

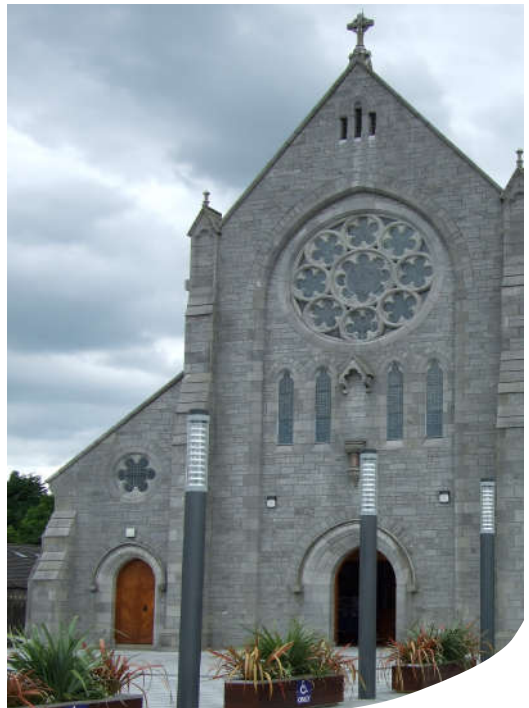
# Clane

Draft Local Area Plan 2017-2023

Dréachtphlean Cheantair Áitiúil Claonadh



## SCREENING FOR APPROPRIATE ASSESSMENT



Planning Department  
Kildare County Council  
September 2016



# Draft Clane Local Area Plan 2017 - 2023

## Screening for Appropriate Assessment

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# TABLE OF CONTENTS

<b>1</b>	<b>INTRODUCTION.....</b>	<b>1</b>
1.1	PURPOSE OF THE DRAFT CLANE LOCAL AREA PLAN .....	1
1.2	LEGISLATIVE CONTEXT .....	3
1.3	STAGES OF APPROPRIATE ASSESSMENT .....	3
1.4	INFORMATION CONSULTED FOR THIS REPORT .....	5
<b>2</b>	<b>SCREENING .....</b>	<b>6</b>
2.1	INTRODUCTION .....	6
2.2	DESCRIPTION OF PLAN .....	6
	2.2.1 Development Strategy for the Draft LAP.....	6
	2.2.2 Urban Centre and Retailing .....	6
	2.2.3 Housing and Community .....	7
	2.2.4 Economic Development .....	7
	2.2.5 Movement and Transport .....	7
	2.2.6 Infrastructure .....	8
	2.2.7 Heritage and Amenity .....	8
	2.2.8 Green Infrastructure.....	9
	2.2.9 Urban Design and Key Development Areas .....	9
2.3	EXISTING ENVIRONMENT.....	9
	2.3.1 Water Quality .....	9
	2.3.2 Geological and Hydrogeological Features .....	10
	2.3.3 Wastewater Facilities .....	11
	2.3.4 Natural Heritage/ European Sites .....	11
2.4	BRIEF DESCRIPTION OF EUROPEAN SITES .....	12
2.5	IDENTIFICATION OF POTENTIAL IMPACTS.....	17
	2.5.1 Direct Impacts on Habitats and Species .....	17
	2.5.2 Indirect Damage/Degradation of Habitat and Disturbance to Species.....	17
	2.5.3 Resource Requirements (e.g. Drinking Water Abstractions) .....	18
	2.5.4 Emissions (e.g. Disposals to Lands, Water, Air).....	18
	2.5.5 Excavation Requirements.....	18
2.6	ASSESSMENT OF LIKELY SIGNIFICANT EFFECTS.....	19
	2.6.1 Direct, Indirect or Secondary Impacts.....	19
2.7	CUMULATIVE IMPACTS .....	20

	2.7.1 Likely Changes to European Sites .....	21
<b>3</b>	<b>SCREENING AND CONCLUSIONS.....</b>	<b>23</b>
<b>4</b>	<b>FINDING OF NO SIGNIFICAN EFFECTS REPORT MATRIX .....</b>	<b>24</b>

## LIST OF FIGURES

Figure 1.1: Clane Local Area Plan Boundary .....	2
Figure 1.2: Four Stages of the Appropriate Assessment.....	4
Figure 2.1: European Sites within a 15k buffer zone .....	16

## LIST OF TABLES

Table 1.1: Stages of the Appropriate Assessment Process .....	4
Table 2.1: Water Quality Status on the River Liffey downstream of Alexandra Bridge.....	10
Table 2.2: Groundwater Quality Status in Clane.....	10
Table 2.3: European Sites located within 15km of the Draft Clane Local Area Plan .....	13
Table 2.4: European Sites hydrologically connected to the Draft Local Area Plan via the River Liffey	14
Table 2.5: In-combination Impacts of the Draft Clane LAP with other Plans and Projects .....	20
Table 2.6: Likely Effects on European Sites within a 15k range of Draft Clane Local Area Plan .....	22
Table 2.7: Likely Effects of Hydrologically Connected European Sites outside a 15k range of Draft Clane Local Area Plan.....	22

# 1 INTRODUCTION

This report comprises information in support of screening for an Appropriate Assessment of the Draft Local Area Plan (LAP) for Clane 2017-2023 in line with the Planning and Development Act 2000- 2015; and the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477/2011).

## 1.1 PURPOSE OF THE DRAFT CLANE LOCAL AREA PLAN

Clane is designated as a small town in the Kildare County Development Plan (KCDP) 2011 -2017. It is an objective of the parent plan, the Kildare County Development Plan 2011-2017, to prepare a Local Area Plan for Clane. This Local Area Plan is underpinned by a strategic vision which is intended to guide the future development of Clane in a sustainable manner, in a way that reflects the existing character and amenities of the area and improves the quality of life for the existing and future population. The Strategic Vision is based on the role of Clane as defined in the Settlement Strategy of the County Development Plan and the aspirations of the people and stakeholders in Clane. The draft LAP has been prepared taking into account the Local Area Plans Guidelines for Planning Authorities, issued by the Department of the Environment, Community and Local Government in June 2013.

This document concentrates on the draft LAP and the potential for impacts on the European Sites within the draft LAP Area and within a 15km range of the LAP boundary, arising from the implementation of policies, objectives and zonings set out within the Plan.

The Vision Statement reads as follows;

*'To promote the sustainable growth of Clane, building on its established character and supporting its role as a small town and a local services centre. In this context, the plan will provide for growth to cater for local need; will support economic development and job creation based on local strengths; will promote sustainable movement and identify opportunities to enhance connectivity within the built environment; will identify opportunities for the delivery of supporting infrastructure, facilities and amenities to support the growing community and will seek to protect and enhance built and natural heritage and the environment.'*

The Draft Clane LAP area boundary is outlined in **Figure 1.1**.

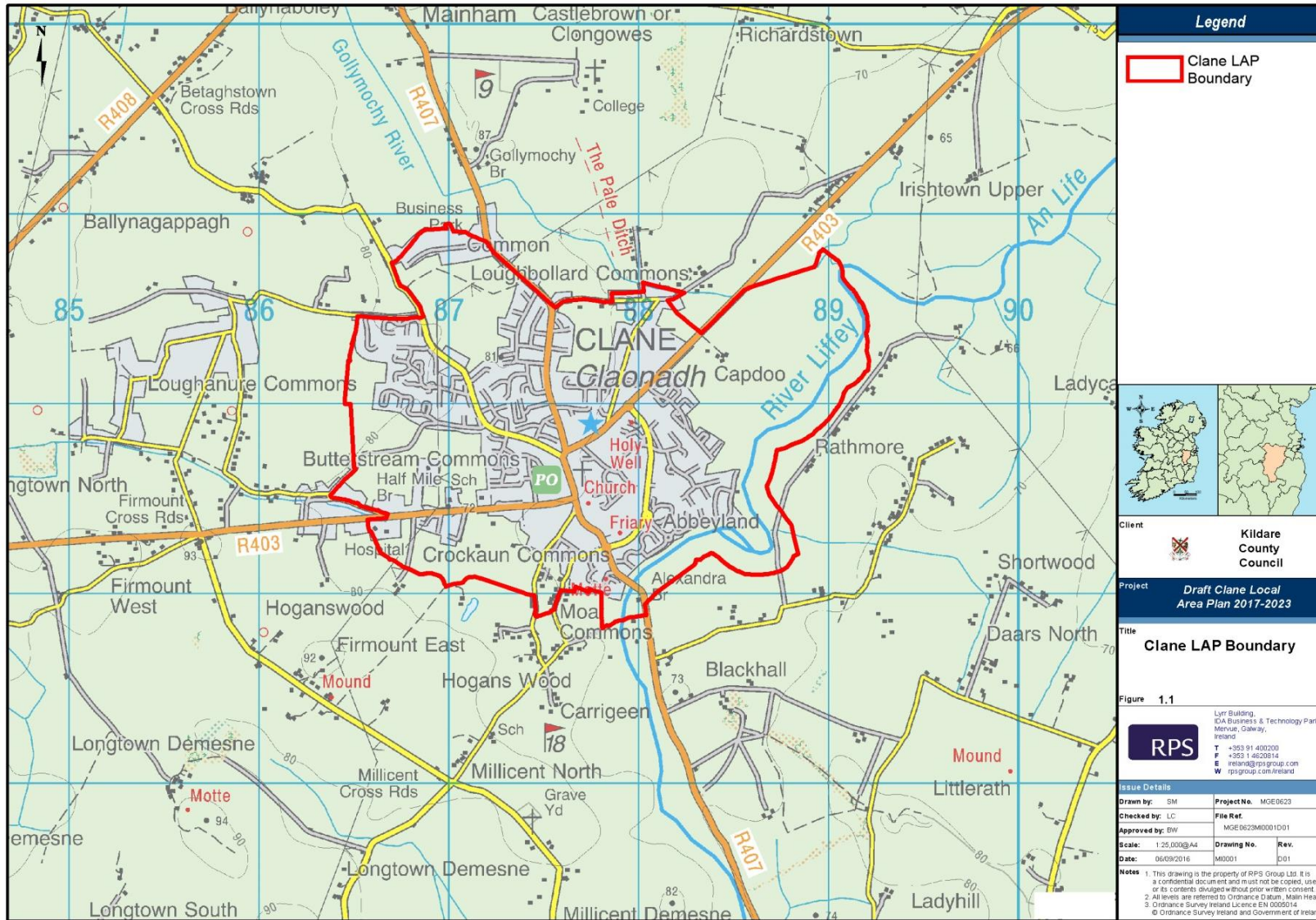


Figure 1.1: Clane Local Area Plan Boundary

## 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 Special Areas of Conservation (SACs) designated under the Habitats Directive and Special Protection Areas (SPAs) designated under the Conservation of Wild Birds Directive (79/409/ECC) as codified by Directive 2009/147/EC.

Articles 6(3) and 6(4) of the Habitats Directive set out the decision-making requirements for plans and projects likely to have a significant effect on or to adversely affect the integrity of European Sites (Annex 1.1). Article 6(3) establishes the requirement for Appropriate Assessment (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.*

Article 6(4) states:

*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.*

These articles together with the national regulations (S.I. No. 477/2011) require that where the implementation of a plan or project has the potential to have a significant effect on a European Site, the relevant Local Authority (in this case Kildare County Council) must ensure that an appropriate assessment is carried out in view of that site’s conservation objectives. The plan can be only be approved by the relevant Local Authority if it has been ascertained that it will not adversely affect the integrity of the European Site(s) concerned, or in the case of a negative assessment and where there are no alternative solutions, the plan can only be approved for reasons of overriding public interest.

## 1.3 STAGES OF APPROPRIATE ASSESSMENT

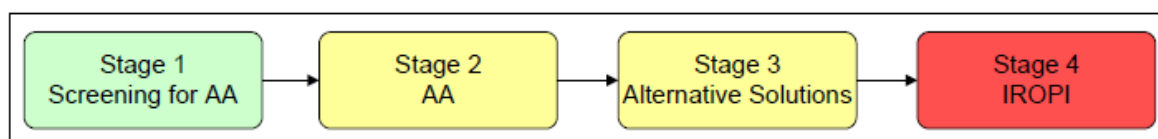
Both EU and national guidance exists in relation to Member States fulfilling their requirements under the EU Habitats Directive, with particular reference to Article 6(3) and 6(4) of that Directive. The methodology followed in relation to this AA has had regard to the following guidance:

- *Managing Natura 2000 Sites: the provisions of Article 6 of the Habitats Directive 92/43/EEC, European Communities 2000; <http://ec.europa.eu>*

- *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 Communities 2002, <http://ec.europa.eu>
- *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*. January 2007, <http://ec.europa.eu>
- *Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities 2009* (updated 2010). Department of Environment, Heritage and Local Government. <http://www.npws.ie>

The Department of the Environment, Heritage and Local Government guidelines (DELHG, 2009, rev. 2010) outlines the European Commission's methodological guidance (EC, 2002) promoting a four-stage process to complete the Appropriate Assessment (AA), and outlines the issues and tests at each stage. An important aspect of the process is that the outcome at each successive stage determines whether a further stage in the process is required.

The four stages are summarised diagrammatically in **Figure 1.2**. Stages 1-2 deal with the main requirements for assessment under Article 6(3). Stage 3 may be part of the Article 6(3) Assessment or may be a necessary precursor to Stage 4. Stage 4 is the main derogation step of Article 6(4).



**Figure 1.2: Four Stages of the Appropriate Assessment**

**Table 1.1: Stages of the Appropriate Assessment Process**

Stage 1
<p><i>Screening</i> is the process that addresses and records the reasoning and conclusions in relation to the first two tests of Article 6(3):</p> <p>(i) whether a plan or project (in this instance the proposed works) is directly connected to or necessary for the management of the European Sites, and</p> <p>(ii) whether a plan or project, alone or in combination with other plans and projects, is likely to have significant effects on the European Sites in view of their conservation objectives</p> <p>If the effects are deemed to be significant, potentially significant, or uncertain, or if the screening process becomes overly complicated, then the process must proceed to Stage 2 (AA). This report fulfils the information necessary to enable the competent authority to screen the proposal for the requirement to prepare an Appropriate Assessment</p>
Stage 2
<p><i>Appropriate Assessment</i> – this stage considers the impact of the project on the integrity of the European site(s), either alone or in combination with other projects or plans, with respect to (1) the site's</p>



<p>conservation objectives; and (2) the site's structure and function and its overall integrity. Additionally, where there are adverse impacts, an assessment of the potential mitigation of those impacts</p> <p>The output from this stage is a <b>Natura Impact Statement</b> i.e. a report of a targeted professional scientific examination of the plan or project and the relevant European sites, to identify and characterise any possible implications for the site in view of the site's conservation objectives, taking account of in combination effects (DEHLG, 2010).</p>
<b>Stage 3</b>
<p><i>Assessment of Alternative Solutions</i> - the process examines alternative ways of achieving the objectives of the project that avoid adverse impacts on the integrity of the European sites. This assessment may be carried out concurrently with Stage 2 in order to find the most appropriate solution. If no alternatives exist or all alternatives would result in negative impacts to the integrity of the European sites then the process either moves to Stage 4 or the project is abandoned</p>
<b>Stage 4</b>
<p><i>Assessment Where Adverse Impacts Remain</i> - 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.</p>

## 1.4 INFORMATION CONSULTED FOR THIS REPORT

Sources of data reviewed as part of the Screening process for this project included:

- Kildare County Council
- Information on the mapping location supplied by the RPS team;
- Environmental Protection Agency - Water Quality [www.epa.ie](http://www.epa.ie), <http://gis.epa.ie/Envision>; and [www.catchments.ie](http://www.catchments.ie) website;
- Geological Survey of Ireland - Geology, soils and Hydrogeology [www.gsi.ie](http://www.gsi.ie);
- Inland Fisheries Ireland WFD reports ([www.wfdfish.ie](http://www.wfdfish.ie));
- National Parks and Wildlife Service - online Natura 2000 site network information, including site conservation objectives [www.npws.ie](http://www.npws.ie);
- National Parks and Wildlife Service - Information on the status of EU protected habitats in Ireland (NPWS 2013a, 2013b);
- National Biodiversity Data Centre - [www.biodiversityireland.ie](http://www.biodiversityireland.ie);
- Water Matters or Water Framework Directive site: <http://www.wfdireland.ie/>

## 2 SCREENING

### 2.1 INTRODUCTION

This screening process is an assessment of the European 2000 sites that the draft Clane LAP could potentially affect. This process provides:

- A description of the project,
- Identification of European Sites potentially affected,
- Identification of the qualifying features and conservation objectives of the European sites,
- Identification and description of individual and cumulative impacts likely to result,
- Assessment of the significance of the impacts likely to effects the European sites,
- Exclusion of sites where it can be objectively concluded that there will be no significant effects, and
- A screening conclusion.

### 2.2 DESCRIPTION OF PLAN

Clane is designated as a small town located in County Kildare. It is a key local centre for services and lies in close proximity to the larger urban centre of Naas to the south and Celbridge to the northeast. The town is a service and retail centre for its immediate rural hinterland. The town also serves as a commuter town.

The Draft Clane LAP is a land use plan which will provide a development framework for the proper planning and sustainable development of the town for a duration of six years following adoption of the plan. The Local Area Plan consists of a written statement which indicates land use zoning objectives, strategic development objectives and various local objectives and maps which provide a graphical representation of the LAP proposals.

The draft LAP must be consistent with the policies and objectives of the strategic actions at national, regional and county level. In turn, any programmes or projects which may take place in Clane will have to be consistent with the LAP.

Kildare County Council is committed to delivering the vision set out in the draft LAP by working in partnership with local people and organisations.

#### 2.2.1 Development Strategy for the Draft LAP

The development strategy for Clane is to guide the future sustainable growth of Clane which will improve the quality of life for the community.

#### 2.2.2 Urban Centre and Retailing

The future retail potential of Clane is influenced by its proximity to higher order centres, such as Naas and Newbridge, with Clane providing a local and niche retail function. The policies and objectives of this Plan will seek to strengthen and support this established retail function and promote Clane as a sustainable, multifaceted, retail-led mixed use centre.

### **2.2.3 Housing and Community**

The draft LAP seeks to establish a framework for the provision of housing and community facilities that takes account of the demographic profile of Clane and its position within Kildare and the Greater Dublin Area. The current housing allocation for Clane is based on an average density of 26 units per hectare. In accordance with the Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities, DECLG (2009), higher densities will generally be considered in town centre infill locations and proximate to public transport.

Regarding healthcare and community facilities, the role of Kildare County Council is limited in the direct provision and operation of facilities and services but continues to work with service providers, and groups to strengthen community services and healthcare operations in Clane. In particular, the LAP addresses the requirements for childcare facilities in accordance with the phasing strategy in Section 13. A site is identified for Community and Institutional uses on the Dublin Road and is currently accessible to housing in the north and north eastern quadrants of Clane. It is recognised that this site could potentially accommodate a purpose built childcare facility that would meet the childcare needs arising from proposed housing growth

### **2.2.4 Economic Development**

Clane has been identified as a “Local employment Centre” in the Draft Kildare County Development Plan 2017-2023, as part of the Economic Development Strategy for the county.

The draft LAP includes a clear development strategy for enabling light industrial and business/technology developments to drive the local economy. The plan aims to achieve this through ensuring that sufficient land is zoned at optimum locations, that critical mass is created which supports competitiveness, that the required infrastructure is provided, that supporting community services, social infrastructure and facilities are provided and that the quality of the town’s environment is improved.

The draft LAP plans to optimise the strategic location of Clane within Co. Kildare and its proximity to the M7 and M4, to the railway line at Sallins and to the designated economic growth clusters of Naas, Newbridge, Kilcullen, Leixlip, Celbridge and Maynooth.

### **2.2.5 Movement and Transport**

Due to Clane’s location at the intersection of the R403 (Celbridge to Prosperous) and R407 (Kilcock to Naas) Regional Roads and its strategic position between the M4 and M7, the town encounters a high volume of through traffic and congestion. One of the key elements of the draft LAP is to explore options to alleviate traffic pressure through Alexandra Bridge (a protected bridge structure).

Objectives are in place to investigate the feasibility of providing a cross-Liffey route to the southeast of the town, with the aim of providing an alternative route.

A significant element of this draft LAP is to place a stronger emphasis on sustainable modes of transport within the town such as walking, cycling and public transport. The draft LAP identifies that one of the major challenges facing the area is the need to improve connectivity for local journeys and to provide for walking and cycling. The plan includes objectives to further develop the walking and cycling facilities of the area. The walking and cycling facilities are discussed in greater detail in **Section 8.1** of the draft LAP.

### 2.2.6 Infrastructure

Aspects of the Clane water supply and wastewater scheme are identified for improvement in the draft LAP. Clane is currently served by the North-East Kildare Regional Water Supply Scheme and the Upper Liffey Valley Regional Sewerage Scheme. Irish Water and Kildare County Council will continue to work together to identify the water services required to support planned development in line with national and regional planning policies to be included in the Irish Water Capital Investment Plan.

Clane is traversed by a 220kV line as part of the Eirgrid Transmission System. It is noted that this line has implications for land-use compatibility within the plan area for lands suitable for educational, residential and recreational uses. Actions are outlined to liaise with Eirgrid in relation to the underground routing of overhead powerlines in Clane.

Flooding events have been recorded in Clane in the past, with fluvial sources identified as the Cott/Butterstream, Gollmochy and Liffey rivers. The management of surface water and storm water is important so as to avoid increased flood or pollution risk in rivers, streams and the storm water network. The Council will require the use of Sustainable Drainage Systems (SuDS) in all new developments as part of all plans and planning schemes in Clane. The incorporation of SuDS techniques allows surface water to be either infiltrated or conveyed more slowly to water courses using porous surface treatments, ponds, swales, filter drains or other installations. This will minimise the risk of flooding and contamination and protect environmental and water resources. Furthermore, SuDS offers the opportunity to combine water management with green space, which can increase amenity and biodiversity. Flood risk management is outlined in **Section 9.3** of the draft LAP.

### 2.2.7 Heritage and Amenity

The draft LAP supports a diverse range of natural heritage with the River Liffey running along the southeast boundary of the LAP, contributing to the character of Clane town. Clane town has rich built and architectural heritage, with the most significant sites being identified as the Church of St. Patrick and St. Brigid, the former convent and school house buildings and Clane Abbey and Graveyard. The Council aims to conserve and protect buildings, structures and sites contained in the Record of Protected Structures of special architectural, historic, archaeological, artistic, cultural, scientific, social or technical interest.

Natural heritage, often referred to as biodiversity, is important for many things including food, fertile soils and clean air and water. It can be threatened by the development of land and human activity. Therefore, it is important that the development objectives in the draft LAP are balanced with conservation measures and objectives which ensure that the area's natural heritage is protected and conserved.

While there are no European Sites located within or immediately adjacent to the plan area, there are six sites within a 15km range of the draft LAP boundary. These sites include: Rye Water Valley/Carton SAC (Site Code: 001398), Ballynafagh Lake SAC (Site Code: 001387), Ballynafagh Bog SAC (Site Code: 000391), Mounds Bog SAC (Site Code: 002331), Pollardstown Fen SAC (Site Code: 000396) and Red Bog Kildare SAC (Site Code: 000397).

An additional four European Sites have been identified outside of the 15km range of the draft LAP boundary. These sites are considered relevant due to their connectivity to the draft LAP area via the River Liffey. They are North Dublin Bay SAC, North Bull Island SPA, South Dublin Bay SAC and South Dublin Bay and River Tolka SPA.

### **2.2.8 Green Infrastructure**

The Draft Clane LAP supports the enhancement and protection of open spaces and natural heritage for both biodiversity and recreational uses. The River Liffey represents the most important and continuous ecological corridor in Clane and has an abundance of riverside flora and fauna. It is the policy of the Council to adopt a proactive approach to protecting, enhancing and managing the Green Infrastructure network in Clane.

The Kildare Open Space Strategy 2011 sets out an overall approach for the provision of open space. The Strategy recommends the provision of open space at a standard of 2 ha per 1000 persons. This strategy identified a need to provide public open space in Clane, to serve the needs of residential areas. It identifies the potential of the River Liffey corridor as a linear open space and states that future open spaces should take advantage of potential linked access to the river corridor.

### **2.2.9 Urban Design and Key Development Areas**

This section sets out the urban design framework for the LAP area. The framework will create a new urban environment that will enhance and reflect the character of the area, create a distinctive identity and a sense of place which integrates with the existing Village and provides a mix of dwelling types. The existing natural environment, biodiversity and heritage features are all key urban design opportunities.

In accordance with Section 3.8 of the Guidelines on Sustainable Residential Development in Urban Areas, this LAP includes design briefs for Key Development Areas to promote the development of a number of key areas within the town. 5 No. Key Development Areas identified within the Clane LAP.

## **2.3 EXISTING ENVIRONMENT**

### **2.3.1 Water Quality**

The River Liffey borders Clane town to the south and flows in a northeasterly direction towards Celbridge town and continues to flow into Dublin Bay approximately 32km downstream. The Rye

Water/Cartron SAC is located approximately 14.5km downstream northeast of the Plan boundary. The Rye River meets the River Liffey at Leixlip Bridge.

The Water Framework Directive (WFD) requires Member States to manage all of their waters and ensure that they achieve at least 'good status' by 2015 and to prevent deterioration in status. The River Liffey is assigned a "Good" status as per the current EPA water quality monitoring data (Water Quality in Ireland 2010 – 2012, EPA 2015). This record was taken downstream of the Alexandra Bridge, located south of Clane town on the R407. **Table 2.1** provides details on the water quality status of the River Liffey.

The Gollymochy River is a tributary of the River Liffey and is located directly north of the draft LAP area. The Cott/Butterstream River is also a tributary of the River Liffey and is located to the south of the draft LAP area. There is no EPA monitoring data available for these rivers.

**Table 2.1: Water Quality Status on the River Liffey downstream of Alexandra Bridge**

Q-Value	Physico-Chemical Status	WFD Ecological Status	Overall Risk Result	Pollution Status
4	Good	Good	At risk of not achieving good status	Unpolluted

### 2.3.2 Geological and Hydrogeological Features

The Geological Survey of Ireland (GSI) online database ([www.gsi.ie](http://www.gsi.ie)) was consulted for available edaphic, geological and hydrological information of the area and its environs. The bedrock underlying Clane town and surrounding area predominately consists of limestone of three varieties;

1. North and north west - Dinantian lower impure limestone
2. South and north east - Diantian pure unbedded limestone
3. South and south east - Diantian pure bedded limestone

Groundwater vulnerability is a term used to represent the intrinsic geological and hydrogeological characteristics that determine the ease at which groundwater may be contaminated by human activities.

**Table 2.2: Groundwater Quality Status in Clane**

Vulnerability	Aquifer Type	Aquifer Productivity	WFD Status
High	Locally Important Aquifer (LI)	Moderately Productive	Good

The town of Clane is underlain with predominately "High" groundwater vulnerability, while the wider surroundings of the town support a mosaic of *Moderate* and *Low* groundwater vulnerability. The centre, north and western areas of the town are dominated by Locally Important Aquifer (LI) which is

moderately productive only in local zones. The area to the east and south support bands of Locally Important Aquifers which are karstified (Lk).

The WFD assigned the groundwater in and around the Clane area as having 'Good' status between 2010 and 2012 (Water Quality in Ireland 2010 – 2012, EPA 2015).

The following policies and objectives, contained within the draft LAP, are considered significant in protecting surface and groundwater quality within the draft LAP area:

**Policy I2:** *It is the policy of the Council to maintain and enhance the existing surface water drainage systems in Clane and to protect surface and ground water quality in accordance with the Water Framework Directive.*

**IO2.2:** *To incorporate Sustainable Urban Drainage Systems (SUDS) as part of all plans and planning schemes in Clane.*

**IO2.3** *To maintain, improve and enhance the environmental and ecological quality of surface waters and groundwater in Clane and their associated habitats and species including fisheries and particular Annex II listed species in accordance with the Eastern River Basin District River Basin Management Plan and in conjunction with the EPA.*

### 2.3.3 Wastewater Facilities

Clane is served by the Upper Liffey Valley Regional Sewerage Scheme (ULVRSS) and is treated by the Osberstown WWTP, ultimately discharging into the River Liffey. The WWTP currently supports an 80,000 Population Equivalent (P.E.) with an upgrade to 150,000 PE due to be completed by Quarter 4 of 2016. The upgrade will cater for future planned growth in Clane which will include upgraded pumping stations, rising mains and upgraded sewers.

The following policy, contained within the draft LAP, is considered significant in protecting surface water quality within the draft LAP area

**Policy I1 - Water Supply & Wastewater** *It is the policy of the Council to work in conjunction with Irish Water to protect existing water and wastewater infrastructure in Clane, to maximise the potential of existing capacity in the town and to ensure infrastructure is provided in tandem with development.*

### 2.3.4 Natural Heritage/ European Sites

Clane supports a diverse variety of natural heritage, in particular the River Liffey, which provides a rich area of biodiversity. Clane also supports hedgerows, trees and watercourses which contribute to the ecological corridors and green infrastructure of the town.

There are no European Sites or Natural Heritage Areas (NHA) located within the LAP boundary. The closest European Site to the draft LAP area is Ballynafagh Bog SAC, located 4km west, and supports no connectivity to the draft LAP area. See **Table 2.3** for a description of European Sites and their qualifying features, within a 15km buffer zone from the draft LAP area.

The following policies and objectives, contained within the draft LAP, are considered significant in protecting natural heritage within the draft LAP area and European Sites identified as significant within a 15km range of the draft LAP area:

**Policy H3:** *It is the policy of the Council to seek to ensure to support the protection of species and habitats that are designated protected under the Wildlife Acts 1976 and 2000, the Birds Directive 1979 and the Habitats Directive 1992 as well as areas of high local biodiversity value and to ensure developments with potential to impact the integrity of the Natura 2000 network will be subject to Appropriate Assessment are adequately protected.*

**H03.1** *To prevent development that would adversely affect rare and threatened species in non-designated areas.*

**H03.2** *To preserve the amenity of the River Liffey Valley including its landscape and biodiversity value. In this regard, planning applications must identify all ecological habitats and corridors present in a proposed development site, and demonstrate that any habitat or corridor affected by the proposal is not of local importance, or that its loss will be offset, should the application be granted.*

**H03.3** *To protect and conserve the integrity of soils that supports the rich biodiversity and ecological networks in Clane.*

**H03.4** *To ensure an Appropriate Assessment, in accordance with Article 6(3) and Article 6(4) of the Habitats Directive and with DEHLG guidance (2009), is carried out in respect of any plan or project not directly connected with or necessary to the management of a European Site to determine the likelihood of the plan or project having a significant effect on a European Site, either individually or in combination with other plans or projects and to ensure that projects which may give rise to significant cumulative, direct, indirect or secondary impacts on European Site will not be permitted (either individually or in combination with other plans or projects) unless for reasons of overriding public interest.*

**H03.5** *To protect, conserve and enhance, wherever possible, wildlife habitats and species of local importance, not otherwise protected by legislation.*

## 2.4 BRIEF DESCRIPTION OF EUROPEAN SITES

This section of the screening process describes the European sites within a 15km radius of the draft LAP boundary. A 15km buffer zone has been chosen as a precautionary measure, to ensure that all potentially affected European sites are included in the screening process. This is in line with, *Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities*, produced by the Department of the Environment, Heritage and Local Government. However, in certain circumstances, this buffer zone does not adequately take into account the hydrological connectivity between a plan area and downstream SACs and SPAs. For this reason, a wider assessment was undertaken to ensure such European sites were also included in this appropriate assessment screening.

**Table 2.3** lists six European Sites that are within 15km of the LAP boundary. **Figure 2.1** illustrates their locations in relation to the draft Clane Local Area Plan.



**Table 2.4** lists four European Sites located outside of the 15km buffer but are hydrologically connected to the draft LAP area via the River Liffey and therefore their relevance as a receptor source is considered.

The integrity of a European site (referred to in Article 6.3 of the EU Habitats Directive) is determined based on the conservation status of the qualifying features of the SAC or SPA. The qualifying features for each site have been obtained through a review of the Conservation Objectives available from the NPWS.

**Table 2.3: European Sites located within 15km of the Draft Clane Local Area Plan**

Site Code	Site Name	Qualifying Features	Distance from Draft LAP Boundary	Hydrological/ Hydrogeological Connectivity
001398	Rye Water Valley/Carnton SAC	Petrifying springs with tufa formation (Cratoneurion) [7220] <i>Vertigo angustior</i> (Narrow-mouthed Whorl Snail) [1014] <i>Vertigo moulinsiana</i> (Desmoulin's Whorl Snail) [1016]	14.5km northeast	No
001387	Ballynafagh Lake SAC	Alkaline fens [7230] <i>Vertigo moulinsiana</i> (Desmoulin's Whorl Snail) [1016] <i>Euphydrias aurinia</i> (Marsh Fritillary) [1065]	5.2km west	No
000391	Ballynafagh Bog SAC	Active raised bogs [7110] Degraded raised bogs still capable of natural regeneration [7120] Depressions on peat substrates of the Rhynchosporion [7150]	4km west	No
002331	Mouds Bog SAC	Active raised bogs [7110] Degraded raised bogs still capable of natural regeneration [7120] Depressions on peat substrates of the Rhynchosporion [7150]	9.8km southwest	No
000396	Pollardstown Fen SAC	Calcareous fens with <i>Cladium mariscus</i> and species of the Caricion davallianae [7210] Petrifying springs with tufa formation (Cratoneurion) [7220] Alkaline fens [7230] <i>Vertigo geyeri</i> (Geyer's Whorl Snail) [1013] <i>Vertigo angustior</i> (Narrow-mouthed Whorl Snail) [1014] <i>Vertigo moulinsiana</i> (Desmoulin's Whorl Snail) [1016]	14.4km southwest	No
000397	Red Bog Kildare SAC	Transition mires and quaking bogs [7140]	13.5km southeast	No

Table 2.4: European Sites hydrologically connected to the Draft Local Area Plan via the River Liffey

Site Code	Site Name	Qualifying Features	Distance from Draft LAP Boundary	Hydrological/ Hydrogeological Connectivity
000210	South Dublin Bay SAC	Mudflats and sandflats not covered by seawater at low tide [1140].	31km	Via River Liffey
004024	South Dublin Bay and Tolka River SPA	Light-bellied Brent Goose ( <i>Branta bernicla hrota</i> ) [A046]; Oystercatcher ( <i>Haematopus ostralegus</i> ) [A130]; Ringed Plover ( <i>Charadrius hiaticula</i> ) [A137]; Grey Plover ( <i>Pluvialis squatarola</i> ) [A140]; Knot ( <i>Calidris canutus</i> ) [A143]; Sanderling ( <i>Calidris alba</i> ) [A144]; Dunlin ( <i>Calidris alpina</i> ) [A149]; Bar-tailed Godwit ( <i>Limosa lapponica</i> ) [A157]; Redshank ( <i>Tringa totanus</i> ) [A162]; Black-headed Gull ( <i>Croicocephalus ridibundus</i> ) [A179]; Roseate Tern ( <i>Sterna dougallii</i> ) [A192]; Common Tern ( <i>Sterna hirundo</i> ) [A193]; Arctic Tern ( <i>Sterna paradisaea</i> ) [A194]; and Wetlands & Waterbirds [A999]	31km	Via River Liffey
000206	North Dublin Bay SAC	Mudflats and sandflats not covered by seawater at low tide [1140]; <i>Salicornia</i> and other annuals colonizing mud and sand [1310]; <i>Spartina</i> swards ( <i>Spartinion maritimae</i> ) [1320]; Atlantic salt meadows ( <i>Glaucopuccinellietalia maritimae</i> ) [1330]; Mediterranean salt meadows ( <i>Juncetalia maritimi</i> ) [1410];	32km	Via River Liffey

Site Code	Site Name	Qualifying Features	Distance from Draft LAP Boundary	Hydrological/ Hydrogeological Connectivity
		Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120]; Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130];		
004006	North Bull Island SAC	Light-bellied Brent Goose ( <i>Branta bernihrota</i> ) [A046]; Shelduck ( <i>Tadorna tadorna</i> ) [A048]; Teal ( <i>Anas crecca</i> ) [A052]; Pintail ( <i>Anas acuta</i> ) [A054]; Shoveler ( <i>Anas clypeata</i> ) [A056]; Oystercatcher ( <i>Haematopus ostralegus</i> ) [A130]; Golden Plover ( <i>Pluvialis apricaria</i> ) [A140]; Knot ( <i>Calidris canutus</i> ) [A143]; Sanderling ( <i>Calidris alba</i> ) [A144]; Dunlin ( <i>Calidris alpina</i> ) [A149]; Black-tailed Godwit ( <i>Limosa limosa</i> ) [A156]; Bar-tailed Godwit ( <i>Limosa lapponica</i> ) [A157]; Curlew ( <i>Numenius arquata</i> ) [A160]; Redshank ( <i>Tringa totanus</i> ) [A162]; Turnstone ( <i>Arenaria interpres</i> ) [A169]; Black-headed Gull ( <i>Larus ridibundus</i> ) [A179];	32km	Via River Liffey

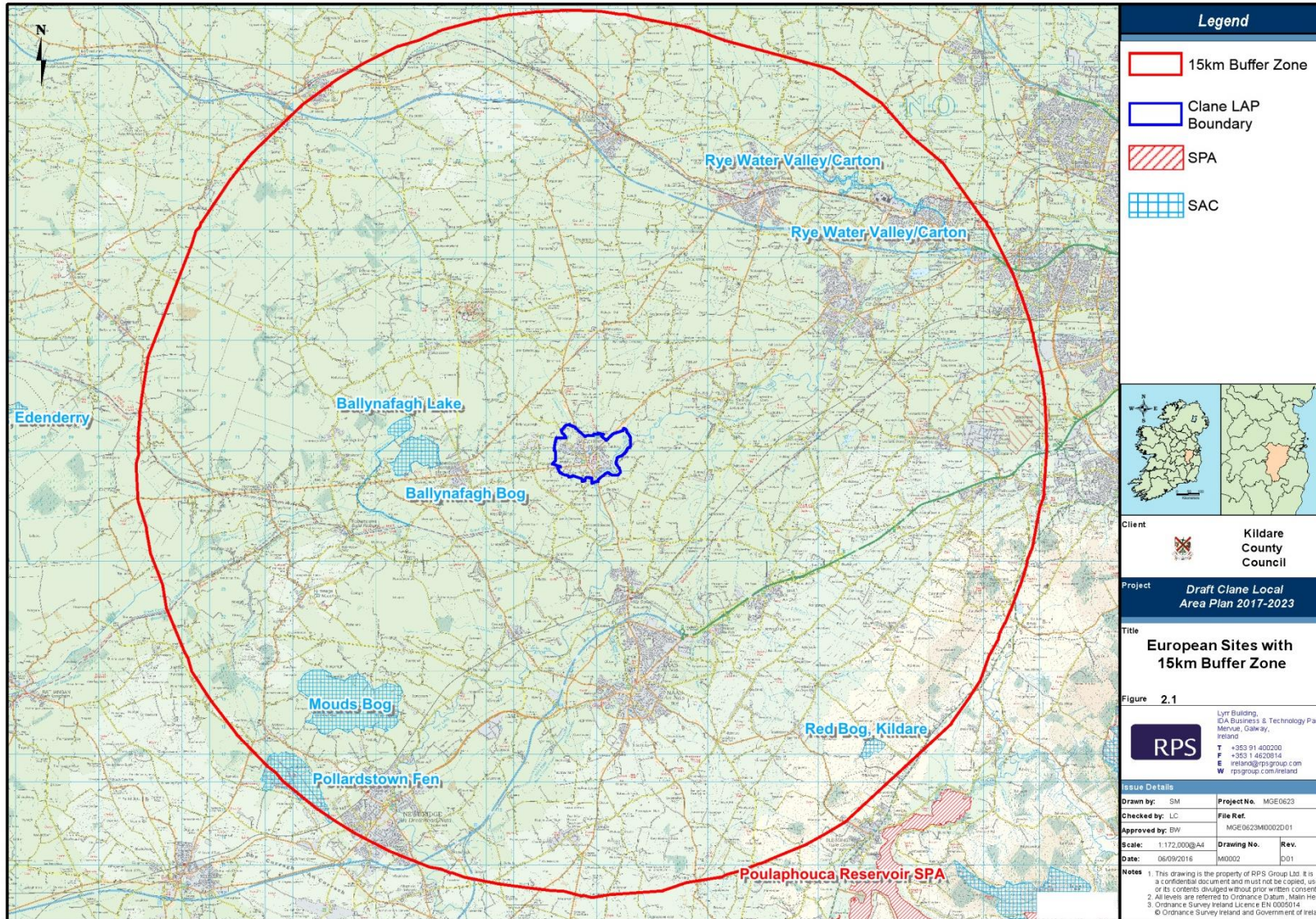


Figure 2.1: European Sites within a 15k buffer zone

## 2.5 IDENTIFICATION OF POTENTIAL IMPACTS

The following potential impacts on European Sites owing to the implementation of the draft LAP have been identified.

### 2.5.1 Direct Impacts on Habitats and Species

The construction of residential space, retail units, car parks, business units, cycleways and walkways and other developments within Clane has no potential to impact directly on the habitats or species listed as Qualifying Interests of the aforementioned European Sites due to no sites lying within the draft LAP boundary and the lack of connectivity between the LAP boundary and the designated sites within a 15k range. See **Figure 2.1** for location of European Sites within a 15k range of the draft LAP area. Sites with hydrological connectivity to the draft LAP area outside of the 15k range are identified and are considered to be at a significant distance from the proposed area to pose an impact.

### 2.5.2 Indirect Damage/Degradation of Habitat and Disturbance to Species

Construction of proposed new developments within Clane will not have a significant effect on the qualifying interests of the European sites as listed in **Table 2.3** as the sites are located a significant distance away (nearest site located approx. 4km away) from the LAP boundary area.

The construction of new developments within Clane poses minimal potential to impact indirectly on the habitats listed as qualifying interests of the European Sites or result in disturbance to species as they are all a significant distance from the draft LAP area i.e. in excess of 4km away. Additionally, there are no hydrological connections between the draft LAP area and a European Site identified within a 15km range. Clane is located in the Liffey River Catchment. The majority of Mouds Bog SAC and Red Bog SAC are also in the Liffey River Catchment; however, there is no hydrological connectivity from either of these sites to the draft LAP area. Any potential development in Clane is highly unlikely to impact on the groundwater regime of Mouds Bog SAC or Red Bog SAC and therefore will not have a significant effect on the SACs or the habitats for which they are designated.

Rye Water Valley/Cartron SAC is located approximately 14.5km to the northeast of the draft LAP area. The River Liffey does not drain towards the Rye River rather the Rye River confluences with the River Liffey at Leixlip bridge (12km northeast of the draft LAP area) and the Liffey then flows east towards Dublin Bay. Due to the distance from the LAP area, no significant effects through direct or indirect disturbance of species and habitats will occur from development occurring through the implementation of the objectives of the draft LAP. No potential impacts to water quality would be expected.

Pollardstown Fen SAC, Ballynafagh Bog SAC and Ballynafagh Lake SAC are all located in the Barrow River Catchment, and so have no hydrological connectivity to the draft LAP area. Any potential development in Clane is highly unlikely to impact on the surface water or groundwater regime of these SACs and therefore will not have a significant effect on the SACs or the habitats and species for which they are designated. Appropriate Assessment in accordance with the Habitats Directive is carried out for any plan or project which individually or in combination with other plans and projects is likely to have a significant effect on any European site or sites.

**Table 2.4** outlines those European Sites located greater than 15km from the draft LAP area but are identified as being hydrologically connected to the draft LAP area via the River Liffey. South Dublin Bay SAC, South Dublin Bay and River Tolka SPA, North Dublin Bay SAC and North Bull Island SPA are all located >31km downstream from the draft LAP area and it is deemed extremely unlikely that a pollution event or operational activity of a planned project should have such magnitude that would have an adverse impact on the integrity of the qualifying features of these designated sites. In addition, the commitment to SuDs, will likely contribute to improvement in water quality in the River Liffey.

### **2.5.3 Resource Requirements (e.g. Drinking Water Abstractions)**

Clane is currently served by the North-East Kildare Regional Water Supply Scheme and it is considered by Irish Water to have sufficient capacity to provide for the growth of Clane town.

Aspects of the Clane water supply and wastewater scheme are identified for improvement by the draft LAP. Clane is currently served by the North-East Kildare Regional Water Supply Scheme and the Upper Liffey Valley Regional Sewerage Scheme. Irish Water and Kildare County Council will continue to work together to identify the water services required to support planned development in line with national and regional planning policies to be included in the Irish Water Capital Investment Plan.

### **2.5.4 Emissions (e.g. Disposals to Lands, Water, Air)**

Clane LAP area is part of the Upper Liffey Valley Regional Sewerage Scheme, connecting to the Osbertown WWTP which discharges to the River Liffey. This WWTP will be upgraded from 80,000 P.E. capacities to 150,000 P.E. by Q4 in 2016.

The Osbertown treatment plant discharges treated wastewater into the River Liffey making it one of the largest inshore discharge points in the country. Maintaining river water quality by providing improved treatment processes will be a key part of the upgrade work. The improvements to Osbertown WWTP (currently with tertiary treatment with phosphorus removal) will improve overall water quality to the River Liffey, a nutrient sensitive area.

Localised upgrades to elements within Clane including upgrades to pumping stations, mains and sewers networks will serve to improve the overall water quality of the Liffey at a lower level.

Large and small scale upgrades will have a positive impact on receiving water quality and it is not foreseen that the implementation of the Plan will have any negative impacts on water quality.

The management and protection of surface and groundwater is addressed in the draft LAP. A robust set of policies and objectives are in place to protect, enhance and, where necessary, to offset potential impacts associated with current and future developments in Clane. The use of Sustainable Drainage Systems (SuDS) and Green Infrastructure in new developments will contribute to surface water retention and help to reduce and prevent flooding, by mimicking the natural drainage of a site.

### **2.5.5 Excavation Requirements**

Any excavations taking place as part of a proposed development within the draft LAP is unlikely to pose potential impacts on the habitats and species listed as qualifying interests of the aforementioned

European Sites. Appropriate Assessment in accordance with the Habitats Directive is carried out for any plan or project which individually or in combination with other plans and projects is likely to have a significant effect on any European Site or Sites.

## 2.6 ASSESSMENT OF LIKELY SIGNIFICANT EFFECTS

### 2.6.1 Direct, Indirect or Secondary Impacts

There are six European sites within the 15km of the draft LAP area (**Table 2.3**) and four European sites hydrological connected to the LAP area outside of the 15km buffer identified (**Table 2.4**).

It is the aim of the Council to protect, conserve and enhance the natural heritage and biodiversity within and adjacent to Clane.

The Council is committed to protecting and enhancing sites designated or proposed for designation under European and national legislation and have specific policies and objectives relating to their protection and maintenance, as appropriate (**Policy H3**). In particular, it is an objective of the Council to ensure that each development is to be screened for Appropriate Assessment of its potential effects on European sites in accordance with Article 6 of the Habitats Directive. Therefore, the draft Clane Local Area Plan will not result in direct impacts on the European Sites through land take or fragmentation of habitats (**HO3.4**).

There are a number of feeder watercourses within and adjacent to the draft LAP area which drain into the River Liffey. The Gollymochy River located outside of the draft LAP area drains to the River Liffey just outside the north eastern section of the draft LAP boundary. The Cott River runs along the southern section of the draft LAP area and drains to the River Liffey inside the south eastern section of the boundary area at Abbeyland.

It is recognised that the Council is committed to protecting these water resources, and to this regard there are a number of objectives and policies within the draft LAP, which focus on maintaining and protecting the natural character and water quality of these waterbodies (**Policy I2, IO2.3, HO3.2, GIO1.6**). Within the draft LAP area, development proposals will be required to set back 100m from the River Liffey and 10m from smaller watercourses (Extent to be determined by Planning Authority) (**GIO1.6**).

The management of surface and storm water is important so as to avoid increased flood or pollution risk in the storm water network, rivers and streams. New development can exacerbate the problems of flooding by accelerating and increasing surface water run-off. The Council will require the application of SuDS in new developments and have identified specific objectives in this regard (**IO2.2**). Reducing the extent of hard surfacing and using permeable pavements will aid in minimising the risk of flooding and contamination, and protect the environmental and water resources. Such water quality objectives will ensure that the receiving waterbodies, (i.e. River Liffey, Gollymochy River etc), are protected.

All European Sites are a sufficient distance (>4km) from the draft LAP area and therefore are unlikely to be impacted by the present or future development of the draft Clane LAP area.

This AA Screening has examined each objective within the draft LAP and has determined that there is no potential for a significant effect on the European Sites due to:

- The lack of connectivity between the LAP area and many of the European sites identified;
- The considerable distance between draft LAP boundary and European sites with which the area is hydrologically connected; and
- Appropriate policies and procedures set within the LAP framework to offset any potential impacts as a result for the specification for appropriate assessment at the project scale.

## 2.7 CUMULATIVE IMPACTS

Cumulative impact assessment aims to identify at an early stage any possible significant in-combination or cumulative effects/impacts of the draft LAP with other such plans or projects on the Natura 2000 network. Plans and projects with the potential to lead to cumulative impacts in combination with the Draft Clane LAP are presented in **Table 2.5**, and an assessment in relation to each presented.

**Table 2.5: In-combination Impacts of the Draft Clane LAP with other Plans and Projects**

Name of plan or project	Key issues directly linked to relevant European sites	Potential cumulative or in-combination impacts on relevant European sites
Kildare County Development Plan 2011-2017	The Kildare County Development Plan supports information on Designated sites, Habitats and Species Policies and Objectives, Natural Heritage and Biodiversity Policies and Objectives, Natural Water Systems Polices. All of these Policies and Objectives are set out to safeguard Co. Kildare's Natural Heritage and by extension the protected and designated sites associated with Co. Kildare	Positive Impacts
Kildare County Development Plan 2017-2023	The Kildare County Development Plan supports information on Designated sites, Habitats and Species Policies and Objectives, Natural Heritage and Biodiversity Policies and Objectives, Natural Water Systems Polices. All of these Policies and Objectives are set out to safeguard Co. Kildare's Natural Heritage and by extension the protected and designated sites associated with Co. Kildare	Positive Impacts
Inland Fisheries Ireland Corporate Plan 2016 - 2020	<b>Goals:</b> 1. To improve the protection and conservation of the resource.	Positive Impacts



Name of plan or project	Key issues directly linked to relevant European sites	Potential cumulative or in-combination impacts on relevant European sites
	<ol style="list-style-type: none"> <li>2. To develop and improve wild fish populations.</li> <li>3. To increase the number of anglers.</li> <li>4. To generate a better return for Ireland from the resource.</li> </ol>	
Eastern River Basin Management Plan 2009-2015 <sup>1</sup>	<p>The Eastern International RBD Management Plan, issued in July 2010, sets out a number of objectives and measures for all water bodies in the Eastern River Basin Region.</p> <p><b>Objectives:</b> Ensure that the status of waters supporting protected areas is protected and (where necessary) improved by 2015.</p> <p><b>Measures:</b> Implement 11 EU Directives, 11 other basic requirements.</p>	Positive Impacts
Eastern CFRAM Study	Aims to assess flood risk, through the identification of flood hazard areas and the associated impacts of flooding. Also CFRAMS aims to identify viable structural and non-structural measures and options for managing the flood risks for localised high-risk areas and within the Eastern catchment as a whole	Positive Impacts

### 2.7.1 Likely Changes to European Sites

The likely changes that could arise from the implementation of the draft Clane LAP have been examined in the context of a number of factors that could potentially have a significant effect on the identified European sites. It has been determined that no European site will be significantly affected as a result of the draft LAP. **Table 2.6** and **Table 2.7** shows the Likely Changes to European sites as a result of the draft LAP.

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<sup>1</sup> Note a National river Basin Management Plan is currently in preparation and will update and supersede this plan.

**Table 2.6: Likely Effects on European Sites within a 15k range of Draft Clane Local Area Plan**

Site Name	Reduction of Habitat Area	Disturbance to Key Species	Habitat or Species Fragmentation	Reduction in Species Density	Changes in Key Indicators of Conservation Value (Water Quality, etc.)	Climate Change
Rye Water Valley/ Carton SAC	None	None	None	None	None	None
Ballynafagh Lake SAC	None	None	None	None	None	None
Ballynafagh Bog SAC	None	None	None	None	None	None
Mouds Bog SAC	None	None	None	None	None	None
Pollardstown Fen SAC	None	None	None	None	None	None
Red Bog Kildare SAC	None	None	None	None	None	None

**Table 2.7: Likely Effects of Hydrologically Connected European Sites outside a 15k range of Draft Clane Local Area Plan**

Site Name	Reduction of Habitat Area	Disturbance to Key Species	Habitat or Species Fragmentation	Reduction in Species Density	Changes in Key Indicators of Conservation Value (Water Quality, etc.)	Climate Change
North Dublin Bay SAC	None	None	None	None	None	None
North Bull Island SPA	None	None	None	None	None	None
South Dublin Bay SAC	None	None	None	None	None	None
South Dublin Bay and Tolka River SPA	None	None	None	None	None	None

### 3 SCREENING AND CONCLUSIONS

The likely impacts that will arise from the Draft Clane Local Area Plan alone and in combination with other plans and programmes have been examined in the context of a number of factors that could potentially have a significant effect on European Sites. No European site within 15km of the LAP area will be adversely affected. It is also considered unlikely that hydrologically connected European sites, outside a 15k range, will not be adversely affected.

A Finding of No Significant Effects Matrix has been completed and is presented in **Section 4** of this Screening Statement.

On the basis of the findings of this Screening for Appropriate Assessment of European Sites, it is concluded that the proposed Draft Clane Local Area Plan will not have a significant effect on the Natura 2000 network and a Stage 2 Appropriate Assessment is not required.

## 4 FINDING OF NO SIGNIFICAN EFFECTS REPORT MATRIX

Name of Project or Plan	Draft Clane Local Area Plan 2017 - 2023
<p><b>Name and location of European Sites</b></p>	<ul style="list-style-type: none"> <li>▪ Rye Water Valley/ Carton SAC;</li> <li>▪ Ballynafagh Lake SAC;</li> <li>▪ Ballynafagh Bog SAC;</li> <li>▪ Mouds Bog SAC;</li> <li>▪ Pollardstown Fen SAC;</li> <li>▪ Red Bog Kildare SAC;</li> <li>▪ North Dublin Bay SAC;</li> <li>▪ North Bull Island SPA;</li> <li>▪ South Dublin Bay SAC; and</li> <li>▪ South Dublin Bay and Tolka River SPA.</li> </ul>
<p><b>Description of the Plan or Project</b></p>	<p><b>Description of Plan</b></p> <p>The Draft Clane LAP is a land use plan which will provide a positive framework for the proper planning and sustainable development of the town for a duration of six years when adopted. The Local Area Plan consists of a written statement which indicates land use and other development standards together with various local objectives and maps which provide a graphical representation of the LAP proposals.</p> <p>The draft LAP must be consistent with the policies and objectives of the strategic actions at national, regional and county level. In turn, any programmes or projects which may take place in Clane will have to be consistent with the LAP.</p> <p>Kildare County Council is committed to delivering the vision set out in the draft LAP by working in partnership with local people and organisations.</p> <p><b>Development Strategy for the Draft LAP</b></p> <p>The development strategy for Clane is to guide the future sustainable growth of Clane which will improve the quality of life for the community. The Vision Statement for Clane reads as follows:</p> <p><i>'To promote the sustainable growth of Clane, building on its established character and supporting its role as a small town and a local services centre. In this context, the plan will provide for growth to cater for local need; will support economic development and job creation based on local strengths; will promote sustainable movement and identify opportunities to enhance connectivity within the built environment; will identify opportunities for the delivery of supporting infrastructure, facilities and amenities to support the growing community and will seek to protect and enhance built and natural heritage and the environment.'</i></p> <p><b>Urban Centre and Retailing (See Section 2.2.2)</b></p> <p><b>Housing and Community (See Section 2.2.3)</b></p>

Name of Project or Plan	Draft Clane Local Area Plan 2017 - 2023
	<p><b>Economic Development (See Section 2.2.4)</b></p> <p><b>Movement and Transport (See Section 2.2.5)</b></p> <p><b>Infrastructure (See Section 2.2.6)</b></p> <p><b>Heritage and Amenity (See Section 2.2.7)</b></p> <p><b>Green Infrastructure (See Section 2.2.8)</b></p>
<b>Is the project or Plan directly connected with or necessary to the management of the European Site</b>	No
<b>Are there other Plans or projects that together with the project of Plan being assessed could affect the European Site</b>	No
<b>The Assessment of Significance of Effects</b>	
<b>Describe how the project or Plan (alone or in combination) is likely to affect the European site</b>	The proposed Local Area Plan is not likely to affect European sites
<b>Explain why these effects are not considered significant</b>	<p>All European Sites are a sufficient distance (&gt;4km) from the draft LAP area and therefore are unlikely to be impacted by the present or future development of the draft Clane LAP area.</p> <p>This AA Screening has examined each objective within the draft LAP and has determined that there is no potential for a significant effect on the European Sites due to:</p> <ul style="list-style-type: none"> <li>▪ The lack of connectivity between the LAP area and many of the European sites identified;</li> <li>▪ The considerable distance between draft LAP boundary and European sites with which the area is hydrologically connected; and</li> <li>▪ Appropriate policies and procedures set within the LAP framework to offset any potential impacts as a result for the specification for appropriate assessment at the project scale.</li> </ul>
<b>List of Agencies Consulted</b>	N/A
<b>Response to Consultation</b>	N/A
<b>Data Collected to carry out the Assessment</b>	
<b>Who Carried out the Assessment?</b>	RPS Ecologists
<b>Sources of Data</b>	<p>NPWS database</p> <p>EPA Database</p> <p>Information from Kildare County Council</p>

Name of Project or Plan	Draft Clane Local Area Plan 2017 - 2023
<b>Level of Assessment Completed</b>	Desktop
<b>Where can this document be viewed?</b>	Kildare County Council
<b>Overall Conclusion</b>	<p>The likely impacts that will arise from the Draft Clane Local Area Plan alone and in combination with other plans and programmes have been examined in the context of a number of factors that could potentially have a significant effect on the Natura 2000 network. No European site within 15km of the draft LAP area will be adversely affected. A Finding of No Significant Effects Matrix has been completed and is presented in <b>Section 4</b> of this Screening Statement.</p> <p>On the basis of the findings of this Screening for Appropriate Assessment of European sites, it is concluded that the proposed Draft Clane Local Area Plan will not have a significant effect on the Natura 2000 network and a Stage 2 Appropriate Assessment is not required.</p>

