



**AA Screening Report
Of the
Arklow Town and Environs Development Plan
2011 – 2017**



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Section 1 Introduction and Background to Appropriate Assessment

1.1 Introduction

This is the appropriate assessment screening report of the Arklow Town and Environs Development Plan 2011 – 2017. This report is being carried out in line with the requirements of Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC). The purpose of this report is to evaluate whether or not the Development Plan is likely to significantly affect Natura 2000 sites within or surrounding the plan area and thus require a full appropriate assessment.

The report has taken into consideration the European Commissions publication- *Assessment of plans and projects significantly affecting Natura 2000 sites - Methodological guidance on the provisions of Articles 6 (3) and (4) of the Habitats Directive 92/43/EEC*, Circular Letter SEA 1/08 & NPWS 1/08 from the Department of the Environment, Heritage and Local Government and *Appropriate Assessment of Plans and Project in Ireland – Guidance for Planning Authorities* (December 2009) from the Department of the Environment, Heritage and Local Government.

1.2 The Arklow Town and Environs Development Plan

The Arklow Town and Environs Development Plan will set out an overall strategy for the proper planning and sustainable development of the administrative area of Arklow Town and the Arklow Environs Area (as detailed in figure 1.1 below) for the period 2011 to 2017.

1.3 Legislative Context:

The EU Habitats Directive

The assessment of impacts on Designated European Sites i.e. Special Areas of Conservation & Special Protection Areas, finds its origins in the EU Directive on the Conservation of Habitats, Flora and Fauna (92/43/EEC), more commonly known as the “Habitats Directive” which came into force in 1994 and was transposed into Irish law in 1997. “The Habitats Directive” provides legal protection for habitats and species of European importance.

The Habitats Directive was formulated as a direct result of the continuous deterioration of natural habitats and the increasing impacts on wild species arising in the most part as a result of development and agricultural activity. The main aim of the EC Habitats Directive is to promote the maintenance of biodiversity by requiring Member States to take measures to maintain or restore natural habitats and wild species at a favourable conservation status, introducing robust protection for those habitats and species of European importance.

The conservation status of a habitat is defined in Article 1 of the Directive as the sum of the influences acting on a natural habitat and its typical species that may affect its long-term natural distribution, structure and functions, as well as the long-term survival of its typical species. The conservation status of a natural habitat will be taken as favourable when:

- ⇒ Its natural range and the areas it covers within that range are stable or increasing,
- ⇒ The specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future,
- ⇒ The conservation status of its typical species is favourable¹.

Articles 3 to 9 provide the legislative means to protect habitats and species of European Community interest through the establishment and conservation of a 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).

¹ Council Directive 92/43/EEC

In its implementation the Habitats Directive introduces the 'Precautionary Principle' approach towards proposals whereby projects can only be permitted having ascertained that there is not likely to be any significant impact on the conservation status of the designated site.

As set out in MN2000² the conservation of natural habitats and habitats of species forms the most ambitious and far-reaching challenge of the Habitats Directive. This is set out in Article 6 of the Directive, which governs the conservation, and management of Natura 2000 sites. In this context Article 6 is viewed as one of the most important of the 24 articles of the directive being the one which determines the relationship between conservation and land use.

Article 6 of the Directive has three main provisions. This structure provides for a clear distinction between Article 6(1) and (2) which define a general regime while Article 6(3) and (4) define the procedures to be applied to specific circumstances.

- A) Article 6(1) makes provision for the establishment of the necessary conservation measures, and is focused on positive and proactive interventions. This relates to the development of conservation Management Plans specifically designed for designated sites.
- B) Article 6(2) makes provision for avoidance of habitat deterioration and significant species disturbance. Its emphasis is therefore preventive.
- C) Article 6(3) and (4) set out a series of procedural and substantive safeguards governing plans and projects likely to have a significant effect on a Natura 2000 site.

Article 6 is seen to reflect the overall aim of the Habitats Directive "promoting biodiversity by maintaining or restoring certain habitats and species at 'favourable status' within the context of Natura 2000 sites" while taking into account economic, social, cultural and regional requirements as a means to achieving sustainable development

The Habitats Directive and the Development Plan:

In accordance with Section 11 of Part II of the Planning and Development Acts 2000 (as amended), Arklow Town Council in conjunction with Wicklow County Council have carried out its review of the 'Arklow Town Development Plan 2005-2011 and the Arklow Environs Local Area Plan 2006-2012.

The Planning and Development Acts 2000 (as amended) under section 10 (2)(c) states that a Development Plan shall include objectives for the "*the conservation and protection of the environment including, in particular, the archaeological and natural heritage and the conservation and protection of European sites and any other sites which may be prescribed for the purposes of this paragraph*".

The consequences of this piece of legislation ensure that prior to the plan stage, a formal systematic evaluation of the likely significant environmental effects of implementing a plan or programme before a decision is made to adopt the plan or programme are carried out. This process is carried out under the SEA Directive (2001/42/EC).

A strategic Environmental Assessment of the Arklow Town and Environs Development has been carried out in accordance with this legislation however in addition to this process and following the EU ruling under case 418/04 EC Commission v Ireland, an appropriate assessment screening of the land use plan must be carried out.

An Appropriate Assessment is an assessment carried out under Article 6(3) of the Habitats Directive. As discussed above Article 6(3) alongside Article 6(4) sets out a series of procedural and substantive safeguards governing plans and projects likely to have a significant effect on a Natura 2000 site. Article 6(3) specifically states that:

² MANAGING NATURA 2000 SITES, The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC (2000)

*“Any plan or project **not directly connected with** or necessary to the management of the site **but likely to have a significant effect** thereon, either individually or in combination with other plans or projects, shall be subject 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”.*

This appropriate assessment screening exercise evaluates, based on scientific knowledge the potential impacts of a plan on the conservation objectives of any Natura 2000 site³. The impacts assessed include the indirect and cumulative impacts of the plan, considered with any current or proposed activities, developments or policies impacting on the site.

1.4 Stages of the Appropriate Assessment

This appropriate assessment has been prepared in accordance with the European Commission Environment DG document *Assessment of plans and projects significantly affecting Natura 2000 sites: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC*, referred to as the “EC Article 6 Guidance Document (EC2000)”. The guidance within this document provides a non-mandatory methodology for carrying out assessments required under Article 6(3) and 6(4) of the Habitats Directive, and are viewed as an interpretation of the EU Commission’s document “*Managing Natura 2000 sites*. (2002).

This Assessment has also taken into consideration the Department of the Environment, Heritage and Local Government publication *Appropriate Assessment of Plans and Project in Ireland – Guidance for Planning Authorities* (December 2009). This guidance is not a legal interpretation, but represents the current situation and understanding, and is regarded as a work in progress.

Stage one of the Methodological Guidance is the screening process, which examines the likely effects of a project, either alone or in combination with other projects or plans upon a Natura 2000 site and considers whether it can be objectively concluded that these effects will not be significant. This stage of the screening process involves four steps, which fall under the following headings:

1. **Management of the site** - *Involves determining whether or not the project or plan is directly connected with or necessary to the management of the site*
2. **Description of the project or plan** - *Describing the project or plan and the description and characterisation of other projects or plans that in combination have the potential for having significant effects on the Natura 2000 site*
3. **Characteristics of the site** - *Identifying the potential affects on the Natura 2000 site(s)*
4. **Assessment of Significance** - *Assessing the significance of any effects on the Natura 2000 site(s).*

Stage 2 of the process “Appropriate Assessment” follows stage 1 where, following an evaluation of the plan it has been established the plan is likely to have a significant affect on any Natura 2000 site. This stage involves the following:

- ⇒ A description of the Natura 2000 sites that will be considered further in the Appropriate Assessment process;
- ⇒ A description of significant impacts on the conservation feature of these sites likely to occur from the proposed development;

³ Any Natura 2000 sites within the likely zone of impact of the plan or project. Generally 15km but can vary – *Appropriate Assessment of Plans and Projects in Ireland, Guidance for Planning Authorities* (February 2010).

⇒ Recommendations.

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

Figure 1.1 Arklow Town and Environs Development Plan Boundary

Arklow Town and Environs Development Plan Aerial Photograph



Arklow Town Council Boundary



Arklow Environs/Overall Plan Boundary



Section 2 Screening

2.1 Management of the site

Determining whether or not the project or plan is directly connected with or necessary to the management of the site.

The term 'Management of the Site' refers to the 'conservation' management of a site i.e. the term 'management' is to be seen in the sense in which it is used in Article 6(1). In making provision for conservation management plans, Article 6(1) of Directive 92/43/EEC envisages flexibility for Member States as regards the form such plans can take. The plans can either be specifically designed for the sites or 'integrated into other development plans'. Thus it is possible to have a 'pure' conservation management plan or a 'mixed' plan with conservation as well as other objectives. The words '*not directly connected with or necessary to ...*' ensure that a non-conservation component of a plan or project which includes conservation management amongst its objectives may still require assessment.

While the Arklow Town and Environs Development Plan 2011 – 2017 will include measures that relate to nature conservation and enhancement, this is a land-use plan and not a plan designed directly or indirectly for the purpose of conservation management of any Natura 2000 site. In addition Development Plan for Arklow Town and Environs does not contain any Natura 2000 sites within its jurisdiction.

2.2 Description of the project or plan

Describing the project or plan and the description and characterisation of other projects or plans that in combination have the potential for having significant effects on the Natura 2000 site

2.2.1 The Arklow Town and Environs Development Plan

The purpose of the Arklow Town and Environs Development Plan 2011 – 2017 is:

- ⇒ To provide a blueprint for the sustainable development of the plan area in order to realise its full potential in the interest of the town and county;
- ⇒ To provide a detailed framework for the management and regulation of development and use of land that will guide day to day planning decisions;
- ⇒ To include proposals for the development and use of land and to zone lands for specific purposes, which will provide guidance and information for developers and the public;
- ⇒ To promote the economic, social and cultural development of the town and its environs;
- ⇒ To give local communities the opportunity to participate in the planning process as it relates to their local area and their daily lives.

2.2.2 Vision and Strategic Goals

The overarching purpose of the plan is set out under section 2.2 where it is the strategic vision "*For Arklow town and its Environs (plan area) to be a cohesive community of people enjoying distinct but interrelated urban and rural environment; where natural surroundings and important resources are protected; where opportunities abound to live and work in a safe atmosphere, allowing people to enjoy the benefits of well paid jobs, a variety of housing choices, excellent public services, ample cultural and leisure opportunities, and a healthy environment*".

This vision alongside a number of strategic objectives provides the overall strategy to be implemented by Arklow Town Council and Wicklow County Council in order to fulfil their role in providing for the proper planning and sustainable development of Arklow and its Environs for the period up to 2017.

The key strategic objectives of the plan are:

- ⇒ To facilitate and encourage the growth of employment, enterprise and economic activity in the plan area, across all economic sectors and in all areas;
- ⇒ To enhance existing housing areas and to provide for high quality new housing, at appropriate locations and to ensure the development of a range of house types, sizes and tenures in order to meet the differing needs of all in society and to promote balanced communities;
- ⇒ To maintain and enhance the viability and vibrancy of Arklow as a major urban centre, to ensure that the town remains at the heart of the wider community and provides a wide range of retail, employment, social, recreational and infrastructural facilities;
- ⇒ To protect and improve Arklow Town and Environs transport, water, waste, energy and communications infrastructure, whilst having regard to responsibilities to respect areas protected for their important flora, fauna or other natural features;
- ⇒ To promote and facilitate the development of sustainable communities through land use planning, by providing for land uses capable of accommodating community, leisure, recreational and cultural facilities, accessible to and meeting the needs of all individuals and local community groups, in tandem with the delivery of residential and physical infrastructure in order to create a quality built environment in which to live;
- ⇒ To protect and enhance the diversity of the plan area's natural and built heritage;
- ⇒ To address the climate change challenge, as a plan dynamic, throughout the plan area, directly in the areas of flooding and renewable energy, and indirectly by integrating climate change and sustainable development into statements of plan policy, strategies and objectives.

2.2.3 Strategic Environmental Assessment and AA

As part of the Development Plan process and in accordance with Directive 2001/42/EC a Strategic Environmental Assessment was carried out where potential impacts on Biodiversity Flora and Fauna have been examined.

As part of the SEA process the objectives of the plan were evaluated (See section 8 of the environmental report) against Strategic Environmental Objectives such as those relating to biodiversity flora and fauna. Where potential/probable conflicts were found to exist between the policies that make up the plan and the strategic environmental objectives (SEOs) firstly the objectives were in the first instance amended or where this was not possible, appropriate mitigation measures were put in place in order to ensure that impacts were avoided.

Objectives of the plan that will contribute towards the protection of Natura 2000 sites in accordance with the requirements of the Habitats Directive have been included by the plan makers and as a result of the SEA. These objectives include;

Natural and Built Heritage

BD1 To ensure that consideration is given to the impact of proposals for new developments on bio-diversity, and that appropriate mitigation schemes are proposed as relevant

BD2 To maintain the conservation value of all proposed and future Natural Heritage Areas (NHAs) in the plan area in particular the Arklow Marsh, which has been, designated Conservation Zone.

BD3 To protect features such as native hedgerows, trees and watercourses, and the locally important biodiversity areas as included on map 07.01 from inappropriate development, and to strengthen through development management, the role of these sites as green corridors to enhance overall biodiversity

BD4 To ensure that appropriate consideration is given to the protection of trees of amenity and environmental value in the design of new developments, and discourage the felling of mature trees to facilitate development.

BD6 To encourage the retention and enhancement of hedgerows and traditional stone walls in the plan area.

BD7 Any programme, plan or project carried out on foot of this development plan, including any variation thereof, with the potential to impact upon a Natura 2000 site(s) shall be subject to Appropriate Assessment in accordance with Article 6 (3) and (4) of the EU Habitats Directive 1992 and 'Appropriate Assessment of plans and projects in Ireland – Guidance for Planning Authorities' DoEHLG 2009.

WS2 To implement the EU Water Framework Directive and associated River Basin and Sub-Basin Management Plans and the EU Groundwater Directive to ensure the protection, improvement and sustainable use of all waters in the plan area, including rivers, lakes, ground water, coastal and estuarine waters, and to restrict development likely to lead to deterioration in water quality

WS3 To resist development that would interfere with the natural water cycle to a degree that would interfere with the survival and stability of natural habitats

WS5 To minimise alterations or interference with river/stream beds, banks and channels, except for reasons of overriding public health and safety (e.g. to reduce risk of flooding); a buffer of 10m along watercourses should be provided free of built development with riparian vegetation generally being retained in as natural a state as possible. In all cases where works are being carried out, to have regard to Regional Fisheries Board "Requirements for the protection of fisheries habitat during the construction and development works at river sites."

WS6 To promote the development of riparian walks and parks, subject to the sensitivity and /or designation of the riverside habitat, particularly within 10m of the watercourse.

AG3 To ensure that the agricultural development complies with the measures set out in the Easter River Basin Management Plan.

AH1 To consolidate and safeguard the historical and architectural character of Arklow Town Centre through the protection of individual buildings, structures, shop fronts and elements of the public realm that contribute greatly to this character.

AH 2 To conserve buildings and features of historical and vernacular interest through ensuring that adequate consideration is given to their protection as part of development proposals and that mitigation measures are put in place as required

RPS 1 To safeguard the character of Protected Structures and encourage appropriate alterations to these buildings to render them viable for modern use, subject to best conservation practice (in accordance with Architectural Heritage Protection guidelines produced by the DOEHLG). (Arklow RPS set out in Appendix 1 of the Plan)

AR1 To safeguard archaeological heritage by ensuring that development in the vicinity of a recorded monument which are listed in table 7.1 below shall be permitted only where it can be demonstrated that there will be no damage to the monument itself, its setting or its cultural and educational value

AR2 Any development that may due to its size, location or nature have implications for archaeological heritage shall be subject to an archaeological assessment

Services Infrastructure – Waste, Water and Energy

W1 To ensure that all waste water generated is collected and discharged after treatment in a safe and sustainable manner, strictly in accordance with having regard to the standards and requirements set out in EU and national legislation and guidance documents including the provisions of the Eastern River Basin Management Plan and the Habitats Directive.

W3 Proposed developments within the plan area will only be permitted where it can be adequately demonstrated that sufficient waste water treatment infrastructure with adequate capacity is available or proposed to be available, capable of servicing the proposed development without causing any adverse environmental impacts.

W4 Private wastewater treatment plants to serve new development will only be considered where it can be shown that no net overall increase in potential pollution to receiving waters will result and the location and design of the plant meets all current EU and national environmental standards.

W8 To protect existing and potential water resources of the County, in accordance with the EU Water Framework Directive, the River Basin Management Plans, the Groundwater Protection Scheme and source protection plans for public water supplies.

FL7 For developments adjacent to all watercourses of a significant conveyance capacity or where it is necessary to maintain the ecological or environmental quality of the watercourse, any structures (including hard landscaping) must be set back from the edge of the watercourse to allow access for channel clearing/ maintenance/ vegetation. A minimum setback of up to 10-15m will be required either side depending on the width of the watercourse.

WM6 To have regard to the "Major Accidents Directive" (European Council Directive 96/82/EC). This Directive relates to the control of major accidents involving dangerous substances with an objective to prevent major accidents and limit the consequences of such accidents. This policy will be implemented through Development management, through specific control on the siting of new establishments and whether such a siting is likely to increase the risk or consequence of a major accident.

E2 To encourage the development of wind energy at suitable locations in the plan area, in accordance with the County Wicklow Wind Strategy and in particular to allow wind energy exploitation subject to:

- The maintenance of a suitable buffers between any wind turbine and any existing residential areas and detailed evaluation and mitigation of potential impacts on any residence within 600m of any wind turbine;
- Consideration of any designated nature conservation areas (SACs, NHAs, SPAs etc) and any associated buffers;
- Impacts on visual, residential and recreational amenity;
- Impacts on 'material assets' such as towns, infrastructure and heritage sites;
- Consideration of grid connection issues;
- Best practice in the design and siting of wind turbines, and all ancillary works including access roads and overhead cables.

Action Area Plans 1-3

Any development proposals shall have regard to the setting and curtilage of structures and sites of heritage value, and habitats of biodiversity value and appropriate buffer zones-/mitigating measures shall be provided as required.

2.2.4 Other Instruments

Numerous other higher-level measures further mitigate potential impacts of the Plan. These measures include EU Directives, national legislation and various guidelines. Principal among these are the following:

The Habitats Directive (HD): The European Council Directive on the Conservation of natural habitats and of wild fauna and flora (92/43/EEC) (Habitats Directive)

The Water Framework Directive (WFD): The Water Framework Directive 2000/60/EC

The National Biodiversity Plan (NBP): UN Convention on Biological Diversity 1992 - National Biodiversity Plan 2002 is as a result of this.

The Wildlife Act (WA): Wildlife Act 1976 and Wildlife (Amendment) Act 2000 (Wildlife Act)

The Birds Directive (BD): The 1979 European Council Directive on the Conservation of Wild Birds (79/409/EEC) (Birds Directive)

The Ramsar Convention (R): Convention on Wetlands of International Importance (Ramsar)

The Bathing Water Directive (BW): Bathing Water Directive (76/160/EEC)

The Urban Waste Water Treatment Directive (WW): (91/271/EEC) (amended by Directive 98/15/EEC)

Section 3 Natura 2000 Sites

3.1 Natura 2000 sites located within 15km of the plan area.

The plan encompasses c. 1166.81 hectares of land within the plan boundary with no designated Natura 2000 sites being located within or immediately adjacent to the Development Plan boundary.

The closest designated sites are situated within the 2.5-5km zone from the plan boundary and comprise of Buckroney Brittas Dunes and Fen SAC located to the north and within County Wicklow and Kilpatrick Sandhills SAC to the south and located in north County Wexford.

The other designated site located within the 15km circumference of the plan boundary is Maherbeg Dunes SAC located to the north of the plan. Another designated SAC Deputy's Pass SAC is located in close proximity but outside the 15km circumference of the plan area.

There are no designated Special Protection Areas located in or within 15km of the plan area.

SAC 'Natura 2000' sites located within 15km of the Development Plan Area	
Name	Site Code
Buckroney Brittas Dunes and Fen	000729
Kilpatrick Sandhills SAC	001742
Maherbeg Dunes SAC	001766
SAC bordering the 15km circumference	
Deputy's Pass SAC	000717

Table 1 – Natura 2000 sites within c. 15km of the plan area.

3.2 Special Areas of Conservation

Candidate Special Areas of Conservation (cSACs) have been selected for protection under the European Council Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora (92/43/EEC), referred to as the Habitats Directive, by the Department of the Environment, Heritage and Local Government due to their conservation value for habitats and species of importance in the European Union. The sites are candidate sites because they are currently under consideration by the Commission of the European Union.

There are no cSACs within the Plan area but there are four cSACs within c. 15km of the Plan area. These are detailed in Section 3.3 below. The characteristics of these sites are summarised, with the management issues and strategies aimed at achieving the objectives of these plans also detailed.

3.3 SACs within 15km of the Plan Boundary

3.3.1 Buckroney Brittas Dunes and Fen - Site Code – 000729

This site is a complex of coastal habitats located about 10 km south of Wicklow town and c. 2.5km north of Arklow Town and Environs Development Plan boundary. It comprises two main sand dune systems, Brittas Bay and Buckroney Dunes, connected on the coast by the rocky headland of Mizen Head. The dunes have cut off the outflow of a small river at Mizen Head and a fen, Buckroney Fen, has developed on the site. A further small sand dune system occurs south of Pennycomequick Bridge. Ten habitats listed on the EU Habitats Directive, including two priority habitats, occur within the site.

The dune systems and beaches are subject to high amenity usage from day-trippers and several areas around the site have been developed as caravan parks, car parks and golf courses. The marginal areas of the fen have been reclaimed, especially at the south end, though these areas still flood in winter and attract waterfowl.

This site is important as an extensive sand dune/fen system with well-developed plant communities. Several coastal habitats listed on the EU Habitats Directive, including two priority habitats - fixed dune and decalcified dune heath - are present. The area contains two legally protected plants, as well as a number of other rare or scarce plant species. The site provides habitat for some rare species of invertebrate and for the vulnerable Little Tern. A rich flora and fauna has persisted on this site despite extensive amenity use and adjacent farming. However, future land use practices will need to be managed to ensure the continued survival of this unique mosaic of coastal habitats.

Main Conservation Objectives:

- ⇒ To maintain the Annex I habitats for which the cSAC has been selected at favourable conservation status; the two priority habitats *fixed coastal dunes (38.5%) and *Atlantic decalcified fixed dunes (6.5% in mosaic) and the other eight Annex I habitats, alkaline fen (12.5%), shifting dunes along the shoreline (5.4%), dunes with *Salix repens* (7%), embryonic shifting dunes (3.2%), humid dune slacks (2.5%), Mediterranean salt meadows (<1%), annual vegetation of drift lines (<1%) and perennial vegetation of stony banks (<1%).
- ⇒ To maintain other habitats at favourable conservation status, including sandy beach, dune scrub, rivers and streams, lowland wet and dry grassland, bedrock shore, reedbeds and sea cliffs.
- ⇒ To maintain the populations of notable species on the site at favourable conservation status, including Meadow Saxifrage, Wild Asparagus, Green flowered Helleborine, Bird's-foot and Spring Vetch and other notable plants within the site and the following Annex I bird species Golden Plover, Whooper Swan and Kingfisher.
- ⇒ To establish effective liaison and co-operation with landowners, legal users and relevant authorities.

Main management issues

⇒ *Invasion by unwanted species*

Some areas of the *fixed coastal dunes and *Atlantic decalcified fixed dunes have become invaded by Sea Buckthorn. This species is very invasive, and has the potential to spread over the entire site, destroying both the priority habitats and other dune habitats within the site.

The scrub within the fen may need to be controlled in future years in order to prevent the progression of the fen to wet woodland through natural succession. This may involve re wetting of the fen.

The invasion by scrub species, such as Bramble, may pose a threat to the population of Wild Asparagus present within the site, which is protected under the Flora Protection Order (1999) and is a Red Data Book species.

⇒ *Overgrazing and associated erosion*

Some areas of dunes within the site, including areas of priority habitat, appear to be overgrazed by cattle. Present information suggests that the dunes are utilised by cattle during the winter months.

Overstocking is evident and is causing damage, although generally the damage is localised in extent. There is additional damage of poaching from cattle congregating at supplementary feeding points.

Nutrient enrichment is also a threat to the areas of priority habitat within the site. This is caused by the use of ring-feeders and leads to invasive species such as Common Nettle (*Urtica dioica*) gaining a foothold in areas where they would not normally occur.

The intensification of agricultural practices in areas adjacent to the site may adversely affect the water quality of streams and drains entering the site.

⇒ *Proposed development*

There is a small caravan park, several small chalets and one rebuilt house within the present boundaries of the cSAC. There is a large caravan park located on the north-west boundary of the site. Any extension into the cSAC would cause damage to the site. There is a constant threat of future development on lands adjacent to the site.

⇒ *Recreational pressure*

Maintaining a sustainable balance between the site's use for tourism and conservation interest is a more difficult process. This can only be achieved through the fostering of greater public awareness of the ecological value of the site, and other areas like it throughout the country. The provision of more interpretation boards on the ecological value of the site might be beneficial.

This interpretation may also promote a greater respect for the environment and instill a sense of responsibility in visitors to the site, encouraging them to dispose of their rubbish properly and reduce the problem of casual littering within the site. Due to many years of high amenity use, there has been damage and loss of *fixed coastal dunes, mainly due to trampling, as evidenced by bare sand and large-scale blow-outs. However, Wicklow County Council has completed some management of the site. Also notable within the site is the use of the dunes and beach by motorised vehicles.

⇒ *Water abstraction and drainage*

The European Golf Club extract water from the stream running to the south of the golf course in order to water the greens. This is a factor in the partial drying out of the salt meadow/humid dune slack areas. The owner has recently installed a dam at the mouth of the stream, after consultation with the NPWS, and it was intended that it would back-flood the water and rectify the problem in the dunes slacks, however the dam is not causing required back flood. In addition, there is a reservoir up stream from the dam for the club to water the course. The houses in the vicinity of Cornagower are supplied with water from shallow boreholes, the extraction of which is certainly affecting the water table of the fen.

Main strategies to achieve conservation objectives

- ⇒ Implement sustainable grazing regimes
- ⇒ Conduct hydrological survey
- ⇒ Control recreational activities
- ⇒ Control spread of Sea Buckthorn
- ⇒ Monitor important habitats and notable species
- ⇒ Maintain effective liaison between relevant stakeholders

3.3.2 Kilpatrick Sandhills - site code - 001742

Kilpatrick Sandhills are located about 4.5km south of the Arklow Town and Environs Development Plan boundary, and just south of the Wicklow/Wexford county border. The site is comprised of a mosaic of coastal habitats but primarily a mature sand dune system, which extends along 2 km of coastline.

At the southern end of the site, the sand dunes and beach are used by visitors for amenity purposes. Parts of the site are also used for grazing cattle. Grazing is a critical factor in coastal systems: the correct grazing pressure maintains species-rich open swards and curtails scrub encroachment. Over-exposure to grazing and amenity usage can cause damage to dune vegetation and exacerbate dune erosion.

The site is ecologically important as a good example of a mature and fairly intact sand dune system, which shows the developmental stages of dunes from fore dunes to mature grey dunes. A good diversity of habitats and species are present. Fixed dunes and dune heath are priority habitats under Annex I of the European Habitats Directive.

Draft Conservation Objectives:

There is no conservation management plan or statement available at present for Kilpatrick Sandhills. The following are the draft conservation objectives supplied by the National Parks and Wildlife Service.

- ⇒ To maintain the Annex I habitats for which the cSAC has been selected at favourable conservation status: Annual vegetation of drift lines; Embryonic shifting dunes; Shifting dunes along the shoreline with *Ammophila arenaria* (white dunes); Fixed coastal dunes with herbaceous vegetation (grey dunes); Atlantic decalcified fixed dunes (Calluno-Ulicetea).
- ⇒ To maintain the extent, species richness and biodiversity of the entire site.
- ⇒ To establish effective liaison and co-operation with landowners, legal users and relevant authorities.

3.3.3 Maherbeg Dunes SAC – site code – 001766

Magherabeg Dunes candidate Special Area of Conservation (cSAC) is located approximately 5km south of Wicklow Head and c. 12.35km to the north of the plan boundary on the east coast of Co. Wicklow. The site consists of a well-established and dynamic dune system, with various stages in the natural succession to woodland present. The site is bisected by the Three Mile Water. Three priority habitats listed on Annex I of the EU Habitats Directive occur within the site - fixed coastal dunes with herbaceous vegetation, Atlantic decalcified fixed dunes and petrifying springs with tufa formation. A further three other Annex I habitats listed on Annex I of the EU Habitats Directive also occur - embryonic shifting dunes, annual vegetation of drift lines and shifting dunes along the shoreline with *Ammophila arenaria*.

The rare Moore's Horsetail and a rare hybrid sedge (*Carex grossii*/*Carex vesicaria* x *hirta*) occur within the site. The Otter (an Annex II EU Habitats Directive species) and Kingfisher (an Annex I EU Birds Directive species) are also known to occur.

Main Conservation Objectives:

- ⇒ To maintain and, where possible, enhance the ecological value of the priority habitats
*fixed coastal dunes and *Atlantic decalcified dune heath.
- ⇒ To maintain and, where possible enhance the ecological value of the priority habitat
*petrifying springs with tufa formations.
- ⇒ To maintain and, where possible, enhance the ecological value of other habitats within the site.
- ⇒ To maintain and, where possible, increase populations of noteworthy species of plants.
- ⇒ To maintain effective liaison between NPWS, relevant authorities and interested parties regarding the management of the site.

Main management issues

⇒ Erosion

Erosion of the fore dunes by wind and sea is occurring in the south of the site and there is currently no corresponding depositional stage. This leads to an overall loss in area of *fixed coastal dunes. It has been estimated that the loss is approximately a 4m wide stretch along the southern part of the site in the past three years. Although there is some deposition of sand in the northern portion of the site, evidenced by the formation of embryonic dunes, the deposition is thought to be cyclic and there appears to be no accretion of land over time. As the control of erosional processes are beyond the scope of site management, it will be necessary to control the spread of scrub to maintain the *fixed coastal dune habitat.

⇒ Succession to Scrub and Woodland

Bracken and Burnet Rose are invasive on the lower inland slopes of the *fixed coastal dunes and in the dune slack area. This is thought to be due to the lack of grazing in recent years. Sycamore, a non-native species, is regenerating naturally in scrub areas.

Succession to woodland on dunes rarely occurs and the site represents one of the few examples of this habitat in Ireland. The high scrub and woodland on dunes within the site should be maintained.

⇒ Grazing

The fixed coastal dunes and dune slack are undergoing succession to rank grassland and low scrub, with subsequent loss of priority habitat and flora diversity. The succession was previously controlled through grazing by cattle. Reintroduction of grazers (cattle, ponies or sheep) at a sustainable level will ensure succession to scrub and subsequent loss of habitats is managed.

⇒ **Water Quality and Pollution**

Previous surveys suggest that water quality in freshwater habitats within the site may occasionally be quite low. Some pollution of the Three Mile Water and the small stream in the north of the site is known to occur. The source of pollution has not been established but it may be from agricultural sources. The proposed municipal landfill at Ballynagran, if constructed, may cause siltation of the stream bed (M. C. O'Sullivan, 1996). The IPC Licence (165-1) for this landfill site specifies management tools that must be used to protect the quality of groundwater and surface water and to prevent leachate pollution (Conditions 3.16, 3.17, 5.10, 6.4 and 6.5).

Maintenance of water quality is desirable as two Annexed species that depend on freshwater habitats have been observed within the site (i.e. the Kingfisher and the Otter). Action should be taken if pollution is found to occur within the site or upstream.

⇒ **Silage Storage**

A currently disused silage pit is located within the site. If it were used in the future, run-off originating from the pit would likely degrade the ecological features of the site through nutrient enrichment of the soil.

Main Strategies to achieve the conservation objectives:

- ⇒ Reintroduce sustainable grazing to maintain existing habitats
- ⇒ Maintain low levels of recreational use
- ⇒ Monitor the ecological status of the habitats and noteworthy species present within the site
- ⇒ Strive to maintain effective liaison between relevant stakeholders

3.3.4 Deputy's Pass SAC - Site Code – 000717

Deputy's Pass woodland is located on the northern spur of the Deputy's Pass near Glenealy, Co. Wicklow. It was designated a Nature Reserve in 1982. The predominant vegetation community on the site is Sessile Oak (*Quercus petraea*) woodland referable to the Blechno-Quercetum petraeae association, a habitat that is listed on the EU Habitats Directive.

The regeneration of native trees and the good ground cover indicate an absence of grazing; there are no sheep in the site and deer very seldom occur. Less than 10% of the site is occupied by conifers: 20-30 years old plantations of Douglas Fir, Sitka Spruce, Norway Spruce, European Larch and Scots Pine. Once mature these small stands will be removed, to allow native species to naturally replace them.

The site supports breeding populations of the Smooth Newt (*Triturus vulgaris*) and the Common Frog (*Rana temporaria*), two amphibians protected by the 1976 Wildlife Act.

Deputy's Pass is managed as a Nature Reserve and is part of an internationally important series of Oak woods in County Wicklow (Glendalough, Clara Vale, Ballinacor, amongst others), which are almost certainly natural in origin and which retain much of their original character and species composition.

Main Conservation Objectives:

- ⇒ To maintain the Annex I habitat for which the cSAC has been selected at favourable conservation status; Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles (50% area of the site)
- ⇒ To maintain the extent, species richness and biodiversity of the entire site
- ⇒ To enhance the educational and amenity use of the site
- ⇒ To establish effective liaison and co-operation with landowners, legal users and relevant authorities.

Main Management Issues:

⇒ *Commercial forestry*

Commercial forestry covers approximately 25% of the site, with Coillte owning these trees. These areas are of limited ecological value with a suppressed ground flora and lack the biological and structural diversity of native woodlands but do provide a continuum of woodland cover. Selfseeded conifers also occur within the woodland. It is desirable to restore the areas of commercial forestry to native woodland through the removal of conifers and to encourage the establishment and development of native species.

Removal of commercial forestry from within the cSAC should be carried out in an ecologically sensitive manner. This relates to the potential infrastructural impacts caused during harvesting of trees. In addition, access by forestry contractors through the site to the forestry areas to the east of the cSAC should also be carried out following consultation with NPWS.

⇒ *Dumping*

Illegal dumping occurs within the car park and into Potters River along the southern boundary of the wood.

⇒ *Footpaths*

A circular walk exists through the cSAC with a part of this loop leading onto land owned by Coillte. Liaison with Coillte should continue in relation to any problems regarding pedestrian access through the Coillte owned area. Some sections of the paths are overgrown with Bramble.

⇒ *Horse riding*

Horse riding occurs within the site, particularly along the right of way through the wood and also along the woodland to the west of the site. Excessive use by horses may cause some deterioration of the footpaths within the woodland. Horse riding should be controlled.

⇒ *Invasive species*

Invasive Rhododendron and Laurel occur in the north-eastern section of the woodland. Both of these species can form dense thickets that suppress the native flora. The patches of these species should be removed from the site. Montbretia (*Crocsmia aurea* x *C. pottsii*) occurs in isolated clumps in the car park and these should also be removed.

⇒ *Lack of regeneration*

There is a concern that there is a lack of regeneration of Oak trees within the woodland. Seed collection is proposed as part of the management of the western section of the woodland through the Native Woodland Scheme. Production of acorns and establishment of oak trees will be monitored through this scheme.

Grazing within the woodland is not regarded at present as a serious problem. No evidence of grazing by sheep within the wood has been recorded and indications of grazing by deer is minimal. Some scarring of trees by deer is evident but is not excessive.

⇒ *Small size*

There is concern that the small size of the woodland limits the value of the habitat. Proposals for extension of the SAC area are given later in this plan and the woodland cover to the east of the site created by the forestry areas to the east, give some continuum of woodland cover. Further extension of the cover of old Sessile Oak woods is beyond the scope of this plan but should be considered as the long-term aim for the areas adjacent to the existing woodland.

Main Strategies to achieve the conservation objectives:

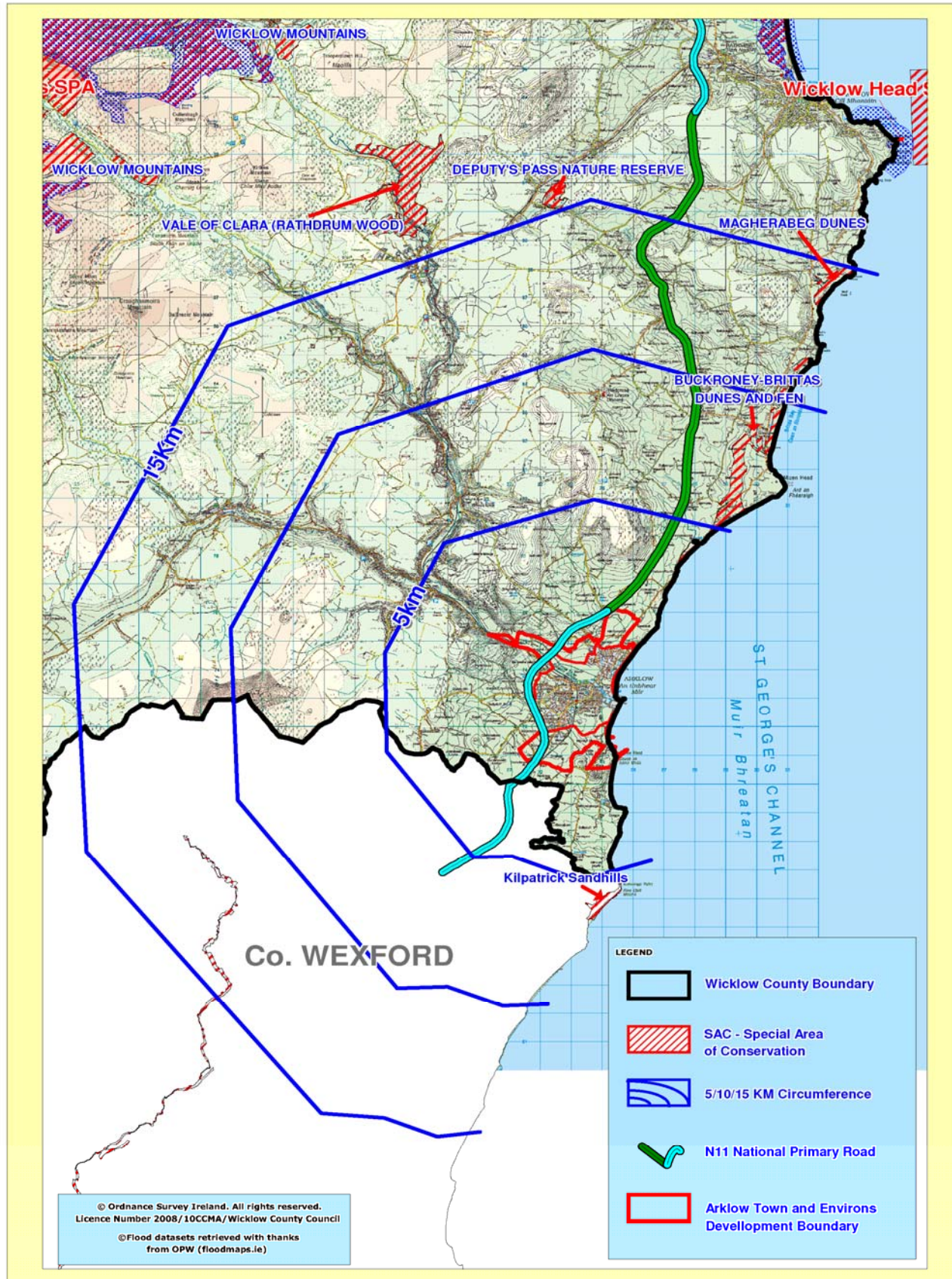
The conservation management plan prepared by the NPWS for Deputy's Pass Nature Reserve does not include specific strategies aimed at achieving the conservation objectives of the site however the conservation plan does include a scientific monitoring and inspection regime. These include the following:

Scientific monitoring - Monitoring of the conservation status of the Annex I habitat, Old sessile oak woods, will be done by, or on behalf of, the staff of the Monitoring Section of the NPWS or staff working to NPWS in accordance with the procedures laid down by that section.

Protocols for monitoring Deputy's Pass cSAC will be developed, in consultation with other agencies where appropriate, to determine if the site is being maintained at favourable conservation status.

Site surveillance Regular inspection of the site by the NPWS staff, with special attention to the oak woods will identify any major changes, damaging operations, or threats should they arise.

Figure 3.1 Designated Sites within 5/10/15km of the Arklow Town and Environs Plan Boundary



Section 4 Assessment Criteria

4.1 Introduction

Assessment is the process of evaluating the importance or significance of project/plan impacts (whether adverse or beneficial). In most cases, this is essentially a judgment, built up from a number of factors, but it may also be made more objective with the use of criteria and standards.

One approach to assessing significance is to specify what constitutes a significant impact in particular circumstances. This approach has been used in Australia under the Commonwealth Environment Protection and Biodiversity Conservation Act of 1999. Significance criteria are set out for various types of resource, e.g. declared Ramsar wetland, listed threatened species and ecological communities, the marine environment, etc. For Ramsar wetlands, an impact is significant if:

- ⇒ Areas of wetland are destroyed or modified;
- ⇒ There is a major or measurable change in the natural hydrological regime of the wetland (e.g. changes to the timing, duration and frequency of ground and surface water flows to and within the wetland);
- ⇒ The habitat or lifecycle of native species dependent on the wetland is seriously affected;
- ⇒ There is a major and measurable change in the physio-chemical status of the wetland (e.g. salinity, pollutants, nutrients, temperature, turbidity);
- ⇒ Invasive species are introduced into the wetland.

4.2 Assessment of Likely impacts on Natura 2000 sites

This Assessment has adopted a similar approach to assessing significance of impact if any of the Arklow Town and Environs Development Plan on each of the designated sites located within 15km of the plan boundary. The following tables 4.1 – 4.4 provide details of each designated sites conservation objectives and its management issues with the assessment of significance being based on Direct⁴, Indirect⁵ and Cumulative⁶ Impact Assessment Criteria. The Assessment of Significance table also includes the codes of objectives within the plan aimed at working towards maintaining the designated sites in accordance with their individual conservation objectives.

⁴ Direct Impacts of the plan on the designated site are those impacts which arise directly from the objectives of the plan i.e. land take, excavation works etc.

⁵ Indirect Impacts of the plan on the designated site relate to those impacts of the plan which have a knock on effect on the designated site i.e. the provision of a new water supply scheme serving the plan area may not be located within a designated site however the abstraction of such water may indirectly impact on the habitat itself.

⁶ Individual affects from disparate projects may add up or interact to cause additional effects not apparent when looking at the individual effect at one time or in isolation.

Table 4.1 Assessment of the Arklow Town and Environs Development Plan

Natura 2000 Site Name	The subject site is situated 2.5km north of Arklow Town and Environs Development Boundary. It comprises two main sand dune systems, Brittas Bay and Buckroney Dunes, connected on the coast by the rocky headland of Mizen Head.							
Buckroney Brittas Dunes and Fen	Qualifying Interests	Management Issues as set out in the Conservation Management Plan (CMP)	Conservation Objectives	Direct Impact(s) of Plan	Indirect Impact(s) of Plan	Cumulative Impact(s) of plan	Specific Mitigation Measures Included in the plan	Residual Impacts
	Sand Dune System	Invasion by unwanted species	To maintain the Annex I habitats for which the cSAC has been selected at favourable conservation status ⁷	None	None	None	BD1 BD3 BD6 BD7 WS2 WS3 AG3 W1 W3 W4 W8 FL7 E2 AA 1-3	None
	Fen Formation	Overgrazing and associated erosion	To maintain other habitats at favourable conservation status	None	None	None		None
	Important as an extensive sand dune/fen system with well-developed plant communities.	Proposed development	To maintain the populations of notable species on the site at favourable conservation status	None	None	None		None
		Recreational pressure Water abstraction and drainage	To establish effective liaison and co-operation with landowners, legal users and relevant authorities	None	None	None		None
Assessment		<p>The subject site is situated c. 2.5km north of the Arklow Town and Environs Development Plan Boundary. The Development Plan does not propose to zone any lands within close proximity to the subject site or propose any drainage measures. The Development Plan has aimed to facilitate residential, employment and other types of development on to appropriate lands where adverse impacts on local heritage, biodiversity flora and fauna will not be an issue. Having regard to the provisions and location of the proposed zonings within the plan area. It is not envisaged that any direct impacts will arise from the implementation of the plan.</p> <p>Indirect impacts on Dune and Fen type habitats can be caused by water abstractions serving a larger population. The water supply scheme to serve the Arklow Town and Environs Development Plan area is to be sourced from 16 wells all situated to the south of the Avoca River which have been assessed for environmental impacts. It is not considered that the provision of such a scheme will cause any adverse impacts on the conservation objectives of the designated habitat with the Avoca River acting as a natural buffer from these new water sources.</p> <p>While the Development Plan does place an emphasis on tourism and aims to promote Arklow's coastal location to an extent that may result in increased visitor numbers, the policies of the plan aim to direct visitors to areas within the plan boundary and not to the designated site of Buckroney Brittas Dunes and Fen. While the management of the site itself including regulation of access is not an issue for the Development Plan the site conservation management plan as prepared by the NPWS does address this issue. In addition the objectives of the plan aim to ensure that the development of tourism within the plan area is carried out in a sustainable manner with conservation of existing habitats being key to this expansion. The Arklow Town and Environs Development Plan sets out a framework for the proper planning and sustainable development of the plan area and will not give rise to either the 'invasion by unwanted species' or intensification of 'agricultural practices' which are more directly associated with the management of the site.</p> <p>The Development Plan has been prepared in accordance with the European, National and Regional legislation which set the framework for the achievement of the optimal balance of social, economic and physical development within the plan area. The effects of higher-level strategies and plans are considered insofar as they inform the Plan. Subsidiary plans and projects will be subject to separate assessment procedures in accordance with all applicable Regulations and Directives. Having regard to the purpose and provisions of the Development Plan it is considered that the Plan (either individually or in combination with other plans or projects) shall not give rise to significant adverse impacts on the integrity of this Natura 2000 site.</p>						

⁷ The conservation status of a natural habitat will be taken as 'favourable' when: - its natural range and areas it covers within that range are stable or increasing, and - the specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future, and - the conservation status of its typical species is favourable as defined the sum of the influences acting on the species concerned that may affect the long-term distribution and abundance of its populations within the territory referred to in Article 2; The conservation status will be taken as 'favourable' when: - population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats, and - the natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future, and - there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

Table 4.2 Assessment of the Arklow Town and Environs Development Plan

Natura 2000 Site Name	There is currently no Conservation Management Plan available for Kilpatrick Sandhills from the NPWS however there are draft conservation objectives available for the site, situated c. 4.5km from the most southern part of the Arklow Town and Environs Development Plan Boundary.							
Kilpatrick Sandhills SAC	Qualifying Interests	Potential Management Issues	Conservation Objectives	Direct Impact(s) of Plan	Indirect Impact(s) of Plan	Cumulative Impact(s) of plan	Mitigation Measures Included n the plan	Residual Impacts
	Comprises of a mosaic of coastal habitats but primarily a mature sand dune system Species-rich coastal grassland and cliff vegetation, including the scarce species, Rock Sea-lavender (<i>Limonium Binervosum</i>)	Overgrazing and associated erosion	To maintain the Annex I habitats for which the cSAC has been selected at favourable conservation status: Annual vegetation of drift lines; Embryonic shifting dunes; Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes); Fixed coastal dunes with herbaceous vegetation (grey dunes); Atlantic decalcified fixed dunes (Calluno-Ulicetea).	None	None	None	BD1 BD3 BD6 BD7 WS2 WS3 AG3 W1 W3 W4 W8 FL7 E2 AA 1-3	None
		Scrub encroachment from under grazing or maintenance of the site	To maintain the extent, species richness and biodiversity of the entire site.	None	None	None		None
		Recreational pressure	To establish effective liaison and co-operation with landowners, legal users and relevant authorities.	None	None	None		None
Assessment		The subject site is situated some 4.5km from the most southerly boundary of the Arklow Town and Environs Development Plan. In accordance with details of the site synopsis for this site the significant issues facing this area relate to grazing issues and recreational pressures from tourism and increased visitor numbers. Given the purpose of the Arklow Town and Environs Development Plan which aims to set out a framework for the proper planning and development of the area and the distance of the plan area to the subject site, it is not considered that the provisions of the plan will cause an adverse impact on these management issues. The Development Plan does not propose to zone any lands within close proximity to the subject site or propose any drainage measures. The Development Plan has aimed to facilitate residential, employment and other types of development onto appropriate lands where adverse impacts on local heritage, biodiversity flora and fauna will not be an issue. Having regard to the provisions and location of the proposed zonings within the plan area it is not envisaged that any direct or indirect impacts will arise from the implementation of the plan. The Development Plan has been prepared in accordance with the European, National and Regional legislation which set the framework for the achievement of the optimal balance of social, economic and physical development within the plan area. The effects of higher-level strategies and plans are considered insofar as they inform the Plan. Subsidiary plans and projects will be subject to separate assessment procedures in accordance with all applicable Regulations and Directives. Having regard to the purpose and provisions of the Development Plan it is considered that the Plan (either individually or in combination with other plans or projects) shall not give rise to significant adverse impacts on the integrity of this Natura 2000 site.						

Table 4.3 Assessment of the Arklow Town and Environs Development Plan								
Natura 2000 Site Name	The subject site is situated c. 12.35 km to the north of the Arklow Town and Environs Development Boundary. The site consists of a well-established and dynamic dune system, with various stages in the natural succession to woodland present. Three Mile Water bisects the site							
Maherbeg Dunes SAC	Qualifying Interests	Management Issues as set out in the CMP	Conservation Objectives	Direct Impact(s) of Plan	Indirect Impact(s) of Plan	Cumulative Impact(s) of plan	Mitigation Measures Included n the plan	Residual Impacts
	Well-established and dynamic dune system, with various stages in the natural succession to woodland present Three priority habitats 1) Fixed coastal dunes with herbaceous vegetation Atlantic 2) Decalcified fixed dunes 3) Petrifying springs with tufa formation 3 other Annex I habitats 1) Embryonic shifting dunes 2) Annual vegetation of drift lines 3) Shifting dunes along the shoreline	Erosion	To maintain and, where possible, enhance the ecological value of the priority habitats *fixed coastal dunes and *Atlantic decalcified dune heath	None	None	None	BD1 BD3 BD6 BD7 WS2 WS3 AG3 W1 W3 W4 W8 FL7 E2 AA 1-3	None
		Succession to Scrub and Woodland	To maintain and, where possible enhance the ecological value of the priority habitat *petrifying springs with tufa formations	None	None	None		None
			Grazing	To maintain and, where possible, enhance the ecological value of other habitats within the site	None	None		None
		Water Quality and Pollution	To maintain and, where possible, increase populations of noteworthy species of plants	None	None	None		
			Silage Storage	To maintain effective liaison between NPWS, relevant authorities and interested parties regarding the management of the site	None	None		None
		Assessment		Given the distance of the plan area from the subject site, the plan will not directly impact on the status or management of the subject site. Indirect impacts on such systems can arise from water abstractions serving a larger population. The Water supply scheme to serve the Arklow Town and Environs Development Plan area is to be sourced from 16 wells all situated to the south of the Avoca River which have been assessed for environmental impacts. The Arklow Wastewater Treatment Plant is proposed to be located to the north of the plan area in the Sea bank area which will be capable of meeting the requirements of a population of 18,000pe. In the absence of this treatment plant the plan contains a number of strong objectives aimed at maintaining and improving water quality in accordance with the provisions of the Eastern River Basin Management Plan. The provision of such schemes will not cause any adverse impacts on the conservation objectives of the designated habitat with the Avoca River acting as a natural buffer from these new water sources and strict objectives being implemented in relation to development and wastewater treatment infrastructure and water quality. The Arklow Town and Environs Development Plan sets out a framework for the proper planning and sustainable development of the plan area. While areas of land particularly to the north of the plan area are zoned for agricultural purposes the distance of such lands from the designated site is not likely to cause any adverse impacts. In addition the inclusion of standards such as <i>"Waste Management and storage associated with agricultural buildings shall comply with the Department of Agriculture, Fisheries and Food best practice guidelines on good farming practices, protection of water from nitrate pollution and farm pollution control"</i> aim to ensure that agricultural impacts are prevented. Management Issues identified relating to erosion and succession to scrub and woodland will not be affected by the implementation of the Development Plan. The Development Plan has been prepared in accordance with the European, National and Regional legislation which set the framework for the achievement of the optimal balance of social, economic and physical development within the plan area. The effects of higher-level strategies and plans are considered insofar as they inform the Plan. Subsidiary plans and projects will be subject to separate assessment procedures in accordance with all applicable Regulations and Directives. Having regard to the purpose and provisions of the Development Plan it is considered that the Plan (either individually or in combination with other plans or projects) shall not give rise to significant adverse impacts on the integrity of this Natura 2000 site.				

Table 4.4 - Assessment of the Arklow Town and Environs Development Plan								
Natura 2000 Site Name	Deputy's Pass Nature Reserve is situated just over 15km from the most north westerly edge of the plan boundary and is managed as a Nature Reserve and is part of an internationally important series of Oak woods in County Wicklow.							
Deputy's Pass Nature Reserve	Qualifying Interests	Management Issues as set out in the Conservation Management Plan	Conservation Objectives	Direct Impact(s) of Plan	Indirect Impact(s) of Plan	Cumulative Impact(s) of plan	Mitigation Measures Included n the plan	Residual Impacts
	A good example of Oak woodland Predominant vegetation community on the site is Sessile Oak (<i>Quercus petraea</i>) woodland referable to the Blechno-Quercetum petraeae association, a habitat that is listed on the EU Habitats Directive.	Commercial forestry	To maintain the Annex I habitat for which the cSAC has been selected at favourable conservation status; Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles (50% area of the site).	None	None	None	BD1 BD3 BD4 BD6 BD7 WS2 WS3 AG3 W1 W3 W4 W8 FL7 E2 AA 1-3	None
		Dumping						
		Footpaths	To maintain the extent, species richness and biodiversity of the entire site.	None	None	None		None
		Horse riding		None	None	None		
		Invasive and alien species	To enhance the educational and amenity use of the site.	None	None	None		
		Lack of regeneration Small size	To establish effective liaison and co-operation with landowners, legal users and relevant authorities	None	None	None		
Assessment		<p>A set out above the designated site is situated just over 15kms from the plan boundary. Given the distance of this site from the plan boundary it is not considered that the provisions set out in the Development Plan will cause any direct impacts on this Nature Reserve.</p> <p>The main management issues identified in the Conservation Management Plan prepared by the NPWS indicate that commercial activities, recreational usage, dumping and the invasion of Alien Species are the main issues facing the designated site. The Arklow Town and Environs Development Plan sets out a framework for the proper planning and sustainable development of the plan area and does not relate to lands outside the plan boundary. The lands in question fall within the jurisdiction of the Wicklow County Development Plan where a number of policies and objectives are set out in order to protect and preserve such sites.</p> <p>While the Development Plan does place and emphasis on tourism and aims to promote Arklow's coastal location to an extent that may result in increased visitor numbers, the policies of the plan aim to direct visitors to areas within the plan boundary and not to the designated site Deputy's Pass Nature Reserve. While the management of the site itself including regulation of activities and accessibility is not an issue for the Development Plan the site conservation management plan as prepared by the NPWS does address this issue. In addition the objectives of the plan aim to ensure that the development of tourism within the plan area is carried out in a sustainable manner with conservation of existing habitats being key to this expansion.</p> <p>The Development Plan has been prepared in accordance with the European, National and Regional legislation which set the framework for the achievement of the optimal balance of social, economic and physical development within the plan area. The effects of higher-level strategies and plans are considered insofar as they inform the Plan. Subsidiary plans and projects will be subject to separate assessment procedures in accordance with all applicable regulations and directives. Having regard to the purpose and provisions of the Development Plan it is considered that the Plan (either individually or in combination with other plans or projects) shall not give rise to significant adverse impacts on the integrity of this Natura 2000 site.</p>						

4.3 Summary of Assessment of significance

Tables 4.1 – 4.4 above assess the potential impacts that the Arklow Town and Environs Development Plan 2011-2017 may have on Natura 2000 sites situated within c. 15km of the plan boundary. This assessment has taken into consideration direct, indirect and cumulative potential impacts arising from the provisions and objectives of the proposed Plan.

The assessment of each of the four designated sites indicates that the plan will not cause any significant impacts on any of these sites. None of the designated Natura 2000 sites are located within the plan boundary with the closest designated site being Buckroney Brittas Dune and Fen SAC to the north of the plan boundary. This site is important as an extensive dune/fen system with well-developed plant communities. The main management issues identified relating to this site are indicated as being recreational, overgrazing and development pressures and water abstraction and drainage.

As set out above, the provisions of the Arklow Town and Environs Development Plan does not include any lands within the boundary of this designated site. The plan has designated lands for development at appropriate locations where objectives have been included that are aimed at preserving existing natural Biodiversity, Flora and Fauna. The water supply proposed to serve the projected population is to be abstracted from a number of wells located to the south of the Avoca River which will act as a natural buffer to this Dune and Fen system and therefore prevent any impacts on the water resources of this site.

While the Development Plan does place an emphasis on tourism and aims to promote Arklow's coastal location to an extent that may result in increased visitor numbers, the policies of the plan aim to direct visitors to areas within the plan boundary and not to the designated site of Buckroney Brittas Dunes.

The Development Plan has been prepared in accordance with the European, National and Regional legislation that set the framework for the achievement of the optimal balance of social, economic and physical development within the plan area. The effects of higher-level strategies and plans are considered insofar as they inform the Development Plan. Subsidiary plans and projects will be subject to separate assessment procedures in accordance with all applicable Regulations and Directives.

Having regard to the purpose and provisions of the Development Plan it is considered that the plan (either individually or in combination with other plans or projects) shall not give rise to significant adverse impacts on the integrity of this Natura 2000 site.

4.4 Conclusions and Recommendations

The likely impacts that will arise from the Arklow Town and Environs Development Plan have been examined in the context of a number of factors that could potentially affect the integrity of the Natura 2000 network. None of the sites within the 15km of the plan area will be adversely affected. A finding of No Significant Effects Matrix has been completed and is presented in Section 6 of this screening statement.

4.5 Further Assessment Required

On the basis of the findings of this screening for Appropriate Assessment, it is concluded that the Arklow Town and Environs Development Plan will not have a significant effect on the Natura 2000 network and a Stage 2 Appropriate Assessment is not required.

Section 5 Screening Matrix checklist:

Brief description of the project or plan	Refer to Page 7 of above report.
Brief Description of the Natura 2000 site	Refer to Page 14 section 3
Describe the individual elements of the project (either alone or in combination with other plans or projects) likely to give rise to impacts on the Natura 2000 site.	The Arklow Town and Environs Development Plan has been formulated to ensure that uses, developments and effects arising from permissions based upon this Plan (either individually or in combination with other plans or projects) shall not give rise to significant adverse impacts on the integrity of any Natura 2000 sites.
<u>Describe any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the Natura 2000 site by virtue of:</u> <ul style="list-style-type: none"> • Size and scale: • Land take: • Distance from the Natura 2000 site or key features of the site: • Resource requirements (water abstraction etc): • Emissions (disposal to land, water, air) • Excavation requirements: • Transportation requirements: • Duration of construction, operation, decommissioning, etc: • Other: 	<p>No projects giving rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites arising from these factors i.e. size or scale/land take etc shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects).</p> <p>Refer to figure 3.1 above highlighting the distance of the plan area at a 5, 10 and 15km radius from the plan boundary.</p> <p>Refer to the assessment of impacts on each designated site as set out in Section 4 above.</p>
<u>Describe any likely changes to the site arising as a result of:</u> <ul style="list-style-type: none"> • Reduction in 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: 	<p>No projects giving rise to changes to the Natura 2000 site arising from these factors shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects).</p> <p>Refer to the assessment of impacts on each designated site as set out in Section 4 above</p>
<u>Describe any likely impacts on the Natura 2000 site as a whole in terms of:</u> Interference with the key relationships that define the structure of the site: Interference with the key relationships that define the function of the site:	Refer to the assessment of impacts on each designated site as set out in Section 4 above
<u>Provide Indicators of significance as a result of the identification of effects set out above in terms of the following:</u> Loss Fragmentation	The management issues identified for each site in the Draft Conservation Management Plans have been used to inform this report regarding these factors and the above report has found that that the proposed Arklow Town

Disruption Disturbance Change to key elements of the site (e.g. water quality etc).	and Environs Development Plan is not likely to cause a significant impact on any designated Natura 2000 sites.
Describe from the above those elements of the project or plan, or combination of elements, where the above impacts are likely to be significant or where the scale or magnitude of impacts is not known.	Sections 4.3 to 4.5 indicate that the Arklow Town and Environs Development Plan is not likely to cause any significant impact on any designated sites.

Section 6 Finding of no Significant Effects Report Matrix

Name of Project or Plan	Arklow Town and Environs Development Plan 2011 - 2017
Name and Location of Natura 2000 sites (all sites situated within c. 15km of the plan boundary)	<ol style="list-style-type: none"> 1. Buckroney Brittas Dunes and Fen 2. Kilpatrick Sandhills SAC 3. Maherbeg Dunes SAC 4. Deputy's Pass SAC
Description of the Project or Plan	<p>Arklow Town Council in Conjunction with Wicklow County Council are currently preparing the Arklow Town and Environs Development Plan to replace the existing Arklow Town Development Plan and Arklow Environs Local Area Plan. This process involves an amalgamation of these two plans.</p> <p>The purpose of the development plan is:</p> <ul style="list-style-type: none"> ⇒ To provide a blueprint for the sustainable development of the plan area in order to realise its full potential in the interest of the town and county; ⇒ To provide a detailed framework for the management and regulation of development and use of land that will guide day to day planning decisions; ⇒ To include proposals for the development and use of land and to zone lands for specific purposes which will provide guidance and information for developers and the public; ⇒ To promote the economic, social and cultural development of the town and its environs; ⇒ To give local communities the opportunity to participate in the planning process as it relates to their local area and their daily lives.
Is the plan or project directly connected with or necessary to the management of the site (s)	No – The Arklow Town and Environs Development sets out a framework for the proper planning and sustainable development of the plan area and is not related to the management of any of the Natura 2000 designated sites located within 15km of the plan boundary.
Are there other projects or plans that together with the project or plan being assessed could affect the site?	<p>The Development Plan has been prepared in accordance with the provisions of the Wicklow County Development Plan and Regional, National and European legislation which set the framework for the achievement of the optimal balance of social, economic and physical development within the plan area.</p> <p>The Development Plan has been formulated to ensure that uses, developments and effects arising from developments based upon this plan (either individually or in combination with other plans or projects) shall not give rise to significant adverse impacts on the integrity of any Natura 2000 sites.</p>
The Assessment of Significance of Effects	
Describe how the project or plan (alone or	The Arklow Town and Environs Development Plan 2011-2017 is not likely to affect any site that makes up the Natura

in combination) is likely to affect the Natura 2000 site.	2000 network
Explain why these effects are not considered significant	<p>The policies and provisions of the Development Plan have been devised to anticipate and avoid the need for developments that would be likely to significantly and adversely affect the integrity of any Natura 2000 sites. Furthermore, any developments that may be permitted on foot of the provisions of this plan shall be required to conform to the relevant regulatory provisions for the prevention of pollution, nuisance or other environmental effects likely to significantly and adversely affect the integrity of any Natura 2000 sites.</p> <p>Buckroney-Brittias Dunes and Fen No impacts on Buckroney-Brittias Dunes and Fen are anticipated to arise from the Arklow Town and Environs Development Plan. The main management issues affecting this site relate to recreational, overgrazing and development pressures and water abstraction and drainage. The plan does not propose the zoning of any lands and does not require the abstraction or propose drainage within or in close proximity to the subject designated site with the plan areas water supply being sourced from 16 wells located to the south of the Avoca River. The provisions of the plan aim to increase visitor numbers within the plan area only. While this may have the knock on effect of increased usage of Buckroney Dunes, the Conservation Management plan for the area will regulate visitor numbers to this site.</p> <p>Kilpatrick Sandhills No impacts on Kilpatrick Sandhills are anticipated to arise from the Arklow Town and Environs Development Plan. The main issues identified for this site relate to grazing issues and recreational pressures from tourism and increased visitor numbers. Given the purpose of the Arklow Town and Environs Development Plan which aims to set out a framework for the proper planning and development of the area and the distance of the plan area to the subject site, it is not considered that the provisions of the plan will cause an adverse impact on these current issues. The Development Plan does not propose to zone any lands within close proximity to the subject site or propose any water abstraction or drainage measures. The Development Plan has aimed to facilitate residential, employment and other types of development onto appropriate lands where adverse impacts on local heritage, biodiversity flora and fauna will not be an issue. Having regard to the provisions and location of the proposed zonings within the plan area it is not envisaged that any direct impacts will arise from the implementation of the plan.</p> <p>Maherbeg Dunes No impacts on Maherbeg Dunes are anticipated to arise from the Arklow Town and Environs Development Plan. The designated site is situated c. 12.35km from the plan boundary with the main management issues within the site being erosion, agricultural activities water quality and pollution. The water and wastewater infrastructure to serve the projected population is not likely to impact on the conservation objectives of the designated habitat with the Avoca River acting as a natural buffer from new water sources and strict objectives being implemented in relation to</p>

	<p>development and wastewater treatment infrastructure and water quality. Objectives and standards relating to agriculture lands within the plan area have also been included which promote sustainable agricultural practices. It is not envisaged that any impacts will arise from the implementation of the plan.</p> <p>Deputy's Pass Nature Reserve</p> <p>The main management issues identified in the Conservation Management Plan prepared by the NPWS indicate that commercial activities, recreational usage, dumping and the invasion of alien species are the main issues facing the designated site. The Arklow Town and Environs Development Plan sets out a framework for the proper planning and sustainable development of the plan area and does not relate to lands outside the plan boundary. The lands in question fall within the jurisdiction of the Wicklow County Development Plan where a number of policies and objectives are set out in order to protect and preserve such sites.</p>
List of agencies consulted: provide contact name and telephone or e-mail address.	<p>Enda Mullen (NPWS) - enda_mullen@environ.ie Linda Patton (NPWS) – linda_patton@environ.ie (During SEA/AA pre-draft scoping meeting) Rebecca_Jeffrey (NPWS) – rebecca_Jeffrey@environ.ie Cian O'Mahony (EPA) - c.o'mahony@epa.ie (During SEA/AA pre-draft scoping meeting) Donnachadh Byrne (ERFB/DCENR) – d.brine@erfb.ie (During SEA/AA pre-draft scoping meeting)</p>
Response to Consultation	<p>The following summarises the verbal response received at the SEA/AA scoping meeting held on the 18th of January 2010:</p> <p>Enda Mullen (NPWS) –</p> <ul style="list-style-type: none"> ⇒ The potential effects arising from groundwater abstractions having regard to the direction of groundwater flow from Buckrone Fen designated SAC. ⇒ The effects of infrastructure routes, the use of amenity and lighting of river walks ⇒ Appropriate Assessment. <p>Linda Patton (NPWS) –</p> <ul style="list-style-type: none"> ⇒ Article 10 of the Habitats Directive regarding linear features and stepping stones for biodiversity in land use plans. ⇒ SEO's relating to water quality in the SEA need to ensure the protection of species listed in Annex II of the Habitats Directive. <p>The content of this submission also states that Appropriate Assessment must be carried out and the following considered:</p> <ul style="list-style-type: none"> ⇒ Sources of Water Supply ⇒ Wastewater Infrastructure

	<p>⇒ Wind Energy Mapping</p> <p>⇒ Infrastructure requirements for the plan area</p> <p>⇒ Impact on Amenity Sites arising from population growth</p> <p>⇒ Where or not the plan refers to National or County Strategies which could impact on Natura 2000 sites</p> <p>⇒ Are zonings compatible with the protection of Natura 2000 sites.</p> <p>It was also stated that the most up to date versions of maps should be obtained from the NPWS sources.</p> <p>Rebecca Jeffrey (NPWS) - <i>Receipt of Conservation Management Plans for the following Natura 2000 sites:</i> Buckroney Brittas Dunes and Fen - Site Code 000729 Maherbeg Dunes SAC - Site Code 001766 Deputy's Pass SAC - Site Code 000717 <i>Receipt of Draft Conservation Management Objectives for Kilpatrick Sandhills SAC – Site Code 001742</i></p> <p>Cian O'Mahony (EPA) - ⇒ Appropriate Assessment Guidance ⇒ Details of the Water Services Investment Programme ⇒ Water conservation measures ⇒ Consistency of the plan with measures contained in the Eastern River Basin Management Plan and accompanying Programme of Measures</p> <p>Donnachadh Byrne (ERFB/DCENR) – ⇒ The protection of ecological connectivity along non-designated sites, rivers and their banks ⇒ Conflict between infill development and the above ecological connectivity. ⇒ Providing linear buffers (~10m)/park(s) to protect connectivity ⇒ The potential for a deterioration in water quality during periods of low flow - this is especially relevant due to presence of Avoca pollutants ⇒ Potential reductions in water flow arising from water abstractions</p>
Data Collected to carry out the Assessment	
Who Carried out the Assessment	Wicklow County Council in conjunction with Arklow Town Council
Sources of Data	NPWS – Data Base and Conservation Management Plans for designated sites within 15km of the plan boundary

	Verbal and Written Submissions from the NPWS, ERFB and EPA as summarised above. Existing Records from Wicklow County Council and Arklow Town Council
Level of assessment completed	Desktop Study, Pre-Draft scoping submissions and consultation with the EPA, DEHLG and DCENR, Consultation with Wicklow County Council Environment and Water services section
Where can the full results of the assessment be accessed and viewed?	Wicklow County Council Arklow Town Council
Overall Conclusion	Stage 1 Screening indicates that the Arklow Town and Environs Development Plan 2011-2017 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.