



# Screening for Appropriate Assessment

## of the Draft Kilcullen Local Area Plan 2014-2020 and the Proposed Material Alterations

### DOCUMENT CONTROL SHEET

Client:	Kildare County Council					
Project Title:	Kilcullen Local Area Plan 2014-2020					
Document Title:	Screening for Appropriate Assessment					
Document No:	MDE1048RP0022F02					
This Document Comprises:	DCS	TOC	Text	List of Tables	List of Figures	No. of Appendices
	1	1	16	1	1	-

Rev.	Status	Author(s)	Reviewed By	Approved By	Office of Origin	Issue Date
A01	Approval of Client	Brian Deegan	Emma Oliveira	Emma Oliveira	West Pier	18/02/2014
F01	Final	Brian Deegan	Emma Oliveira	Emma Oliveira	West Pier	20/02/2014
F02	Final	Various	Emma Oliveira	Aileen Fitzgerald	West Pier	15/08/2014
						

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# 1 INTRODUCTION

This report comprises information in support of screening for an Appropriate Assessment 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) of the draft Kilcullen Local Area Plan 2014-2020.

## 1.1 DRAFT KILCULLEN LOCAL AREA PLAN 2014-2020

The draft Kilcullen Local Area Plan 2014-2020 has been prepared in accordance with the requirements and provisions of the Planning and Development Act 2000, as amended. It sets out an overall strategy for the proper planning and sustainable development of Kilcullen in the context of the Kildare County Development Plan 2011-2017 and the Regional Planning Guidelines for the Greater Dublin Area 2010-2022. It is also informed by Ministerial Guidelines published pursuant to Section 28 of the Planning and Development Act 2000, as amended, together with EU requirements regarding Strategic Environmental Assessment and Appropriate Assessment.

The aim of the draft Plan is *To establish a framework for the physical, socio economic, cultural and recreational development of Kilcullen in a planned, co-ordinated and sustainable manner in order to conserve and enhance the established tradition and intrinsic character of the town.*

## 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. 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 mean that where the implementation of the draft Plan has potential to have a significant effect on a Natura 2000 site, the relevant Local Authority (Kildare County Council) must ensure that an appropriate assessment is carried out in view of that site's conservation objectives. The draft Plan can be approved by Kildare County Council only 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 scheme can only be approved for reasons of overriding public interest.

### 1.3 STAGES OF THE 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 screening has had regard to the following guidance:

- Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities. Department of Environment, Heritage and Local Government. <http://www.npws.ie>
- Managing Natura 2000 Sites: the provisions of Article 6 of the Habitats Directive 92/43/EEC, referred to as MN2000, European Commission 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, referred to as the "EC Article 6 Guidance Document (EC2000); <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. <http://ec.europa.eu>

In complying with the obligations under Article 6(3) and following the EC2000 and MN2000 Guidelines, this AA has been structured in a stage by stage approach as follows:

#### 1) Screening stage

- Description of the draft Plan;
- Identification of Natura 2000 sites potentially affected;
- Identification and description of individual and cumulative impacts likely to result from the draft Plan;
- Assessment of the significance of the impacts identified on site integrity;
- Exclusion of sites where it can be objectively concluded that there will be no significant effects; and
- Screening conclusion.

## **2 SCREENING**

### **2.1 DESCRIPTION OF DRAFT PLAN**

The County Development Plan (CDP) sets out the overall strategy for the proper planning and sustainable development of County Kildare over the period 2011-2017. The CDP aims to direct population growth into the Metropolitan urban areas of the county but also into key towns and villages in the hinterland area including Naas, Newbridge, Athy, Kildare, Monasterevin and Kilcullen.

The CDP also emphasises the need to protect the built heritage, unique landscape, natural heritage and biodiversity of the county for their intrinsic value and as resources for the tourist economy of the future.

The designation of Kilcullen as a Moderate Sustainable Growth Town is reinforced in the CDP settlement strategy with the town being targeted for consolidated growth. Kilcullen town is primarily a service centre for east and south Kildare.

#### **2.1.1 Future Development Strategy**

The strategy for the future development of Kilcullen is based on the principles established in the previous LAP in 2008 and the framework provided by the Regional Planning Guidelines 2010-2022 and the Kildare County Development Plan 2011-2017. It provides a blueprint for the development of Kilcullen Town for the period 2014 – 2020, setting out a vision for the area, specifying the type, amount and quality of development needed to achieve that vision while seeking to protect and enhance the environment and amenities.

The vision for the town is to build on the strengths of Kilcullen and to provide a focused approach to planning for future development in a coherent sustainable fashion. It is envisaged that Kilcullen will continue to grow over the short to medium term to achieve a critical mass which will support competitiveness, sustainability and create opportunities for local economic development. The development of the town will be complemented by a range of residential, employment, recreational, community, retail and educational facilities appropriate for a town of its size.

The strategic direction for the future development of Kilcullen will focus on:

#### **1. Economic Development**

This draft LAP seeks to consolidate and enhance Kilcullen's role which is to support the primary economic growth cluster of Naas and Newbridge. Key to this will be supporting the existing industrial and manufacturing enterprises in the town and facilitating opportunities for expansion and increased employment.

#### **2. Town Centre Consolidation**

It is critical that the primacy of the town centre as the commercial heart of Kilcullen is maintained. Development which undermines the vitality and viability of the town centre will not be permitted. Protecting and providing residential accommodation within the town centre will be promoted.

#### **3. Planning for Residential Expansion**

The Plan ensures the supply of suitably zoned serviced land to accommodate the future growth of Kilcullen in line with its designation in the Regional Planning Guidelines as a Moderate

Sustainable Growth Town. Much of the land zoned for residential purposes under the 2008 LAP remains zoned in this draft Plan. The draft Plan also supports the provision of services and amenities for the town's residents.

#### **4. Retail Development**

Kilcullen has a limited retail and service offer. It is therefore critical that the retail base of the town expands within the identified town centre to become more self-sufficient. Design briefs for key sites within the town are outlined in the draft Plan. It is important that new retail and mixed use developments comply with the general principles of the design briefs in order to preserve the town as a thriving commercial area set within a high quality built environment.

#### **5. Protection of the Natural and Built Heritage**

Protection and enhancement of the unique architectural and archaeological heritage of the town is paramount. The retention of vernacular buildings on the Main Street will ensure the character of the town remains intact.

## **2.2 EXISTING ENVIRONMENT AT THE LAP LANDS**

Kilcullen derives its name from Cill Cuillinn, the Church of the Holly and was an important crossing point of the River Liffey from Medieval times. The town officially known, mapped and recorded as Kilcullen Bridge developed after 1319, when a bridge was constructed across the River Liffey. Even as late as the 18th century the new settlement was mainly on the eastern bank of the Liffey. The town further expanded in the early 19th century and in 1837 the official town area comprised one principal street of 112 buildings chiefly on the western bank of the Liffey. The town developed along the street leading to the bridge which expanded to the north and south in the 19th and 20th Century.

The town expanded west of the town centre in the latter part of the 20th century with the development of the Mart Site on the Newbridge road and the Link Business Park on the Naas road north of the town.

Today, Kilcullen is a busy and diverse town with a mix of services including shops, restaurants, cafes, bars and community facilities. The most recent residential developments in the town have been developed to the south-west of the town in Castelemartin adjacent to the schools and east of the town at Riverside Manor and Hillcrest. The M9 Motorway acts as a natural barrier to expansion to the west of the town and Castlemartin Demesne will constrain development to the northwest. Kilcullen Business Park was developed south of the town centre in the early part of the last decade while the Link Business Park was developed to the north of the town.

There are a number of natural and man-made constraints which have influenced the historic development of the town, the River Liffey flowing south east to north west of the town and Castlemartin Demesne, and the M9 to the west of the town. Beyond the immediate areas within the town boundary lies Dun Ailinne to the south, an ancient ceremonial site on the hill of Knockaulin, Brannockstown to the east, Athgarvan and the Curragh to the west and Naas to the north. The plan is cognisant of the local context and environmental landscape and topography in which the town is located.

### **2.2.1 Water Quality / Water Framework Directive**

Kilcullen lies within the Eastern River Basin District for which a River Basin Management Plan 2009-2015 has been prepared. The River Liffey flows south east to north west through the town and is located in the Liffey Lower 2 waterbody. This waterbody is part of the Liffey Water Management Unit. The overall status of this waterbody is "Moderate" with restoration to "Good Status" required by 2021.

River water monitoring is carried out by the Council and other agencies for the purposes of implementing the Water Framework Directive. Policies in relation to the maintenance and improvement of water quality are set out in Section 7.6.2 of the CDP.

The River Liffey is an important recreational and wildlife amenity in Kilcullen and the Council is committed to protecting and enhancing this river. The draft LAP includes objectives for the protection and improvement of the River Liffey and its water quality, including the Land Use Zoning along both banks as Open Space and Amenity.

### **2.2.2 Water Supply**

Kilcullen is primarily supplied from the Ballymore Eustace Regional Water Supply. Water supply is adequate to serve the present needs. The supply has been enhanced by the River Barrow Abstraction scheme which was commissioned in July 2013 and is due for full competition in December 2014.

The level of growth in Kilcullen will be managed in line with the ability of local services to cater for future growth. No development shall be permitted to proceed if the local services are insufficient to cater for the development.

### **2.2.3 Wastewater Facilities**

Kilcullen is served by the Upper Liffey Valley Sewerage Scheme. All wastewater in this area is pumped to the Osberstown Treatment Plant in Naas. The pumped sewer to Osberstown requires upgrading. It is envisaged that the upgrade to 130,000 P.E. will be completed in the second half of 2016 subject to appropriate approvals and availability of funding.

The level of growth in Kilcullen will be managed in line with the ability of local services to cater for future growth. No development shall be permitted to proceed unless adequate wastewater service provision is in place.

### **2.2.4 Groundwater Protection**

Kilcullen is situated in the Curragh Sand and Gravel groundwater waterbody. The overall status of this waterbody is "Good" and therefore must at a minimum be protected. Kilcullen is situated on a regionally important sand and gravel aquifer with groundwater vulnerability in the area classified as High. The Geological Survey of Ireland has completed a Groundwater Protection Scheme for County Kildare. The overall aim of the groundwater protection scheme is to preserve the quality of groundwater, particularly for drinking water purposes, for the benefit of present and future generations. The scheme is not intended to have any statutory authority, but provides a framework for decision-making and guidelines for the Council in carrying out its functions.

### **2.2.5 Flood Protection and Management**

In line with "The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009)", the preparation of this plan was subject to Strategic Flood Risk Assessment (SFRA). The SFRA has recommended that development proposals for a number of areas within the Plan Boundary be the subject of site-specific flood risk assessment appropriate to the nature and scale of the development being proposed (refer to Map no. 2). Chapter 7 (Water, Drainage and Environmental Services) of the Kildare CDP 2011-2017 sets out the general policies, requirements and objectives which are to be applied for the purpose of ensuring that flood risk management is fully integrated into this plan.

In order to reduce surface water run-off and minimise the risk of flooding, the LAP lands shall be required to be developed in accordance with Sustainable Drainage System (SuDS) principles in compliance with the Greater Dublin Strategic Drainage Study. This approach using SuDS can best be summarised as offering a “total” solution to rainwater management. Water is either infiltrated or conveyed more slowly to the drainage system, and ultimately to watercourses, using for example permeable paving, swales, infiltration trench/blanket, soakways, green roofs, rain water harvesting, detention basins, ponds and wetlands. These facilities are designed to prevent pollution of streams and rivers and to slow runoff from sites, thereby helping to prevent downstream flooding and improve water quality. A “treatment train” approach is required to mimic natural catchment processes as closely as possible. This strategy shall comprise of a series of features which incrementally reduce pollution, flow rates and volumes of runoff.

## 2.3 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 Plan 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 2.1** lists the SACs and SPAs that are within 15km of the Plan boundary, and **Figure 2.1** shows their locations in relation to the draft Kilcullen Local Area Plan 2014-2020.

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 2.1: SACs and SPAs within 15km of Kilcullen LAP and their Qualifying Features**

Site Code	Site Name	Qualifying Habitats	Qualifying Species
000396	Pollardstown Fen SAC	Calcareous fens with <i>Cladium mariscus</i> and species of the <i>Caricion davalliance</i> [7210]; Petrifying springs with tufa formation (Cratoneurion) [7220]; and Alkine fens [7230].	Greyer's Whorl Snail [1013]; Narrow-mouthed Whorl Snail [1014]; and Desmoulin's Whorl Snail [1016].
002331	Mouds Bog SAC	Active raised bogs [7110]; Degraded raised bogs still capable of natural regeneration [7120]; and Depressions on peat substrates of the <i>Rhynchosporion</i> [7150].	-
000397	Red Bog SAC	Transition mires and quaking bogs [7140].	-
002162	River Barrow and River Nore SAC	Estuaries [1130] Mudflats and sandflats not covered by seawater at low tide [1140] Salicornia and other annuals colonizing mud and sand [1310] Atlantic salt meadows ( <i>Glaucopuccinellietalia maritima</i> ) [1330] Mediterranean salt meadows	<i>Vertigo moulinsiana</i> [1016] Freshwater pearl mussel ( <i>Margaritifera margaritifera</i> ) [1029] White-clawed crayfish ( <i>Austropotamobius pallipes</i> ) [1092] Sea lamprey ( <i>Petromyzon marinus</i> ) [1095] Brook lamprey ( <i>Lampetra planeri</i> )



Site Code	Site Name	Qualifying Habitats	Qualifying Species
		<p>(<i>Juncetalia maritima</i>) [1410]</p> <p>Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation [3260]</p> <p>European dry heaths [4030]</p> <p>Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels [6430]</p> <p>Petrifying springs with tufa formation (<i>Cratoneurion</i>) [7220]</p> <p>Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in British Isles [91A0]</p> <p>Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>) [91E0]</p>	<p>[1096]</p> <p>River lamprey (<i>Lampetra fluviatilis</i>) [1099]</p> <p>Allis shad (<i>Alosa alosa</i>) [1102]</p> <p>Twaite shad (<i>Alosa fallax fallax</i>) [1103]</p> <p>Salmon (<i>Salmo salar</i>) [1106]</p> <p>Otter (<i>Lutra lutra</i>) [1355]</p> <p>Killarney fern (<i>Trichomanes speciosum</i>) [1421]</p> <p>Nore Pearl mussel (<i>Margaritifera durrovensis</i>) [1990]</p>
000781	Slaney River Valley SAC	<p>Estuaries [1130];</p> <p>Mudflats and sandflats not covered by seawater at low tide [1140];</p> <p>Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation [3260];</p> <p>Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in British Isles [91A0]; and</p> <p>Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>) [91E0].</p>	<p>Freshwater pearl mussel (<i>Margaritifera margaritifera</i>) [1029];</p> <p>Sea lamprey (<i>Petromyzon marinus</i>) [1095];</p> <p>Brook lamprey (<i>Lampetra planeri</i>) [1096];</p> <p>River lamprey (<i>Lampetra fluviatilis</i>) [1099];</p> <p>Twaite shad (<i>Alosa fallax fallax</i>) [1103];</p> <p>Salmon (<i>Salmo salar</i>) [1106]; and</p> <p>Otter (<i>Lutra lutra</i>) [1355].</p>
004063	Poulaphouca Reservoir SPA	-	<p>Bird species listed as Special Conservation Interests for this SPA: Greylag Goose, Lesser Black-backed Gull, Wetland &amp; Waterbirds.</p>

## 2.4 ASSESSMENT OF LIKELY SIGNIFICANT EFFECTS

### 2.4.1 Direct, Indirect or Secondary Impacts

As shown in **Table 2.1** there are 5 SACs and 1 SPA within 15km of the LAP area. No Natura 2000 sites lie within the boundaries of the LAP lands; therefore, no direct impacts will occur through landtake or fragmentation of habitats. In addition, the LAP lands of Kilcullen are approximately 7.6km from the nearest Natura 2000 site (Pollardstown Fen SAC). Therefore, no impacts through direct disturbance of habitats and species will occur from development occurring through the implementation of the objectives of the draft LAP.

Any changes to the groundwater regime or surface water quality could have adverse effects on the habitats and species for which the Pollardstown Fen SAC and Mouds Bog SAC are designated.

#### **Pollardstown Fen SAC**

Pollardstown Fen SAC is located approximately 7.6km to the northwest of the draft LAP boundary. There are a number of major roads (e.g. M9 and M7) and towns (e.g. Newbridge) between the draft LAP boundary and Pollardstown Fen SAC. Given the elevation of the Pollardstown Fen SAC in the surrounding landscape relative to Kilcullen, it is anticipated that groundwater within the draft LAP boundary drains towards the River Liffey and is not connected to the groundwater of Pollardstown Fen SAC, which is also likely to drain to the north. Any potential development in Kilcullen is highly unlikely to impact on the groundwater regime of Pollardstown Fen SAC and therefore will not impact on the integrity of the SAC or the habitats and species for which it is designated.

#### **Mouds Bog SAC**

Mouds Bog SAC is located approximately 9.5km to the northwest of the draft LAP boundary. There are a number of major roads (e.g. M9 and M7) and towns (e.g. Newbridge) between the draft LAP boundary and Mouds Bog SAC. Given the elevation of the Mouds Bog SAC in the surrounding landscape relative to Kilcullen, it is anticipated that groundwater within the draft LAP boundary drains towards the River Liffey and is not connected to the groundwater of Mouds Bog SAC, which is also likely to drain to the River Liffey further north. Any potential development in Kilcullen is highly unlikely to impact on the groundwater regime of Mouds Bog SAC and therefore will not impact on the integrity of the SAC or the habitats for which it is designated.

#### **Red Bog Kildare SAC**

Red Bog Kildare SAC is located approximately 13.8km to the northeast of the draft LAP boundary. Given the elevation of Red Bog Kildare SAC in the surrounding landscape relative to Kilcullen, significantly higher elevation, it is anticipated that groundwater within the draft LAP boundary drains towards the River Liffey and is not connected to the groundwater of Red Bog Kildare SAC. Any potential development in Kilcullen is highly unlikely to impact on the groundwater regime of Red Bog Kildare SAC and therefore will not impact on the integrity of the SAC or the habitat for which it is designated.

#### **River Barrow and River Nore SAC**

The River Barrow and River Nore SAC is located approximately 11.5km to the south-west of the draft LAP boundary. There are no connecting pathways (rivers or streams) between the LAP lands and the SAC, and so any potential development in Kilcullen will not impact on the surface water quality or regime of the River Barrow and River Nore SAC, and therefore will not impact on the integrity of the SAC or the habitats and species for which it is designated.

## Slaney River Valley SAC

The Slaney River Valley SAC is located approximately 14.7km to the south-east of the draft LAP boundary. There are no connecting pathways (rivers or streams) between the LAP lands and the SAC, and so any potential development in Kilcullen will not impact on the surface water quality or regime of the Slaney River Valley SAC, and therefore will not impact on the integrity of the SAC or the habitats and species for which it is designated.

## Poulaphouca Reservoir SPA

Poulaphouca Reservoir SPA is located approximately 11.5km upstream and to the east of the draft LAP boundary. Due to the distance of the LAP lands, no impacts through direct or indirect disturbance of species and habitats will occur from development occurring through the implementation of the objectives of the draft LAP. Also, due to the fact that the SPA is located upstream of the LAP lands, no potential impacts to water quality would be expected.

## 2.4.2 Cumulative and In Combination Impacts

This step aims to identify at this early stage any possible significant in-combination or cumulative effects/impacts of the proposed draft LAP with other such plans and projects on the identified Natura 2000 sites. Other plans and projects specific to the relevant Natura 2000 sites are the following:

- Kildare County Development Plan 20011-2017;
- Newbridge Local Area Plan 2013-2019;
- Greater Dublin Area Regional Planning Guidelines 2010;
- National Spatial Strategy;
- Eastern RBD Management Plan;
- Water Services Investment Programme;
- IPPC Programme;
- Local Authority Discharge;
- Groundwater Pollution Reduction Programmes;
- Surface Water Pollution Reduction Programmes;
- Catchment Flood Risk Assessment and Management Study; and
- Catchment Flood Risk Management Plans.

No other pathway has been identified by which any of the plans and projects identified could have a significant 'in combination' effect on any of the 6 Natura 2000 sites identified.

## 2.4.3 Likely Changes to the Site

The likely changes that could arise from the implementation of the draft LAP 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 sites will be potentially impacted as a result of the draft LAP. **Table 2.2** shows the Likely Changes to Natura 2000 Sites as a result of the draft LAP.

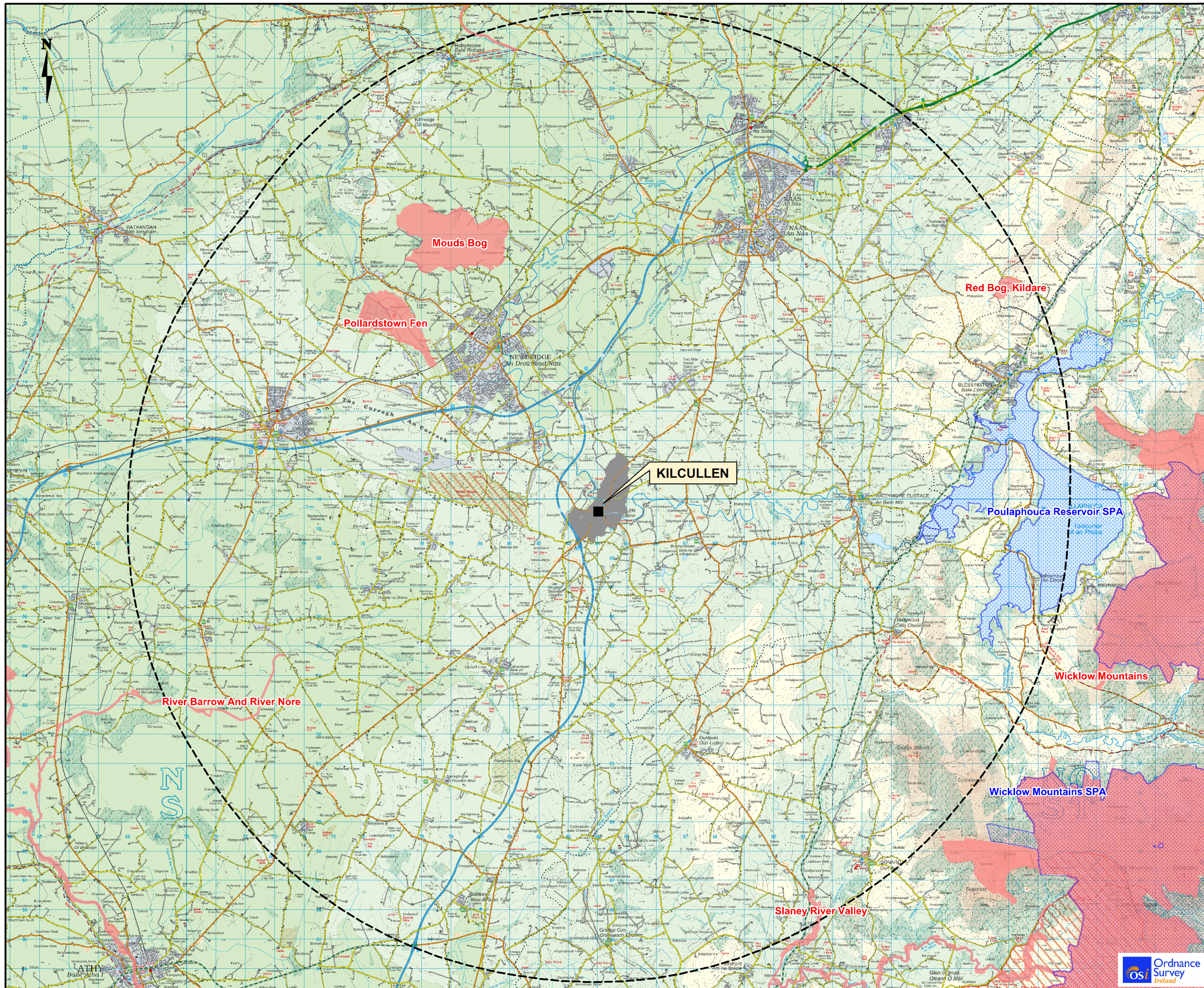
**Table 2.2: Likely Changes to Natura 2000 Sites**

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
Pollardstown Fen SAC	None	None	None	None	None	N/A
Mouds Bog SAC	None	N/A	None	None	None	N/A
Red Bog Kildare SAC	None	N/A	None	None	None	N/A
River Barrow and River Nore SAC	None	None	None	None	None	N/A
Slaney River Valley SAC	None	None	None	None	None	N/A
Poulaphouca Reservoir SPA	None	None	None	None	None	N/A

#### 2.4.4 Elements of the Plan Where the Impacts are Likely to be Significant

The development of these lands could potentially yield additional residential units within Kilcullen, which may cause additional load on wastewater treatment systems, water supply, surface water run off, etc. However, the level of growth in Kilcullen will be managed in line with the ability of services to cater for future growth. No development shall be permitted to proceed if the services are not sufficient to cater for the development. Therefore, it is envisaged that no elements of the draft LAP are likely to cause significant impacts on Natura 2000 sites.

In addition, the Council will have regard to its responsibilities in relation to the requirements of the Habitats Directive, and any development proposal within the vicinity of or potentially having an effect on a designated site will be subject to an Appropriate Assessment at the project level under the Habitats Directive in consultation with the National Parks and Wildlife Service (NPWS).



**Legend**

- Special Protection Areas
- Special Area of Conservation
- Buffer (15km)
- Military Ranges
- Kilcullen LAP

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

**Kildare SEA & AA**

Title

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

Figure **2.1**

West Pier Business Campus,  
Dun Laoghaire,  
Co. Dublin  
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Issue Details	
Drawn by: SK	Project No. MDE1048
Checked by: BD	File Ref. MDE1048Mi1058F02
Approved by: BD	
Scale: 1: 180,000 @ A3	Drawing No. Rev.
Date: 19/02/2014	Mi1058 F02

**Notes**

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### **3 SCREENING CONCLUSION AND STATEMENT**

The likely impacts that will arise from the draft Kilcullen 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 draft 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 Kilcullen 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 Kilcullen Local Area Plan 2014-2020
Name and location of Natura 2000 site	Pollardstown Fen SAC; Mouds Bog SAC; Red Bog Kildare SAC; River Barrow and River Nore SAC; Slaney River Valley SAC; and Poulaphouca Reservoir SPA.
Description of the project or Plan	<p>The County Development Plan (CDP) sets out the overall strategy for the proper planning and sustainable development of County Kildare over the period 2011-2017. The CDP aims to direct population growth into the Metropolitan urban areas of the county but also into key towns and villages in the hinterland area including Naas, Newbridge, Athy, Kildare, Monasterevin and Kilcullen.</p> <p>The CDP also emphasises the need to protect the built heritage, unique landscape, natural heritage and biodiversity of the county for their intrinsic value and as resources for the tourist economy of the future.</p> <p>The designation of Kilcullen as a Moderate Sustainable Growth Town is reinforced in the CDP settlement strategy with the town being targeted for consolidated growth. Kilcullen town is primarily a service centre for east and south Kildare.</p> <p><b>Future Development Strategy</b></p> <p>The strategy for the future development of Kilcullen is based on the principles established in the previous LAP in 2008 and the framework provided by the Regional Planning Guidelines 2010-2022 and the Kildare County Development Plan 2011-2017. It provides a blueprint for the development of Kilcullen Town for the period 2014 – 2020, setting out a vision for the area, specifying the type, amount and quality of development needed to achieve that vision while seeking to protect and enhance the environment and amenities.</p> <p>The vision for the town is to build on the strengths of Kilcullen and to provide a focused approach to planning for future development in a coherent sustainable fashion. It is envisaged that Kilcullen will continue to grow over the short to medium term to achieve a critical mass which will support competitiveness, sustainability and create opportunities for local economic development. The development of the town will be complemented by a range of residential, employment, recreational, community, retail and educational facilities appropriate for a town of its size.</p> <p>The strategic direction for the future development of Kilcullen will focus on:</p> <ol style="list-style-type: none"> <li><i>Economic Development</i></li> </ol> <p>This draft LAP seeks to consolidate and enhance Kilcullen's role which is to support the primary economic growth cluster of Naas and Newbridge. Key to this will be supporting the</p>

	<p>existing industrial and manufacturing enterprises in the town and facilitating opportunities for expansion and increased employment.</p> <p>2. <i>Town Centre Consolidation</i></p> <p>It is critical that the primacy of the town centre as the commercial heart of Kilcullen is maintained. Development which undermines the vitality and viability of the town centre will not be permitted. Protecting and providing residential accommodation within the town centre will be promoted.</p> <p>3. <i>Planning for Residential Expansion</i></p> <p>The Plan ensures the supply of suitably zoned serviced land to accommodate the future growth of Kilcullen in line with its designation in the Regional Planning Guidelines as a Moderate Sustainable Growth Town. Much of the land zoned for residential purposes under the 2008 LAP remains zoned in this draft Plan. The draft Plan also supports the provision of services and amenities for the town's residents.</p> <p>4. <i>Retail Development</i></p> <p>Kilcullen has a limited retail and service offer. It is therefore critical that the retail base of the town expands within the identified town centre to become more self-sufficient. Design briefs for key sites within the town are outlined. It is important that new retail and mixed use developments comply with the general principles of the design briefs in order to preserve the town as a thriving commercial area set within a high quality built environment.</p> <p>5. <i>Protection of the Natural and Built Heritage</i></p> <p>Protection and enhancement of the unique architectural and archaeological heritage of the town is paramount. The retention of vernacular buildings on the Main Street will ensure the character of the town remains intact.</p>
Is the project or Plan directly connected with or necessary to the management of the site (provide details)?	No
Are there other projects or Plans that together with the project or Plan being assessed could affect the site (provide details)?	<ul style="list-style-type: none"> <li>• Kildare County Development Plan 20011-2017;</li> <li>• Greater Dublin Area Regional Planning Guidelines 2010;</li> <li>• National Spatial Strategy;</li> <li>• Eastern RBD Management Plan;</li> <li>• Water Services Investment Programme;</li> <li>• IPPC Programme;</li> <li>• Local Authority Discharge;</li> <li>• Groundwater Pollution Reduction Programmes;</li> <li>• Surface Water Pollution Reduction Programmes;</li> <li>• Catchment Flood Risk Assessment and Management Study; and</li> <li>• Catchment Flood Risk Management Plans.</li> </ul>
<b>The Assessment of Significance of Effects</b>	



Describe how the project or Plan (alone or in combination) is likely to affect the Natura 2000 site.	The proposed development is not likely to affect Natura 2000 sites.
Explain why these effects are not considered significant.	<p>No Natura 2000 sites lie within the boundaries of the LAP lands; therefore, no direct impacts will occur through landtake or fragmentation of habitats. In addition, the LAP lands of Kilcullen are approximately 7.6km from the nearest Natura 2000 site (Pollardstown Fen SAC). Therefore, no impacts through direct disturbance of habitats and species will occur from development occurring through the implementation of the objectives of the draft LAP.</p> <p>Any changes to the groundwater regime or surface water quality could have adverse effects on the habitats and species for which the Pollardstown Fen SAC, Mouds Bog SAC and Ballynafagh Bog SAC are designated.</p> <p><b>Pollardstown Fen SAC</b></p> <p>Pollardstown Fen SAC is located approximately 7.6km to the northwest of the draft LAP boundary. There are a number of major roads (e.g. M9 and M7) and towns (e.g. Newbridge) between the draft LAP boundary and Pollardstown Fen SAC. Given the elevation of the Pollardstown Fen SAC in the surrounding landscape relative to Kilcullen, it is anticipated that groundwater within the draft LAP boundary drains towards the River Liffey and is not connected to the groundwater of Pollardstown Fen SAC, which is also likely to drain to the north. Any potential development in Kilcullen is highly unlikely to impact on the groundwater regime of Pollardstown Fen SAC and therefore will not impact on the integrity of the SAC or the habitats and species for which it is designated.</p> <p><b>Mouds Bog SAC</b></p> <p>Mouds Bog SAC is located approximately 9.5km to the northwest of the draft LAP boundary. There are a number of major roads (e.g. M9 and M7) and towns (e.g. Newbridge) between the draft LAP boundary and Mouds Bog SAC. Given the elevation of the Mouds Bog SAC in the surrounding landscape relative to Kilcullen, it is anticipated that groundwater within the draft LAP boundary drains towards the River Liffey and is not connected to the groundwater of Mouds Bog SAC, which is also likely to drain to the River Liffey further north. Any potential development in Kilcullen is highly unlikely to impact on the groundwater regime of Mouds Bog SAC and therefore will not impact on the integrity of the SAC or the habitats for which it is designated.</p> <p><b>Red Bog Kildare SAC</b></p> <p>Red Bog Kildare SAC is located approximately 13.8km to the northeast of the draft LAP boundary. Given the elevation of Red Bog Kildare SAC in the surrounding landscape relative to Kilcullen, significantly higher elevation, it is anticipated that groundwater within the draft LAP boundary drains towards the River Liffey and is not connected to the groundwater of Red Bog Kildare SAC. Any potential development in Kilcullen is highly unlikely to impact on the groundwater regime of Red Bog Kildare SAC and therefore will not impact on the integrity of the SAC or the habitat for</p>

	<p>which it is designated.</p> <p><b>River Barrow and River Nore SAC</b></p> <p>The River Barrow and River Nore SAC is located approximately 11.5km to the south-west of the draft LAP boundary. There are no connecting pathways (rivers or streams) between the LAP lands and the SAC, and so any potential development in Kilcullen will not impact on the surface water quality or regime of the River Barrow and River Nore SAC, and therefore will not impact on the integrity of the SAC or the habitats and species for which it is designated.</p> <p><b>Slaney River Valley SAC</b></p> <p>The Slaney River Valley SAC is located approximately 14.7km to the south-east of the draft LAP boundary. There are no connecting pathways (rivers or streams) between the LAP lands and the SAC, and so any potential development in Kilcullen will not impact on the surface water quality or regime of the Slaney River Valley SAC, and therefore will not impact on the integrity of the SAC or the habitats and species for which it is designated.</p> <p><b>Poulaphouca Reservoir SPA</b></p> <p>Poulaphouca Reservoir SPA is located approximately 11.5km upstream and to the east of the draft LAP boundary. Due to the distance of the LAP lands, no impacts through direct or indirect disturbance of species and habitats will occur from development occurring through the implementation of the objectives of the draft LAP. Also, due to the fact that the SPA is located upstream of the LAP lands, no potential impacts to water quality would be expected.</p>
List of agencies consulted: provide contact name and telephone or e-mail address.	N/A
Response to consultation.	-
<b>Data Collected to Carry Out the Assessment</b>	
Who carried out the assessment?	RPS
Sources of data	NPWS database Information from Kildare County Council
Level of assessment completed	Desktop
Where can the full results of the assessment be accessed and viewed?	Kildare County Council
Overall Conclusion	Stage 1 Screening indicates that the draft Kilcullen Local Area Plan alone and in combination with other plans and programmes will not have a significant negative impact on the Natura 2000 network. Therefore, a Stage 2 'Appropriate Assessment' under Article 6(3) of the Habitats Directive 92/43/EEC is not required.

## 5 ADDENDUM

### Screening of Material Alterations for Appropriate Assessment

The proposed material alterations made by the elected members of Kildare County Council have been screened for Appropriate Assessment under the EU Habitats Directive. The proposed material alterations will not result in additional impacts to those already identified in the Appropriate Assessment Screening Document. There are policies and objectives in the Kildare County Development Plan and the Draft Kilcullen Local Area Plan 2014-2020 governing the protection of Natura 2000 sites. Therefore, the proposed material alterations will not have a significant negative impact on the Natura 2000 network.

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