

**APPROPRIATE ASSESSMENT SCREENING**  
IN LINE WITH THE REQUIREMENTS OF  
**ARTICLE 6(3)**  
OF THE  
**EU HABITATS DIRECTIVE**

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**WICKLOW ENVIRONS AND RATHNEW  
LOCAL AREA PLAN 2008-2014**

**For: Wicklow County Council**

Áras an Chontae  
Cill Mhantáin



**By: CAAS (Environmental Services)**

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# Section 1 Introduction and Terms of Reference

## 1.1 Introduction

This is an *appropriate assessment* screening of the Wicklow Environs and Rathnew Local Area Plan 2008-2014 in accordance with the requirements of Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC). The relevant provisions of the Directive are set out in Section 1.2 of this report.

It evaluates the Wicklow Environs and Rathnew Local Area Plan to see if it needs to be the subject of an *appropriate assessment*. In accordance with the relevant EU Guidance, viz. *Assessment of plans and projects significantly affecting Natura 2000 sites (Methodological guidance on the provision of Article 6(3) and (4) of the Habitats Directive 92/43/EEC)*<sup>1</sup>, a "Screening matrix" and a "Finding of no significant effects matrix" have been completed. These are contained in Section 2 and Section 3 respectively. Section 4 contains the conclusions of this evaluation.

## 1.2 Terms of Reference

Appropriate assessment is an assessment carried out under Article 6(3) of the Habitats Directive.

Article 6(3) of the Habitats Directive states:

3. Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.

Article 6(4) states:

4. 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 social or economic nature, the Member State shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted. 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 beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest.

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<sup>1</sup> European Commission 2002

## Section 2 Screening Matrix

### Screening matrix

#### Brief description of the project or plan

The LAP is intended to provide for the proper planning and sustainable development for Wicklow Environs & Rathnew for a duration of six years, from adoption in 2008 until 2014, unless amended. It consists of a written statement and maps which give a graphic representation of the proposals of the Plan, indicating land use and other development standards together with various local objectives.

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

The key elements of the vision for Wicklow Environs & Rathnew are: to ensure that the environs of Wicklow Town and Rathnew develop so as to integrate fully with the existing built area of Wicklow Town, so that the area functions as one entity, while preserving the character of each of the existing areas, and; to ensure that the area shall perform a function that is consistent with its regional role as a 'Primary Development Centre' within the Greater Dublin Area, and develop to enhance Wicklow's status as the County Town, and the key service centre for east County Wicklow.

#### Brief description of the Natura 2000 sites

Special Protection Areas (SPAs) and candidate Special Areas of Conservation (cSACs) within and surrounding the Wicklow Environs & Rathnew area are listed in the table below. The map on the following page shows their coverage of this area. Site synopses may be accessed on the National Parks and Wildlife Service's website at <http://www.npws.ie/ConservationSites/>. Individual site maps are also available on this website.

Site Code	Site Name
002249	The Murrough Wetlands cSAC
002274	Wicklow Reef cSAC
004186	The Murrough SPA
004127	Wicklow Head SPA

**Table 2.1 Natura 2000 Sites**

Appropriate Assessment Screening of the Wicklow Environs and Rathnew Local Area Plan 2008-2014  
in accordance with the requirements of Article 6(3) of the EU Habitats Directive

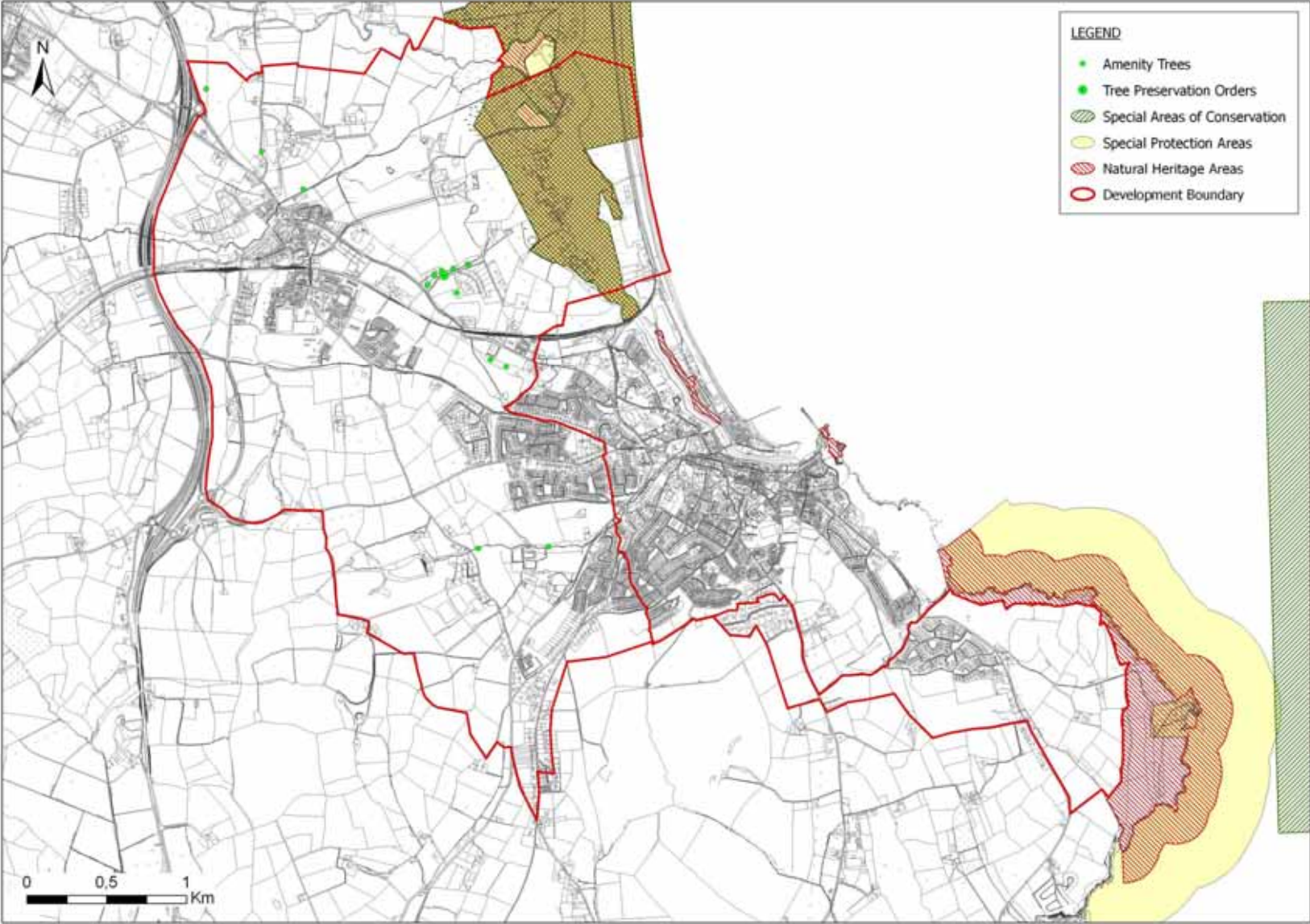


Figure 1 Natura 2000 Sites

### ***Assessment criteria***

Describe the individual elements of the project (either alone or in combination with other plans or projects) likely to give rise to impacts on the Natura 2000 sites.

The Plan has been formulated to ensure that uses, developments and effects arising from permissions based upon this Plan (either individually or in combination with other plans or projects) shall not give rise to significant adverse impacts on the integrity of any Natura 2000 sites<sup>2</sup>.

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Describe any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the Natura 2000 sites by virtue of:

■ **size and scale;**

No projects giving rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites arising from their size or scale shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects)<sup>2</sup>.

■ **land-take;**

No projects giving rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites arising from their land take shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects)<sup>2</sup>.

■ **distance from the Natura 2000 site or key features of the site;**

No projects giving rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites or their key features arising from their proximity shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects)<sup>2</sup>.

■ **resource requirements (water abstraction etc.);**

No projects giving rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites arising from their resource requirements shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects)<sup>2</sup>.

■ **emissions (disposal to land, water or air);**

No projects giving rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites arising from their emissions (disposal to land, water or air) shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects)<sup>2</sup>.

■ **excavation requirements;**

No projects giving rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites arising from their excavation requirements shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects)<sup>2</sup>.

■ **transportation requirements;**

No projects giving rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites arising from their transportation requirements shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects)<sup>2</sup>.

■ **duration of construction, operation, decommissioning, etc.;**

No projects giving rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites arising from their duration of construction, operation, decommissioning shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects)<sup>2</sup>.

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<sup>2</sup> Except as provided for in Article 6(4) of the Habitats Directive, viz. there must be:

- (a) no alternative solution available;
- (b) imperative reasons of overriding public interest for the plan to proceed; and
- (c) adequate compensatory measures to ensure that the overall coherence of Natura 2000.

■ **other;**

No projects giving rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites arising from any other effects shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects)<sup>2</sup>.

Describe any likely changes to the sites arising as a result of:

■ **reduction of habitat area:**

No projects giving rise to reduction of habitat areas for Natura 2000 sites shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects)<sup>2</sup>.

■ **disturbance to key species;**

No projects giving rise to significant disturbance to key species in Natura 2000 sites shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects)<sup>2</sup>.

■ **habitat or species fragmentation;**

No projects giving rise to significant habitat or species fragmentation of Natura 2000 sites shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects)<sup>2</sup>.

■ **reduction in species density;**

No projects giving rise to significant reduction of species density on Natura 2000 sites shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects)<sup>2</sup>.

■ **changes in key indicators of conservation value (water quality etc.);**

No projects giving rise to significant adverse changes in key indicators of conservation value for Natura 2000 sites shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects)<sup>2</sup>.

■ **climate change.**

No projects giving rise to significant adverse changes in climatological conditions affecting Natura 2000 sites shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects)<sup>2</sup>.

Describe any likely impacts on the Natura 2000 sites as a whole in terms of:

- **interference with the key relationships that define the structure of the site;**  
No projects giving rise to significant, adverse interference with the key relationships that define the structure of Natura 2000 sites shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects) <sup>2</sup>.
  - **interference with key relationships that define the function of the site.**  
No projects giving rise to significant, adverse interference with key relationships that define the function of Natura 2000 sites shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects) <sup>2</sup>.
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Provide indicators of significance as a result of the identification of effects set out above in terms of:

- **loss;**  
Not applicable.
  - **fragmentation;**  
Not applicable.
  - **disruption;**  
Not applicable.
  - **disturbance;**  
Not applicable.
  - **change to key elements of the sites (e.g. water quality etc.).**  
Not applicable.
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Describe from the above those elements of the project or plan, or combination of elements, where the above impacts are likely to be significant or where the scale or magnitude of impacts is not known.

Not applicable.



## Section 3 Finding of no significant effects report matrix

### Finding of no significant effects report matrix

**Name of project or plan**

Wicklow Environs and Rathnew Local Area Plan 2008-2014

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**Name and location of Natura 2000 sites**

As given in Screening Matrix above.

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**Description of the project or plan**

As given in Screening Matrix above.

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**Is the project or plan directly connected with or necessary to the management of the sites (provide details)?**

The Plan includes, inter alia, measures to protect, conserve and manage in a prudent and sustainable manner Wicklow Environs' and Rathnew's outstanding natural heritage, including its Natura 2000 sites, and to seek the enhancement of these resources where appropriate and feasible.

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**Are there other projects or plans that together with the project or plan being assessed could affect the sites (provide details)?**

The Plan has been formulated to ensure that uses, developments and effects arising from permissions based upon this Plan (either individually or in combination with other plans or projects) shall not give rise to significant adverse impacts on the integrity of any Natura 2000 sites <sup>2</sup>.

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### ***The assessment of significance of effects***

Describe how the project or plan (alone or in combination) is likely to affect the Natura 2000 site.

The Plan has been formulated to ensure that uses, developments and effects arising from permissions based upon this Plan (either individually or in combination with other plans or projects) shall not give rise to significant adverse impacts on the integrity of any Natura 2000 sites<sup>2</sup>.

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Explain why these effects are not considered significant.

The policies and provisions of the Plan have been devised to anticipate and avoid the need for developments that would be likely to significantly and adversely affect the integrity of any Natura 2000 sites. Furthermore, such developments as will be permitted on foot of the provisions of this Plan shall be required to conform to the relevant regulatory provisions for the prevention of pollution, nuisance or other environmental effects likely to significantly and adversely affect the integrity of any Natura 2000 sites<sup>2</sup>.

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List of agencies consulted: provide contact name and telephone or e-mail address.

1. SEA scoping letters - stating that a submission or observation in relation to the scope and level of detail of the information to be included in the Environmental Report on the Strategic Environmental Assessment on the Plan may be made to the local authority - were sent to the following:

- The Manager, Development Applications Unit, Department of the Environment Heritage and Local Government (DEHLG), Dún Scéine, Harcourt Lane, Dublin 2. 01 833 3190
- Frank O'Brien, Co-ordination Unit, Department of Communications, Marine and Natural Resources (DCMNR), Leeson Lane, Dublin 2. 01 678 3051
- Tadhg O'Mahony, Environmental Protection Agency, Regional Inspectorate, Inniscarra, County Cork. 021 487 5540

2. The above agencies were also notified that the Draft Plan and accompanying Strategic Environmental Assessment Environmental Report were being placed on public display and that submissions could be made by third parties on both the Draft Plan and the Environmental Report.

3. This Appropriate Assessment Screening is being sent to the EPA and DEHLG.

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### **Response to consultation**

Strategic Environmental Assessment scoping letters were sent to the DEHLG, DCMNR and EPA dated 5 January 2006. Response to Strategic Environmental Assessment scoping letters:

- Written response received from DEHLG dated 15 October 2007 - included points relating to Appropriate Assessment. These points have been considered in the preparation of this Appropriate Assessment Screening and are responded to in Addendum I to the SEA Environmental Report.
- Oral response and guidance received from EPA – included points relating to Appropriate Assessment.
- No written response received from DCMNR.

The DEHLG, DCMNR and EPA were notified that the Draft Plan and accompanying Strategic Environmental Assessment Environmental Report were being placed on public display and that submissions could be made by third parties on both the Draft Plan and the Environmental Report. The DEHLG Development Applications Unit made a written submission which included points relating to Appropriate Assessment. These points have been considered in the preparation of this Appropriate Assessment Screening and are responded to in Addendum I to the SEA Environmental Report.

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***Data collected to carry out the assessment***

**Who carried out the assessment?**

CAAS on behalf of Wicklow County Council.

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**Sources of data**

Existing Records  
Environmental Report on the Strategic Environmental Assessment.

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**Level of assessment completed**

Desktop study.

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**Where can the full results of the assessment be accessed and viewed**

This screening report is to be displayed along with the Environmental Report and Local Area Plan.

## Section 4 Conclusions

Having reviewed the draft Plan in accordance with the *Methodological guidance on the provision of Article 6(3) and (4) of the Habitats Directive 92/43/EEC*, a "Screening matrix" and a "Finding of no significant effects matrix" have been completed. These matrices are included in Sections 2 and 3 of this report.

The principal trigger for an appropriate assessment would be if the Plan were likely to have significant effects on a Natura 2000 site (SACs and SPAs are Natura 2000 sites). The Plan has been formulated to ensure that uses, developments and effects arising from permissions based upon this draft Plan (either individually or in combination with other plans or projects) shall not give rise to significant adverse impacts on the integrity of any Natura 2000 sites<sup>2</sup>.

This screening report finds that the draft Plan does not require further appropriate assessment.