

**BRAY MUNICIPAL DISTRICT**  
**LOCAL AREA PLAN 2018 – 2024**  
including the settlements of Bray, Enniskerry and Kilmacanogue

**APPENDIX B**  
**Appropriate Assessment**



WICKLOW COUNTY COUNCIL

June 2018



## **Foreword**

This is the Appropriate Assessment (AA) Natura Impact Report (NIR) and Addendum for the Bray Municipal District LAP 2018.

The purpose of the NIR and Addendum was to inform Wicklow County Council, the competent authority, of the likelihood of significant effects on Natura 2000 Sites arising from the LAP. Subsequent Material Alterations (MA) made to the LAP during its preparation were subject to subject to AA Screening.

The NIR (and its AA Screening addendum) has enabled WCC to make a determination as to as to whether the LAP and any subsequent MA to the LAP, would in the first place be required to be subject to AA (AA Screening) and then if required to be subject to AA (NIR) whether significant adverse effects on the integrity of the Natura 2000 network, either in isolation or in combination with other plans and projects acting in the same area, could be ruled out.

At each stage of the LAP process the Elected Members took into account the findings of the NIR and Addendum (AA Screening for MA). The screening out of potential significant effects on Natura 2000 Sites arising from the LAP does not exclude the subsequent need for AA Screening of plans and projects within the LAP area, as they arise.

The draft LAP and accompanying NIR and Addendum (AA Screening for MA) were placed on public display from 02.08.2017 to 15.09.2017. The Chief Executive prepared a report on the submissions received during the display period and submitted it to the Elected Members for their consideration. Any submissions regarding potential impacts on Natura 2000 sites were addressed as part of the Chief Executive's Report. Having considered the draft LAP, associated documents and the Chief Executive's Report, the Elected Members, resolved to materially alter the draft LAP. An AA Screening was carried out on the proposed Material Alterations (included in Appendix A - Addendum to the NIR)

The proposed Material Alterations along with the Addendum to the NIR went on display from Friday 09.02.2018 to 09.03.2018. Following the consultation period on the proposed amendments and AA Screening Addendum and the receipt of submissions, the Chief Executive prepared his report. Any submissions regarding potential impacts on Natura 2000 sites were addressed as part of this report. At that stage no further AA Screening was required. On adoption of the LAP, the Addendum to the AA Screening Report supplemented the original NIR on the draft LAP and along with this 'Foreword' is the 'NIR', which accompanies the adopted Bray Municipal District LAP 2018.



BRAY MUNICIPAL DISTRICT  
DRAFT LOCAL AREA PLAN 2017

**APPENDIX B**  
**Appropriate Assessment**



WICKLOW COUNTY COUNCIL  
AUGUST 2017



Wicklow County Council

**Draft Bray Municipal District  
Local Area Plan 2017-2023**

Appropriate Assessment Natura  
Impact Report

Issue | 31 July 2017

This report takes into account the particular instructions and requirements of our client.

It is not intended for and should not be relied upon by any third party and no responsibility is undertaken to any third party.

Job number 251896-00

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## Appendices

### Appendix A



## Details of European Sites within 15km of Bray Town and Environs LAP

### **Appendix B**

#### Assessment of Objectives within the Draft Local Area Plan

# 1 Introduction

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## 1.1 Background

The Draft Bray Municipal District Local Area Plan 2017-2023 (Draft LAP) has been prepared by Wicklow County Council pursuant to Section 20 of the Planning & Development Act 2000 (as amended).

The purpose of the Draft LAP is to put in place a land use framework that will guide the future sustainable development of the Bray Municipal District, which includes the settlements of Bray, Enniskerry and Kilmacanogue (as shown on Figure 1). This plan, in conjunction with the Wicklow County Development Plan 2016-2022 (County Development Plan), will inform and manage the future development of the plan area.

## 1.2 Legal Requirement for Habitats Directive Assessment

This Natura Impact Report (NIR) has been prepared by Ove Arup and Partners Ltd. (Arup) for Wicklow County Council. It provides information on and assesses the potential for the proposed development plan to impact on sites of European scale ecological importance. This is the draft version of the NIR that is published alongside the Draft LAP. This report serves as a documented record of the process of the Appropriate Assessment (AA) of the Draft LAP during its preparation.

The responsibility for carrying out AA lies with Wicklow County Council and this NIR facilitates the AA by the Council. Wicklow County Council's AA decision for the Draft LAP will be published alongside the adopted LAP in due course.

The preparation of the Draft LAP has regard to Article 6 of the Council Directive 92/43/EEC of 21 May 1992 on the Conservation of Natural Habitats and of Wild Fauna and Flora (as amended) (hereafter referred to as the Habitats Directive).

This is transposed in Ireland by the European Communities (Birds and Natural Habitats) Regulations, 2011 (S.I. 477) (hereafter referred to as the Habitats Regulations) and Part XAB of the Planning and Development Act 2000, as amended.

Articles 6(3) and 6(4) of the Habitats Directive set out the requirement for AA, i.e. an assessment of proposed plans and projects likely to affect Natura 2000 sites. Article 6(3) establishes the requirement to screen all plans and projects and to carry out a further assessment if required (i.e. Stage 2 AA):

Article 6(3) states that:

*“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 an 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.”*

The subsequent paragraph allows proposed plans and projects to be approved in certain conditions as Article 6(4) states that:

*“If, in spite of a negative assessment of the implications for the 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 the Natura 2000 is protected.*

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

This Natura Impact Report has informed the AA process for the Draft LAP.

## 2 Methodology

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### 2.1 Formal Guidance

The AA process has taken account of guidance contained in the following documents:

- Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities. (Department of Environment, Heritage and Local Government, 2010 revision);
- Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities. Circular NPW1/10 and PSSP 2/10;
- Assessment of Plans and Projects Significantly Affecting Natura 2000 sites: Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC (European Commission Environment Directorate - General, 2001); hereafter referred to as the EC Article 6 Guidance Document. The guidance within this document provides a non mandatory methodology for carrying out assessments required under Article 6(3) and (4) of the Habitats Directive;
- Managing Natura 2000 Sites: The Provisions of Article 6 of the Habitat's Directive 92/43/EEC (EC Environment Directorate General, 2001); hereafter referred to as MN2000;
- 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 European Commission (European Commission, January 2007); and
- Guidelines for Good Practice Appropriate Assessment of Plans Under Article 6(3) Habitats Directive (International Workshop on Assessment of Plans under the Habitats Directive, 2011).

### 2.2 Sources of Information Used

Information relied upon for this NIR included the following information sources, which included maps, ecological and water quality data:

- Ordnance Survey of Ireland mapping and aerial photography available from [www.osi.ie](http://www.osi.ie);
- Online data available on European sites as held by the National Parks and Wildlife Service (NPWS) from [www.npws.ie](http://www.npws.ie);
- Information on land - use zoning from the online mapping of the Department of the Environment, Community and Local Government <http://www.myplan.ie>;
- Information on water quality in the area available from [www.epa.ie](http://www.epa.ie);

- Information on the Eastern River Basin District from [www.wfdireland.ie](http://www.wfdireland.ie);
- Information on soils, geology and hydrogeology in the area available from [www.gsi.ie](http://www.gsi.ie);
- Information on the status of EU protected habitats in Ireland (National Parks and Wildlife Service, 2013a and 2013b);
- Information on the conservation status of birds in Ireland (Colhoun and Cummins, 2014);
- Wicklow County Development Plan 2016 - 2022;
- Wicklow County Development Plan 2016 - 2022 Natura Impact Report and Determination;
- Various Local Area Plans within Wicklow County and 2013 - 2019;
- Dun Laoghaire and Rathdown County Development Plan 2016-2022; and
- Ecological reports and EIS reports for proposed developments within LAP lands.

### 2.3 Appropriate Assessment: Purpose and Process

Wicklow County Council has prepared the Draft LAP which sets out objectives and technical guidance which will be used to guide the development of the plan area.

All land use plans, such as the Draft LAP, must be prepared and examined to make certain that there will not be any adverse effects on sites that are designated for their special habitats and wildlife. These particular sites are regarded to be of European importance and are part of the European Commission's Natura 2000 network of sites. They are termed candidate Special Areas of Conservation (SAC) under the Habitats Directive and Special Protection Areas (SPA) under the Birds Directive. The Irish Government and local planning authorities have a legal obligation to protect these sites.

The process of assessing the Draft LAP was a structured exercise with a series of steps. The overall purpose of the process was to ensure that the LAP, when implemented, does not result in adverse effects on the "integrity" of the European sites within the Natura 2000 network. The first step was to look at the overall Draft LAP in principle and to answer the question:

- Is it likely that the implementation of the Draft LAP could result in likely significant effects on the European sites within the Natura 2000 network?

It does not matter where these sites may be - impacts can occur across administrative boundaries. This step is known as "Screening". In order to ensure that the Draft LAP complied fully with the requirements of Article 6 of the Habitats Directive and all relevant Irish transposing legislation, Arup, on behalf of Wicklow County Council carried out the screening of the Draft LAP in November 2016. The AA screening was based on a review of the Bray Issues booklet and a continuation of zoning and objectives associated with the relevant existing local

area plans to see if the Draft LAP that would follow would likely require an AA. The outcome of this screening determined that due to the types and locations of development that could arise as a result of implementing the Draft LAP, that significant effects could not be ruled out and that the Draft LAP would need further assessment during its preparation. At the time of screening, the detail of the development objectives were not known so the screening was undertaken in a very precautionary and strategic manner.

- The documented output of the AA Screening stage was an AA Screening Report.
- The AA process then moved to full Appropriate Assessment as required under Section 177V, Part XAB, 2000 Planning and Development Act, as amended.
- The AA and SEA team held meetings with WCC in 2016 to discuss issues of concern relating to the general approach and issues for the Draft LAP and most specifically to zoning at Fassaroe where development is proposed in proximity to a cSAC.
- The AA involved analysing the relationship between the proposed elements of the Draft LAP and the Conservation Objectives of the European sites. Where there was the potential for an adverse impact to occur, then the assessment team has recommended changes to elements of the Draft LAP to avoid or mitigate the potential impact. These recommendations have been integrated into the various elements of the Draft LAP so that the implementation would not result in any significant effects on European sites.
- The Draft LAP and NIR will be published for a period of public consultation. Any submissions will be scrutinised by the team and the Wickow Conty Council will be alerted as to any submissions that may have implications for European sites.

## **2.4 Overlap with the Strategic Environmental Assessment of the Draft Local Area Plan**

The Strategic Environmental Assessment (SEA) of the Draft LAP has been carried out concurrently with the AA. There were several areas of overlap considered in accordance with good practice in terms of the following stages:

- Sharing of baseline data gathering and sharing, data on European sites and potential sensitivities and threats;
- Settlement zoning maps were scrutinised by the team for potential adverse effects on integrity of the European Sites in terms of their Conservation Objectives but also any other ecological impacts outside of the European sites were highlighted to ensure that they would be addressed in the SEA; and
- The SEA highlighted potential interactions between other environmental issues such as water quality and infrastructure and the sensitivities of European sites which fed into the AA.

## 2.5 Consultation Strategy

Whilst consultation is not an obligatory part of the AA process, it provides important information on the state of the European sites and any specific concerns that key stakeholders may have. A submission has been received from National Parks and Wildlife Services (NPWS) and the Environmental Protection Agency (EPA) in response to SEA scoping. The AA screening process has taken full account of these observations in these submissions.

In addition, this draft NIR will be used for the purposes of undertaking consultation with the NPWS and other relevant organisations as appropriate inform the AA process.

## 2.6 How the AA process is applied within the Planning Hierarchy

The AA process takes place at several stages within the land use planning hierarchy. In this case the Draft LAP must take cognisance of the County Development Plan. In accordance with overarching European and national legislation, the Draft LAP will implement a framework to ensure AA of individual planning applications which must take this NIR into account.

As actions pass through the planning hierarchy from national policy to the County Development Plan to the Draft LAP and then to individual planning applications, the following aspects become expressed at a more detailed level:

- Geographic specificity (i.e. from non-specific actions in the County Development Plan, to actions proposed for identifiable land parcels in the Draft LAP);
- Duration and timing of impacts (usually not known as part of the Draft LAP); and
- Raw materials required, wastes and energy generated (can be predicted in a generic sense as part of the Draft LAP but precise constituents and quantities usually only known once the individual planning application is made available).

In order to address this hierarchy of level of detail, the current Draft NIRAA of the Draft LAP has adopted the precautionary principle, i.e. made certain that where the certain aspects are not currently predictable but may pose a risk to the European site and instances where project details are known, that this is highlighted in the AA process and appropriate safeguards or capture mechanisms are proposed.

Appendix A identifies which Qualifying Interests are covered by these assessment criteria.

## 3 Overview of the Draft LAP and In-Combination Plans and Projects

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### 3.1 Overview

The Draft LAP is informed and implemented by a hierarchy of planning policies, including the County Development Plan. The County Development Plan was also subject to an AA in accordance with the Habitats Directive and it is assumed that the Draft LAP will be implemented in the context of the County Development Plan and its AA.

Previously, the development plan for Bray Town was a stand-alone policy document, prepared separately to the County Development Plan. Previous Development Plans therefore were required to include the entire suite of policies, objectives and development standards that would be relevant to and would apply in the Bray Town Council jurisdiction. However, with the dissolution of the town councils, Wicklow County Council has become the planning authority for Bray municipal district and therefore the provisions of the County Development Plan now apply directly to the plan area.

The development plans for the towns of Enniskerry and Kilmacanogue previously formed part of the County Development Plan. However these areas have been integrated into the Bray municipal district, therefore those plans adopted in the 2016 County Development Plan are hereby superseded by the Draft LAP.

Most policies, objectives and development standards that will apply in the plan area are already determined in the County Development Plan. All efforts have been made to minimise repetition of County Development Plan objectives in the Draft LAP, unless it is considered necessary to emphasise assets or restate objectives that have particular relevance and importance to the plan area.

The Draft LAP includes objectives that are area specific and achievable, and avoid those that are aspirational or are best dealt with in the annual budget, road works programme, etc. The role of land use planning is to put in place framework within which development can occur, but does not decide what works actually get done by either private individuals or public bodies.

It is not the purpose of this NIR to fully reproduce the text of the Draft LAP and the reader is directed to Chapter 1: Introduction and Chapter 2 Overall Vision & Development Strategy of the Draft LAP where an overview of the format and scope is provided.

The Draft LAP represents the main statement of planning policies and objectives for the plan area. The policies and objectives outlined in the Draft LAP are critical in determining the appropriate location and form of different types of development permitted in the plan area. The Draft LAP is the primary statutory land use policy framework against which planning applications in the plan area are assessed.



The objectives of the Draft LAP are also used by Wicklow County Council to guide their activities and to indicate priority areas for action and investment such as attracting employment or enhancing the plan area as a centre for tourism.

The Draft LAP is a key document for setting out a vision for how the plan area should develop to 2023 and beyond. The plan is consistent with the objectives set out in the following documents:

- Regional Planning Guidelines;
- Greater Dublin Area Transportation Study 2016-2035;
- County Development Plan;
- Wicklow Local Economic and Community Plan 2016-2022;
- County Wicklow Heritage Plan 2009 – 2014 (Heritage Plan); and
- County Wicklow Biodiversity Action Plan 2010-2015 (Biodiversity Action Plan).

## 3.2 Vision and Development Strategy

### 3.2.1 Vision

A key aim of any local development plan is to set out the vision and development strategy for the future development of the plan area and from this vision, all policies and objectives can be developed and implemented with the overall aim of achieving this vision.

The vision and development strategy for the Draft LAP must be consistent with the ‘Core Strategy’ of the County Development Plan and reflect the characteristics, strengths and weaknesses of the plan area.

The vision for the Draft LAP is:

*“For the Bray Municipal District to be a cohesive community of people enjoying distinct but interrelated urban and rural environments; 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.”*

### 3.2.2 Development Strategy

The Development Strategy describes the factors that have influenced the Draft LAP, in particular the higher order plans and strategies as well as the physical factors and the desired pattern of development, that have influenced the crafting of the Draft LAP.

The Draft LAP has been influenced by a hierarchy of legislation and plans and the Development Strategy considers the existing baseline and physical factors of relevance in the plan area. Table 1 describes the key elements of the Development Strategy as they apply to the Draft LAP.

Table 1: The Development Strategy for the plan area as described in the Draft LAP

Strategy	Key points
Residential Development Strategy	<ul style="list-style-type: none"> <li>• To adhere to the objectives of the Wicklow County Development Plan in regard to population and housing as are applicable to Bray MD.</li> <li>• To ensure sufficient zoned land is available at appropriate locations capable of meeting the housing needs of the projected population of the settlements in the MD over the plan period in a sustainable manner. Notwithstanding the zoning of land for residential purposes, the Planning Authority shall monitor and implement the population targets as set out in the County Development Plan and shall phase and restrict, where necessary, the granting of residential planning permissions to ensure these targets are not exceeded.</li> <li>• To promote and facilitate in-fill housing developments, the use of under-utilised / vacant sites and vacant upper floors for residential use and facilitate higher residential densities at appropriate locations, subject to a high standard of design, layout and finish.</li> <li>• To promote and facilitate the redevelopment of sites in town centres, including identified opportunity sites, where development will positively contribute to the commercial and residential vitality of the town centre.</li> <li>• To promote and facilitate the rapid delivery of the maximum number of housing units in the key development areas of Fassaroe and the former Bray golf club.</li> </ul>
Economic Development and Employment Strategy	<ul style="list-style-type: none"> <li>• To build on the Bray MD's distinctive qualities to develop a dynamic, regionally competitive economy that creates wealth and provides quality sustainable work opportunities for all the residents of the district;</li> <li>• To encourage in the first instance, job creation in the existing town centres, in retail and retail services, professional services, tourism, accommodation;</li> <li>• The encourage and facilitate the change of use of existing non-commercial properties in the town core to commercial or employment uses, particularly small to medium size enterprises and start ups;</li> <li>• To ensure sufficient zoned land is available in appropriate locations capable of facilitating the development of appropriate employment opportunities in accordance with the provisions of the County Development Plan. Maintain existing, developed employment lands and resist changing the zoning or use of such sites, particularly to residential uses, except where local conditions can justify same. In such limited circumstances, employment providing development may still be required as part of the package of development including residential;</li> <li>• To target that at least 50% of the required jobs growth in any town shall be in the town centre or existing developed employment sites and thereafter, to zone lands for new employment creation at the most optimal locations;</li> <li>• Facilitate the provision of key infrastructure required for the future development of enterprise and employment.</li> <li>• Promote a high quality built and natural environment that is attractive to indigenous and foreign industry and employees.</li> </ul>

	<ul style="list-style-type: none"> <li>• To facilitate the development of opportunities to capitalise particularly on the district's coastal location.</li> <li>• To prioritise the existing town centres as the core location for more intensive economic activity and job creation.</li> <li>• Promote tourist developments at suitable locations that are of an appropriate scale and design, particularly developments that are linked with the tourism products or themes associated with the Bray MD and its hinterland and maximise the towns in the district's locations as both destinations and gateways between other nearby tourism assets.</li> <li>• For Bray, the key location for new employment development shall be in Fassaroe, where it is the objective to secure the delivery of up to 3,000 new jobs.</li> </ul>
Town Centre and Retail Strategy	<ul style="list-style-type: none"> <li>• To promote and encourage consolidation of and improvement to retailing and other town centre activities in the core areas of the three towns in the district including the renovation and expansion of existing retail premises in the core retail area.</li> <li>• Encourage the redevelopment and regeneration of vacant, underutilised and derelict sites including the conversion of non-retail premises in the core area to retail use.</li> <li>• To protect features that contribute to the towns' overall appearance and heritage value.</li> <li>• To encourage higher residential densities in the town centre zones and the concept of 'living over the shop'.</li> <li>• The redevelopment of lands within the town core area, particularly those sites with frontage onto the main streets and squares of the towns, shall provide for a street fronting building of a high quality design or for a high quality urban space, including hard and soft landscaping, and appropriate street fixtures and furniture, in order to enhance and create a more attractive streetscape.</li> </ul>
Community Development Strategy	<ul style="list-style-type: none"> <li>• To facilitate the development of a range of high quality community, educational, open space and recreational facilities that meet the needs of the local population, and in particular to require that new community, open space and recreational facilities are developed in tandem with new housing.</li> </ul>
Infrastructure Strategy	<ul style="list-style-type: none"> <li>• Promote the development of a safe and accessible pedestrian, cycling and traffic routes and excellent public transport facilities.</li> <li>• Facilitate and promote the delivery of reliable and effective water, drainage, energy, waste management and communications infrastructure to service the existing and future development needs of the settlement.</li> </ul>
Heritage Strategy	<ul style="list-style-type: none"> <li>• To protect the natural, architectural, archaeological and maritime heritage of Bray MD.</li> <li>• To enhance the quality of the natural and built environment, to enhance the unique character of the towns in the district as a place to live, visit and work.</li> <li>• To promote greater appreciation of, and access to, local heritage assets.</li> </ul>

### 3.3 In-combination Plans and Projects

Article 6(3) of the Habitats Directive requires an assessment of a plan or project to consider other plans or programmes that might, in combinations with the plan or project, have the potential to adversely impact upon Natura 2000 sites. Table 2 lists the plans or projects that may interact with the Draft LAP to cause in-combination effects to Natura 2000 sites. The plans or projects are listed according to a spatial hierarchy of International, National, Regional/Local Projects and Plans. Relevant plans are listed in Table 2.

Table 2: Relevant Plans

National Level	<p>A Programme for Partnership Government 2016</p> <p>Building on Recovery: Infrastructure and Capital Investment 2016-2021</p> <p>Policy Position on Climate Action and Low-Carbon Development. National Policy Position Ireland (2014)</p> <p>Delivering a Sustainable Energy Future for Ireland - The Energy Policy Framework 2007-2020</p> <p>National Energy Efficiency Action Plan 2013-2020</p> <p>National Spatial Strategy 2002-2020</p> <p>Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2015)</p> <p>Quality Housing for Sustainable Communities. Best Practice Guidelines for Delivering Homes Sustaining Communities (2007)</p> <p>The Planning System and Flood Risk Management. Guidelines for Planning Authorities (2009)</p> <p>Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (Cities, Towns &amp; Villages) (2009)</p> <p>Guidelines for Planning Authorities – Retail Planning (2012)</p> <p>Local Area Plans - Guidelines for Planning Authorities (2013)</p> <p>Guidelines for Planning Authorities – Spatial Planning and National Roads (2012)</p> <p>Our Sustainable Future – A Framework for Sustainable Development for Ireland (2012)</p> <p>Actions for Biodiversity 2011-2016 (2nd National Biodiversity Plan)</p> <p>Draft 3rd National Biodiversity Strategy and Action Plan (2016)</p> <p>Appropriate Assessment of Plans and Projects in Ireland. Guidelines for Planning Authorities (revised 2010)</p> <p>Architectural Heritage Protection - Guidelines for Planning Authorities (2004)</p> <p>Guidelines for Planning Authorities - Retail Planning (2012)</p> <p>Government Policy on Architecture 2009-2015</p> <p>National Policy on Town Defences (2008)</p> <p>Implementation of Regional Planning Guidelines Best Practice Guidance (2010)</p> <p>Irish Water’s Capital Investment Plan,</p> <p>Irish Water’s Water Services Strategic Plan</p>
Regional Level	<p>Regional Planning Guidelines for the Greater Dublin Area 2010-2022</p> <p>Retail Strategy for the Greater Dublin Area 2008-2016</p> <p>Transport Strategy for the Greater Dublin Area up to 2035</p>

	<p>Eastern River Basin District River Basin Management Plan 2009 – 2013 (National River Basin Management Plans 2015-2021 currently in preparation)</p> <p>Eastern-Midlands Region Waste Management Plan 2015-2021</p> <p>Eastern Catchment Flood Risk Assessment Management (CFRAM) Study</p> <p>Flood Risk Management Plans</p> <p>Groundwater Protection Schemes</p>
Local Level	<p>Wicklow County Development Plan 2016-2022</p> <p>South East Draft Flood Risk Management Plans (2016)</p> <p>County Wicklow Heritage Plan 2009 - 2014</p> <p>County Wicklow Biodiversity Action Plan 2010-2015</p> <p>Greystones-Delgany and Kilcoole Local Area Plan (LAP) 2013-2019</p> <p>Newtownmountkennedy Local Area Plan 2008 – 2018</p> <p>Wicklow - Rathnew Development Plan 2013 – 2019</p> <p>Rathdrum Other Local Area Plans</p> <p>Dun Laoghaire and Rathdown County Development Plan 2016-2022</p>

## 4 Overview of Receiving Environment

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The plan area includes the settlements of Bray, Enniskerry and Kilmacanogue and rural areas outside of a designated ‘settlement’.

The plan area is located in the north of the county approximately 22 kilometres (km) from Dublin (refer to Figure 1). Bray is the largest town in County Wicklow, and plan area generally has excellent transport links, with access to the M11/N11 to the west of the town, the DART and regional railway line that connects with County Wexford and Dublin as well as a quality regional and local bus service. The town settlement boundary includes Bray Head SAC. The plan area includes Fassaroe, west of the N11, which is targeted for new housing and other facilities. Fassaroe is adjacent to Ballyman Glen SAC which is designated for petrifying springs and fens.

Enniskerry is a small town located approximately 5km west of the centre Bray town centre. The settlement is situated at the head of the wooded Cookstown River Valley between the Glencullen and Dargle Rivers, within the foothills of the Sugarloafs, and Wicklow-Dublin Mountains. Enniskerry includes Knocksink Wood SAC which is designated for woodland and petrifying springs.

Kilmacanogue is located at the junction of the R755 to Roundwood and the N11, 5km south of Bray town centre. Kilmacanogue is located equidistant between the Little Sugar Loaf to the east and the Great Sugar Loaf to the west, in the north eastern foothills of the Wicklow Mountains.

### 4.1 Water Quality

The plan area is located in the Avoca-Vartry Catchment and is located on the Dargle River in the Dargle sub-catchment. The Dargle River rises in the Wicklow Mountains and flows in a north-easterly direction for around 20km before entering the Irish Sea at Bray. The Glencree River, the Glencullen River and the Kilmacanogue River are among the tributaries of the Dargle which also flow through the plan area.

For the purpose of implementing the WFD, the plan area falls within the Eastern River Basin District (ERBD).

Based on water quality, ecology and morphology, the EPA has determined that the River Dargle and its tributaries are of ‘good’ status. They were also classified as 1a – ‘at risk of not achieving good status’ under the WFD risk score system that was devised at the time of the assessment in 2010.

The main channel of the River Dargle is designated and protected as Salmonid Waters under the European Communities (Quality of Salmonid Waters) Regulations 1988.

## 4.2 Groundwater and Geology

### 4.2.1 Bedrock

The east and south-east of the plan area is underlain by Cambrian metasediments. The land to the west of the plan area, at the Wicklow Mountains is underlain by granites and other igneous intrusive rocks. The remainder of the plan area is underlain by Ordovician metasediments.

### 4.2.2 Soils

The soil in Bray Town consists mainly of made ground. The west of the plan area at the Wicklow Mountains consists mainly of blanket peat whilst the remainder of the plan area consists predominately of a mix of deep well drained acidic soils, deep poorly drained acidic soils and shallow well drained mineral soils (mostly basic).

Wicklow County Council have identified several sites in the Fassaroe area where landfilling was carried out in the past. Activity at these landfills began in the 1970s with the sites being unlined, capped and used to dispose of municipal waste. The sites are kept under observation, regular gas testing is carried out and they are walked over to check for settlement or breaks in the capping. There is uncertainty as to where the landfill sites lie relative to zoning boundaries. One landfill area lies east of a proposed residential zone where there are some existing dwellings. Decomposition of materials in the landfill sites could be contributing to pollution and contamination of soils and hydrologically connected habitats within and adjacent to these sites. The removal and disposal of landfilled material from the areas mentioned above could, if unmitigated, cause problems for water quality, ecology and human health.

## 4.3 Hydrogeology

Much of the plan area is underlain by a bedrock aquifer which is classified by the Geological Survey of Ireland (GSI) as a 'poor aquifer' generally underproductive except for local zones. The north-east and central portion of the plan area is underlain by a bedrock aquifer which is classified by the GSI as a 'locally important aquifer' generally moderately productive only in local zones. A gravel aquifer exists around Enniskerry.

Groundwater vulnerability is predominantly 'high' in the plan area, however the urban areas in and around Bray town are classified as having 'low' groundwater vulnerability. Areas of 'extreme' groundwater vulnerability exist to the west of the plan area, around the Wicklow Mountains.

Based on groundwater quality, the EPA has determined that the groundwater in the plan area is of 'good' status. It is also classified as '1b- Possibly at risk of not achieving good status'.

## 4.4 Water Supply

The plan area is served by several public water supplies, including the Bray Direct Public Supply (EPA code- 3400PUB1001), which serves a population of approximately 5,000, the Bray Reservoir Public Supply (EPA code- 3400PUB1002), which serves a population of approximately 25,000, the Enniskerry Public Supply (EPA Code -3400PUB1019) which serves a population of approximately 2,839 and the Kilmacanogue Public Supply (EPA code- 3400PUB1009) which serves a population of approximately 915. The source of these water supplies is the Vartry Reservoir.

## 4.5 Wastewater Treatment

Most of the plan area is served by the Shanganagh-Bray wastewater treatment plant, which opened in January 2013. This treatment plant has a design capacity of 186,000 population equivalent, and is thus far operating with no capacity issues. The EPA reported on wastewater treatment plant performance and capacity has been considered as part of the assessment stage.

Enniskerry is served by an additional WWTP which is located along the Cookstown River.

## 4.6 European Sites

There are a total of eleven candidate Special Areas of Conservation (cSACs) and six Special Protection Areas (SPAs) within 15km of the plan area.

Figure 2 shows the locations of European Sites within 15km of the Draft LAP boundary. The rationale for referring to this distance is outlined in Section 4.6.1.

Spatial boundary data for the European site network used was the most up to date available from the National Parks and Wildlife Service, updated and accessed in July 2017.

### 4.6.1 Zone of Influence of the Plan

Current guidance on the zone of influence to be considered during the AA process states the following:

*“A distance of 15km is currently recommended in the case of plans, and derives from UK guidance (Scott Wilson et al., 2006). For projects, the distance could be much less than 15km, and in some cases less than 100m, but this must be evaluated on a case-by-case basis with reference to the nature, size and location of the project, and the sensitivities of the ecological receptors, and the potential for in combination effects”.*

Given the scale of the proposed development within the lands covered by the Draft LAP it was reasonable to assume that most the ecological impacts would only be perceptible in the area within or immediately surrounding the plan area. Where impacts may potentially be measured outside the plan area then this is highlighted in the relevant text.



The only European Sites that would be regarded to be within this direct zone of influence of the Draft LAP are Knocksink Wood SAC, Bray Head SAC, Ballyman Glen SAC, Glen of the Downs SAC, Wicklow Mountains SAC and Wicklow Mountains SPA.

The exception to this general rule was in respect of the linkages between species that use the plan area for breeding, feeding and/or resting and also are reasons for designation of other European Sites outside of the plan area.

#### 4.6.2 Knocksink Wood SAC

Knocksink Wood SAC is located in a steeply-sided valley, just north-west of Enniskerry in Co. Wicklow, with the fast flowing Glencullen River winding its way over granite boulders along the valley floor. Much of the terrain is covered with calcareous drift and supports extensive areas of woodland as well as other ecological features. The site has national importance as having one of the most diverse woodland invertebrate faunas in the country, some of which are under threat at an international level. A large proportion of the site has also been designated as a Statutory Nature Reserve. Knocksink Wood is a popular amenity area and therefore vulnerable to disturbance and littering.

The tufa springs in Knocksink Wood occur within semi natural woodland and their streams are fast flowing, up to 1.5m wide with rocky substrate covered in tufa film and mosses. The wet ash-alder woodland with greater horsetail *Equisetum telmateia* found within Knocksink Woods is a recognised woodland type in central Europe and was newly described for Ireland in 1997 by Kelly and Iremonger (1997)<sup>1</sup>. It has obvious affinities with tufa-forming springs.

Based on the recorded epiphytic lichens and Lichen Diversity (LD) values generated, the quality of the natural environment in Knocksink Wood has been assessed as relatively low and the authors of the relevant research paper suggest that this is largely due to the “*unique setting of Knocksink Wood*” in proximity to human input.

#### 4.6.3 Ballyman Glen SAC

Ballyman Glen SAC is situated partially within the Fassaroe Masterplan area and straddles the county boundary. Where the Fassaroe zoning areas overlap with Ballyman Glen SAC the overlap is zoned as open space. The Glen is characterised by pastoral ground sloping up from a small stream (the County Brook) that winds its way along the Glen floor. Petrifying springs, one of two groundwater dependent habitats for which the SAC is designated is a priority Annex I habitat. Fen vegetation at this site is well developed, with an unusually large number of sedge species present. Fens are rare in Wicklow and Dublin, and this is one of only two sites in Wicklow for the Narrow-leaved Marsh orchid (*Dactylorhiza traunsteineri*).

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<sup>1</sup> Kelly, D.L. and Iremonger, S.F., 1997, July. Irish wetland woods: the plant communities and their ecology. In *Biology and Environment: Proceedings of the Royal Irish Academy* (pp. 1-32). Royal Irish Academy.

Groundwater chemistry, quality and recharge are recognised as being key factors in the maintenance of tufa-forming (petrifying) springs, one of the priority habitats for which Ballyman Glen has been designated an SAC. These springs are located along the base of the glen's slopes and are fed by waters seeping down through the gravels that form these slopes. As the springs emerge at the valley floor, chemical processes occur which cause the process of tufa accumulation to occur, forming a unique habitat for specific flora and fauna. Ballyman Glen SAC is therefore also potentially at risk from direct (and indirect) impacts arising from settlement pressures and potential associated changes in groundwater chemistry, quality and recharge.

Surveys of Ballyman Glen SAC have recently been carried out to inform a planning application for a large mixed use development in the Fassaroe Masterplan Phase 1 area near to Ballyman Glen SAC. The survey identified two petrifying springs some of which appeared to have been adversely impacted through groundwater degradation by historic landfills in the Fassaroe area. An NIS for the development concluded that the treatment of existing landfills will cause a 7% reduction in groundwater recharge for the area and that this will not have a significant impact on springs or fens within Ballyman Glen SAC.

#### 4.6.4 Bray Head SAC

This coastal site is situated in the north-east of Co. Wicklow between the towns of Bray and Greystones. Dry heath is the principal habitat over much of Bray Head. Rocky sea cliffs form most of the seaward boundary at this site and extend for approximately 2 km. Steep clay cliffs extend southwards for a further 1 km, with a small area of clay cliff also at the northernmost part of site. The lower cliffs are steep in places but above the track they are less steep, and often support heath or dry grassland vegetation. Bray Head is of high conservation importance as it has good examples of two habitats (sea cliffs and dry heath) listed on Annex I of the E.U. Habitats Directive. It also supports a number of rare plant species and has ornithological importance.

The main threats to this site are reclamation of heath and grassland habitats, burning and recreational pressures. Reclamation for agriculture has occurred in the past and continues to be a threat. Burning of heath is a regular event and may be occurring too frequently. The site is a popular area for recreational activities, especially walking. Recreational pressures are likely to increase in the future owing to a growing population in surrounding areas.

#### 4.6.5 Glen of the Downs SAC

Glen of the Downs is a semi-natural oak wood situated within a glacial overflow channel. It is located on the Dublin-Wexford road, about 7 km south of Bray town. Much of the site comprises Sessile Oak (*Quercus petraea*) woodland referable to the *Blechno-Quercetum petraeae* association.

Sessile Oak is especially dominant on the mid to upper slopes. Glen of the Downs is notable for some rare invertebrates, including *Mycetobia obscura* (Order Diptera) which is found in only one other locality in Britain and Ireland. Although

exploited heavily in the past, this woodland is well developed, rich in species and is of high conservation significance.

Any further road widening has the potential to reduce and modify the habitats on the valley floor.

#### **4.6.6 Wicklow Mountains SAC**

This site comprises a complex of upland areas in Counties Wicklow and Dublin, flanked by the Blessington reservoir to the west and Vartry reservoir in the east, Cruagh Mountain in the north and Lybagh Mountain in the south. Most of the site occurs at elevations over 300 m, the highest point being Lugnuquilla at 925m. Within its boundaries there is considerable topographical and geomorphological diversity as well as ecological richness. There is, for much of its extent, overlap with the Wicklow Mountains SPA. The qualifying features for the site include eleven Annex I Habitats and one Annex II species.

The main threat to the quality of habitats on the site is overgrazing by sheep, affecting the bog, heath and rocky habitats and both deer and sheep affecting the woodlands. Localised peat extraction and heavy burning is a threat to the blanket bog. The spread of non-native species is a threat to the quality of the woodlands. Many recreational activities occur within the site and some, such as hill walking and climbing, have potential for disturbance to habitats and species. Peat erosion is frequent on the peaks – this may be a natural process but is likely to be accelerated by activities such as grazing.

#### **4.6.7 Wicklow Mountains SPA**

This is an extensive upland site, which largely overlaps with Wicklow Mountains SAC. The SPA comprises a substantial part of the Wicklow Mountains within County Wicklow but extends into County Dublin.

Given its extent, it is considered a site of high ornithological importance owing in part to the range of habitats and the bird species that have been recorded there, in particular Merlin and Peregrine, both of which are the qualifying species for the SPA.

As the site is largely State-owned and within a National Park, there are no significant threats to the bird populations. Some of the peatland habitats are affected by overgrazing by sheep, whilst both deer and sheep reduce regeneration within the woodlands. Localised peat extraction and burning is a threat to the blanket bog and heath habitats. Many recreational activities occur within the site and some, such as hill walking and climbing, could have potential for disturbance to habitats and species if not properly controlled.

#### **4.6.8 Other connected European sites**

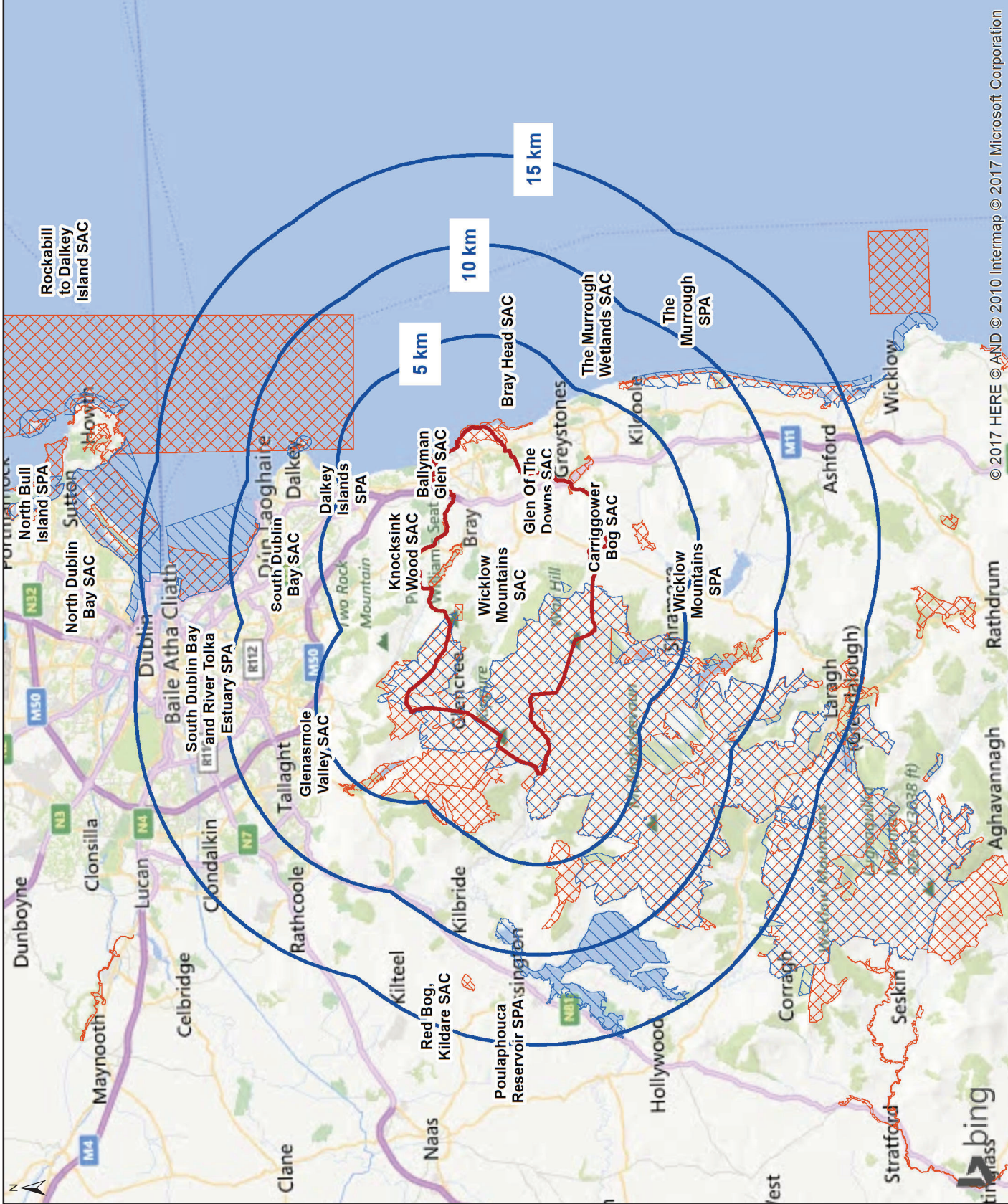
Rockabill to Dalkey Island SAC is located 4.2km from the plan area boundary and is designated for the reefs and the mobile species Harbour Porpoise *Phocoena phocoena*. The resilience/recoverability of reefs is very low and even small levels of pressure, particularly from fishing, have the potential to affect ecological

quality. Harbour porpoise are vulnerable to a range of threats and pressures in their natural habitat, including accidental entanglement in fishing gear, competition for prey resources, pollution and other habitat degradation, and from disturbance from human activities.

Dalkey Islands SPA is located 6.5km from the boundary of the plan area and is designated for Roseate Tern *Sterna dougallii*, Common Tern *Sterna hirundo*, and Arctic Tern *Sterna paradisaea*. Traditionally, the nesting terns are vulnerable to severe weather, predation and disturbance and breeding success has often been low. Since 1995 a conservation programme, co-ordinated by BirdWatch Ireland / National Parks and Wildlife Service, has aimed at improving conditions for the terns with the provision of nest boxes and shelters, some wardening and monitoring of productivity. This has led to more successful breeding and is likely to have been responsible for attracting Roseate Tern to breed.

The Murrough SPA is located 6.6km from the plan area boundary and is designated for Red-throated Diver *Gavia stellate*, Greylag Goose *Anser anser*, Light-bellied Brent Goose *Branta bernicla hrota*, Wigeon *Anas Penelope*, Teal *Anas crecca*, Black-headed Gull *Chroicocephalus ridibundus*, Herring Gull *Larus argentatus*, Little Tern *Sterna albifrons* and Wetland and Waterbirds. The proximity of the site to Wicklow town and Kilcoole village is a threat in that there is pressure on the area for housing and increased disturbance. From that flows the risk of water pollution. It is suspected that the system is receiving high nutrient loading from the surrounding farmland. Access and recreational pressure is affecting the vegetation of the shingle shore which, in turn, causes disturbance to birds. The inclusion of the BirdWatch reserve and the state-owned foreshore in the site gives additional protection.



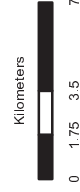


**Legend**

- Bray Municipal District
- Bray Municipal Area Buffer
- Special Protection Areas
- Special Areas of Conservation

Associated datasets and digital information objects connected to this resource are available at the EPA Geoportal managed by Environmental Protection Agency Ireland <http://gis.epa.ie/GisData/Download>

Issue	Date	By	Chkd	Appd
F1	2017-07-13	LD	DM	DM



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Client  
**Wicklow County Council**

Job Title  
**Bray Municipal District LAP 2017-2023**

**Natura 2000 Sites**

Scale at A4  
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**Figure 1**

Issue  
**F1**

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## 5 Assessment of the Draft LAP

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### 5.1 Methodology

The Draft LAP consists of ten chapters with additional sections relating to Action Areas and Specific Local Objectives. The main text includes maps and figures. All of the Draft LAP has been assessed during the AA process both in isolation and in combination with other plans and projects that could influence the same geographic area or European sites.

The assessment first focused on the objectives within the Draft LAP and then examined the supporting text that is used to provide the background and clarification to the objectives. If correctly prepared at the early stages of plan preparation, the objectives should not only avoid posing any adverse effects on integrity of European Sites but should also provide protective objectives that express intentions to protect European sites from adverse effects. Therefore, some of the objectives may contain caveats or conditions that must be met to demonstrate compliance whilst others will be purely focused at protection of European sites.

The Sections of the Draft LAP include:

- Chapter 1: Introduction;
- Chapter 2: Overall Vision & Development Strategy;
- Chapter 3: Residential Development;
- Chapter 4: Economic Development & Employment;
- Chapter 5: Town / Neighbourhood Centres & Retail;
- Chapter 6: Community Development;
- Chapter 7: Tourism & Recreation;
- Chapter 8: Infrastructure;
- Chapter 9: Built & Natural Heritage;
- Chapter 10: Key Development Areas; and
- Chapter 11: Zoning and Land Use.

Each objective was taken in turn and compared against the Conservation Objectives for the European sites within the zone of influence of the Draft LAP. This helped to identify if there was a potential for adverse effects on the integrity of the sites. European Commission guidance (2001) suggests several questions that aid the identification of potential adverse effects on integrity:

- Cause delays in progress towards achieving the conservation objectives of the site;
- Interrupt progress towards achieving the conservation objectives of the site;
- Disrupt those factors that help to maintain the favourable conditions of the site;

- Interfere with the balance, distribution and density of key species that are the indicators of the favourable condition of the site;
- Cause changes to the vital defining aspects (e.g. nutrient balance) that determine how the site functions as a habitat or ecosystem;
- Change the dynamics of the relationships (between, for example, soil and water or plants and animals) that define the structure and/or function of the site;
- Interfere with predicted or expected natural changes to the site (such as water dynamics or chemical composition);
- Reduce the area of key habitats;
- Reduce the population of key species;
- Change the balance between key species;
- Reduce diversity of the site;
- Result in disturbance that could affect population size or density or the balance between key species;
- Result in fragmentation; and
- Result in loss or reduction of key features (e.g. tree cover, tidal exposure, annual flooding, etc.).

The results of the assessment of the Objectives are provided in Appendix B.

The assessment of the supporting text followed a similar approach to judge as to whether the interpretation and implementation of the text could pose adverse effects in terms of the Conservation Objectives.

Section 5.2 summarise the results of the assessment for each chapter.

### **5.1.1 Assessment of Objectives**

Appendix B presents the results of the assessment of each individual objective in each chapter of the Draft LAP. It was important to consider the potential effect of the objective in isolation and that there were mitigation measures inherent in some objectives within this Draft LAP or the County Development Plan that addressed potential adverse effects in others.

The main positive objectives relate the minimizing of development close to European sites through the zoning of ‘Conservation Areas’.

Many objectives simply had no reasonable linkage between the consequences of their implementation and the potential for adverse effects on the integrity of the European Sites in terms of impacts on the Conservation Objectives.

In some cases, the implementation of the objectives in the Draft LAP will be open to interpretation at the project-level and the nature of potential adverse effects arising is dependent on unique elements of specific development proposals. Whilst it was not possible to rule out adverse effects on integrity of European Sites for some objectives, it is considered reasonable that AA would be applied at

the lower levels of planning to ensure that proposals are designed and appropriately assessed to consider the potential for such effects. In such cases, it is assumed with a high level of confidence that mitigation measures would be applied integrated into development proposals and supporting planning applications (through EIA and AA) to address any potential adverse effects on the integrity of European Sites.

Specific objectives which have the potential to cause adverse impacts on the integrity of connected or nearby Natura 2000 sites include CD6, GI5, RO9, RO7, RO4, and RO3. However the Biodiversity Objective NH2 of the County Development Plan and Objective B2 of this Draft LAP provide protection for any proposals that may adversely impact the integrity of a Natura 2000 site. It is considered that such development is unlikely to be permitted within the plan area.

## **5.2 Assessment of Supporting Text**

An assessment of the supporting text has been carried out on the current Draft LAP and where mitigation is recommended this is highlighted. Earlier iterations of the Draft LAP were also assessed and where potential effects were identified, mitigation was proposed and changes were made to the text of the Draft LAP. Mitigation took the form of either rewording or additional wording. Where there is text which emphasises the protection afforded to European Natura 2000 sites this is also highlighted.

### **5.2.1 Chapter 1: Introduction**

This chapter did not include any proposals that themselves pose adverse effects on the integrity of European sites. It refers to the County Development Plan which has been subject to its own Appropriate Assessment.

No further mitigation considered necessary for the general text within this chapter.

### **5.2.2 Chapter 2: Overall Vision & Development Strategy**

This chapter sets out the development strategy for each settlement within the plan area (including Bray Town, Enniskerry, Kilmacanogue, Kilmurray and the ‘rural area’) under the following factors influencing the strategy for each settlement:

- role and function;
- physical context;
- population and housing;
- economic development and employment;
- town centre and retail;
- social and community development;
- service infrastructure; and
- built heritage and natural environment.



The following statements provide clarity in relation to the protection of Natura 2000 sites include:

*“Planned development in the Fassaroe area shall be required to take into consideration impacts on Natura 2000 sites, particularly the Ballyman Glen SAC which forms the northern boundary of this area” should be more strongly worded to state that “Planned development in the Fassaroe area shall be required to avoid effects on the integrity of Natura 2000 sites, particularly the Ballyman Glen SAC which forms the northern boundary of this area”.*

*“The factors that make a town economically viable and attractive to investors and visitors are numerous and often hard to predict and influence, but for the purpose of this land use plan, the strategy for economic development will be based around (a) providing a land-use framework for the settlements in the MD, which makes the Council’s requirements and expectations with respect to the location and type of new development abundantly clear, (a) supporting and facilitating, to the highest degree possible (subject to environmental and other relevant planning considerations) all forms of employment generation appropriate to the MD, (c) protecting and enhancing the heritage and environment of the MD including historic street pattern and buildings / features of heritage and environmental value and (d) encouraging a varied mix of uses in the core town / village areas.”*

*“Development within the rural area should be strictly limited to proposals where it is proven that there is a social or economic need to locate in the area. Protection of the environmental and ecological quality of the rural area is of paramount importance and as such particular attention should be focused on ensuring that the scenic value, heritage value and/or environmental / ecological / conservation quality of the area is protected.”:*

This chapter did not include any proposals within the text, additional to those contained within the objectives that would pose the potential for adverse impacts on the integrity of European sites. Mitigation has been included following earlier iterations of the Draft LAP.

No further mitigation considered necessary for the general text within this chapter.

### **5.2.3 Chapter 3: Residential Development**

This chapter did not include any proposals within the text, additional to those contained within the objectives which would pose the potential for adverse impacts on the integrity of European sites.

No further mitigation considered necessary for the general text within this chapter.

### **5.2.4 Chapter 4: Economic Development & Employment**

This chapter did not include any proposals within the text, additional to those contained within the objectives which would pose the potential for adverse impacts on the integrity of European sites.

No further mitigation considered necessary for the general text within this chapter.

### **5.2.5 Chapter 5: Town / Neighbourhood Centres & Retail**

This chapter did not include any proposals within the text, additional to those contained within the objectives which would pose the potential for adverse impacts on the integrity of European sites.

No further mitigation considered necessary within this chapter.

### **5.2.6 Chapter 6: Community Development**

This chapter did not include any proposals within the text, additional to those contained within the objectives which would pose the potential for adverse impacts on the integrity of European sites.

No further mitigation considered necessary for the general text within this chapter.

### **5.2.7 Chapter 7: Tourism & Recreation**

Protection for natural heritage at Bray Seafront & Esplanade is reiterated within the text “... *In the SF zoned ‘Seafront’ area, a proposed development will only be permitted where it does not negatively impinge on: (1) the amenity and character of the area; (2) its natural and built heritage; (3) protected views and prospects; and (4) protected structures.*”

The section covering Bray Head & Great and Little Sugarloaf Mountains emphasizes the importance of Bray head as an SAC and specifically mentions its qualifying habitats of sea cliffs and dry heath.

No further mitigation considered necessary for the general text within this chapter.

### **5.2.8 Chapter 8: Infrastructure**

This chapter did not include any proposals within the text, additional to those contained within the objectives which would pose the potential for adverse impacts on the integrity of European sites.

No further mitigation considered necessary within for the general text this chapter.

### **5.2.9 Chapter 9: Built & Natural Heritage**

This chapter sets out the importance of biodiversity in general and specifically states that “*The conservation and enhancement of biodiversity will require the suitable and sustainable protection of designated habitats, the linkages between natural sites (whether they are natural or man-made) and the range of species in the ecosystem.*” and “*The Bray MD hosts a wealth of wildlife including a range of threatened habitats and species which are protected by law and are recognised as being of local, national and EU importance. Many habitats and species are designated for protection / preservation under national and/or EU legislation*”

No further mitigation considered necessary for the general text within this chapter.

## 5.2.10 Chapter 10 Action Areas

### Action Area 1: Fassaroe

Notwithstanding the intentions of Conservation Area which provides a buffer for development in proximity to Ballyman Glen SAC there remains the potential for impact on the qualifying interest of this site. This arises from potential effects caused by development on groundwater chemistry, recharge and quality from development within the Fassaroe area, located in the slopes above the SAC. These effects have the potential to impact on both the recharge rate and distribution and the quality and the chemical composition of the sensitive ground water system supplying the tufa springs and fens at the bottom of the valley slopes.

The objective below provides protection to avoid the potential for significant impacts on the groundwater dependent habitats of Ballyman Glen SAC. The implementation of suitable sustainable drainage systems (SuDS) would maintain groundwater recharge rate and distribution and which sustains or improves the quality and the chemical composition of water runoff and minimise the potential for adverse impacts on the qualifying habitats of Ballyman Glen SAC.

*“All development proposals within the Fassaroe Action Area shall take cognisance of the requirement to maintain the rate, quality and general areas where groundwater recharge occurs in order to maintain or enhance the recharge supplying the groundwater-dependent habitats of Ballyman Glen SAC. This shall be achieved using an appropriate SuDS system(s) developed throughout any development site and taking into account the cumulative in-combination impact of other development.”*

### Action Area 2: Parknasilloge

This action area is in close proximity to Knocksink Wood SAC which has the groundwater-dependent habitat ‘Petrifying springs with tufa formation’ as one of its two qualifying habitats. This section benefits from text below which highlights the need to assess for potential impacts on Knocksink Wood Petrifying springs as a result of development which might cause changes in the groundwater recharge regime.

*“Development proposals within the Parknasilloge Action Area shall take cognisance of the requirement to maintain the rate, quality and general areas where groundwater recharge occurs in order to maintain or enhance the recharge supplying the groundwater-dependent habitats of Knocksink Wood SAC. This shall be achieved by the use of an appropriate SuDS system(s) developed throughout any development site and taking into account the cumulative and in-combination impact of other development.”*

No further mitigation considered necessary for the general text within this chapter.

## 5.2.11 Zoning and Land Use

The text below outlines the approach to zoning within the ‘conservation area’ which includes Natura 2000 sites and a buffer zone. The text here is appropriate and outlines a safeguarding approach within this zoning and provides the further

clarification that Natura 2000 sites are protected from effects originating outside Conservation Areas “*under the provisions of the EU Habitats Directive 1992 and the Planning & Development Act, any proposed development, whether in an area zoned as conservation areas or not, with potential to impact upon a Natura 2000 site shall be subject to an Appropriate Assessment*”.

No further mitigation considered necessary for the general text within this chapter.

## 6 Responsibilities for Implementing Mitigation Policies

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The responsibility for implementing the Draft LAP lies solely with the Wicklow County Council through their responsibilities as part of the planning consent process. Applicants who intend to develop within the Draft LAP area are obliged to ensure that their application is consistent with the objectives and requirements within the Draft LAP. The statutory requirement for the Wicklow County Council to carry out AA screening for all planning applications is not affected by any of the statements in this NIR. All applications must be tested for the potential for likely significant effects on Natura 2000 site(s). However, such effects are not likely to occur if the objectives in the Draft LAP and the legislative and policy requirements are adhered to where appropriate.

Applicants must provide information to allow the Wicklow County Council to screen applications and decide if full AA is required for development proposals.

## **7** **Monitoring the Implementation of Policies**

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Whilst there is no legal requirement to monitor the outputs of the AA process, there is an obligation to monitor the implementation of the Draft LAP through the SEA Directive (2001/42/EC) as implemented in Ireland.

Contingency measures may have to be applied if there is evidence that objectives cannot be implemented successfully. The European Communities (Environmental Liability) Regulations 2008 will also apply in the event of any environmental damage to habitats and species both within and outside of the European sites.

## 8 Conclusion

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This Natura Impact Report has been prepared to inform the AA of the Draft LAP.

Any risks to the safeguarding and integrity of the qualifying interests and conservation objectives of the Natura 2000 network have been addressed by the inclusion of mitigation measures that will prioritise the avoidance of impacts in the first place and mitigate impacts where these cannot be avoided. In addition, all lower level plans and projects arising through the implementation of the Draft LAP will themselves be subject to AA when further details of design and location are known.

Having incorporated mitigation measures, it is considered that the Draft LAP will not have a significant adverse effect on the integrity of the Natura 2000 network either in isolation or in combination with other plans and projects acting in the same area.





## **Appendix A**

Details of European Sites within  
15km of Bray Town and  
Environs LAP

Natura 200 Sites within 15km of LAP Boundary

Site Code	Distance to plan area	Qualifying Interests
000725 Knocksink Wood SAC	Within plan area	<b><u>Qualifying Interests</u></b> Petrifying springs with tufa formation ( <i>Cratoneurion</i> ) [7220] 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]
000714 Bray Head SAC	Within plan area	<b><u>Qualifying Interests</u></b> Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] European dry heaths [4030]
000713 Ballyman Glen SAC	Within plan area	<b><u>Qualifying Interests</u></b> Petrifying springs with tufa formation ( <i>Cratoneurion</i> ) [7220] Alkaline fens [7230]
000719 Glen of the Downs SAC	Within plan area	<b><u>Qualifying Interests</u></b> Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91A0]
002122 Wicklow Mountains SAC	Within plan area	<b><u>Qualifying Interests</u></b> Oligotrophic waters containing very few minerals of sandy plains ( <i>Littorelletalia uniflorae</i> ) [3110] Natural dystrophic lakes and ponds [3160] Northern Atlantic wet heaths with <i>Erica tetralix</i> [4010] European dry heaths [4030] Alpine and Boreal heaths [4060] Calaminarian grasslands of the <i>Violetalia calaminariae</i> [6130] Species-rich <i>Nardus</i> grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe) [6230] Blanket bogs (* if active bog) [7130] Siliceous scree of the montane to snow levels ( <i>Androsacetalia alpinae</i> and <i>Galeopsietalia ladani</i> ) [8110] Calcareous rocky slopes with chasmophytic vegetation [8210] Siliceous rocky slopes with chasmophytic vegetation [8220] Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91A0] <i>Lutra lutra</i> (Otter) [1355]

004040 Wicklow Mountains SPA	Within plan area	<b><u>Qualifying Interests</u></b> Merlin ( <i>Falco columbarius</i> ) [A098] Peregrine ( <i>Falco peregrinus</i> ) [A103]
000716 Carriggower Bog SAC	1.5km	<b><u>Qualifying Interests</u></b> Transition mires and quaking bogs [7140]
001209 Glenasmole Valley SAC	2.7km	<b><u>Qualifying Interests</u></b> Semi-natural dry grasslands and scrubland facies on calcareous substrates ( <i>Festuco-Brometalia</i> ) (* important orchid sites) [6210] Molinia meadows on calcareous, peaty or clayey-silt-laden soils ( <i>Molinion caeruleae</i> ) [6410] Petrifying springs with tufa formation ( <i>Cratoneurion</i> ) [7220]
003000 Rockabill to Dalkey Island SAC	4.2km	<b><u>Qualifying Interests</u></b> Reefs [1170] <i>Phocoena phocoena</i> (Harbour Porpoise) [1351]
004172 Dalkey Islands SPA	6.5km	<b><u>Qualifying Interests</u></b> Roseate Tern ( <i>Sterna dougallii</i> ) [A192] Common Tern ( <i>Sterna hirundo</i> ) [A193] Arctic Tern ( <i>Sterna paradisaea</i> ) [A194]
004186 The Murrough SPA	6.6km	<b><u>Qualifying Interests</u></b> Red-throated Diver ( <i>Gavia stellata</i> ) [A001] Greylag Goose ( <i>Anser anser</i> ) [A043] Light-bellied Brent Goose ( <i>Branta bernicla hrota</i> ) [A046] Wigeon ( <i>Anas penelope</i> ) [A050] Teal ( <i>Anas crecca</i> ) [A052] Black-headed Gull ( <i>Chroicocephalus ridibundus</i> ) [A179] Herring Gull ( <i>Larus argentatus</i> ) [A184] Little Tern ( <i>Sterna albifrons</i> ) [A195] Wetland and Waterbirds [A999]
004063 Poulaphouca Reservoir SPA	8.2km	<b><u>Qualifying Interests</u></b> Greylag Goose ( <i>Anser anser</i> ) [A043] Lesser Black-backed Gull ( <i>Larus fuscus</i> ) [A183]

<p>004024 South Dublin Bay and River Tolka Estuary SPA</p>	<p>8.6km</p>	<p><b><u>Qualifying Interests</u></b>  Light-bellied Brent Goose (<i>Bramta bernicla hrota</i>) [A046]  Oystercatcher (<i>Haematopus ostralegus</i>) [A130]  Ringed Plover (<i>Charadrius hiaticula</i>) [A137]  Grey Plover (<i>Pluvialis squatarola</i>) [A141]  Knot (<i>Calidris canutus</i>) [A143]  Sanderling (<i>Calidris alba</i>) [A144]  Dunlin (<i>Calidris alpina</i>) [A149]  Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157]  Redshank (<i>Tringa totanus</i>) [A162]  Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179]  Roseate Tern (<i>Sterna dougallii</i>) [A192]  Common Tern (<i>Sterna hirundo</i>) [A193]  Arctic Tern (<i>Sterna paradisaea</i>) [A194]  Wetland and Waterbirds [A999]</p>
<p>000210 South Dublin Bay SAC</p>	<p>8.6km</p>	<p><b><u>Qualifying Interests</u></b>  Mudflats and sandflats not covered by seawater at low tide [1140]  Annual vegetation of drift lines [1210]  <i>Salicornia</i> and other annuals colonising mud and sand [1310]  Embryonic shifting dunes [2110]</p>
<p>000397 Red Bog, Kildare SAC</p>	<p>11.8km</p>	<p><b><u>Qualifying Interests</u></b>  Transition mires and quaking bogs [7140]</p>
<p>000206 North Dublin Bay SAC</p>	<p>14.0km</p>	<p><b><u>Qualifying Interests</u></b>  Mudflats and sandflats not covered by seawater at low tide [1140]  Annual vegetation of drift lines [1210]  <i>Salicornia</i> and other annuals colonising mud and sand [1310]  Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>) [1330]  Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410]  Embryonic shifting dunes [2110]  Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120]  Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]</p>

<p>004006 North Bull Island SPA</p>	<p>14.0km</p>	<p>Humid dune slacks [2190] <i>Petalophyllum ralfsii</i> (Petalwort) [1395]</p> <p><b>Qualifying Interests</b></p> <p>Light-bellied Brent Goose (<i>Bramta bernicla hrota</i>) [A046] Shelduck (<i>Tadorna tadorna</i>) [A048] Teal (<i>Anas crecca</i>) [A052] Pintail (<i>Anas acuta</i>) [A054] Shoveler (<i>Anas chyepeata</i>) [A056] Oystercatcher (<i>Haematopus ostralegus</i>) [A130] Golden Plover (<i>Pluvialis apricaria</i>) [A140] Grey Plover (<i>Pluvialis squatarola</i>) [A141] Knot (<i>Calidris canutus</i>) [A143] Sanderling (<i>Calidris alba</i>) [A144] Dunlin (<i>Calidris alpina</i>) [A149] Black-tailed Godwit (<i>Limosa limosa</i>) [A156] Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] Curlew (<i>Numenius arquata</i>) [A160] Redshank (<i>Tringa totanus</i>) [A162] Turnstone (<i>Arenaria interpres</i>) [A169] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] Wetland and Waterbirds [A999]</p>
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## **Appendix B**

### Assessment of Objectives within the Draft Local Area Plan

Objective	Text	Comments on the potential for adverse effects to arise from, or to have been addressed by, the Objective
R1	All new housing developments shall be required to accord with the housing objectives and standards set out in the Wicklow County Development Plan	No. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites.
R2	In order to make best use of land resources and services, unless there are cogent reasons to the contrary, new residential development shall be expected to aim for the highest density indicated for the lands. The Council reserves the right to refuse permission for any development that is not consistent with this principle. Lands zoned Residential – High Density will be expected to achieve a density of not less than 50 units / hectare.	No. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites.
R3	Housing development shall be managed and phased to ensure that infrastructure and in particular, community infrastructure, is provided to match the need of new residents. Where specified by the Planning Authority, new significant residential or mixed use development proposals, may be required to provide a social and community facility/facilities as part of the proposed development or the developer may be required to carry out a social infrastructure audit, to determine if social and community facilities in the area are sufficient to provide for the needs of the future residents. Where deficiencies are identified, proposals will be required to either rectify the deficiency, or suitably restrict or phase the development in accordance with the capacity of existing or planned services.	No. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites.
R4	To encourage in-fill housing developments, the use of under-utilised and vacant sites and vacant upper floors for accommodation purposes and facilitate higher residential densities at appropriate locations, subject to a high standard of design, layout and finish.	No. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites.
E1	To support all forms of employment creation, especially where this can mitigate long distance commuting, subject to the proper planning and sustainable development of the area and compliance with all other objectives of this plan.	No. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites.



Objective	Text	Comments on the potential for adverse effects to arise from, or to have been addressed by, the Objective
E2	<p>To normally require new employment generating developments to locate on suitably zoned in settlements. Proposals in settlements with no zoning plan should be assessed on the basis of their individual merits, taking into consideration the objectives set out in this chapter of the plan and all other matters pertaining to the proper planning and sustainable development of the area, including ensuring that the proposal is appropriately sited in a location so that it enhances, complements, is ancillary to or neutral to the existing land uses in the area. All other proposals for employment generating developments outside of settlements will be assessed on the 'Objectives for Wicklow's Rural Economy</p>	<p>No. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites.</p>
E3	<p>To protect employment zoned land from inappropriate development that would undermine future economic activity or the sustainable development of such areas</p>	<p>No. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites.</p>
E4	<p>To encourage the redevelopment of brownfield sites for enterprise and employment creation throughout the District and to consider allowing 'relaxation' in normal development standards on such sites to promote their redevelopment, where it can be clearly demonstrated that a redevelopment of the highest quality, that does not create an adverse or unacceptable working environment or create unacceptable impacts on the built, natural or social environment, will be provided.</p>	<p>No. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites.</p>
E5	<p>Bray is an important centre for film making, based largely on the presence of Ardmore Studios. The industry contributes significantly to direct and indirect employment and also contributes to the international image of Bray. The Council will encourage the on-going development of the industry in Bray including the use of the studio as a visitor attraction. It is the objective of the Council to: facilitate and support the film industry in the District, including the development of new production facilities at appropriate locations and the use of the County for film</p>	<p>AA for all related projects required under WCDP 2016-2022 Biodiversity Objective NH2 and protection provided under Objective B2 of this LAP. Proposals which would affect the integrity of a Natura 2000 site will not likely be permitted.</p>

Objective	Text	Comments on the potential for adverse effects to arise from, or to have been addressed by, the Objective
	<p>locations, including the erection of temporary structures and services</p> <p>resist and restrict proposals for change of use of lands zoned 'Film Industry' in the plan area.</p>	
E6	<p>It is the objective of the Council to promote and facilitate the development of large-scale employment generating developments, including industrial, knowledge, high-technology, office and service based and science space developments, at appropriate locations.</p>	<p>Absence of cause-effect linkage between implications of Objective and the integrity of European Sites. AA for all related projects required under WCDP 2016-2022 Biodiversity Objective NH2 and protection provided under Objective B2 of this LAP.</p> <p>'Appropriate locations' are considered to be those which will not affect the integrity of a Natura 2000 site and therefore development at inappropriate locations will not likely be permitted.</p>
E7	<p>To encourage and facilitate the development of knowledge, high-technology and service based specialist industries at appropriate locations, in accordance with the relevant development and environmental standards, and to support and strengthen the capability and quality of research and development functions in the District. The Council will promote the clustering of these type industries and other inter-related industries.</p>	<p>Absence of cause-effect linkage between implications of Objective and the integrity of European Sites. AA for all related projects required under WCDP 2016-2022 Biodiversity Objective NH2 and protection provided under Objective B2 of this LAP.</p> <p>'Appropriate locations' are considered to be those which will not affect the integrity of a Natura 2000 site and therefore development at inappropriate locations will not likely be permitted.</p>
E8	<p>To encourage and facilitate the provision of office developments and small-scale service industries at appropriate locations. The most suitable location for local or small-scale office developments and small-scale service industries is generally in above-ground floor commercial premises at appropriate locations in town / village centres and neighbourhood centres. The development of these types of uses in neighbourhood centres can reinforce the existing service function of these centres, as well as create new opportunities for local employment in locations that are accessible to residential areas.</p> <p>The Council will permit office development in appropriate employment zoned locations that are deemed suitable with regard to sustainable traffic and land use considerations.</p>	<p>No. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites.</p>
E9	<p>To encourage and facilitate the development of small to medium scale indigenous industries and services at</p>	<p>Absence of cause-effect linkage between implications of Objective and the integrity of European Sites. AA for all related projects required under WCDP</p>

Objective	Text	Comments on the potential for adverse effects to arise from, or to have been addressed by, the Objective
	<p>appropriate locations within settlements. The Council acknowledges that the development of small scale projects with long term employment potential are important in sustaining both urban and rural settlements in County Wicklow and as such, the Council will adopt a proactive and flexible approach in dealing with applications on a case-by-case basis.</p>	<p>2016-2022 Biodiversity Objective NH2 and protection provided under Objective B2 of this LAP.  ‘Appropriate locations’ are considered to be those which will not affect the integrity of a Natura 2000 site and therefore development at inappropriate locations will not likely be permitted.</p>
TC1	<p>To ensure the continued vibrancy and life of centres, to direct new development and investment into settlement centres (i.e. the ‘town centres’ and ‘primary development areas’) in the first instance and to particularly prioritise actions that enhance business, retail, leisure, entertainment and cultural uses, as well as making town centres an attractive place to live.</p>	<p>No. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites.</p>
TC2	<p>To vigorously protect and promote the vitality and viability of town centres. Development proposals not according with the fundamental objective to support the vitality and viability of town centre sites must demonstrate compliance with the ‘sequential approach’ before they can be approved. The ‘sequential approach’ shall be applied and assessed in accordance with the ‘Retail Planning Guidelines, (DoECLG, 2012)’. The Planning Authority will discourage new retail development if they would either by themselves or cumulatively in conjunction with other developments seriously damage the vitality and viability of existing retail centres within the District. In the application of the ‘sequential approach’ due regard shall be paid to RT4 below which prioritises the ‘core retail area’ for new retail development.</p>	<p>No. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites.</p>
TC3	<p>To promote the ‘active’ use of above ground floor levels, and in particular to promote the concept of ‘living over the shop’ in centres. Where a ‘living over the shop’ use is proposed, a relaxation in density, car parking and open space standards will be considered, where the development meets very high quality of design and accommodation.</p>	<p>No. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites.</p>

Objective	Text	Comments on the potential for adverse effects to arise from, or to have been addressed by, the Objective
TC4	<p>To control the provision of non retail uses at ground floor level in the principal shopping streets of centres, in order to protect the retail viability of centres and to maintain the visual character of streets.</p> <p>This objective aims to prevent the proliferation of 'dead frontages' on key streets. In particular, active use of corner sites, particularly within larger centres, is considered pivotal in creating a sense of vibrancy.</p>	<p>No. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites.</p>
TC5	<p>To promote the revitalisation of vacant / derelict properties / shop units. Where no viable retail use can be sustained, alternative uses will be assessed on their own merits against the requirements of the proper planning and sustainable development of the areas within which they are located.</p> <p>This objective will be used to ensure that all proposals for the reuse of existing retail floorspace can be evaluated against the proportion of overall vacancy and to reduce the possibility of dereliction.</p>	<p>No. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites.</p>
RT1	<p>To promote and facilitate the development of retail developments in a sustainable manner. Retail related development shall be located on suitably zoned land within settlement boundaries. There shall be a general presumption against the development of retail uses within the rural area, except as otherwise provided for by a particular objective of the County Development Plan.</p>	<p>No. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites.</p>
RT2	<p>To ensure that all retail development is generally in accordance with the Wicklow County Retail Strategy for the period up to 2022 and beyond to 2031. All development proposals shall be assessed having regard to the Retail Strategy for the Greater Dublin Area 2008-2016.</p>	<p>No. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites.</p>
RT3	<p>To promote developments which reinforce the role and function of the 'core retail area' as the prime shopping area of town centres. The 'core retail area' shall be promoted as the area of first priority for new retail</p>	<p>No. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites.</p>

Objective	Text	Comments on the potential for adverse effects to arise from, or to have been addressed by, the Objective
	development. In settlements where no 'core retail area' is defined, regard shall be paid to the designated 'town centre' area, the location of the traditional/historical centre and the location of other retail units. Where an application is made for a new development with street frontage either in the defined retail core of a larger settlement or on the 'main street' of a smaller town, retail or commercial use will normally be required at street level.	
RT4	To promote an appropriate mix and balance of different types and styles of retail within centres and to control the number of bookmakers, off-licences (including off-licences in convenience stores), take-aways, 'cash for gold' and 'Pound' type shops, and other uses that can adversely affect the character of a centre. The mix and balance of different type of retail (including retail services) is important to attract people to centres, and to ensure centres remain the main meeting point for the community. Too many of certain types of outlet can destroy the balance of a centre.	No. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites.
CD1	To facilitate opportunities for play and support the implementation of the Wicklow County Council Play Policy and its objectives, including the collection of development levies.	No. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites.
CD2	In all new residential development in excess of 50 units, where considered necessary by the Planning Authority, the developer shall provide, in the residential public open space area, a dedicated children's play area, of a type and with such features to be determined following consultation with Community, Cultural & Social Development Office of Wicklow County Council. The location of any such proposal shall be situated within a centrally located area capable of being passively supervised by surrounding developments.	No. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites.
CD3	All new neighbourhood parks or active open space zones shall include a 'mixed use games area' (MUGA) of an	No. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites.

Objective	Text	Comments on the potential for adverse effects to arise from, or to have been addressed by, the Objective
	appropriate size and nature to be determined in, pre-consultation with the Community, Cultural & Social Development Office of Wicklow County Council.	
CD4	The redevelopment for alternative uses of open space and recreational lands whether owned by private recreational clubs or publicly owned, will normally be resisted by the Planning Authority unless suitable and improved alternative recreational facilities can be provided in a convenient location	Resistance of redevelopment of open space and recreational lands may maintain slight beneficial effects for biodiversity in general with the potential for knock on positive effects on European Sites through provision of a more permeable habitat matrix.
CD5	In existing residential areas, the areas of open space permitted, designated or dedicated solely to the use of the residents will normally be zoned 'RE' as they form an intrinsic part of the overall residential development. Non-community uses on such lands will not normally be permitted.	No. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites.
CD6	To facilitate the development of allotments of an appropriate scale on lands which meet the following criteria: Lands situated within or immediately adjacent to the edge of towns; lands that are easily accessible to the residents of a particular town; where an adequate water supply can be provided; where adequate road infrastructure and access exists/can be provided; and where adequate parking facilities can be provided.	Potential for both positive effects on biodiversity through introduction of a variable habitat mosaic and for negative effects on biodiversity through the potential introduction of invasive species and increased human use of an area. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites. AA for all related projects required under WCDP 2016-2022 Biodiversity Objective NH2 and protection provided under Objective B2 of this LAP. Development will not therefore be permitted where there is the potential to affect the integrity of a Natura 2000 site.
CD7	To preserve lands at Kilmacanogue GAA identified as KM2 on Map no. 1 for recreational and sports use only.	No. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites.
PT1	To cooperate with NTA and other relevant transport planning bodies in the delivery of a high quality, integrated transport system in the Bray MD area.	No. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites

Objective	Text	Comments on the potential for adverse effects to arise from, or to have been addressed by, the Objective
PT2	<p>To support the NTA in the crafting of a Local Transport Plan for the Bray area and to facilitate the implementation of measures contained therein.</p>	<p>Not enough geographic specificity to permit complete assessment so impacts are better avoided and individual proposals assessed when the Local Transport Plan for the Bray area is developed.</p> <p>AA for this plan required under WCDP 2016-2022 Biodiversity Objective NH2. Proposals which would affect the integrity of a Natura 2000 site will not likely be permitted.</p>
PT3	<p>To promote the development of transport interchanges and 'nodes' in the Bray MD where a number of transport types can interchange with ease. In particular:</p> <p>to facilitate the development of park and ride facilities at appropriate locations along strategic transport corridors which will be identified through the carrying out of required coordinated, plan-led transport studies and consultation with the appropriate transport agencies;</p> <p>to support the improvement of bus links to the train station in Bray;</p> <p>to promote the linkage of the Luas extension or other mass transit to Bray town centre, Bray train station and Fassaroe; with respect to the major development area of Fassaroe, west of the N11, the development of this area shall make provision for mass transit such as Luas or BRT, including any necessary infrastructure such as stabling;</p> <p>to encourage the improvement of bicycle parking facilities at all transport interchanges;</p> <p>to improve existing and provide new footpath / footway linkages to existing / future transport interchange locations; and in particular, the provision of a pedestrian link/shortcut shall be investigated between the centre of Enniskerry and the proposed BRT/LUAS terminus in Fassaroe.</p>	<p>Not enough geographic specificity to permit complete assessment so impacts are better avoided and individual proposals assessed at the project stage.</p> <p>AA for all related projects required under WCDP 2016-2022 Biodiversity Objective NH2 and protection provided under Objective B2 of this LAP. Proposals which would affect the integrity of a Natura 2000 site will not likely be permitted.</p>
PT4	<p>To continue to work with Iarnrod Eireann and the NTA on the improvement of mainline train and DART services into Bray station.</p>	<p>No. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites.</p>

Objective	Text	Comments on the potential for adverse effects to arise from, or to have been addressed by, the Objective
PT5	To facilitate, through the zoning of land, the tie-in of new facilities with the development of land and the application of supplementary development contributions, the extension of the LUAS or other mass transit to Bray town centre, Bray train station and Fassaroe.	Not enough geographic specificity to permit complete assessment so impacts are better avoided and individual proposals assessed at the project stage. AA for all related projects required under WCDDP 2016-2022 Biodiversity Objective NH2 and protection provided under Objective B2 of this LAP. Proposals which would affect the integrity of a Natura 2000 site will not likely be permitted.
PT6	To improve the capacity of the N11 / M11 in a manner capable of facilitating greater free flow of public transport and reducing congestion at junctions serving Bray.	Not enough geographic specificity to permit complete assessment so impacts are better avoided and individual proposals assessed at the project stage. The SEA has assumed that all improvements will be within the existing road corridor. AA for all related projects required under WCDDP 2016-2022 Biodiversity Objective NH2 and protection provided under Objective B2 of this LAP. Proposals which would affect the integrity of a Natura 2000 site will not likely be permitted.
PT7	To promote the delivery of improved and new bus services both in and out of the District but also within the District by: facilitating the needs of existing or new bus providers with regard to bus stops and garaging facilities (although unnecessary duplication of bus stops on the same routes / roads will not be permitted); requiring the developers of large-scale new employment and residential developments in Bray that are distant (more than 2km) from train / LUAS stations to fund / provide feeder bus services until public bus services have been extended to that location.	No. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites.
CW1	To improve existing or provide new foot and cycleways on existing public roads, as funding allows and to facilitate the development of a cycling and walking amenity routes throughout the District including foot and cycleways off road (e.g. through open spaces, along established rights-of-way etc), in order to achieve the most direct route to the principal destination (be that town centre, schools, community facilities or transport nodes), while ensuring that personal safety, particularly at night time, is of the utmost priority.	Not enough geographic specificity to permit complete assessment so impacts are better avoided and individual proposals assessed at the project stage. AA for all related projects required under WCDDP 2016-2022 Biodiversity Objective NH2 and protection provided under Objective B2 of this LAP. Proposals which would affect the integrity of a Natura 2000 site will not likely be permitted.



Objective	Text	Comments on the potential for adverse effects to arise from, or to have been addressed by, the Objective
CW2	To require all new regional and local roads to include foot and cycleways, except in cases where shared road space is provided.	No. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites.
RO1	To support major road improvements to the national road M/N11 including: Capacity and operational improvements Removal or reconfiguring of existing direct accesses and left on / left off junctions Upgrades to the regional / local road network to provide improved access between existing M11/N11 mainline junctions and regional / road network	No. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites.
RO2	To support major road improvements by reserving the corridors, as and when these are identified, of any such proposed routes free of development, which would interfere with the provision of such proposals. In particular, to reserve corridors along all potential route improvements / new routes identified in the 2017 Transport Infrastructure Ireland M11/N11 Corridor Study.	No. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites.
RO3	To significantly improve existing or provide alternative road links between Bray / the N11 and Enniskerry	A new north-south link route from the new distributor road to cross Ballyman Glen has the potential to have adverse effects on the integrity of Ballyman Glen SAC. There is not enough geographic specificity to permit complete assessment so impacts are better avoided and once route options are available these can be assessed for potential effects on the on the integrity of a Natura 2000 site. AA for this development will be required under WCDP 2016-2022 Biodiversity Objective NH2. Proposals which would affect the integrity of a Natura 2000 site will not likely be permitted.
RO4	With respect to the major development area of Fassaroe, west of the N11 (Action Area 1): (a) The development of this area shall include the provision of an access road from the N11 to Ballyman Road; the scale of such a route shall reflect its primary function as a service road for a new neighbourhood, rather than that of a 'by-pass'; the design and location of this route shall not affect the functionality of the major open	Providing an alternative road link between Bray / the N11 and Enniskerry has the potential to cause adverse impacts on Ballyman Glen SAC and Knocksink Wood SAC. There is not enough geographic specificity to permit complete assessment so impacts are better avoided and once route options are available these can be assessed for potential effects on the on the integrity of a Natura 2000 site.

Objective	Text	Comments on the potential for adverse effects to arise from, or to have been addressed by, the Objective
RO5	<p>space as a single park and an innovative design solution where park crossing is necessary will be required; access to the lands zoned for new residential in SLO X at Monastery shall be from Ballyman Road and any access road shall be designed to form an element of the future Fassaroe – Monastery link road.</p> <p>(b) Provision shall be made (unless necessity for same has been definitely ruled out by the transport agencies) for a north – south link route from the new distributor road to cross Ballyman Glen and continue into County Dublin and link up with old Conna Avenue. The nature and function of this link i.e. the type of traffic it will carry (vehicles / pedestrian / cyclist / light rail) shall be determined at application stage, following consultation with the transport agencies and the neighbouring local authority.</p> <p>With respect to the major development area at the former Bray Golf Course, excellent linkages shall be provided from the site to surrounding areas; multiple access points for both vehicles and cyclists / pedestrians shall be developed and in particular, the development shall include linkages through the site between the Dublin Road and Bray seafront / the DART station and public walking route along the river;</p>	<p>AA for these developments will be required under WCDP 2016-2022 Biodiversity Objective NH2. Proposals which would affect the integrity of a Natura 2000 site will not likely be permitted.</p> <p>No. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites.</p>
RO6	<p>The layout and design of any development in SLO-2 (Rehills) shall facilitate the delivery of a link road from Dargle Road to Herbert Road, unless further study / analysis by WCC and the TII determines that this road is not necessary or feasible;</p>	<p>No. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites.</p>
RO7	<p>To improve (as funding allows) the following roads in Bray MD, and ensure developments along these routes are so designed as to allow for / not impede the delivery of required improvements: Castle Street – Dublin Road Vevay Road</p>	<p>The development of some of these routes has the potential to cause adverse impacts on Natura 2000 sites. There is not enough project detail to permit complete assessment so impacts are better avoided and once route options are available these can be assessed for potential effects on the on the integrity of a Natura 2000 site.</p>

Objective	Text	Comments on the potential for adverse effects to arise from, or to have been addressed by, the Objective
RO8	<p>Novara Avenue Seapoint Road Killarney Lane Kilbride Lane Ballyman Road from County Brook to the R117</p> <p>To promote the development of a new route east of the Kilmacanogue Interchange that would serve (from the east) zoned lands and properties that currently are accessed only via the N11. No further development of any lands to the NE of Kilmacanogue interchange will be permitted unless access from the east (rear) is provided / available.</p>	<p>AA for these developments will be required under WCDP 2016-2022 Biodiversity Objective NH2. Proposals which would affect the integrity of a Natura 2000 site will not likely be permitted.</p> <p>No. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites.</p>
RO9	<p>To promote and support the development of enhanced or new greenways at the following locations and require development in the vicinity of same to enhance existing routes and / or provide new links:</p> <p>Bray - Dargle River south bank Bray – North Beach – Ravenswell – People’s Park Bray Head – Esplanade – Bray Harbour – North Beach Bray - Swan River Kilruddery to Dargle River Fassaroe - Ballyman Glen to Cookstown River Kilmacanogue River Enniskerry – Glencullen River - Cookstown River San Souci Wood / Vevay Crescent - San Souci Wood – Sidmonton Gardens, with links to St. Cronan’s, St. Patricks and St. Thomas’s school sites and Novara Avenue / Sidmonton Road</p>	<p>The development of greenways has the potential to cause adverse impacts on Natura 2000 sites.</p> <p>There is not enough project detail to permit complete assessment so impacts are better avoided and once route options are available these can be assessed for potential effects on the on the integrity of a Natura 2000 site.</p> <p>AA for these developments will be required under WCDP 2016-2022 Biodiversity Objective NH2. Proposals which would affect the integrity of a Natura 2000 site will not likely be permitted.</p>
FL1	<p>To implement the ‘Guidelines on the Planning System and Flood Risk Management’ (DoEHLG/OPW, 2009).</p>	<p>No. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites.</p>
FL2	<p>The zoning of land that has been identified as being at a high or moderate flood risk (flood zone A or B) shall be in accordance with the requirements of the Flood Risk</p>	<p>No. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites.</p>

Objective	Text	Comments on the potential for adverse effects to arise from, or to have been addressed by, the Objective
FL3	<p>Guidelines and in particular the 'justification test for development plans' (as set out in Section 4.23 and Box 4.1 of the guidelines).</p> <p>Applications for new developments or significant alterations/extension to existing developments in a flood risk area shall comply with the following:</p> <p>Follow the 'sequential approach' as set out in the Flood Risk Guidelines.</p> <p>Flood risk assessments will be required with all planning applications proposed in areas identified as having a flood risk, to ensure that the development itself is not at risk of flooding and the development does not increase the flood risk in the relevant catchment (both up and down stream of the application site).</p> <p>Where a development is proposed in an area identified as being at low or no risk of flooding, where the planning authority is of the opinion that flood risk may arise or new information has come to light that may alter the flood designation of the land, an appropriate flood risk assessment may be required to be submitted by an applicant for planning permission.</p> <p>Restrict the types of development permitted in Flood Zone A and Flood Zone B to that are 'appropriate' to each flood zone, as set out in Table 3.2 of the guidelines for Flood Risk Management (DoEHLG/OPW, 2009).</p> <p>Developments that are an 'inappropriate' use for a flood zone area, as set out in Table 3.2 of the guidelines, will not be permitted, except where a proposal complies with the 'Justification Test for Development Management', as set out in Box 5.1 of the Guidelines.</p> <p>Flood Risk Assessments shall be in accordance with the requirements set out in the Guidelines.</p> <p>Generally a Flood Impact Assessment will be required with all significant developments and a certificate (from a competent person stating that the development will not</p>	<p>No. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites.</p>

Objective	Text	Comments on the potential for adverse effects to arise from, or to have been addressed by, the Objective
	contribute to flooding within the relevant catchment) will be required with all small developments of areas of 1 hectare or less.	
FL4	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 10m (or other width, as determined by the Council) will be required either side depending on the width of the watercourse.	No. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites.
AH1	To ensure the protection of all structures (or parts of structures) contained in the Record of Protected Structures.	No. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites.
AH2	To positively consider proposals to improve, alter, extend or change the use of protected structures so as to render them viable for modern use, subject to consultation with suitably qualified Conservation Architects and / or other relevant experts, suitable design, materials and construction methods. All development works on or at the sites of protected structures, including any site works necessary, shall be carried out using best heritage practice for the protection and preservation of those aspects or features of the structures / site that render it worthy of protection. To support the re-introduction of traditional features on protected structures where there is evidence that such features (e.g. window styles, finishes etc) previously existed, while not compromising the need for energy conservation.	No. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites.
AH3	To strongly resist the demolition of protected structures, unless it can be demonstrated that exceptional circumstances exist. In cases where demolition or partial demolition is permitted or where permission is given for the removal of feature(s), the proper recording of the	No. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites.

Objective	Text	Comments on the potential for adverse effects to arise from, or to have been addressed by, the Objective
	building / feature will be required before works are undertaken and where possible the reuse of such features should be considered in any replacement buildings.	
AH4	Where an item or a structure (or any feature of a structure) is considered to be of heritage merit (where not identified in the RPS), the Planning Authority reserves the right to refuse permission to remove or alter that structure / item, in the interests of the protection of the County's architectural heritage.	No. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites.
AH5	To maintain and protect the nationally significant demesne settings of the Powerscourt Estate and Kilruddery House, and to require all development proposals within or directly adjoining these demesnes to fully evaluate and address any impacts of the setting and character of the demesne.	No. Absence of cause-effect linkage between implications of Objective and the integrity of European Sites.
B1	To ensure that the impact of new developments on biodiversity is minimised and to require measures for the protection and enhancement of biodiversity in all proposals for large developments.	Likely to have positive effects, or at least minimise adverse effects, on European sites through the addition of broad requirements for protection and enhancement of biodiversity from new development.
B2	No projects giving rise to significant cumulative, direct, indirect or secondary impacts on Natura 2000 sites arising from their size or scale, land take, proximity, resource requirements, emissions (disposal to land, water or air), transportation requirements, duration of construction, operation, decommissioning or from any other effects shall be permitted on the basis of this plan (either individually or in combination with other plans or projects).	Likely to prevent adverse effects on the integrity of Natura 2000 sites.
B3	To maintain the conservation value of all proposed and future Natural Heritage Areas (NHAs) and to protect other designated ecological sites in Wicklow.	Further protection for all designated ecological sites provides a potential resource, stepping stone or corridor for mobile species which are qualifying interests of Natura 2000 sites. Therefore this has the potential for positive impacts towards achieving Natura 2000 conservation objectives.
B4	To support the protection and enhancement of biodiversity and ecological connectivity within the plan area in accordance with Article 10 of the Habitats Directive,	Protection and enhancement of biodiversity and ecological connectivity within the plan area in accordance with Article 10 of the Habitats Directive has the potential

Objective	Text	Comments on the potential for adverse effects to arise from, or to have been addressed by, the Objective
G11	<p>including linear landscape features like watercourses (rivers, streams, canals, ponds, drainage channels, etc), woodlands, trees, hedgerows, road and railway margins, semi-natural grasslands, natural springs, wetlands, stonewalls, geological and geo-morphological systems, features which act as stepping stones, such as marshes and woodlands, other landscape features and associated wildlife where these form part of the ecological network and/or may be considered as ecological corridors or stepping stones that taken as a whole help to improve the coherence of the Natura 2000 network.</p> <p>New development and redevelopment proposals, where considered appropriate, are required to contribute towards the protection, management and enhancement of the existing green infrastructure assets (as identified in the GI audit) of the local area in terms of the design, layout and landscaping of development proposals.</p>	<p>to benefit the coherence of the Natura 2000 network and thereby has the potential for positive impacts towards achieving Natura 2000 conservation objectives.</p> <p>The protection, management and enhancement of existing green infrastructure assets has the potential to benefit the coherence of the Natura 2000 network and thereby has the potential for positive impacts towards achieving Natura 2000 conservation objectives.</p>
G12	<p>To facilitate the development and enhancement of suitable access to and connectivity between areas of interest for residents, wildlife and biodiversity, with focus on promoting river corridors, Natura 2000 sites, nature reserves and other distinctive landscapes as focal features for linkages between natural, semi natural and formalised green spaces where feasible and ensuring that there is no adverse impact (directly, indirectly or cumulatively) on the conservation objectives of Natura 2000 sites.</p>	<p>Potential for implications of the objective on the integrity of European Sites is avoided through the statement that “no adverse impact (directly, indirectly or cumulatively) on the conservation objectives of Natura 2000 sites.”</p>
G13	<p>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 generally 10m along watercourses should be provided (or other width, as determined by the Planning Authority) free from inappropriate development, with undeveloped riparian vegetation strips, wetlands and floodplains 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</p>	<p>Protection of river / stream beds, banks and channels and their associated riparian vegetation strips, wetlands and floodplains has the potential for positive impacts towards achieving Natura 2000 conservation objectives through supporting green corridors and maintaining freshwater quality.</p>

Objective	Text	Comments on the potential for adverse effects to arise from, or to have been addressed by, the Objective
GI4	<p>for the protection of fisheries habitat during the construction and development works at river sites”</p> <p>To promote the preservation of trees, groups of trees or woodlands in particular native tree species, and those trees associated with demesne planting, in the interest of amenity or the environmental, as set out in Schedule X of this plan.</p>	<p>Protection of trees, groups of trees, woodlands and demesne planting has the potential for positive impacts towards achieving Natura 2000 conservation objectives through providing habitat corridors and stepping stones.</p>
GI5	<p>To promote the development of a series of major open spaces and recreational areas linked by green corridors where feasible, in the Bray MD area as follows:</p> <p>along the south bank of River Dargle from Bray Harbour, as far as Rehills (SLO-2);</p> <p>on the former Bray golf course lands, linked to harbour and north beach to the east and the People’s Park to the west;</p> <p>From Bray Head, down to the Esplanade, and up through Bray Harbour, to the north beach;</p> <p>On the Kilruddery estate as part of SLO-1 linking along the Swan River, from the Bray SCR, through lands zoned for employment use onto the Boghall Road; continuing through new and proposed residential areas onto Herbert Road and onto the River Dargle;</p> <p>In the new development zone of Fassaroe west of the N11, linking river valleys to the north and south of the action area ;</p> <p>A linked area from Enniskerry GAA, through to designated open space in Action Area 2, connecting to Knocksink Wood, through the Bogmeadow recreational area, and onto the Cookstown River to the N11.</p>	<p>AA for these routes will be required under WCDP 2016-2022 Biodiversity Objective NH2 and Objective B2 of this LAP. Proposals which would affect the integrity of a Natura 2000 site will not likely be permitted.</p>
RN1	<p>To facilitate the use of natural areas for active outdoor pursuits, subject to the highest standards of habitat protection and management and all other normal planning controls.</p>	<p>Not enough geographic specificity to permit complete assessment so impacts are better avoided and individual proposals assessed at the project stage.</p> <p>AA for all related projects required under WCDP 2016-2022 Biodiversity Objective NH2 and protection provided under Objective B2 of this LAP. Proposals which would affect the integrity of a Natura 2000 site will not likely be permitted.</p>



Objective	Text	Comments on the potential for adverse effects to arise from, or to have been addressed by, the Objective
RN2	<p>The facilitate access to amenity areas in the District for the benefit of all, on the basis of cooperation with landowners, recreational users and other relevant stakeholder groups to promote "agreed access" on public and privately owned land in the District on the basis of sustainability, consultation and consensus.</p>	<p>Not enough geographic specificity to permit complete assessment so impacts are better avoided and individual proposals assessed at the project stage.</p> <p>AA for all related projects required under WCDDP 2016-2022 Biodiversity Objective NH2 and protection provided under Objective B2 of this LAP. Proposals which would affect the integrity of a Natura 2000 site will not likely be permitted.</p>
RN3	<p>To preserve the open character of commonage land and similar hill land and secure access over paths and tracks through consensus with local landowners, particularly in mountain areas.</p>	<p>Not enough geographic specificity to permit complete assessment so impacts are better avoided and individual proposals assessed at the project stage.</p> <p>AA for all related projects required under WCDDP 2016-2022 Biodiversity Objective NH2 and protection provided under Objective B2 of this LAP. Proposals which would affect the integrity of a Natura 2000 site will not likely be permitted.</p>



# **ADDENDUM I TO THE APPROPRIATE ASSESSMENT OF THE DRAFT BRAY MUNICIPAL DISTRICT LOCAL AREA PLAN 2018 – 2024**

APPROPRIATE ASSESSMENT OF THE PROPOSED ALTERATIONS,  
AS PROPOSED BY THE MEMBERS OF WICKLOW COUNTY COUNCIL ON 15<sup>th</sup> & 22<sup>nd</sup> JANUARY 2018

THIS REPORT IS ADDENDUM I  
TO THE 'APPROPRIATE ASSESSMENT SCREENING REPORT OF THE  
DRAFT BRAY MUNICIPAL DISTRICT LOCAL AREA PLAN 2018 – 2024'

Wicklow County Council

**Draft Bray Municipal District  
Local Area Plan 2018-2024  
Proposed Material Alterations**

Appropriate Assessment Screening –  
Addendum to Stage 2 Natura Impact  
Report

Issue | 31 January 2018

This report takes into account the particular instructions and requirements of our client.

It is not intended for and should not be relied upon by any third party and no responsibility is undertaken to any third party.

Job number 251896

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# 1 Introduction

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This report is an addendum to the Appropriate Assessment (AA) Stage 2 Natura Impact Report (NIR) for the Draft Bray Municipal District Local Area Plan (LAP) 2017-2023. This report details the Appropriate Assessment Screening of the Proposed Material Alterations to the Draft Bray Municipal District LAP 2018-2024<sup>1</sup>.

The various sections within the AA NIR for the Draft Bray Municipal District LAP 2017-2023 should be referred to for background information on the requirements for AA, the AA process, the existing environment of Bray, distances and links to Natura 2000 sites and the potential for significant effects arising from the Draft Bray LAP. The NIR for the Draft Bray Municipal District LAP 2017-2023 concluded that the LAP would not have a significant adverse effect on the integrity of the Natura 2000 network either in isolation or in combination with other plans and projects acting in the same area.

# 2 Material Alterations

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There are 30 Proposed Material Alterations to the Draft Bray Municipal District LAP 2018-2024. The Material Alterations are outlined within the report “Proposed Material Alterations to the LAP”.

A review of the Proposed Material Alterations for the Draft Bray Municipal District Local Area Plan 2018-2028 was undertaken. The Material Alterations include minor changes to text throughout, amendments to objectives, removal of objectives and the insertion of new objectives. The Material Alterations are listed within the main Material Alteration report and are not repeated here.

# 3 AA Screening of the Material Alterations to the LAP for Potential Effects on Natura 2000 Sites

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The results of the screening exercise of the Proposed Material Alterations for potential effects on Natura 2000 sites are presented in Table 1. None of the Proposed Material Alterations to the LAP have been considered to have the potential for significant effects on Natura 2000 sites.

Within Table 1 the reference number for each Material Alteration is provided, however the main Proposed Material Alterations to the Draft Bray Municipal District Local Area Plan 2018-2024 report should be referred to for full details of each Material Alteration.

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<sup>1</sup> The NIR was carried out on the Draft LAP in 2017. Material Alterations have been made to the LAP in 2018 therefore this AA Screening is carried out on the renamed Draft Bray Municipal District LAP 2018-2024.

**Table 1 Bray LAP – AA Screening for Potential Effects on Natura 2000 Sites**

MA No.	Proposed Material Alteration	Risk of Significant Effect (including combination and cumulative effects)
1	Text amendments Alterations to Maps 4 and 5	This Material Alteration does not have potential for significant impacts and therefore would not necessitate Stage 2 Appropriate Assessment.
2	Update of CSO information and subsequent text.	This Material Alteration does not have potential for significant impacts and therefore would not necessitate Stage 2 Appropriate Assessment.
3	Addition of a potential small residential development 1km from Knocksink Wood SAC. Associated land use map change.	This Material Alteration does not have potential for significant impacts and therefore would not necessitate Stage 2 Appropriate Assessment. There is no potential for impacts on European Sites to arise from this amendment.
4	Text alterations for Bray Town centre.	This Material Alteration does not have potential for significant impacts and therefore would not necessitate Stage 2 Appropriate Assessment. There is no potential for impacts on European Sites to arise from this amendment.
5	Text alteration relating to Former Heiton Buckley's, Dublin Road.	This Material Alteration does not have potential for significant impacts and therefore would not necessitate Stage 2 Appropriate Assessment. There is no potential for impacts on European Sites to arise from this amendment.
6	Text alteration relating to Former Everest Centre, Dublin Road.	This Material Alteration does not have potential for significant impacts and therefore would not necessitate Stage 2 Appropriate Assessment. There is no potential for impacts on European Sites to arise from this amendment.
7	Addition of a new section and objectives on education	The proposed additional objectives do not provide for any new development other than what has already been provided for and assessed in the draft plan. Such alterations would therefore not give rise to potential for impacts on European Sites or necessitate a Stage 2 Appropriate Assessment. Any new development facilitated by these new objectives would be subject to Appropriate Assessment Screening and stage 2 Appropriate Assessment if necessary

MA No.	Proposed Material Alteration	Risk of Significant Effect (including combination and cumulative effects)
8	Text additions.	This Material Alteration does not have potential for significant impacts and therefore would not necessitate Stage 2 Appropriate Assessment. There is no potential for impacts on European Sites to arise from this amendment.
9	Text addition.	This Material Alteration does not have potential for significant impacts and therefore would not necessitate Stage 2 Appropriate Assessment. There is no potential for impacts on European Sites to arise from this amendment.
10	Text alterations and additions.	This Material Alteration does not have potential for significant impacts and therefore would not necessitate Stage 2 Appropriate Assessment. There is no potential for impacts on European Sites to arise from this amendment.
11	Text alterations and additions.	These changes provide background and some additional clarification to what is already included, and has been assessed, within the plan. Such alterations would therefore not have potential for significant impacts.
12	Change to an existing objective and the addition of two objectives.	Changes to Objective CW1 and new objectives CW3 and CW4: The change to CW1 provide some additional clarification to what is already included, and has been assessed, within the plan. The new objective CW3 relates to the GDA Cycle Network Plan which has already been subject to Stage 2 AA. CW4 will not result in any changes to what is proposed under the Draft Plan, but rather provides guidance as to how cycle infrastructure should best be implemented. As such, all alterations listed under Recommendation No. 7 would therefore not necessitate Stage 2 Appropriate Assessment.
13	Addition of an objective.	This MA elaborates on content already included in the Draft Plan and as such has been assessed in the Draft Plan NIR. The Transport Strategy has already been subject to AA and a NIR concluded that implementation of the same Strategy will not impact on the Natura 2000 network of sites. Therefore, such alterations would therefore not necessitate Stage 2 Appropriate Assessment.
14	Text amendments.	This Material Alteration does not have potential for significant impacts.



MA No.	Proposed Material Alteration	Risk of Significant Effect (including combination and cumulative effects)
15	Text addition	<p>The text included highlights the fact that ecological impact assessment and specifically Appropriate Assessment, is best carried out when these routes are designed and therefore provides some background for the reader on the potential sensitive involved in the development of these sites. Therefore, such alterations would not necessitate Stage 2 Appropriate Assessment.</p>
16	Text amendments and an associated map change	<p>Changes to the text relating to phasing provides some quantification on the open space required at each phase. However, it is considered that such an alteration would not necessitate Stage 2 Appropriate Assessment.</p> <p>Proposed change relating to text amendments to better define the areas of land in question and therefore, such an alteration would not necessitate Stage 2 Appropriate Assessment.</p> <p>Proposed change clarifying the need for hydrogeological assessment(s) to inform the development of a SuDS system which would provide adequate groundwater recharge to supply the qualifying habitats of the nearby SAC and therefore, such an alteration would not necessitate Stage 2 Appropriate Assessment.</p> <p>Proposed change relating to clarification of open space for private houses. Such an alteration would not necessitate Stage 2 Appropriate Assessment as Objective 10 clarifies what is required of any proposed development relating to maintenance of groundwater regime to provide adequate supply to qualifying habitats of Ballyman Glen SAC.</p> <p>The proposed change in zoning within Action Area 1 would result in development of similar nature, which has already been assessed as part of the Draft Plan and therefore, such an alteration would not necessitate Stage 2 Appropriate Assessment.</p>
17	Text addition	<p>This MA clarifies the need for hydrogeological assessment(s) to inform the development of a SuDS system which would provide adequate groundwater recharge to supply the qualifying habitats of the nearby SAC and therefore, such an alteration would not necessitate Stage 2 Appropriate Assessment.</p>

MA No.	Proposed Material Alteration	Risk of Significant Effect (including combination and cumulative effects)
18 (a) (b)	Text amendments and associated map change Table 3.1 alteration in the Draft Plan Removal of subsequent text	This Material Alteration would not necessitate Stage 2 Appropriate Assessment.
19	Text amendments.	This Material Alteration would not necessitate Stage 2 Appropriate Assessment.
20	Text addition.	This Material Alteration would not necessitate Stage 2 Appropriate Assessment.
21	Text addition	This Material Alteration does not have potential for significant impacts and therefore would not necessitate Stage 2 Appropriate Assessment.
22	Addition of a new Specific Local Objective	This Material Alteration does not have potential for significant impacts and therefore would not necessitate Stage 2 Appropriate Assessment.
23	Addition of a new Specific Local Objective	This Material Alteration does not have potential for significant impacts and therefore would not necessitate Stage 2 Appropriate Assessment.
24	Addition of a new Specific Local Objective Alteration to Table 3.1 in the Draft Plan	This Material Alteration does not have potential for significant impacts and therefore would not necessitate Stage 2 Appropriate Assessment.
25	Text amendments and addition	This Material Alteration does not have potential for significant impacts and therefore would not necessitate Stage 2 Appropriate Assessment.
26	Map alteration	This Material Alteration does not have potential for significant impacts and therefore would not necessitate Stage 2 Appropriate Assessment.
27	Map alteration	This Material Alteration does not have potential for significant impacts and therefore would not necessitate Stage 2 Appropriate Assessment.
28	Map alteration	This Material Alteration does not have potential for significant impacts and therefore would not necessitate Stage 2 Appropriate Assessment.

MA No.	Proposed Material Alteration	Risk of Significant Effect (including combination and cumulative effects)
29	Geographic Information System map alteration	This Material Alteration does not have potential for significant impacts and therefore would not necessitate Stage 2 Appropriate Assessment.
30	Addition of an Appendix (D)	This Material Alteration does not have potential for significant impacts and therefore would not necessitate Stage 2 Appropriate Assessment.

## 4 Conclusion

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The likely impacts that will arise from the Material Alterations to the Draft Bray Municipal Local Area Plan 2018-2024 alone and in combination with other plans and programmes have been examined in the context of potential for significant effects on European sites. It is considered that significant adverse impacts on any European sites arising from the implementation of the LAP are extremely unlikely.

On the basis of the findings of this Screening for Appropriate Assessment of European Sites, it is concluded that the Material Alterations to the Draft Bray Municipal Local Area Plan 2018-2024 will not have a significant effect on the Natura 2000 Sites. The proposed development is not directly connected with, or necessary to the conservation management of any Natura 2000 sites. The proposed development, alone or in combination with other projects, is not likely to have significant effects on Natura 2000 sites in view of their conservation objectives.

Therefore, it has been determined by Arup that it is possible to rule out likely significant impacts on any Natura 2000 sites. It is the view of Arup that it is not necessary to undertake any further stage of the Appropriate Assessment process.

## **AA Determination**

### **Appropriate Assessment (AA)**

#### **Determination under:**

#### **The Planning and Development Acts 2000 (as amended)**

#### **for:**

#### **Bray Municipal District LAP 2018 and Material Alterations**

An Appropriate Assessment (AA) determination has been made by Wicklow County Council regarding the Bray Municipal District LAP 2018 and Material Alterations.

In accordance with Section 177V of Part XAB of the Planning and Development Act 2000, as amended, Wicklow County Council, as the competent authority, is required, inter alia, to carry out an appropriate assessment of a draft land use plan and to determine whether or not a draft land use plan or proposed development would adversely affect the integrity of a European site.

Furthermore, Part II of the Planning and Development Act 2000, as amended, requires Wicklow County Council, as the competent authority, inter alia, to determine if an appropriate assessment is required to be carried out as respects one or more than one proposed material alteration of the draft local area plan.

The NIR and AA Screening Addendum has assessed whether the LAP and its Material Alterations, individually or in combination with other plans or projects, would either give rise to effects on the integrity of any Natura 2000 site or have a likely significant effect on any European site respectively. This process is referred to as AA and the findings are presented in the NIR and addendum that accompanies and has informed this determination.

In light of the best scientific knowledge, it has been determined that the Bray MD LAP 2018 and Material Alterations shall not give rise to effects on the integrity of any Natura 2000 site, having regard to their conservation objectives and either alone or in-combination with other plans, programmes or projects and it is concluded that the Bray MD LAP 2018 and Material Alterations do not require any further assessment to demonstrate compliance with Article 6(3) of the Habitats Directive 92/43/EEC.

This decision has taken into account the content of the LAP, its Material Alterations and the findings of the NIR and Addendum.

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Signed:



Signatory

Approved Officer