

Wicklow County Council

**Variation No. 1 to Wicklow
County Development Plan 2016-
2022**

Appropriate Assessment Screening
Report for Variation No. 1 to
Wicklow County Development Plan
2016-2022

251896-00

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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.

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1 Introduction

1.1 Background

This Screening Report has been prepared by Arup on behalf of Wicklow County Council. It provides information on and assesses the potential for the proposed variation (Variation No. 1) to the Wicklow County Development Plan 2016-2022 (County Development Plan) to impact on European sites within the Natura 2000 network. This Appropriate Assessment Screening Report is published alongside Variation No. 1.

Variation No. 1 refers to changes to the County Development Plan arising from the drafting and adoption of the Bray Municipal District Local Area Plan 2017 - 2023.

The preparation of the Appropriate Assessment Screening Report involved a review of the Natura Impact Report undertaken for the County Development Plan and used similar data sources.

The preparation of the Report has had 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 primarily by Part XAB of the Planning and Development Act, 2000, as amended and the European Communities (Birds and Natural Habitats) Regulations, 2011 (S.I. 477) (hereafter referred to as the Habitats Regulations).

This AA Screening Report provides information to Wicklow County Council, the competent authority, to make a determination as to whether likely significant effects on any Natura 2000 sites arising as a result of Variation No. 1 can be excluded or screened out. This report provides a documented record of the screening of the proposed Variation No. 1 to the County Development Plan.

1.2 Appropriate Assessment Process

This AA Screening Report has taken into account 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 NPW 1/10 & 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, 2000); 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).

Wicklow County Council provided the Appropriate Assessment team with a draft written statement of Variation No. 1 for the screening process. The results of the AA Screening of the Variation to the County Development Plan are provided in Section 2 of this report.

2 Stage 1 Screening

2.1 Description of Variation No. 1

In accordance with Section 13(2) of the Planning and Development Act 2000 (as amended), Wicklow County Council is proposing a variation of the County Development Plan.

The variation has been proposed for the following reasons:

- a) the adoption of a new Local Area Plan for Rathdrum;
- b) the preparation of a new draft Local Area Plan for Arklow and environs; and
- c) the preparation of a new draft Local Area Plan for the entire Bray Municipal district, which will encompass the settlements of Bray, Enniskerry, Kilmacanogue and their environs. The adopted County Development Plan includes the Level 5 and Level 6 plans for Enniskerry and Kilmacanogue, and as the new LAP will update and subsume these plan areas, it is necessary to delete these plans from the County Development Plan, in the interest of clarity and to allow these plans to be amended through the LAP, rather than County Development Plan review process.

The development plan for the town of Enniskerry previously formed part of the County Development Plan but has been subsumed into the Bray Municipal District Local Area Plan 2017 - 2023.

The development plan for the town of Kilmacanogue previously formed part of the County Development Plan but has been subsumed into the Bray Municipal District Local Area Plan 2017 - 2023.

2.2 Description of European Sites in the surrounding area

In accordance with the Department of Environment, Heritage and Local Government guidance (DoEHLG, 2010), an initial distance of 15km from the boundary of County Wicklow was selected for consideration of European Sites. This distance was deemed to be sufficient to cover all likely significant effects which may arise from the implementation of Variation No. 1 on European Sites. Spatial boundary data on the European network were extracted from the NPWS website in July 2017.

All European sites which fall within 15km of County Wicklow are listed in Appendix 1 of the County Development Plan Natura Impact Report and illustrated in Figure 1. In order to identify those sites that could be potentially affected, it was necessary to describe the European Sites in the context of why it has been designated (its “Qualifying Interests”). The Qualifying Interests and threats to the sites were assessed as part of the AA of the County Development Plan. Reference should be made to Appendix 1 of the County Development Plan, Natura Impact

Report (NIR) to guide the reader¹. All Natura 2000 sites which fall either within County Wicklow or within 15km of the County boundary are duplicated below in Table 1 and Table 2.

Table 1 European Designated Sites within County Wicklow

Candidate Special Areas of Conservation	Special Protection Areas
Ballyman Glen	Wicklow Mountains
Bray Head	Poulaphouca Reservoir
Carriggower Bog	Wicklow Head
Deputy's Pass Nature Reserve	The Murrough
Glen of the Downs	
Knocksink Wood	
Buckronev-Brittis Dunes and Fen	
Vale of Clara (Rathdrum Wood)	
Slaney River Valley	
Holdenstown Bog	
Magherabeg Dunes	
Wicklow Mountains	
The Murrough Wetlands	
Wicklow Reef	

¹ See:

http://www.wicklow.ie/sites/default/files/Appendix%2010%20-%20Appropriate%20Assessment%20Natura%20Impact%20Report%20and%20Determination_0.pdf

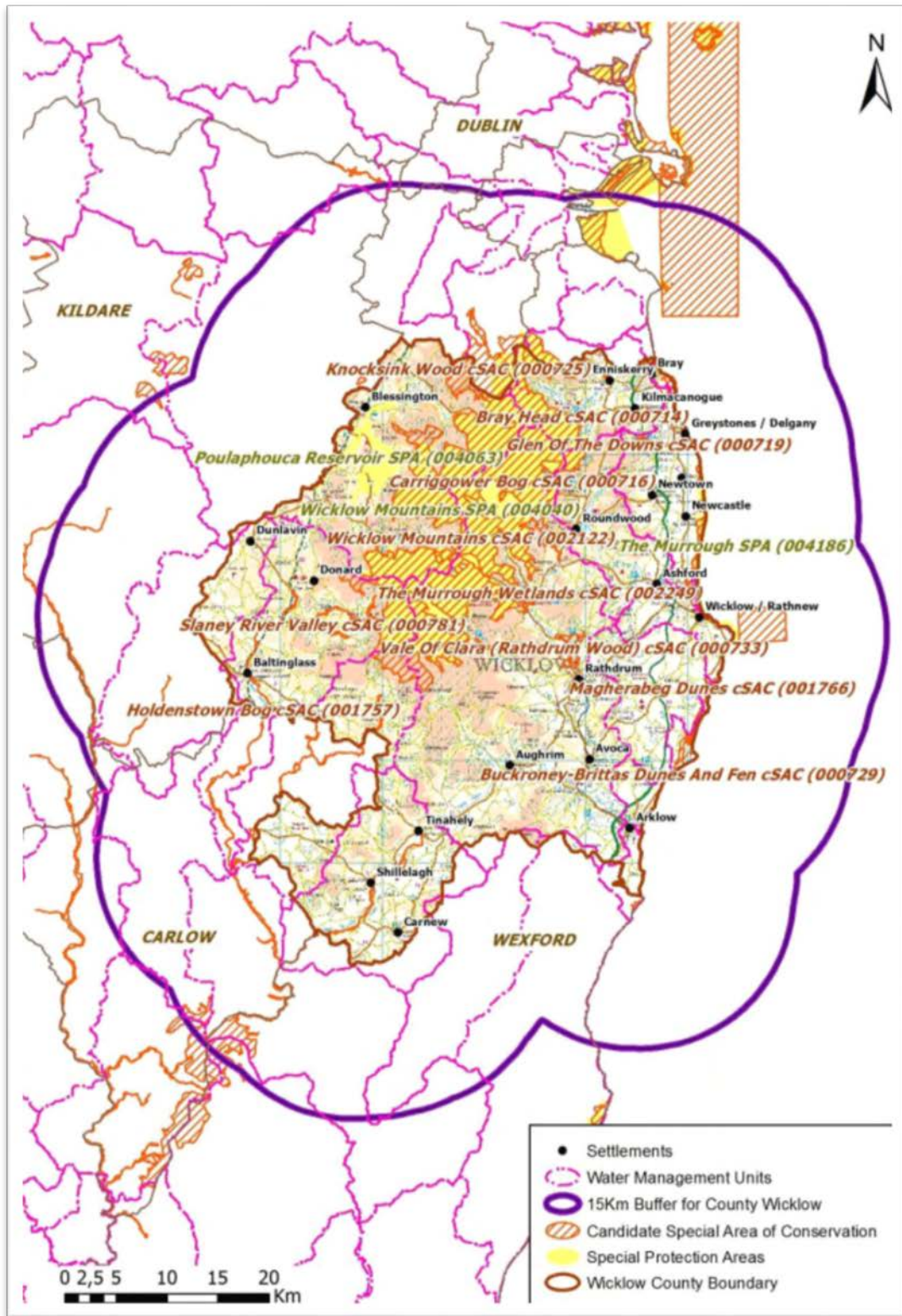


Figure 1 European sites within Co. Wicklow and within 15 km of the County Boundary (Source: Figure 1 of the NIR for the County Development Plan)

Table 2 European Designated Sites within 15km of County Wicklow

Candidate Special Areas of Conservation	Special Protection Areas
North Dublin Bay	North Bull Island
South Dublin Bay	South Dublin Bay and River Tolka Estuary
Pollardstown Fen	Wexford Harbour and Slobs
Red Bog, Kildare	
Blackstairs Mountains	
Glenasmole Valley	
Rye Water Valley/Carton	
Kilpatrick Sandhills	
River Barrow and River Nore	

2.3 Reasons for Designation, Site Sensitivities and Threats

In order to identify those European Sites that could potentially be affected, it was necessary to describe each European Site in the context of why it has been designated (its “Qualifying Interests”) and the environmental and ecological conditions that maintain the condition of these features. The Qualifying Interests and threats to the sites were extracted from the NPWS website database and Status of EU Protected Habitats and Species in Ireland (NPWS, 2007) and scoped as part of the AA of the County Development Plan and are included in the published NIR.

The Qualifying Interests and threats to the sites are therefore presented in Appendix 1 of the NIR of the County Development Plan and it is considered unnecessary to repeat them here. Appendix 1 of the NIR of the County Development Plan provides details on the European Sites within 15km of the Variation No. 1 (as listed above in Table 1 and 2), their qualifying interests and key threats to the sites. The key output of this stage was the identification of the types of threats to the integrity of the European Sites. The threats were then related to the consequences of implementing the proposed Variation No. 1 to see if there is a risk of any likely significant effects on European Sites.

2.4 Likely Significant Effects from the Variation No 1 on European Sites

This section documents the final stage of the Screening process.

The proposed Variation No. 1 includes revisions to seven sections within the County Development Plan, each of which were screened for potential significant impact, alone and/or in combination with other plans or projects on the European Sites listed in Table 1 and Table 2. The assessment of each part of Variation No.1 is included in within Appendix A to this report. However the “Protective policies” of the County Development Plan, as described in Table 4.1 of the NIR County Development Plan, act cumulatively to protect the individual Natura 2000 sites. This list identified those that address specific sensitivities of European Sites. The revisions proposed as part of Variation No. 1 were therefore screened in the context that these protective policies would be implemented as required by the County Development Plan.

Assuming that these policies were implemented fully, no likely significant adverse impacts were identified on any of the European Sites listed in Table 1 or Table 2.

2.5 Other Plans or Projects

Other relevant plans and projects in the area considered include those listed in Section 2.5 of the NIR for the County Development Plan. It is not considered necessary to repeat the list of all other plans or projects here, however listed below are the most relevant local area plans which will direct development once the Variation is adopted.

- Draft Bray Municipal District Local Area Plan 2017-2023 (which encompasses the settlements of Bray, Enniskerry, Kilmacanogue and their environs) – Stage 2 NIR of the has concluded that there would be no significant effects on the integrity if European sites arising from implementation of the plan;
- Rathdrum Local Area Plan 2017-2023 – AA Screening for this LAP concluded that Stage 2 AA was not required; and
- Draft Arklow and environs Local Area Plan 2017-2023 - AA Screening for this LAP has concluded that Stage 2 AA is not required.

No cumulative impacts are predicted as each plan has a range of environmental and natural heritage policy safeguards in place. These safeguards to protect the natural environment and European Sites will also apply to Variation No. 1. Therefore, as there will be no significant impacts, it is considered unlikely to influence other plans or projects in a manner that could result in effects on any European site.

2.6 Conclusions of Screening Assessment Process

Variation No. 1 has been screened for potential significant adverse impacts on European Sites in County Wicklow and within 15km of the County boundary. This was determined by assessing the potential for significant impacts on the qualifying interests. It is considered that significant adverse impacts would not be likely due to the benign nature of Variation No.1 and the protective policies engrained within the County Development Plan, (as listed in Table 4.1 of the NIR). No further assessment is required.

Appendix A

Assessment of each element of
the Variation

Proposed Variation	Assessment of potential for likely significant effects on European Sites
<p>Proposed Variation 1.1 In Section 1.3 Structure of the Plan - removal of reference to Enniskerry and Kilmacanogue and inclusion of the text MD after Bray.</p>	No potential for significant effects.
<p>Proposed Variation 1.2 In Volume 1: Chapter 2- Vision And Core Strategy inclusion of the text The only exception to the rule will be the zoning provisions for the Bray MD Local Area Plan, which shall have a horizon of 8 years, up to 2025 (see explanation to follow). Removal of reference to over zoned lands at Blessington and Rathdrum and to Enniskerry zoned lands. Also, removal of refence to Bray in Table 2.8a, inclusion of a new table specifically for Bray MD, Table 2.8b, which sets out the shortfall or surplus of existing zoned lands for Bray, Enniskerry and Kilmacanogue. There is a balance of zoned lands for each area. Removal of reference to Enniskerry and Kilmacanogue from Table 2.9.</p>	No potential for significant effects.
<p>Proposed Variation 1.3 In Volume 2: Introduction - Level 5 Town Plans removal of reference to Enniskerry and reference to the inclusion of Enniskerry in the Bray MD LAP. Also, removal of Enniskerry from Table stating housing growth requirement.</p>	No potential for significant effects.
<p>Proposed Variation 1.4 Deletion of the entirety of Volume 2: Enniskerry Town Plan.</p>	No potential for significant effects.
<p>Proposed Variation 1.5 In Volume 2: Introduction - Level 5 Town Plans removal of Kilmacanogue and reference to its inclusion in Bray MD LAP.</p>	No potential for significant effects.
<p>Proposed Variation 1.6 Deletion of the entirety of Volume 2: Kilmacanogue Settlement Plan.</p>	No potential for significant effects.
<p>Proposed Variation 1.7 Chane to Volume 3 – Appendices To so amend (a) Wicklow landscape categories and (b) Wicklow Wind Energy Strategy as necessary to reflect any changes to ‘urban area’ boundaries arising from the adoption of the Rathdrum, Arklow & environs and Bray Municipal District Local Area Plans.</p>	No potential for significant effects.