow. Any development arising from this policy would be required to be subject to compliance with environmental legislation and the various provisions that have been integrated into the Plan contributing towards the protection of European Sites.</p> <p>This change proposes to, inter alia, replace “to provide” with “to examine the feasibility of providing”. This amendment will not result in any effects on European Sites.</p>

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No.	Chapter of Plan	Section of Plan	Existing Plan Content	Proposed Amendment	AA Screening Determination	AA Screening Determination Explanation
8	Chapter 5 Town Centre	5.7 Town Centre Objectives	Text - it is an objective of the Council: TC05 To construct a pedestrian crossing over the River Barrow as appropriate to link schools, parks, playing fields and residential areas on both sides of the river.	TC05: To examine the feasibility of constructing a pedestrian / cycle crossing over the River Barrow as appropriate to link schools, parks, playing fields and residential areas on both sides of the river.	Stage 2 AA is not required.	The policy of the current Plan – which has been subject to Stage 2 AA – is “to construct a pedestrian crossing over the River Barrow”. Any development arising from this policy would be required to be subject to compliance with environmental legislation and the various provisions that have been integrated into the Plan contributing towards the protection of European Sites. This change proposes to, inter alia, replace “to construct” with “to examine the feasibility of constructing”. This amendment will not result in any effects on European Sites.
9	Chapter 5 Town Centre	Map Ref 5.1	Map - 5.1 Town Centre and Associated Zoning	amend map 1. remove alignment of to the train station 2. change legend to "indicative new roads objectives".	Stage 2 AA is not required.	See SEA screening determination explanation under Amendment No. 3.
10	Chapter 7 Movement and Transport	7.4.3 Walking and Cycling	Text - The development of the Southern and Northern Distributor Roads and the New Town Centre Street will provide major opportunities to develop pedestrian and cycling infrastructure in the town centre. This may provide the opportunity to develop a one-way system which would offer the potential to reallocate road space to footpaths and dedicated cyclist facilities.	This Plan seeks to promote pedestrian and cycle priority in parts of the town centre, such as the area in the vicinity of Emily Square, during the plan period and to examine the feasibility of constructing a pedestrian crossing over the River Barrow as appropriate to link schools, parks, playing fields and residential areas on both side of the River.	Stage 2 AA is not required.	This text provides context to Plan provisions/commentary and does not comprise Plan provisions. This amendment will not result in any effects on European Sites.
11	Chapter 7 Movement and Transport	7.5.1 Southern Distributor Road	Text - 3 paragraphs describing the Southern Distributor Road Route	Delete the last paragraph referring to AA	Stage 2 AA is not required.	This text provides context to Plan provisions/commentary and does not comprise Plan provisions. This amendment will not result in any effects on European Sites.
12	Chapter 7 Movement and Transport	7.5.2 Northern Distributor Road (NDR)	Text - 4 paragraphs of text relating to the Northern Distributor Road	Delete section 7.5.2 Northern Distributor Road (NDR)	Stage 2 AA is not required.	See SEA screening determination explanation under Amendment No. 3.

No.	Chapter of Plan	Section of Plan	Existing Plan Content	Proposed Amendment	AA Screening Determination	AA Screening Determination Explanation
13	Chapter 7 Movement and Transport	7.5.3 New Town Centre Street	Text - 5 paragraphs of text relating New Town Centre Street	7.5.3 New Town Centre Streets A number of new town centre streets are proposed to provide access to "opportunity sites" in the southern town centre area. Indicative routes are shown from St. Michael's Terrace to Emily Square; from the River Barrow to the Grand Canal (via Dominican site); and from the Grand Canal to Upper William Street (via Tegral site). While the delivery of these streets is unlikely to be achieved in the short to medium term, the Council will seek to preserve the indicative routes free from development to protect the viability of these routes and to promote the coordinated development of these backland areas in the longer term.	Stage 2 AA is not required.	<p>The changes referred to by this amendment relate to the removal of the New Town Centre Street that was previously identified as having the potential result in adverse effects on the integrity of European Sites.</p> <p>The AA screening process undertaken alongside the preparation of current Plan has ensured that such effects would be mitigated by various provisions that have been integrated into the Plan, allowing for that process to conclude that, having incorporated mitigation measures, it is considered that the Plan shall not give rise to significant effects on the integrity of any European Site⁶. Proposals for other new town centre streets already provided for by the Plan are retained.</p> <p>The removal of potential adverse effects, if unmitigated, that have already been mitigated by provisions integrated into the Plan would not result in any effects on European Sites.</p> <p>The alignment shown on the map is indicative. Changing the alignment of the Athy Distributor Road would not change the assessment provided in the AA for the Town Development Plan and would not result in any effects on European Sites.</p>
14	Chapter 7 Movement and Transport	7.5.4 Distributor / relief Roads	Text – Policy DR3: To continue the development of proposed distributor / relief roads namely the Northern and Southern roads	Policy DR3 To continue the development of the proposed distributor road namely the Athy Distributor Road	Stage 2 AA is not required.	See SEA screening determination explanation under Amendment No. 2.
15	Chapter 7 Movement and Transport	7.7.2 Sustainable Travel	Text - Objective ST05 To investigate the pedestrianisation of certain town centre routes once the New Town Centre Street is constructed	Objective ST05 To examine the feasibility of the pedestrianisation of certain town centre routes.	Stage 2 AA is not required.	See SEA screening determination explanation under Amendment No. 13.
16	Chapter 7 Movement and Transport	7.7.2 Sustainable Travel	Text - Objective ST06 To construct a pedestrian bridge over the River Barrow as appropriate to link schools, parks, playing fields and residential areas on both sides of the river, thereby providing safer routes to school. This bridge will be constructed to the specifications of all statutory bodies.	Objective ST06 To examine the feasibility of a pedestrian bridge over the River Barrow as appropriate to link schools, parks, playing fields and residential areas on both sides of the river, thereby providing safer routes to school. Any bridge would have to be constructed to the specifications of all statutory bodies.	Stage 2 AA is not required.	<p>The objective of the current Plan – which has been subject to Stage 2 AA – is "to construct" a pedestrian bridge over the River Barrow. Any development arising from this policy would be required to be subject to compliance with environmental legislation and the various provisions that have been integrated into the Plan contributing towards the protection of European Sites.</p> <p>This change proposes to, inter alia, replace "to construct" with "to examine the feasibility of". This amendment will not result in any effects on European Sites.</p>

⁶ Except as provided for in Section 6(4) of the Habitats Directive, viz. There must be:

- (a) no alternative solution available,
- (b) imperative reasons of overriding public interest for the plan to proceed; and
- (c) adequate compensatory measures in place.

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No.	Chapter of Plan	Section of Plan	Existing Plan Content	Proposed Amendment	AA Screening Determination	AA Screening Determination Explanation
17	Chapter 7 Movement and Transport	7.7.3 Roads Programme	Text - Policy RP1: To construct a Southern distributor road including a proposed link from this route to the town centre via the train station and to preserve these routes free from development. This is a priority objective of this plan. (Refer to Land Use Zoning Map 16.1)	Policy RP1: To construct the Athy distributor road and to preserve this route free from development. This is a priority objective of this plan. (Refer to Land Use Zoning Map 16.1)	Stage 2 AA is not required.	This amendment changes a title from 'Southern Distributor Road' to 'Athy Distributor Road' (see also SEA Screening Determination Explanation under Amendment 2). This amendment will not result in any effects on European Sites. It also removes reference to the proposed link to the train station - this amendment will not result in any effects on European Sites (see explanation under Amendment No. 13).
18	Chapter 7 Movement and Transport	7.7.3 Roads Programme	Text - Policy RP2: To support the construction of a Northern Distributor Road and until such time as construction commences to preserve the route free from development	delete	Stage 2 AA is not required.	See SEA screening determination explanation under Amendment No. 2.
19	Chapter 7 Movement and Transport	7.7.3 Roads Programme	Text - Policy RP3: That following completion of the Detailed Design and Appropriate Assessment for the Northern Distributor Road (NDR), the proposed land take, indicated on map No 16.1 be amended to coincide with the proposed land take for the NDR.	delete	Stage 2 AA is not required.	See SEA screening determination explanation under Amendment No. 2.
20	Chapter 7 Movement and Transport	7.7.3 Roads Programme	Text - Policy RP4: To support the construction of the New Town Centre Street and to co-operate with Kildare County Council in acquiring land to facilitate its construction. The design of the proposed New Town Centre Street and bridge crossing shall have regard to the potential impact on Emily Square and adjoining lands.	Policy RP4: To support the construction of new town centre streets and acquire land to facilitate construction.	Stage 2 AA is not required.	See SEA screening determination explanation under Amendment No. 13.
21	Chapter 7 Movement and Transport	7.7.3 Roads Programme	Text - Policy RP15: To prepare the preliminary design of the Northern Distributor Road within 21 months from the day of the adoption of this Plan.	delete	Stage 2 AA is not required.	See SEA screening determination explanation under Amendment No. 2.
22	Chapter 11 Recreation and Amenity	11.5 Parks and Open Spaces	Text - The provision of a new footbridge across the Barrow at this point will further increase accessibility to these services. (reference is to the North of the town)	Text Change - The feasibility of providing a new footbridge across the River Barrow at this point to increase accessibility to services will be examined.	Stage 2 AA is not required.	This text provides context to Plan provisions/commentary and does not comprise Plan provisions. This amendment will not result in any effects on European Sites.
23	Chapter 14 Urban Design and Opportunity Areas	14.5.4 Regularise Traffic	Text - The Proposed Southern Distributor Road will remove significant levels of the through traffic from the town centre.	Text - The Proposed Athy Distributor Road will remove significant levels of the through traffic from the town centre.	Stage 2 AA is not required.	This amendment changes a title from 'Southern Distributor Road' to 'Athy Distributor Road' (see also SEA Screening Determination Explanation under Amendment 2). This amendment will not result in any effects on European Sites.

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No.	Chapter of Plan	Section of Plan	Existing Plan Content	Proposed Amendment	AA Screening Determination	AA Screening Determination Explanation
24	Chapter 14 Urban Design and Opportunity Areas	14.5.5 Formalise Entrances and Approaches to the Town Centre	Text - The Western Approach - Create a new approach to the town at the Tegral Site at the junction of the proposed New Town Street (Inner Relief Street) and the Kilkenny Road. A key building should signify this important entrance to the town.	Text - The Western Approach Create a new approach to the town at the Tegral Site at the junction of the proposed new street and the Kilkenny Road. A key building should signify this important entrance to the town.	Stage 2 AA is not required.	See SEA screening determination explanation under Amendment No. 13.
25	Chapter 14 Urban Design and Opportunity Areas	Figure 14.1 Western Approach	Map - Figure 14.1 Western Approach	Amend 14.1 to omit Canal Bridge.	Stage 2 AA is not required.	See SEA screening determination explanation under Amendment No. 13.
26	Chapter 14 Urban Design and Opportunity Areas	14.5.5 Formalise Entrances and Approaches to the Town Centre	Text - The Eastern Approach - Transform Leinster Street at the Junction with Church Road into a boulevard and create a new public space with a key building at the junction of the proposed New Town Street and Leinster Street.	Text - Create a new public space with a key building at the junction of the proposed new street and Leinster Street.	Stage 2 AA is not required.	See SEA screening determination explanation under Amendment No. 13.
27	Chapter 14 Urban Design and Opportunity Areas	Figure 14.3 Urban Design Framework	Map - Figure 14.3 Urban Design Framework	Amend to omit bridges / crossings of Canal and River	Stage 2 AA is not required.	See SEA screening determination explanation under Amendment No. 13.
28	Chapter 14 Urban Design and Opportunity Areas	14.7.1 Town Core Study Area Design Objectives	Text - In order to increase permeability and to provide relief to the traffic congestion experienced through the town, it is proposed to development a new town street to the south of Leinster Street. This street provides an opportunity to maximise the potential of extensive backland opportunity sites to the south of Leinster Street.	Text - It is proposed to develop a new street to the south of Leinster Street. This street provides an opportunity to maximise the potential of extensive backland opportunity sites to the south of Leinster Street.	Stage 2 AA is not required.	See SEA screening determination explanation under Amendment No. 13.
29	Chapter 14 Urban Design and Opportunity Areas	14.7.1 Town Core Study Area Design Objectives	Text - It is proposed that the New Town Street will link to Emily Square.	Text - It is proposed that the New Street will link to Emily Square.	Stage 2 AA is not required.	See SEA screening determination explanation under Amendment No. 13.
30	Chapter 14 Urban Design and Opportunity Areas	14.7.1 Town Core Study Area Design Objectives	Text - Development along the New Town Street should complement and add to the existing town core providing a successful urban centre with a concentration and variety of uses.	Text - Development along the New Street should complement and add to the existing town core providing a successful urban centre with a concentration and variety of uses.	Stage 2 AA is not required.	See SEA screening determination explanation under Amendment No. 13.

AA Screening Report for Proposed Variation No. 1 to the Athy Town Development Plan 2012-2018

No.	Chapter of Plan	Section of Plan	Existing Plan Content	Proposed Amendment	AA Screening Determination	AA Screening Determination Explanation
31	Chapter 14 Urban Design and Opportunity Areas	14.6.1 Town Core Character Area	Text - In order to overcome the barrier of the river and increase permeability within the town centre it is proposed that a new vehicular bridge will link Emily Square to the access road at the Dominican Church and the backlands to the south of Duke Street.	Omit following text from this section only "In order to overcome the barrier of the river and increase permeability within the town centre it is proposed that a new vehicular bridge will link Emily Square to the access road at the Dominican Church and the backlands to the south of Duke Street."	Stage 2 AA is not required.	See SEA screening determination explanation under Amendment No. 13.
32	Chapter 14 Urban Design and Opportunity Areas	14.6.1 Town Core Character Area	Map - Figure 14.6 Town Core Character Area	Amend Figure 14.6 to omit proposed bridge crossing.	Stage 2 AA is not required.	See SEA screening determination explanation under Amendment No. 13.
33	Chapter 14 Urban Design and Opportunity Areas	Figure 14.7 The Abbey Character Area	Map - Figure 14.7 The Abbey Character Area	Amend Figure 14.7 to omit proposed bridge crossing.	Stage 2 AA is not required.	See SEA screening determination explanation under Amendment No. 13.
34	Chapter 14 Urban Design and Opportunity Areas	14.6.3 Dominican Lands Character Area	Text - Design Objectives - In order to increase permeability and to provide relief to the traffic congestion through the town, it is proposed to link the existing access road to the Dominican church with the new vehicular bridge. An opportunity therefore exists to transform this access road into a bustling urban street within the town core by improving the quality of the public realm, in particular the existing connections and linkages to Duke Street and Emily Square.	delete this paragraph	Stage 2 AA is not required.	See SEA screening determination explanation under Amendment No. 13.
35	Chapter 14 Urban Design and Opportunity Areas	Table 14.3 Key Design Guidelines	Text in Table 14.3 - Overcome the natural barrier to the River Barrow by providing new connections between the character area and Emily Square	Delete bullet point from Table 14.3.	Stage 2 AA is not required.	See SEA screening determination explanation under Amendment No. 13.
36	Chapter 14 Urban Design and Opportunity Areas	Figure 14.8 The Dominican Lands Character Area	Map - Figure 14.8 The Dominican Lands Character Area	Amend map to omit bridge crossings.	Stage 2 AA is not required.	See SEA screening determination explanation under Amendment No. 13.

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No.	Chapter of Plan	Section of Plan	Existing Plan Content	Proposed Amendment	AA Screening Determination	AA Screening Determination Explanation
37	Chapter 14 Urban Design and Opportunity Areas	14.6.4 Edmund Rice Square Character Area	Text - Design Objectives - It is proposed to provide a new pedestrian bridge linking the park and residential area with the schools to the east of the river.	Amend as follows: Text - Design Objectives - It is proposed to investigate the feasibility of constructing a new pedestrian bridge linking the park and residential area with the schools to the east of the river.	Stage 2 AA is not required.	The objective of the current Plan – which has been subject to Stage 2 AA – is “to provide a new pedestrian bridge” over the River Barrow. Any development arising from this policy would be required to be subject to compliance with environmental legislation and the various provisions that have been integrated into the Plan contributing towards the protection of European Sites. This change proposes to, inter alia, replace “to provide a new pedestrian bridge” with “to examine the feasibility of constructing a new pedestrian bridge”. This amendment will not result in any effects on European Sites.
38	Chapter 14 Urban Design and Opportunity Areas	Figure 14.9 Edmund Rice Square Character Area	Map - Figure 14.9 Edmund Rice Character Area	Amend map to omit bridge crossings.	Stage 2 AA is not required.	See SEA screening determination explanation under Amendment No. 13.
39	Chapter 14 Urban Design and Opportunity Areas	Table 14.4 Key Design Guidelines	Text • overcome the natural barrier of the River Barrow by providing new connections between the character area and Emily Square.	Delete this bullet point from Table 14.4	Stage 2 AA is not required.	See SEA screening determination explanation under Amendment No. 13.
40	Chapter 16 Land use Zoning	Ref H2 Industrial and Warehousing	Text - reference as follows: Lands located to the north and south of the Southern Distributor Road	Lands located to the north and south of the Athy Distributor Road	Stage 2 AA is not required.	This amendment changes a title from ‘Southern Distributor Road’ to ‘Athy Distributor Road’ (see also SEA Screening Determination Explanation under Amendment 2). This amendment will not result in any effects on European Sites.
41	Chapter 16 Land use Zoning	Map 16.1 Land Use Zoning Map	Map 16.1 Land Use Zoning Map	Map Change 1 Remove Northern Distributor Road Study Area alignment and text from legend. 2. Change alignment of Athy Distributor Road to reflect emerging preferred route option 3. Amend legend on map from "New Roads Objectives" to "Indicative new Road Objective" 4. Remove from the map the alignment of Distributor Road that curves towards the train station 5. remove bridge crossings associated with town centre streets	Stage 2 AA is not required.	See SEA screening determination explanation under Amendment No. 3.
42	Chapter 13 Natural Heritage and Biodiversity	Table 13.1	Text - VP2 Views of the River Barrow upstream and downstream from the proposed New Town Street bridge	Delete VP2	Stage 2 AA is not required.	See SEA screening determination explanation under Amendment No. 13.

AA Screening Report for Proposed Variation No. 1 to the Athy Town Development Plan 2012-2018

No.	Chapter of Plan	Section of Plan	Existing Plan Content	Proposed Amendment	AA Screening Determination	AA Screening Determination Explanation
43	Chapter 13 Natural Heritage and Biodiversity	Map 13.1	Map - Map 13.1	Amend map by removing the following text from the table on the map "VP2 Views of the River Barrow upstream and downstream from the proposed New Town Street bridge" 2. amend the views and prospect symbol from the map 13.1 at the location of the town centre street	Stage 2 AA is not required.	See SEA screening determination explanation under Amendment No. 13.
44	Chapter 11 Recreation and Amenity	Section 11.4 Amenity	Text - Policy A7: To facilitate, where practicable, the provision of cycle-ways or walkways along the extent of the canal, in co-operation with landowners, Waterways Ireland and government departments. Any proposed cycling or walking routes along the Grand Canal and River Barrow will be subject to a feasibility study and Appropriate Assessment in accordance with Article 6(3) of the Habitats Directive.	A7: To facilitate, where practicable, the provision of cycle-ways or walkways along the extent of the canal, in co-operation with landowners, Waterways Ireland and government departments. Any proposed cycling or walking routes along / across the Grand Canal and River Barrow will be subject to a feasibility study and Appropriate Assessment in accordance with Article 6(3) of the Habitats Directive.	Stage 2 AA is not required.	This change extends the requirement to undertake a 'feasibility study' to any proposed walking or cycling routes 'across' as well as along the Grand Canal and River Barrow. Note that the requirement to undertake Appropriate Assessment of these projects is already provided for under Policy NH6 of the current Plan.
45	Chapter 7 Movement and Transport	7.7.1 General Movement and Transport objectives	Text - Objective - GO1: To implement the recommendations of the Athy Traffic Management Plan, including the environmental and traffic management improvements	Delete Objective	Stage 2 AA is not required.	See SEA screening determination explanation under Amendment No. 3.

2.4 Other Plans and Programmes

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

The existing Town Development Plan 2012-2018 to which the Proposed Variation relates was subject to its own Appropriate Assessment process that determined that, having incorporated mitigation measures, it is considered that the Plan shall not give rise to significant effects on the integrity of any European Site⁷.

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

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

Table 2.4 lists the plans or programmes that relate to the Town Development Plan to which Proposed Variation No. 1 relates.

⁷ Except as provided for in Section 6(4) of the Habitats Directive, viz. There must be:
(a) no alternative solution available,
(b) imperative reasons of overriding public interest for the plan to proceed; and
(c) adequate compensatory measures in place.

Table 2.4 Other Plans and Programmes

Directive	Purpose
International	
EU Water Framework Directive (2000/60/EC)	Objectives seek to maintain and enhance the quality of all surface waters in the EU.
EU Freshwater Fish Directive (78/659/EEC)	Objectives seek to protect those fresh water bodies identified by Member States as waters suitable for sustaining fish populations. For those waters it sets physical and chemical water quality objectives for salmonid waters and cyprinid waters.
EU Groundwater Directive (2006/118/EC)	This directive establishes a regime, which sets underground water quality standards and introduces measures to prevent or limit inputs of pollutants into groundwater.
EU Floods Directive (2007/60/EC)	The Floods Directive applies to river basins and coastal areas at risk of flooding. With trends such as climate change and increased domestic and economic development in flood risk zones, this poses a threat of flooding in coastal and river basin areas.
Nitrates Directive (91/676/EEC)	This Directive has the objective of reducing water pollution caused or induced by nitrates from agricultural sources and preventing further pollution.
The Urban Wastewater Treatment Directive (91/271/EEC)	The primary objective is to protect the environment from the adverse effects of discharges of urban wastewater, by the provision of urban wastewater collecting systems (sewerage) and treatment plants for urban centres. The Directive also provides general rules for the sustainable disposal of sludge arising from wastewater treatment.
Sewage Sludge Directive (86/278/EEC)	Objective is to encourage the appropriate use of sewage sludge in agriculture and to regulate its use in such a way as to prevent harmful effects on soil, vegetation, animals and man. To this end, it prohibits the use of untreated sludge on agricultural land unless it is injected or incorporated into the soil.
The Integrated Pollution Prevention Control Directive (96/61/EC)	Objective is to achieve a high level of protection of the environment through measures to prevent or, where that is not practicable, to reduce emissions to air, water and land from industrial sources.
National	
National Spatial Strategy 2002-2020	Objectives of the NSS are to achieve a better balance of social, economic and physical development across Ireland, supported by more effective planning.
Grid 25	Grid25 is a high-level strategy outlining how EirGrid intends to undertake the development of the electricity transmission grid in the short, medium and longer terms, to support a long-term sustainable and reliable electricity supply. The Grid25 strategy thereby seeks to implement the provisions of the 2007 Government White Paper on Energy - "Delivering a Sustainable Energy Future for Ireland" in terms of development of electricity transmission infrastructure. The Grid25 Implementation Programme (IP) is a practical strategic overview of how the early stages of Grid25 are intended to be implemented.
Energy Policy framework 2007-2020, Governments White Paper	This policy states that the Government is committed to delivering a significant growth in renewable energy as a contribution to fuel diversity in power generation with a 2020 target of 33% electricity consumption
Irish Water's Water Services Strategic Plan 2015 and associated Proposed Capital Investment Plan 2014-2016	This Water Services Strategic Plan sets out strategic objectives for the delivery of water services over the next 25 years up to 2040. It details current and future challenges which affect the provision of water services and identifies the priorities to be tackled in the short and medium term.
Regional	
Regional Planning Guidelines For The Greater Dublin Area 2010 - 2022.	Policy document which aims to direct the future growth of the Greater Dublin Region over the medium to long term and works to implement the strategic planning framework set out in the National Spatial Strategy (NSS)
Transport Strategy for the Greater Dublin Area 2016-2035	The Strategy outlines transport development objectives for the Greater Dublin Area over a twenty year period.
Ireland's First National Cycle Policy Framework (2009)	<ul style="list-style-type: none"> • Outlines objectives and actions aimed at developing a strong cycle network in Ireland • Sets out 19 specific objectives, and details the 109 actions, aimed at ensuring that a cycling culture is developed
Greater Dublin Area Cycle Network Plan	<ul style="list-style-type: none"> • Sets out a ten year cycling strategy for Counties Dublin, Kildare, Meath and Wicklow • Plan to increase regions cycle network dramatically

Directive	Purpose
Local	
Kildare County Development Plan	<p>The Kildare County Development Plan 2011-2017 sets out an overall strategy for the proper planning and sustainable development of County Kildare over the period 2011–2017 and beyond to the horizon year of 2022.</p> <p>The Overall Vision of the Plan is: “To build on the strengths of the County by facilitating sustainable development, through the provision of high quality employment opportunities and residential developments supported by quality urban and rural environments with physical and social infrastructure to support communities throughout the County”.</p>
South County Dublin Development Plan 2016 – 2022; Fingal County Development Plan 2017-2023; Dublin City Development Plan 2016 – 2022; Meath County Development Plan 2013-2019; Offaly County Development Plan 2015-2021 Laois County Development Plan 2011-2017 Carlow County Development Plan 2015-2021; Wicklow County Development Plan 2010-2016 (draft 2016-2022)	Overall strategies for the proper planning and sustainable development of the administrative area of the relevant Local Authorities.
Naas Town Development Plan 2011; Local land use plans including Draft Sallins Local Area Plan 2016; Draft Monasterevin Local Area Plan 2015; Kilcock Local Area Plan 2015; Kilcullen LAP 2014; Kildare LAP 2012; Newbridge LAP 2013; Maynooth LAP 2013; Collinstown LAP; Kilcock LAP 2009; Clane Local Area Plan 2009; Celbridge LAP 2010; Leixlip LAP 2010; Monasterevin LAP 2009, Sallins LAP 2009; Naas Northwest Quadrant Masterplan 2007 and Edenderry LAP 2011	Strategies for development in towns and villages.

Section 3 Conclusion

The requirement for a Stage 2 AA would arise if Proposed Variation No. 1 to the Athy Town Development Plan 2012-2018 were likely to have effects on the integrity of the network of designated ecological sites known as Natura 2000. This screening report evaluates the Proposed Variation in order to determine if it needs to be the subject of a Stage 2 AA.

The AA Screening finds that the Proposed Variation shall not give rise to any effect on the integrity of any Natura 2000 sites. Therefore, in accordance with the methodological guidance on the provision of Article 6(3) and (4) of the Habitats Directive 92/3/EEC, it is concluded that the Proposed Variation does not require any further assessment to demonstrate compliance with the Directive.

A one-page AA determination accompanies this AA Screening Report.