



# Kilcock Draft

## Local Area Plan 2015 – 2021

### Screening for Appropriate Assessment

# Document Control Sheet

Client:	Kildare County Council
Project Title:	AA Screening of the Kilcock Draft Local Area Plan 2015 - 2021
Document Title:	Screening for Appropriate Assessment
Document No:	MDE1199Rp0001

Text Pages:	30	Appendices:	-
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Rev.	Status	Date	Author(s)		Reviewed By		Approved By	
F01	FINAL	26 <sup>th</sup> January 2015	LC	<i>Lorna Leung</i>	KB	<i>KB</i>	EO	<i>EO</i>

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# 1 INTRODUCTION

This report comprises information in support of screening for an Appropriate Assessment of the draft Local Area Plan (LAP) for Kilcock 2015 - 2021 in line with the requirements of Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC) on the Conservation of Natural Habitats and of Wild Fauna and Flora; the Planning and Development Act 2000 (as amended); and the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477/2011).

## 1.1 PURPOSE OF THE DRAFT KILCOCK LOCAL AREA PLAN

It is an objective of the parent plan, the Kildare County Development Plan 2011 2017, to prepare a Local Area Plan for Kilcock. The purpose of the draft LAP is to set out a community led strategy for the proper planning and sustainable development of the Kilcock area. This strategy will facilitate the planned, integrated and sustainable development of the area so that growth and development can take place in a co-ordinated manner, while protecting and preserving the area's character, heritage and amenity, and making a positive contribution to people's quality of life. 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 Natura 2000 sites within the LAP area and within a 15km range of the LAP boundary, arising from implementation of the policies, objectives and zonings set out within the Plan.

## 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 tests for plans and projects likely to affect Natura 2000 sites (Annex 1.1). Article 6(3) establishes the requirement for Appropriate Assessment (AA) as follows:

*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) mean that where the implementation of the plan has potential to have a significant effect on a Natura 2000 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 Natura 2000 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

The AA process progresses through four stages. If at any stage in the process it is determined that there will be no significant effect on the integrity of a Natura 2000 site in view of the sites conservation objectives, the process is effectively completed. The four stages are as follows:-

- Stage 1 – Screening of the proposed plan or project for AA;
- Stage 2 – An appropriate assessment of the proposed plan or project ;
- Stage 3 – Assessment of alternative solutions; and
- Stage 4 – Imperative Reasons of Overriding Public Interest (IROPI)/ Derogation.

Stages 1 and 2 relate to Article 6(3) of the Habitats Directive; and Stages 3 and 4 to Article 6(4).

#### Stage 1: Screening

The aim of Stage 1, 'Screening' is to determine whether or not the proposed plan or project is likely to *adversely affect the integrity of* any Natura 2000 site and to determine whether or not Stage 2, the AA, is required. This is done by examining the proposed plan or project; and the conservation objectives of any Natura 2000 sites that might potentially be affected.

#### Stage 2: Appropriate Assessment

The aim of Stage 2 is to identify any adverse impacts that the plan or project might have upon the integrity of relevant Natura 2000 sites. As part of the assessment, a key consideration is 'in combination' with other plans or projects. Where adverse impacts are identified, the AA will propose changes to the plan or project that would avoid, reduce or remedy any such negative impacts and the plan or project should then be amended accordingly, thereby avoiding the need to progress to Stage 3.

### **Stage 3: Assessment of Alternative Solutions**

If it is not possible during the Stage 2 assessment to reduce impacts to acceptable, non-significant levels by avoidance and/or mitigation, Stage 3 of the process must be undertaken, which is to objectively assess whether alternative solutions exist by which the objectives of the plan or project can be achieved. Explicitly, this means alternative solutions that do not have negative impacts on the integrity of the Natura 2000 site.

The process must return to Stage 2 as alternatives will require assessment in order to proceed. Demonstrating that all reasonable alternatives have been considered and assessed, and that the least damaging option has been selected, it is necessary to progress to Stage 4.

It should also be noted that EU guidance on this stage of the process states that, 'other assessment criteria, such as economic criteria, cannot be seen as overruling ecological criteria' (EC, 2002). In other words, if alternative solutions exist that do not have negative impacts on Natura 2000 sites; they should be adopted regardless of economic considerations.

### **Stage 4: Imperative Reasons of Overriding Public Interest (IROPI)/ Derogation**

This stage of the AA process is undertaken when it has been determined that negative impacts on the integrity of a Natura 2000 site will result from a plan or project, but that no alternatives exist. At this stage of the AA process, it is the characteristics of the plan or project itself that will determine whether or not the competent authority can allow it to progress. This is the determination of 'overriding public interest'.

It is important to note that in the case of Natura 2000 sites that include in their qualifying features 'priority' habitats or species, as defined in Annex I and II of the Directive, the demonstration of 'overriding public interest' is not sufficient, and it must be demonstrated that the plan or project is necessary for 'human health or safety considerations'.

Where plans or projects meet these criteria, they can be allowed, provided adequate compensatory measures are proposed. Stage 4 of the process defines and describes these compensation measures.

## 2 SCREENING

### 2.1 DESCRIPTION OF PLAN

Kilcock is a relatively compact town located in Co. Kildare approximately 33km west of Dublin City. It is a service centre for the north Kildare/south Meath area. The town is located primarily between the River Rye and the new M4 motorway. Meath County Council's administrative boundary adjoins the town core to the north, while Courstown Demesne forms the local area plan boundary to the south.

The Royal Canal and River Rye Water are distinguishable features of the town, the latter forming the boundary between Counties Kildare and Meath. This unique element influences the development and location of buildings and roads due to constraints of the Royal Canal and the River Rye Water. As a result of these hydrological influences, much of the new development is concentrated to the south of the Royal Canal.

The draft LAP will facilitate the appropriate expansion of retail development sufficient to meet local needs and will support tourism development. New community facilities to meet the needs of the existing and future population will also be facilitated.

The development of cycleways and upgrading of footpaths is also a key objective of the draft LAP. The Council will promote the use of alternative modes of transport throughout the lifetime of the plan.

#### 2.1.1 Development Strategy for the draft Plan

The development strategy for Kilcock is to improve the quality of life for the local community and provide for the future sustainable growth of the town.

*Within the next 20 to 30 years Kilcock will be compact and beautiful town which showcases the distinct character of its built and natural heritage. It will be well connected to Dublin City centre and neighbouring towns by exemplary public transport and cycling routes and will support the knowledge based economy in Maynooth and Leixlip by focusing on smart, green innovation-based industries. It will be socially inclusive and have a vibrant community with its neighbourhoods connected by cycling and walking routes, interwoven with a quality bio-diverse greenspace network. In short Kilcock will become a place of choice.*

The draft LAP focuses on the provision of additional infrastructure, services and community facilities to serve the existing and future population, and visitors to the area. The principles of sustainable development enshrine the strategy, with a strong emphasis on the protection of the area's natural heritage and environment.

### **2.1.2 Economic Development in the Plan Area**

The draft LAP envisages that Kilcock will experience an increase in population growth which will help to sustain existing services and increase the demand and feasibility to provide other important services in the plan area. The draft LAP focuses on the provision of additional infrastructure, services and community facilities to serve the existing and future population, and visitors to the area. The principles of sustainable development enshrine the strategy, with a strong emphasis on the protection of the area's natural heritage and environment.

Economic development will cater primarily for small to medium scale enterprise, manufacturing and office based industry. Retail development will be restricted to meeting local needs in the form of local shops and services.

The plan will seek to promote employment and enterprise land uses in order to provide opportunities for Kilcock to become a self-sustaining town as well as encouraging and facilitating the mixed use regeneration of Kilcock town's core retail area, the Market Square being of particular importance.

### **2.1.3 Tourism**

Kilcock is well situated within a wealth of tourism opportunities including the Royal Canal, Larchill Arcadian Gardens, Carton House, Maynooth Castle, Leixlip Castle, and the K Club, to name a few. There is significant potential to expand the tourism potential of Kilcock. Tourist activity can support community development, lead to local employment and help to enhance the overall image of the area. Opportunities exist to improve and strengthen the relationship between the town and these tourist attractions so that Kilcock could benefit from an increase in visitor numbers.

The town's built heritage is a unique and definitive feature of Kilcock and it is recognised that this is a unique resource that attracts tourism.

The draft LAP supports the sustainable development of the Royal Canal for recreation activities and associated infrastructure. The heritage, tourism and recreational opportunities of the Royal Canal will be promoted as a key feature for Kilcock with opportunities for the creation of a linear park with linked pedestrian and cyclist routes. Any such development will also have to comply with all relevant EU and national legislation, in particular the Habitats Directive.

### **2.1.4 Community Facilities**

The draft LAP supports the provision of an extended range of community facilities in the plan area. It is considered that based on the size of the population, the development of further community facilities would make a significant contribution to the local community. These facilities could be used for a variety of purposes including the delivery of suitable health care services, community resource work, childcare and as well as catering for the various social and recreational needs of the community.



### 2.1.5 Access and Movement

Kilcock is serviced by both bus and rail facilities, with the local rail network serviced by the Dublin/Sligo mainline train and a Bus Eireann route from Dublin to Mullingar servicing Kilcock. Improvements in road and rail services may influence the potential for tourism in the town. It is therefore important that Kilcock seeks continued improvement of such connections with Dublin, Maynooth, Leixlip and Celbridge.

The draft LAP seeks to rectify the current congestion problem that exists within Kilcock. Uncontrolled car parking in the town is a problem, and it appears that an overflow of commuter car parking is one of the main contributory factors to this problem. The provision of a 'park and ride' facility at an appropriate location within the town is an option being considered in order to alleviate this issue.

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. In view of this, there are objectives in place to include cycle and walking routes to reduce the need to use cars and increase the appeal of these alternative modes of transport. This will potentially improve the congestion problem. This is discussed in more detail in Chapter 8 of the draft LAP.

Generally, the town centre and the established residential housing developments are well served by footpaths; however, there is room for improvement. A well connected footpath network is essential to encourage more walking and improve public safety and therefore it is an objective of the draft LAP to address this. There are objectives in place to refurbish and increase footpath widths improving access for the mobility impaired. This will take place in select locations including the area between the Fairgreen and Connaught Street, along the Royal Canal and installing a boardwalk along the Math Bridge. This is discussed in greater detail in Section 8.1.4.5 of the draft LAP.

### 2.1.6 Housing

The Regional Planning Guidelines have allocated an annual target of 3,122 units for the county over the period 2016-2022. Kilcock's allocation for 2017-2021 is therefore calculated as 3% of this annual county target (94 units x 4yrs). Adding this to the 2017 housing unit target (850 units) gives a revised target of 1,226 new housing units for Kilcock for the plan period 2006-2021. Regard must be had for constructed units in the town between 2006-2014 (136 no. units) and the 574 no. unbuilt units with valid planning permission currently in existence. Overzoning by 50% must also be taken into account as advocated in the 'Development Plan Guidelines for Planning Authorities' (2007). This gives a target of 1,061 units for the period 2015-2021.

There is sufficient undeveloped land zoned in the plan area to meet the housing requirement. This, taken in conjunction with the number of housing units which can be provided by the current vacant stock and the extant permissions, is considered sufficient to meet the housing needs of the area during the lifetime of the draft LAP.

### 2.1.7 Built and Natural Heritage

Kilcock's natural heritage is a unique and special resource. As well as the Royal Canal and the Rye River habitats, the natural heritage includes woodland and the Courtown Demesne to the south of the plan area. It is vital to retain existing key landscapes and open spaces which promote the very identity and fabric of Kilcock. Kilcock is also the only place in Europe where a road, a canal (Royal Canal), a railway and a river (The Rye River) run side-by-side.

There are distinctive elements of built heritage which make a positive contribution to the character of the area and help to achieve a sense of place. This includes the Square in Kilcock and St. Coco's Church to name a few. Such features have an important social and historical association with the development of the town. The Council is committed to the protection, appreciation and appropriate re-use of this built heritage.

The Council will ensure that features or items of archaeological interest and recognised areas of archaeological potential are suitably safeguarded from development that would adversely affect and/or detract from the interpretation and setting of these sites.

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 Natura 2000 sites within or immediately adjoining the plan area, there are three sites within a 15km range of the LAP boundary. These sites include the Rye Water Valley / Carton SAC (Site Code: 001398) located approximately 7km to the east and Ballynafagh Bog SAC (Site Code: 000391) and Ballynafagh Lake SAC (Site Code: 001387) located 13km southwest of the LAP boundary. It is therefore an objective of the LAP to ensure that every plan or project and any associated works, individually or in combination with other plans and projects, are subject to appropriate assessment screening to ensure that there are no likely significant effects on the integrity of any Natura 2000 site(s) and that the requirements of Article 6(3) and 6(4) of the Habitats Directive are fully satisfied. This is outlined in Section 9.4.3 of draft LAP.

The Royal Canal is a manmade waterway comprising the central channel and the banks either side of it. It serves as a wildlife corridor and is designated a proposed Natural Heritage Area (pNHA).

### 2.1.8 Infrastructure

New developments in Kilcock should contribute to the unique identity and sense of place. There will be a requirement for developments to demonstrate a positive urban design response. Applications for large scale developments will be required to include an Urban Design Statement with their proposals.

The main considerations for development within the town and its outskirts within zoned areas are outlined below:

- There are objectives in place to facilitate the development of a business park on lands near Courtown Demense. Any proposed developments in the area will consider landscape and habitat integrations through a high standard of layout and design;
- There are opportunities within zoned areas of the town centre to provide for and improve retailing, residential, commercial, office, cultural and other uses appropriate to town centre;
- There are objectives in place to develop the residential element of the Bawnogues and Common East areas of the town which are located on the south east of the draft LAP boundary and Branganstown located to the south west of the draft LAP boundary;
- To develop linear parks along the Royal Canal and the Rye River linking them to existing parks and open space creating green routes and wildlife corridors throughout Kilcock where appropriate and in accordance with the requirements of the Habitats Directive;
- To utilize the area known as the 'island', an area between the rail line and the Royal Canal, for the development of a car park for the train station and recreational facilities; and
- To develop a pedestrian/cyclist bridge over the River Rye to County Meath.

### 2.1.9 Flood Risk Management and Surface Water

It has been identified that the risk of flooding in Kilcock has increased due to climate change. There are two types of flooding events which can arise separately or in combination in Kilcock:

- Fluvial Flooding arising from river and streams; and
- Pluvial Flooding arising from extreme rainfall.

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. This is outlined in Section 8.2.4.7 of the draft LAP. 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 offer the opportunity to combine water management with green space, which can increase amenity and biodiversity.

Kildare County Council will have regard to all future flood maps and the flood management plan when assessing development proposals and will not permit development in areas at risk of flooding. This is outlined in Section 8.2.4.6 of the draft LAP.

## 2.2 POLICIES AND OBJECTIVES

As a proactive measure, prior to compilation of the draft Local Area Plan, protection policies were put in place to ensure that protection policies for the Natura 2000 network within and in the vicinity of the draft LAP boundary were interwoven into the fabric of draft LAP. Policies including those relating to water supply, waste water, surface water drainage and groundwater were provided to ensure the protection of supporting features, including water quality. As a result, the draft LAP contains numerous policies and objectives focused on the protection of the Natura 2000 Network, which will contribute to the conservation of Natura 2000 sites in accordance with the requirements of the Habitats Directive (**Table 2.1**)

**Table 2.1: The main policies and objectives within the draft LAP relating to the protection of Natura 2000 sites within 15km**

Policy/Objective Code	Policies and Objectives
	<b><u>Biodiversity and Natural Heritage</u></b>
<b><u>GK 16</u></b>	To protect (c)SACs, SPAs, NHAs, and pNHAs which are designated or become designated and notified to Kildare County Council during the lifetime of this Local Area Plan;
<b><u>GKO 5</u></b>	To ensure that an 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 direct or indirect impact on any Natura 2000 site or sites;
<b><u>GK 17</u></b>	To protect any additional areas that may become designated during the lifetime of this plan, including the proposed and designated Protected Areas under the Water Framework Directive Register of Protected Areas, by resisting development which would detrimentally impact on the conservation status of those sites;
<b><u>SI 19</u></b>	To promote the achievement of good ecological status, good ecological potential and good chemical status for the Royal Canal and the River Rye Water by 2015 in accordance with the Water Framework Directive.
<b><u>GK 6</u></b>	To protect and improve the natural character of the Royal Canal and the Rye Water River by promoting access, walkways, cycle lanes and other compatible uses along them, any such proposals in the vicinity of the Rye Water River are subject to Appropriate Assessment to determine the likelihood of such impacts on the designated site.
<b><u>GK 24</u></b>	<p>To conserve and protect riparian (beside rivers) corridors new development will not be permitted within a minimum of 10m from either side of all watercourses measured from the top of the bank, apart from in exceptional circumstances, in order to provide:</p> <ul style="list-style-type: none"> <li>▪ Visual amenity of the river;</li> <li>▪ Public space and access;</li> <li>▪ Public walkway / cycleway / lighting;</li> <li>▪ Spaces to allow for the conservation and enhancement of landscape features, such as tree coverage; and</li> </ul>

	<ul style="list-style-type: none"> <li>▪ Spaces to conserve and enhance biodiversity capacity.</li> </ul> <p>Redevelopment shall seek to create riparian buffer strips of at least 2.5m, along either side of all watercourses measured from the top of the bank. Riparian buffers have the greatest potential to control environmental damage, reduce flooding potential and provide habitats.</p>
<b><u>SIO 15</u></b>	<p style="text-align: center;"><b><u>Water Supply and Management</u></b></p> <p>To ensure that all proposals for the development of an upgrade to the water supply system will be screened for Appropriate Assessment in accordance with Article 6(3) of the Habitats Directive and where significant impacts are identified, a Natura Impact Statement will be prepared.</p>
<b><u>SIO 24</u></b>	<p style="text-align: center;"><b><u>Wastewater</u></b></p> <p>To ensure that any proposals for the development of an upgrade of the waste water treatment plant and waste water network will be subject to Appropriate Assessment in accordance with Article 6(3) and 6(4) of the EU Habitats Directive.</p>
<b><u>SI 15</u></b>	<p style="text-align: center;"><b><u>Surface Water Drainage</u></b></p> <p>To protect surface water and ground water resources and their associated habitats and species including fisheries and in particular Annex II listed species.</p>
<b><u>SI 42</u></b>	<p>To require the use of Sustainable Urban Drainage Systems in all new developments where appropriate. The following measures will apply:</p> <ul style="list-style-type: none"> <li>▪ The infiltration into the ground through the development of porous paving, swales and detention basins;</li> <li>▪ The holding of water in storage areas through the construction of green roofs, rainwater harvesting, detention basins, ponds and wetlands.</li> </ul>
<b><u>SI 20</u></b>	<p style="text-align: center;"><b><u>Groundwater Protection</u></b></p> <p>To protect Kilcock's groundwater resources in accordance with The Water Framework Directive.</p>
<b><u>SI 15</u></b>	<p>To protect surface water and ground water resources and their associated habitats and species including fisheries and in particular Annex II listed species.</p>
<b><u>SI 37</u></b>	<p style="text-align: center;"><b><u>Flood Risk Management</u></b></p> <p>Any proposals aimed at alleviating flooding along the Rye Water River will be subject to Appropriate Assessment in accordance with Article 6(3) and 6(4) of the EU Habitats Directive.</p>
<b><u>SI 39</u></b>	<p>To protect water bodies and watercourses from inappropriate development, including canals, rivers, streams, associated undeveloped riparian strips, wetlands and natural floodplains. This will include protection buffers in riverine and wetland areas as appropriate and promotion of the sustainable management and uses of water bodies and the avoidance, where possible of culverting or realignment of these features.</p>
<b><u>GKO 11</u></b>	<p style="text-align: center;"><b><u>Open space and Recreation</u></b></p> <p>Pedestrian crossings, suitable for the requirements of the mobility impaired, over the River Rye Water and the Royal Canal. Any proposed pedestrian crossings shall be designed so that there is minimum impact on either the River Rye Water or the Royal Canal. In this regard the Heritage Officer and/or the National Parks and Wildlife Service may be contacted to determine the most appropriate locations for such crossing points.</p>

## 2.3 EXISTING ENVIRONMENT

### 2.3.1 Water quality

The Rye River, a tributary of the River Liffey, is located on the western periphery of the town of Kilcock and forms the LAP boundary line running in a northwest to southeast direction. It also serves as a linear county separation between Meath to the north of the river and Kildare to the south.

As previously stated, the Rye River forms part of the Rye Water Valley/Carton SAC which is designated at an area approximately 7km downstream of Kilcock. **Table 2.3** presents qualifying features of this SAC.

According to the Eastern River Basin District Management Plan 2009 - 2015, the Rye River is considered one of the most important salmon spawning grounds in the Liffey catchment. The most recent fisheries stock assessment by Inland Fisheries was conducted in 2011 at the Balfeaghan bridge approximately 300m north of the draft LAP. A total of five fish species were recorded at this location. Minnow was the most abundant species, followed by three-spined stickleback, brown trout, stone loach and lamprey.

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. In line with requirements of the Eastern River Basin District River Basin Management Plans (ERBD RBMP) 2009 – 2015, ecological sampling by the EPA is carried out. A sampling point at Balfeaghan bridge is selected for sampling. 2010 and 2014 sampling at this site revealed the same results presented in **Table 2.2**.

**Table 2.2: ERBD Risk Characterisation and Ecological Classification for the River Rye at Balfeaghan bridge**

Q-Value	Physico-Chemical Status	WFD Ecological Status	Overall Risk Result	Pollution Status
3-4	Moderate	Moderate	At Risk of Not achieving Good Status	Slightly Polluted

The overall status of the Rye River at this location is 'Moderate'.

*It is Council policy (GK 6) to protect and improve the natural character of the Royal Canal and the Rye Water River by promoting access, walkways, cycle lanes and other compatible uses along them, any such proposals in the vicinity of the Rye Water River are subject to Appropriate Assessment to determine the likelihood of such impacts on the designated site*

### 2.3.2 Hydrogeological Features

The GSI (Geographical Survey Ireland) bedrock aquifer mapping identifies that the draft LAP area is underlain by a 'Locally Important Aquifer' Bedrock which is Moderately Productive only in Local Zones. Such aquifers are characterised by a limited and relatively poorly connected network of fractures, fissures and joints, giving a low fissure permeability which tends to decrease further with depth. A shallow zone of higher permeability may exist within the top few metres of more fractured / weather rock, and higher permeability may also occur along fault zones. In general, the lack of connection between the limited fissures results in relatively poor aquifer storage and flow paths that may only extend a few hundred metres. Groundwater Vulnerability indicates that the draft LAP area is predominately located in an area with a vulnerability rating of 'Moderate'

Water Framework Directive assigned the groundwater area as having 'Good' status between 2010 and 2012.

It is Council policy to:

- *Protect Kilcock's groundwater resources in accordance with The Water Framework Directive (SI 20) and;*
- *Protect surface water and ground water resources and their associated habitats and species including fisheries and in particular Annex II listed species (SI 15).*

### 2.3.3 Wastewater Facilities

Kilcock forms part of the Lower Liffey Valley catchment area and is served by the Leixlip Waste Water Treatment Plant, which also serves the towns of Leixlip, Celbridge, Straffan and Maynooth. The plant at Leixlip is currently being upgraded to provide a treatment capacity of 150,000 PE (Population Equivalents). The upgrades to the WWTP will ensure a sufficient supply of waste water infrastructure to serve new development in the plan area.

The Council is committed to ensuring that adequate wastewater treatment facilities are in place to serve the existing and future population of the plan area. It is Council policy to:

- *Ensure that any proposals for the development of an upgrade of the waste water treatment plant and waste water network will be subject to Appropriate Assessment in accordance with Article 6(3) and 6(4) of the EU Habitats Directive (SIO 24)*

### 2.3.4 Natural Heritage / Natura 2000 sites

Kilcock has a diverse natural heritage ranging from rivers, riparian habitats, woodlands and groups of trees particularly in Courtown Demesne.

There are no Natura 2000 sites within the draft LAP boundary. The nearest Natura 2000 site to the draft LAP area of Kilcock is the Rye Water Valley/ Carton SAC located approximately 7 km to the east along the length of the River Rye. Ballynafagh Bog SAC and Ballynafagh Lake SAC are both located approximately 13km southwest of the draft LAP boundary.

There is one pNHA within the draft LAP boundary, namely, the Royal Canal. A number of different habitats are found within the canal boundaries e.g. hedgerows, tall herbs, calcareous grassland, reed fringe, open water, scrub and woodland.

Protection of designated sites is high priority. The aim of the Council is to conserve and protect the natural heritage of the plan area to ensure that the ecological integrity of all natural heritage sites, designated or proposed for designation under European and national legislation, are protected.

It is Council policy to:

- *Protect (c)SACs, SPAs, NHAs, and pNHAs which are designated or become designated and notified to Kildare County Council during the lifetime of this Local Area Plan (GK 16); and*
- *To ensure that an 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 direct or indirect impact on any Natura 2000 site or sites (GKO 5).*



## 2.4 BRIEF DESCRIPTION OF THE NATURA 2000 SITES

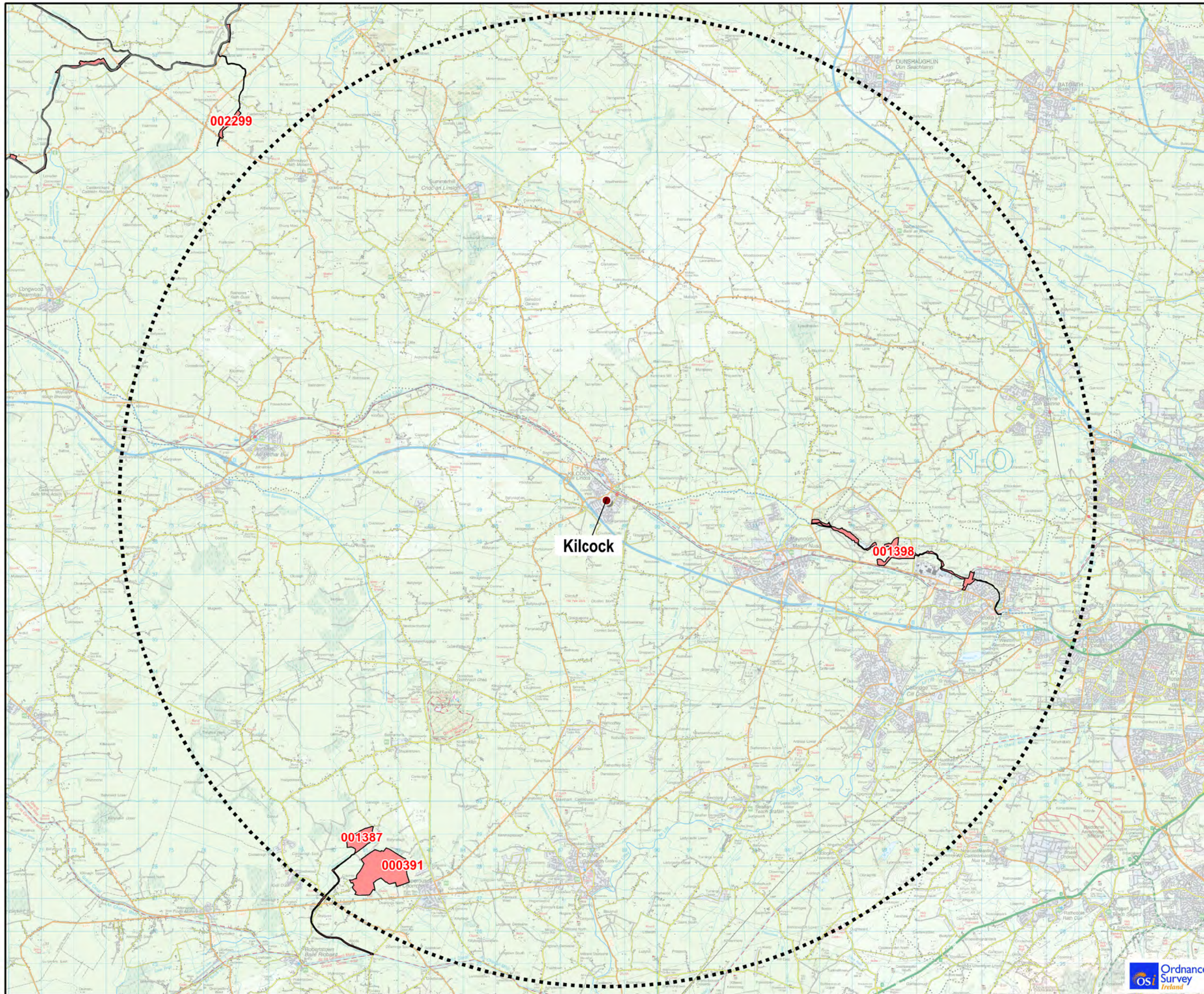
This section of the screening process describes the Natura 2000 sites within a 15km radius of the draft LAP boundary. A 15km buffer zone has been chosen as a precautionary measure, to ensure that all potentially affected Natura 2000 sites are included in the screening process. This is in line with, *Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities*, produced by the Department of the Environment, Heritage and Local Government.

**Table 2.3** lists the SACs that are within 15km of the LAP boundary and **Figure 2.1** shows their locations in relation to the draft Kilcock Local Area Plan 2015-2021.

The integrity of a Natura 2000 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: SACs within 15km of the draft Kilcock Local Area Plan 2015 - 2021**

Site Code	Site Name	Qualifying Habitats	Qualifying Species
001398	Rye Water Valley/Carton	Petrifying Springs [7220]	Narrow-mouthed Whorl Snail ( <i>Vertigo angustior</i> ) [101] Desmoulin's Whorl Snail ( <i>Vertigo moulinsiana</i> ) [1016]
000391	Ballynafagh Bog	Raised Bog [7110] Degraded Raised Bog [7120] Rhynchosporion Vegetation [7150]	-
001387	Ballynafagh Lake	Alkaline fens [7230] Transition mires and quaking bogs [7140]	Desmoulin's Whorl Snail ( <i>Vertigo moulinsiana</i> ) [1016] Marsh Fritillary ( <i>Euphydryas aurinia</i> ) [1065]



**Legend**

**0123** Special Area of Conservation (SAC)

**15 km Buffer**



Data Source: Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) are downloaded from National Parks and Wildlife Service (NPWS) website.



Client

**Kildare County Council**



Project

*Kilcock AA*

Title

**Natura 2000 Sites within 15km (Kilcock)**



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Issue Details

Drawn by: SK	Project No. MDE1199
Checked by: LC	File Ref. MDE1199Mi0001D01
Approved by: AG	Map Projection: ING
Scale: 1: 110,000 @ A3	
Date: 15/01/2015	

Notes

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## 2.5 IDENTIFICATION OF POTENTIAL IMPACTS

The following potential impacts on Natura 2000 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, walkways and other developments within Kilcock has no potential to impact directly on the habitats or species listed as Qualifying Interests of the aforementioned Natura 2000 Sites as these Natura 2000 sites do not lie within the draft LAP boundary (**Figure 2.1**).

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

The construction of new developments within Kilcock poses minimal potential to impact indirectly on the habitats listed as Qualifying Interests of the Natura 2000 sites or result in disturbance to species as they are all a significant distance from the draft LAP area (ie. in excess of 7kms away). The only pathway receptor that exists between the draft LAP area and a Natura 2000 site is the Rye River flowing to the Rye River Valley/Carton SAC over 7km downstream from the draft LAP boundary. 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 direct or indirect impact on any Natura 2000 site or sites.

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

The Water Treatment Plant at Ballymore Eustace serves Kilcock via the Castlewarden Reservoir and the Ballycaghan Reservoir, and it is anticipated that there will be an adequate supply of water to facilitate development during the life of this plan.

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

The construction of new residential and other developments to cater for an increasing population within Kilcock has the potential to result in a reduction in the water quality in the receiving waterbodies through an increase in the waste water discharged. The upgrade to the Leixlip WWTP will have positive impacts for water quality and all new development will be subject to appropriate infrastructure being in place. Therefore, it is not envisaged that the implementation of the Plan will have any negative impacts on water quality.

### 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 Natura 2000 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 direct or indirect impact on any Natura 2000 site or sites.

## 2.6 ASSESSMENT OF LIKELY SIGNIFICANT EFFECTS

### 2.6.1 Direct, Indirect or Secondary Impacts

**Table 2.3** lists the Natura 2000 sites within 15 km of the draft LAP area. There are three SAC sites in all. No SPA sites were identified. The SAC sites identified include:

- Rye Water Valley/ Carton SAC located approximately 7km east of the draft LAP boundary;
- Ballynafagh Bog located approximately 13km southwest of the draft LAP boundary; and
- Ballynafagh Lake located approximately 13km southwest of the draft LAP boundary.

It is the aim of the Council to protect, conserve and enhance the natural heritage and biodiversity within and adjacent to Kilcock. The Council is committed to protecting and enhancing sites designated or proposed for designation under European and national legislation and have specific policies relating to their protection and maintenance, as appropriate e.g. **GK 6, GK 16, GK 17, SI 19**. In particular, it is an objective of the Council to ensure that all plans and projects which could, either individually or in combination with other plans and projects have significant effects on a Natura 2000 site(s) will be subject to Appropriate Assessment Screening (**GKO 5**).

Therefore, the draft Kilcock Local Area Plan will not result in direct impacts on the Natura 2000 sites through land take or fragmentation of habitats.

Other watercourses within and adjacent to the draft LAP area which drain into the Rye River include a second order tributary stream of the Rye River joining the Rye downstream of Dolanstown to the north of the draft LAP boundary. 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 (**SI 15, SI 19, SI 37, SI 39, GK 6, GKO 11, GK 24**). Within the draft LAP area, development proposals will be required to set back a 10m distance from either side of all watercourses measured from the top of the bank, apart from in exceptional circumstances (**GK 24**).

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 Sustainable (urban) Drainage Systems (SuDS) in new developments and have identified specific objectives in this regard (**SI 42**). Reducing the extent of hard surfacing and using permeable pavements will aid in minimizing the risk of flooding and contamination, and protect the environmental and water resources.

Such water quality objectives will ensure that the receiving waterbodies, (e.g. Rye Water Valley/ Carton SAC), are protected, and therefore, will not result in any indirect impacts on the Natura 2000 sites.

Both the Ballynafagh Bog SAC and Ballynafagh Lake SAC are a sufficient distance (13km) from the draft LAP area and has no connecting pathways (i.e. rivers or streams or groundwater receptors) to be impacted by the present or future development of the draft Kilcock LAP area.

This AA has examined each objective within the draft Kilcock LAP and has determined that there is no potential to impact on the Rye Water Valley/ Carton SAC, Ballynafagh Bog SAC and Ballynafagh Lake SAC due to:

- Considerable distance between draft LAP boundary and designated sites; and
- Appropriate policies and procedures set within the LAP framework to offset any potential impacts.

## 2.7 CUMULATIVE IMPACTS

This step aims to identify at this early stage any possible significant in-combination or cumulative effects/impacts of the draft LAP with other such Plans and Projects on the Natura 2000 network. Other Plans and Projects specific to the relevant Natura 2000 sites are presented in Table 2.4

**Table 2.4: In-combination Impacts of the draft LAP with other Plans or Projects**

Name of plan or project	Key issues directly linked to relevant Natura 2000 sites	Potential cumulative or in-combination impacts on relevant Natura 2000 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
Inland Fisheries Ireland Corporate Plan 2011 -2015	Goals: To improve the protection and conservation of the resource. To develop and improve wild fish populations. To increase the number of anglers. To generate a better return for Ireland from the Resource	Positive Impacts
Eastern River Basin Management Plan 2009 -2015	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.	Positive Impacts

	<p>Objectives: 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>	
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### 2.7.1 Likely Changes to the Natura 2000 sites

The likely changes that could arise from the implementation of the draft Local Area Plan have been examined in the context of a number of factors that could potentially affect the integrity of the identified Natura 2000 sites. It has been determined that no Natura 2000 site will be potentially impacted as a result of the draft LAP. **Table 2.5** shows the Likely Changes to Natura 2000 Sites as a result of the draft Local Area Plan.

**Table 2.5: Likely Effects on Natura 2000 Sites**

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/Carlton	None	None	None	None	None	None
Ballynafagh Bog	None	None	None	None	None	None
Ballynafagh Lake	None	None	None	None	None	None

### 3 SCREENING AND CONCLUSIONS

The likely impacts that will arise from the draft Kilcock 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 affect the integrity of the Natura 2000 network. No Natura 2000 site within 15km of the LAP area will 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 Natura 2000 sites, it is concluded that the proposed draft Kilcock 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 SIGNIFICANT EFFECTS REPORT MATRIX

Name of Project or Plan	Draft Kilcock Local Area Plan 2015 - 2021
<p><b>Name and location of Natura 2000 site</b></p>	<p>Rye Water Valley/Carton SAC (7km east of draft LAP boundary)</p> <p>Ballynafagh Lake SAC (13km southwest of draft LAP boundary)</p> <p>Ballynafagh Bog SAC (13km southwest of draft LAP boundary)</p>
<p><b>Description of the Plan or Project</b></p>	<p>Kilcock is a relatively compact town located in Co. Kildare approximately 33km west of Dublin City. It is a service centre for the north Kildare/south Meath area. The town is located primarily between the River Rye and the new M4 motorway. Meath County Council's administrative boundary adjoins the town core to the north, while Courtown Demesne forms the local area plan boundary to the south.</p> <p>The Royal Canal and River Rye Water are distinguishable features of the town, the latter forming the boundary between Counties Kildare and Meath. This unique element influences the development and location of buildings and roads due to constraints of the Royal Canal and the River Rye Water. As a result of these hydrological influences, much of the new development is concentrated to the south of the Royal Canal.</p> <p>The draft LAP will facilitate the appropriate expansion of retail development sufficient to meet local needs and will support tourism development. New community facilities to meet the needs of the existing and future population will also be facilitated.</p> <p>The development of cycleways and upgrading of footpaths is also a key objective of the draft LAP. The Council will promote the use of alternative modes of transport throughout the lifetime of the plan.</p> <p><b>Development Strategy for the Proposed Plan</b></p> <p>The development strategy for Kilcock is to improve the quality of life for the local community and provide for the future sustainable growth of the town.</p> <p><i>Within the next 20 to 30 years Kilcock will be compact and beautiful town which showcases the distinct character of its built and natural heritage. It will be well connected to Dublin City centre and neighbouring towns by exemplary public transport and cycling routes and will support the knowledge based economy in Maynooth and Leixlip by focusing on smart, green innovation-based industries. It will be socially inclusive and have a vibrant community with its neighbourhoods connected by cycling and walking routes, interwoven with a quality bio-diverse greenspace network. In short Kilcock will become a place of choice.</i></p> <p>The draft LAP focuses on the provision of additional infrastructure, services and community facilities to serve the</p>



existing and future population, and visitors to the area. The principles of sustainable development enshrine the strategy, with a strong emphasis on the protection of the area's natural heritage and environment.

#### **Economic Development of the Plan Area**

The draft LAP envisages that Kilcock will experience an increase in population growth which will help to sustain existing services and increase the demand and feasibility to provide other important services in the plan area. The draft LAP focuses on the provision of additional infrastructure, services and community facilities to serve the existing and future population, and visitors to the area. The principles of sustainable development enshrine the strategy, with a strong emphasis on the protection of the area's natural heritage and environment.

Economic development will cater primarily for small to medium scale enterprise, manufacturing and office based industry. Retail development will be restricted to meeting local needs in the form of local shops and services.

The plan will seek to promote employment and enterprise land uses in order to provide opportunities for Kilcock to become a self-sustaining town as well as encouraging and facilitating the mixed use regeneration of Kilcock town's core retail area, the Market Square being of particular importance.

#### **Tourism**

Kilcock is well situated within a wealth of tourism opportunities including the Royal Canal, Larchill Arcadian Gardens, Carton House, Maynooth Castle, Leixlip Castle, Fairyhouse RaceCourse and the K Club, to name a few. There is significant potential to expand the tourism potential of Kilcock. Tourist activity can support community development, lead to local employment and help to enhance the overall image of the area. Opportunities exist to improve and strengthen the relationship between the town and these tourist attractions so that Kilcock could benefit from an increase in visitor numbers.

The town's built heritage is a unique and definitive feature of Kilcock and it is recognised that this is a unique resource that attracts tourism.

The draft LAP supports the sustainable development of the Royal Canal for recreation activities and associated infrastructure. The heritage, tourism and recreational opportunities of the Royal Canal will be promoted as a key feature for Kilcock with opportunities for the creation of a linear park with linked pedestrian and cyclist routes. Any such development will also have to comply with all relevant EU and national legislation, in particular the Habitats Directive and Environmental Impact Assessment.

### **Community Facilities**

The draft LAP supports the provision of an extended range of community facilities in the plan area. It is considered that based on the size of the population, the development of further community facilities would make a significant contribution to the local community. These facilities could be used for a variety of purposes including the delivery of suitable health care services, community resource work, childcare and as well as catering for the various social and recreational needs of the community.

### **Access and Movement**

Kilcock is serviced by both bus and rail facilities, with the local rail network serviced by the Dublin/Sligo mainline train and a Bus Eireann route from Dublin to Mullingar servicing Kilcock. Improvements in road and rail services may influence the potential for tourism in the town. It is therefore important that Kilcock seeks continued improvement of such connections with Dublin, Maynooth, Leixlip and Celbridge.

The draft LAP seeks to rectify the current congestion problem that exists within Kilcock. Uncontrolled car parking in the town is a problem, and it appear that an overflow of commuter car parking is one of the main contributory factors to this problem. The provision of a 'park and ride' facility at an appropriate location within the town is an option being considered in order to alleviate this issue.

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. In view of this, there are objectives in place to include cycle and walking routes to reduce the need to use cars and increase the appeal of these alternative modes of transport. This will potentially improve the congestion problem. This is discussed in more detail in Chapter 8 of the draft LAP.

Generally, the town centre and the established residential housing developments are well served by footpaths; however, there is room for improvement. A well connected footpath network is essential to encourage more walking and improve public safety and therefore it is an objective of the draft LAP to address this. There are objectives in place to refurbish and increase footpath widths improving access for the mobility impaired. This will take place in select locations including the area between the Fairgreen and Connaught Street, along the Royal Canal and installing a boardwalk along the Math Bridge. This is discussed in greater detail in Section 8.1.4.5 of the draft LAP.

### **Housing**

A target of 850 new housing units was set as part of the County Settlement Strategy within Kilcock over the period 2006-2017. The Regional Planning Guidelines have allocated an annual target of 3,122 units for the county over the period 2016-2022. Kilcock's allocation for 2017-2021 is

therefore calculated as 3% of this annual county target (94 units x 4yrs). Adding this to the 2017 housing unit target (850 units) gives a revised target of 1,226 new housing units for Kilcock for the plan period 2006-2021. Regard must be had for constructed units in the town between 2006-2014 (136 no. units) and the 574 no. unbuilt units with valid planning permission currently in existence. Overzoning by 50% must also be taken into account as advocated in the 'Development Plan Guidelines for Planning Authorities' (2007). This gives a target of 1,061 units for the period 2015-2021.

There is sufficient undeveloped land zoned in the plan area to meet the housing requirement. This, taken in conjunction with the number of housing units which can be provided by the current vacant stock and the extant permissions, is considered sufficient to meet the housing needs of the area during the lifetime of the draft LAP.

#### **Built and Natural Heritage**

Kilcock's natural heritage is a unique and special resource. As well as the Royal Canal and the Rye River habitats, the natural heritage includes woodland and the Courtown Demesne to the south of the plan area. It is vital to retain existing key landscapes and open spaces which promote the very identity and fabric of Kilcock. Kilcock is also the only place in Europe where a road, a canal (Royal Canal), a railway and a river (The Rye River) run side-by-side.

There are distinctive elements of built heritage which make a positive contribution to the character of the area and help to achieve a sense of place. This includes the Square in Kilcock and St. Coco's Church to name a few. Such features have an important social and historical association with the development of the town. The Council is committed to the protection, appreciation and appropriate re-use of this built heritage.

The Council will ensure that features or items of archaeological interest and recognised areas of archaeological potential are suitably safeguarded from development that would adversely affect and/or detract from the interpretation and setting of these sites.

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 Natura 2000 sites within or immediately adjoining the plan area, there are three sites within a 15km range of the LAP boundary. These sites include the Rye

Water Valley / Carton SAC located approximately 7km to the east and Ballynafagh Bog SAC and Ballynafagh Lake SAC located 13km southwest of the LAP boundary. It is therefore an objective of the LAP to ensure that every plan or project and any associated works, individually or in combination with other plans and projects, are subject to appropriate assessment screening to ensure that there are no likely significant effects on the integrity of any Natura 2000 site(s) and that the requirements of Article 6(3) and 6(4) of the Habitats Directive are fully satisfied (Section 9.4.3 of draft LAP).

The Royal Canal is a manmade waterway comprising the central channel and the banks either side of it. It serves as a wildlife corridor and is designated a proposed Natural Heritage Area (pNHA).

#### **Infrastructure**

New developments in Kilcock should contribute to the unique identity and sense of place. There will be a requirement for developments to demonstrate a positive urban design response. Applications for large scale developments will be required to include an Urban Design Statement with their proposals.

The main considerations for development within the town and its outskirts within zoned areas are outlined below:

- There are objectives in place to facilitate the development of a business park on lands near Courtown Demense. Any proposed developments in the area will consider landscape and habitat integrations through a high standard of layout and design;
- There are opportunities within zoned areas of the town centre to provide for and improve retailing, residential, commercial, office, cultural and other uses appropriate to town centre;
- There are objectives in place to develop the residential element of the Bawnogues and Common East areas of the town which are located on the south east of the draft LAP boundary and Branganstown located to the south west of the draft LAP boundary;
- To develop linear parks along the Royal Canal and the Rye River linking them to existing parks and open space creating green routes and wildlife corridors throughout Kilcock where appropriate and in accordance with the requirements of the Habitats Directive;
- To utilize the area known as the 'island', an area between the rail line and the Royal Canal, for the development a car park for the railway station and recreational facilities; and
- To develop a pedestrian/cyclist bridge over the River Rye to County Meath.

### Flood Risk Management and Surface Water

It has been identified that the risk of flooding in Kilcock has increased due to climate change. There are two types of flooding events which can arise separately or in combination in Kilcock:

- Fluvial Flooding arising from river and streams; and
- Pluvial Flooding arising from extreme rainfall.

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 (Section 8.2.4.7 of draft LAP). 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 offer the opportunity to combine water management with green space, which can increase amenity and biodiversity.

Kildare County Council will have regard to all future flood maps and the flood management plan when assessing development proposals and will not permit development in areas at risk of flooding (Section 8.2.4.6 of the draft LAP).

### EXISTING ENVIRONMENT

#### Water Quality

The Rye River, a tributary of the River Liffey, is located on the western periphery of the town of Kilcock and forms the LAP boundary line running in a northwest to southeast direction. It also serves as a linear county separation between Meath to the north of the river and Kildare to the south.

As previously stated, the Rye River forms part of the Rye Water Valley/Carton SAC which is designated at an area approximately 7km downstream of Kilcock. **Table 2.3** presents qualifying features of this SAC.

According to the Eastern River Basin District Management Plan 2009 - 2015, the Rye River is considered one of the most important salmon spawning grounds in the Liffey catchment. The most recent fisheries stock assessment by Inland Fisheries was conducted in 2011 at the Balfeaghan bridge approximately 300m north of the draft LAP. A total of five fish species were recorded at this location. Minnow was the most abundant species, followed by three-spined stickleback, brown trout, stone loach and lamprey.

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. In line with requirements of the Eastern River Basin District River Basin Management Plans (ERBD RBMP) 2009 – 2015, ecological sampling by the EPA is carried out. A sampling point at Balfeaghan bridge is selected for sampling. 2010 and 2014 sampling at this site revealed the same results,

Q-Value (3-4), Physico-Chemical Status (Moderate), WFD Ecological Status (Moderate), Overall Risk Objective (At Risk of Not achieving Good Status), Pollution Status (Slightly Polluted)

The overall status of the Rye River at this location is 'Moderate'.

*It is Council policy (GK 6) to protect and improve the natural character of the Royal Canal and the Rye Water River by promoting access, walkways, cycle lanes and other compatible uses along them, any such proposals in the vicinity of the Rye Water River are subject to Appropriate Assessment to determine the likelihood of such impacts on the designated site*

#### **Hydrogeological Features**

The GSI (Geographical Survey Ireland) bedrock aquifer mapping identifies that the draft LAP area is underlain by a 'Locally Important Aquifer' Bedrock which is Moderately Productive only in Local Zones. Such aquifers are characterised by a limited and relatively poorly connected network of fractures, fissures and joints, giving a low fissure permeability which tends to decrease further with depth. A shallow zone of higher permeability may exist within the top few metres of more fractured / weather rock, and higher permeability may also occur along fault zones. In general, the lack of connection between the limited fissures results in relatively poor aquifer storage and flow paths that may only extend a few hundred metres. Groundwater Vulnerability indicates that the draft LAP area is predominately located in an area with a vulnerability rating of 'Moderate'

Water Framework Directive assigned the groundwater area as having 'Good' status between 2010 and 2012.

It is Council policy to:

- *Protect Kilcock's groundwater resources in accordance with The Water Framework Directive (SI 20) and;*
- *Protect surface water and ground water resources and their associated habitats and species including fisheries and in particular Annex II listed species (SI 15).*

#### **Wastewater Facilities**

Kilcock forms part of the Lower Liffey Valley catchment area

	<p>and is served by the Leixlip Waste Water Treatment Plant, which also serves the towns of Leixlip, Celbridge, Straffan and Maynooth. The plant at Leixlip is currently being upgraded to provide a treatment capacity of 150,000 PE (Population Equivalents). The upgrades to the WWTP will ensure a sufficient supply of waste water infrastructure to serve new development in the plan area.</p> <p>The Council is committed to ensuring that adequate wastewater treatment facilities are in place to serve the existing and future population of the plan area. It is Council policy to:</p> <ul style="list-style-type: none"> <li>▪ <i>Ensure that any proposals for the development of an upgrade of the waste water treatment plant and waste water network will be subject to Appropriate Assessment in accordance with Article 6(3) and 6(4) of the EU Habitats Directive (SIO 24)</i></li> </ul> <p><b>Natural Heritage/ Natura 2000 Sites</b></p> <p>Kilcock has a diverse natural heritage ranging from rivers, riparian habitats, woodlands and groups of trees particularly in Courtown Demesne.</p> <p>There are no Natura 2000 sites within the draft LAP boundary. The nearest Natura 2000 site to the draft LAP area of Kilcock is the Rye Water Valley/ Carton SAC located approximately 7 km to the east along the length of the River Rye. Ballynafagh Bog SAC and Ballynafagh Lake SAC are both located approximately 13km southwest of the draft LAP boundary.</p>
<b>Is the project or Plan directly connected with or necessary to the management of the site</b>	No
<b>Are there other Plans or projects that together with the project of Plan being assessed could affect the 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 Natura 2000 site</b>	The proposed development is not likely to affect Natura 2000 sites
<b>Explain why these effects are not considered significant</b>	<p><b>Table 2.3</b> lists the Natura 2000 sites within 15 km of the draft LAP area. There are three SAC sites in all. No SPA sites were identified. The SAC sites identified include:</p> <ul style="list-style-type: none"> <li>▪ Rye Water Valley/ Carton SAC located approximately 7km east of the draft LAP boundary;</li> <li>▪ Ballynafagh Bog located approximately 13km southwest of the draft LAP boundary; and</li> <li>▪ Ballynafagh Lake located approximately 13km southwest of the draft LAP boundary.</li> </ul> <p>It is the aim of the Council to protect, conserve and enhance the natural heritage and biodiversity within and adjacent to Kilcock. The Council is committed to protecting and enhancing sites designated or proposed for designation</p>

	<p>under European and national legislation and have specific policies relating to their protection and maintenance, as appropriate e.g. <b>GK 6, GK 16, GK 17, SI 19</b>. In particular, it is an objective of the Council to ensure that all plans and projects which could, either individually or in combination with other plans and projects have significant effects on a Natura 2000 site(s) will be subject to Appropriate Assessment Screening (<b>GKO 5</b>).</p> <p>Therefore, the draft Kilcock Local Area Plan will not result in direct impacts on the Natura 2000 sites through land take or fragmentation of habitats.</p> <p>Other watercourses within and adjacent to the draft LAP area which drain into the Rye River include a second order tributary stream of the Rye River joining the Rye downstream of Dolanstown to the north of the draft LAP boundary. 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 (<b>SI 15, SI 19, SI 37, SI 39, GK 6, GKO 11, GK 24</b>). Within the draft LAP area, development proposals will be required to set back a 10m distance from either side of all watercourses measured from the top of the bank, apart from in exceptional circumstances (<b>GK 24</b>).</p> <p>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 Sustainable (urban) Drainage Systems (SuDS) in new developments and have identified specific objectives in this regard (<b>SI 42</b>). Reducing the extent of hard surfacing and using permeable pavements will aid in minimizing the risk of flooding and contamination, and protect the environmental and water resources.</p> <p>Such water quality objectives will ensure that the receiving waterbodies, (e.g. Rye Water Valley/ Carton SAC), are protected, and therefore, will not result in any indirect impacts on the Natura 2000 sites.</p> <p>Both the Ballynafagh Bog SAC and Ballynafagh Lake SAC are a sufficient distance (13km) from the draft LAP area and has no connecting pathways (i.e. rivers or streams or groundwater receptors) to be impacted by the present or future development of the draft Kilcock LAP area.</p> <p>This AA has examined each objective within the draft Kilcock LAP and has determined that there is no potential to impact on the Rye Water Valley/ Carton SAC, Ballynafagh Bog SAC and Ballynafagh Lake SAC due to:</p> <ul style="list-style-type: none"> <li>▪ Considerable distance between draft LAP boundary and designated sites; and</li> <li>▪ Appropriate policies and procedures set within the LAP framework to offset any potential impacts.</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>	NPWS database EPA Database Information from Kildare County Council
<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 Kilcock 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 affect the integrity of the Natura 2000 network. No Natura 2000 site within 15km of the 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 Natura 2000 sites, it is concluded that the proposed draft Kilcock Local Area Plan will not have a significant effect on the Natura 2000 network and a Stage 2 Appropriate Assessment is not required.</p>

