



Variation No.1 to the Wicklow County Development Plan 2022-2028

Appropriate Assessment Screening Report



September 2023
Wicklow County Council

AA SCREENING REPORT
PROPOSED VARIATION NO. 1 TO
WICKLOW COUNTY DEVELOPMENT PLAN 2022-2028

Section 1 Introduction & Background to Appropriate Assessment (AA)

1.0 Background

Wicklow County Council (WCC) is proposing a variation to the Wicklow County Development Plan 2022 - 2028 (CDP) on foot of a submission made to the Residential Zoned Land Tax draft map.

In the preparation of the first set of maps for the Residential Zoned Land Tax (RZLT) in 2022/23 only, a landowner who has land that is considered to be 'in scope' for the tax on a draft or supplemental map may make a submission to request a change to the zoning of the land. Such requests are facilitated under Section 653I (1) of Part 22A of the Taxes Consolidation Act 1997 (as amended by the Finance Act 2022) in order to provide an opportunity for landowners to have the status of their land reviewed in light of the undertaking of the new taxation measure.

The final RZLT map shall reflect any changes in zoning since the draft (or supplemental maps where published) as a result of the adoption of a new development plan or variations made to the development plan as a consequence of the determination of any re-zoning requests made during the public notification process, where such changes to zoning result in the land no longer meeting the 'relevant criteria' for falling into scope.

Circular Letter NRUP 07/2022 on December 2022 also provides guidance from the Minister with regard to the process of considering any such re-zoning requests.

Submission number WW-RZLT-14, in relation to 0.81ha of land in Rathdrum, was received on 20 December 2022. This submission sought to have this parcel of land rezoned from 'RN – New Residential'. The site comprises a large 'back garden' to the rear of the landowner's dwelling. There is a strip of Passive Open Space (OS2) zoned land to the rear of the site, which adjoins a stream to its southern boundary. The stream flows into the Avonmore River to the east, circa 1km from the site.

The Chief Executive (CE) has undertaken an assessment of the request and the CE is of the opinion that the variation process should be commenced in relation to the subject lands in Rathdrum. It is proposed to re-zone the lands from 'RN – New Residential' to 'OS2 – Passive Open Space'.

This Appropriate Assessment (AA) Screening Report has been prepared on foot of the initiation of the process to vary the Wicklow County Development Plan 2022-2028.

The full proposed variation is included for reference at the end of this report.

The findings of this Appropriate Assessment (AA) Screening Report will assist WCC in making a determination as to whether proposed Variation No. 1 to the CDP is likely to give rise to significant effects on any Natura 2000 sites (known as 'European Sites' in Irish legislation). Thus, the aims of this AA Screening Report are to:

- Provide information on and assess the potential for Variation No. 1 to significantly affect European Sites; and

- Determine whether Variation No. 1, alone or in combination with other projects, is likely to have significant effects on European Sites in view of their conservation objectives.

This report is being carried out in line with the requirements of Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC).

The report has taken into consideration the European Commission's (EC) publication – *Guidance document on Assessment of plans and projects in relation to Natura 2000 sites – A summary (September 2021)*, Circular Letter SEA 1/08 & NPWS 1/08 from the Department of the Environment, Heritage and Local Government and *Appropriate Assessment of Plans and Project in Ireland – Guidance for Planning Authorities* (December 2009) from the Department of the Environment, Heritage and Local Government.

1.1 Legislative Context:

The EU Habitats Directive

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

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

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

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

Articles 3 to 9 provide the legislative means to protect habitats and species of European Community interest through the establishment and conservation of an EU-wide network of sites known as Natura 2000. These are Special Areas of Conservation (SACs), designated under the Habitats Directive and Special Protection Areas (SPAs), designated under the Conservation of Wild Birds Directive (79/409/ECC).

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

As set out in *Managing Natura 2000 Sites* (referred to as MN2000²), the conservation of natural habitats and habitats of species forms the most ambitious and far-reaching challenge of the Habitats Directive. This is set

¹ Council Directive 92/43/EEC

² Managing Natura 2000 sites; The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC'

out in Article 6 of the Directive, which governs the conservation and management of Natura 2000 sites. In this context, Article 6 is viewed as one of the most important of the 24 articles of the Directive being the one which determines the relationship between conservation and land use.

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

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

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

1.2 Stages of Appropriate Assessment

This AA has been prepared in accordance with the European Commission's publication – *Guidance document on Assessment of plans and projects in relation to Natura 2000 sites – A summary (September 2021)*, referred to as the "EC Guidance Document (EC2000)". The guidance within this document provides a non-mandatory methodology for carrying out assessments required under Article 6(3) and 6(4) of the Habitats Directive, and is viewed as an interpretation of the EU Commission's document "*MN2000*".

This AA has also taken into consideration the Department of the Environment, Heritage and Local Government publication *Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities* (December 2009)³. This guidance is intended to assist and guide planning authorities in the application of Article 6(3) and 6(4) of the Habitats Directive as it relates to their roles, functions and responsibilities in undertaking Appropriate Assessment of plans and projects. It applies to plans and projects for which public authorities receive an application for consent, and to plans or projects which a public authority wishes to undertake or adopt.

It sets out the different steps and stages that are needed in establishing whether a plan or project can be implemented without adversely affecting the integrity of a European Site.

The guidance addresses issues of mitigation and avoidance of impacts, and also the Article 6(4) derogation provisions for circumstances in which there are no alternatives and for which there are imperative reasons of overriding public interest (IROPI) requiring a plan or project to proceed.

This guidance was prepared jointly by the NPWS and Planning Divisions of DEHLG, with input from local authorities. It preceded, but anticipated, the legislation which now transposes the Birds and Habitats Directives in Ireland, i.e. the European Communities (Birds and Natural Habitats) Regulations 2011, and parallel provisions relating to Appropriate Assessment in planning legislation (i.e. Part XAB of the Planning and Development Act, 2000 as amended and associated Regulations).

³ This was updated in 2010

Stage 1 of the Methodological Guidance is the screening process, which examines the likely effects of a project, either alone or in combination with other projects or plans upon a European Site and considers whether it can be objectively concluded that these effects will not be significant. This stage of the screening process involves four steps, which fall under the following headings:

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

Stage 2 of the process "Appropriate Assessment" follows Stage 1 where, following an evaluation of the plan it has been established the plan is likely to have a significant effect on any European Site. This stage involves the following:

- A description of the European Sites that will be considered further in the Appropriate Assessment process;
- A description of significant impacts on the conservation feature of these sites likely to occur from the proposed development; and
- Recommendations.

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

Section 2 Screening

2.0 Management of the site

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

Plans or projects that are directly connected with or necessary to the nature conservation and management of a European Site are exempt from the need for Stage 2 Appropriate Assessment. For this exemption to apply, management should be interpreted narrowly as nature conservation management in the sense of Article 6(1) of the Habitats Directive, for example the relationship between the proposed plan and the management of the European Site should be shown to be direct and not a by-product of the plan.

The proposed variation relates to a change of a land use zoning objective within a land use management plan and is not directly connected with or necessary to the nature conservation management of European Sites, and as such the exemption does not apply.

2.1 Description of the project or plan

Describing the project or plan and the description and characterisation of other projects or plans that in combination have the potential for having significant effects on the European Site.

2.1.1 Proposed Variation No.1 to the Wicklow County Development Plan 2022-2028

The proposed variation has been proposed following the request for a rezoning during the consultation process of the Residential Zoned Land Tax (RZLT) draft maps (submission reference WW-RZLT-14). The request for rezoning relates to a site of 0.81ha, currently zoned 'New Residential (RN)' within the Rathdrum Town Plan which forms part of the 2022-2028 County Development Plan.

The Wicklow County Development Plan 2022-2028, as adopted, sets a framework for projects and other activities and was subject to Appropriate Assessment as part of the plan making process.

The proposed variation to the County Development Plan would set a framework for projects and other activities on the subject lands of 0.81ha alone, and the land use zoning and permissible uses of the land resulting therefrom on the site would differ from that in the adopted CDP.

The current zoning 'RN' allows for the following land uses: *houses, apartments, residential open space, education, community facilities, retirement homes, nursing homes, childcare, health centres, guest house, bed and breakfast, places of public worship, home based economic activity, utility installations and ancillary development and other residential uses in accordance with the CDP.*

The proposed zoning 'OS2' would allow for the following land uses: *uses that protect and enhance the function of these areas as flood plains, buffer zones along watercourses and rivers, green breaks between built up areas, green corridors and areas of natural biodiversity. The development of these lands for recreational uses may only be considered where such use is shown to not undermine the purpose of this zoning.*

The proposed alternative land use (OS2) would allow for a materially different and reduced scope of uses, and uses likely to have a significantly lesser effect on the environment to that which underwent AA as part of the making of the 2022 County Development Plan.

Section 3 Description of European Sites

3.0 European sites located within 15km of Proposed Variation No. 1 Site

This section of the screening process describes the European Sites within a 15km radius of the site of the proposed variation to the County Development Plan.

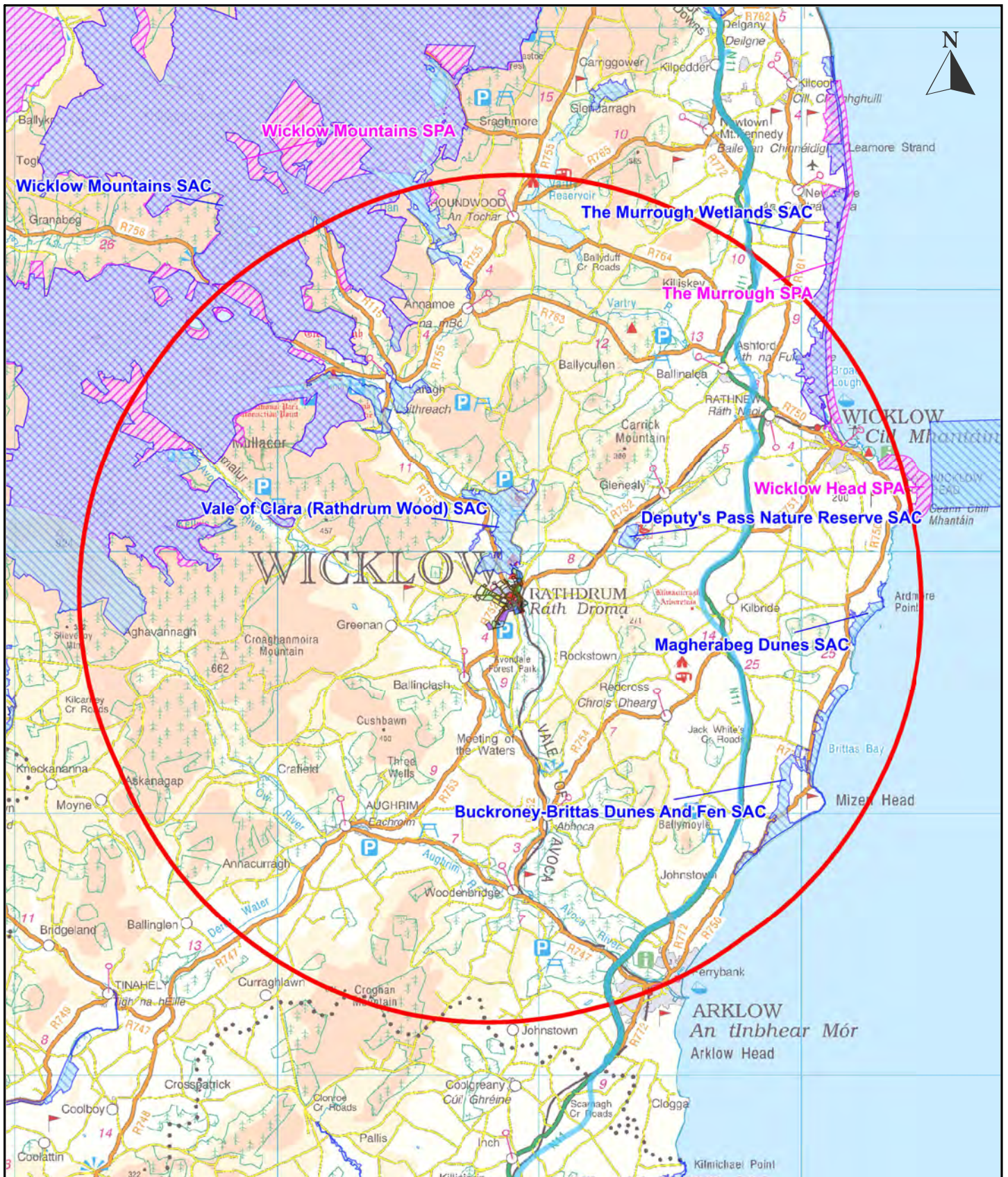
The Vale of Clara (Rathdrum Woods) SAC is the closest European Site to the Variation No. 1 lands, at circa 1km. There are 9 No. European Sites in total that lie within a 15km range of the Variation No. 1 lands. These are listed in Table 1 (SACs) and Table 2 (SPAs). The Qualifying Features for each SAC site and the Features of Interest and Special Conservation Interests of the SPAs have been obtained through a review of the documentation available on each site from the National Parks and Wildlife Service (NPWS) website www.npws.ie. Each qualifying feature also has a standard EU code and these are presented in brackets.

3.1 Priority Species and Habitats

A number of species and habitats are given 'Priority' status in the Habitats Directive by the EU because they are considered to be particularly vulnerable and are mainly, or exclusively, found within the European Union.

There are no 'Priority Species' known from Ireland.




Priority Habitats are present in Ireland with a number of these present in Wicklow's SACs, these are prefixed with an asterisk in Table 1. The importance of Priority Habitats is emphasised at several places in the Directive (Articles 4 and 5 and Annex III), not only in terms of the selection of sites, but also in the measures required for site protection (Article 6) and surveillance (Article 11).



Appropriate Assessment Figure



Legend

-  Rathdrum Town Plan Zoning - 15km Buffer
-  Special Area of Conservation (SAC)
-  Special Protection Area (SPA)

**WICKLOW COUNTY
DEVELOPMENT PLAN 2022-2028
Proposed Variation No.1 (2023)**
Wicklow County Council
Planning Department



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Scale 1:200,000 @A4

Table 1 Special Areas of Conservation (SACs) within 15km of Variation No. 1 Site

Site Code	Site Name	Qualifying Features	
		Annex 1 Habitat (* Indicates priority habitat)	Annex II Species
000733	Vale of Clara (Rathdrum Wood)	<ul style="list-style-type: none"> • Old sessile oak woods with Ilex and Blechnum in British Isles [91A0] 	
000717	Deputy's Pass Nature Reserve	<ul style="list-style-type: none"> • Old sessile oak woods with Ilex and Blechnum in British Isles [91A0] 	
002122	Wicklow Mountains	<ul style="list-style-type: none"> • Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) [3110] • Natural dystrophic lakes and ponds [3160] • Northern Atlantic wet heaths with Erica tetralix [4010] • European dry heaths [4030] • Alpine and Boreal heaths [4060] • Calaminarian grasslands of the Violetalia calaminariae [6130] • Species-rich Nardus 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 (Androsacetalia alpinae and Galeopsietalia ladani) [8110] • Calcareous rocky slopes with chasmophytic vegetation [8210] • Siliceous rocky slopes with chasmophytic vegetation [8220] • Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0] 	Otter (Lutra lutra) [1355]
002249	The Murrough Wetlands	<ul style="list-style-type: none"> • Annual vegetation of drift lines [1210] • Perennial vegetation of stony banks [1220] • Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330] • Mediterranean salt meadows (Juncetalia maritimi) [1410] • Calcareous fens with Cladium mariscus and species of the Caricion davallianae* [7210] • Alkaline fens [7230] 	
001766	Maherabeg Dunes	<ul style="list-style-type: none"> • Annual vegetation of drift lines [1210] • Embryonic shifting dunes [2110] 	

		<ul style="list-style-type: none"> • Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120] • Fixed coastal dunes with herbaceous vegetation (grey dunes)* [2130] • Petrifying springs with tufa formation (<i>Cratoneurion</i>)* [7220] 	
000729	Buckroney-Brittas Dunes and Fen	<ul style="list-style-type: none"> • Annual vegetation of drift lines [1210] • Perennial vegetation of stony banks [1220] • 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] • Atlantic decalcified fixed dunes (<i>Calluno-Ulicetea</i>)* [2150] • Dunes with <i>Salix repens ssp. argentea</i> (<i>Salix arenariae</i>) [2170] • Humid dune slacks [2190] • Alkaline fens [7230] 	

Table 2 Special Protection Areas (SPAs) within 15km of Variation No. 1 Site

Site Code	Site Name	Special Conservation Interests & Features of Interest
004186	The Murrough	<ul style="list-style-type: none"> • 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>Larus ridibundus</i>) [A179] • Herring Gull (<i>Larus argentatus</i>) [A184] • Little Tern (<i>Sterna albifrons</i>) [A195] • Wetlands & Waterbirds [A999]
004040	Wicklow Mountains National Park	<ul style="list-style-type: none"> • Merlin (<i>Falco columbarius</i>) [A098] • Peregrine (<i>Falco peregrinus</i>) [A103]
004127	Wicklow Head	<ul style="list-style-type: none"> • Kittiwake (<i>Rissa tridactyla</i>) [A188]

3.2 Conservation Objectives

The Habitats Directive aims, inter alia, to maintain or restore the favourable conservation status of habitats and species which have been identified as the qualifying features of sites designated as Special Areas of Conservation (SACs) and the Special Conservation Interests of Special Protection Areas (SPAs). These two designations are collectively known as the Natura 2000 network and are known as European Sites under Irish legislation.

European Site's Conservation Objectives are defined by NPWS and are *"intended to ensure that the relevant Annex 1 habitats and Annex II species present on a site are maintained in a favourable condition"* (*Appropriate Assessment of Plans and Projects – Guidance for Planning Authorities* DoEHLG 2010).

The DoEHLG Guidelines state that, *"The conservation objectives derive from the qualifying interests, the Natura 2000 standard data form, and the management plan for the site, with summary information contained in the site synopsis"*.

Favourable conservation status of a habitat is achieved when:

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

The favourable conservation status of a species is achieved when:

- population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats;
- the natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future; and
- there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

The qualifying features and special conservation interests of the relevant European Sites are listed in Tables 1 and 2 above. Further descriptive detail of site characteristics, quality and importance, and vulnerability of these features, are available for each European Site on www.npws.ie.

Section 4 Assessment of Impacts

4.0 Introduction

Assessment is the process of evaluating the importance or significance of project/plan impacts (whether adverse or beneficial). This is essentially a judgment, built up from the collation of available information and the use of objective criteria and standards.

4.1 Assessment of likely impacts on European Sites

This Assessment will examine and evaluate the significance of impact, if any, of Proposed Variation No. 1 on each of the European Sites located within 15km of the proposed variation site. The distance of 15km is derived from the recommendation in the DoEHLG document *Appropriate Assessment of Plans and Projects – Guidance for Planning Authorities* and is considered sufficient in the case of Proposed Variation No. 1 where there are no hydrological links or other pathways to sites beyond this distance.

Table 3 provides details of each European Site as sourced from the National Parks and Wildlife Service of the Department of Housing, Local Government and Heritage. The principal sources of information include the following:

- Site synopses
- Qualifying interests
- Conservation objective series

Under Article 11 of the Habitats Directive, each member state is obliged to undertake surveillance of the conservation status of the natural habitats and species in the Annexes and under Article 17, to report to the European Commission every six years on their status and on the implementation of the measures taken under the Directive.

In April 2019, Ireland submitted the assessment of the conservation status for its habitats and species. This is set out in *"The Status of EU Protected Habitats and Species in Ireland"* (NPWS 2019) and includes any threats and pressures on the habitats and species.

The possible impacts that might arise from the proposed variation to the plan have been examined in the context of a number of factors that could potentially affect the integrity of the European Sites. These factors are as follows; Reduction in Habitat area; Disturbance to Key Species; Habitat of Species Fragmentation; Reduction in Species Density; Changes in Key Indicators of Conservation Value (Water Quality etc). The assessment of significance is based on Direct⁴, Indirect⁵ and Cumulative⁶ Impact assessment criteria.

The 'Assessment of Likely Impacts' table also references and discusses as relevant, specific objectives within the proposed variation to the plan that may have an impact on the designated sites in accordance with their individual conservation objectives.

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

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

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

Table 3 Assessment of Likely Impacts

Table 3.1 Vale of Clara (Rathdrum Wood) SAC						
European Site						
<p>The Vale of Clara (Rathdrum Wood) SAC is situated mostly on the east side of the Avonmore River, immediately north of Rathdrum in Co. Wicklow, in a deep, steeply-sided valley through which runs the Avonmore River. It is an integral part of one of the most scenic valleys in Wicklow. The woodland is a remnant of the once extensive forests of east Wicklow, which may have occupied this site since the end of the last Ice Age. Unfortunately, the hardwoods have been replaced, or underplanted with conifers, since the 1940s. The woods in the Vale of Clara are a mosaic of relatively pure oak woodland (Sessile Oak, <i>Quercus petraea</i>), mixed woodland and commercial plantations, growing on an acidic orange-brown, sandy loam over a schist bedrock. A distinct mor humus, often several centimetres thick, overlies the mineral soil.</p>						
Qualifying interests	Conservation objectives and Threats	Direct Impact(s) of the variation	Indirect Impact(s) of the variation	Cumulative impact(s) of the variation	Relevant objectives included in the County Development Plan	Residual Impacts
Old sessile oak woods with Ilex and Blechnum in British Isles [91A0]	<p>To restore the favourable conservation condition of Old sessile oak woods with Ilex and Blechnum in the British Isles in Vale of Clara (Rathdrum Wood) SAC.</p> <p>Threats include invasive non-native species and overgrazing by deer.</p>	None	None	None	CPO 17.1, CPO 17.2, CPO 17.4, CPO 17.5, CPO 17.6, CPO 17.14, CPO17.18, CPO 17.19, CPO 17.20, CPO 17.21, CPO 17.22, CPO 17.24, CPO 17.26	None
Assessment						
<p>Given the separation distance of c. 1km between this European Site and the site of proposed Variation No. 1, the proposed change in zoning will not cause any direct impacts on this European site in terms of reduction in habitat area, disturbance to key species, habitat or species fragmentation or reduction in species density. The stream that runs from west to east to the south of the variation site meets the Avonmore River circa 1km downstream from the European Site. Therefore there is no hydrological connection between the Proposed Variation site in Rathdrum and the European Site and it is not considered likely that the Proposed Variation will to give rise to any indirect impacts on the European site.</p> <p>This European site is state owned and managed by the NPWS with a structure in place to deal with management issues and threats, including accessibility and regulation of uses. It is considered that the provisions of the County Development Plan, namely CPO 17.4, CPO 17.5, CPO 17.6, CPO 17.18 and CPO 17.26 adequately mitigate against potential indirect impacts in the future.</p>						

Table 3.2 Deputy's Pass Nature Reserve SAC

European Site

Deputy's Pass woodland is located on the northern spur of the Deputy's Pass near Glenealy in Co. Wicklow. The predominant vegetation community in Deputy's Pass Nature Reserve is Sessile Oak woodland. The oak is of coppice origin, 70-80 years old, and forms a nearly closed canopy. Other tree species present are Rowan, Holly, and Downy Birch and Beech. The site supports breeding populations of the Smooth Newt and the Common Frog, amphibians protected by the Wildlife Act, 1976. Deputy's Pass is managed as a Nature Reserve and is part of an internationally important series of oak woods in Co. Wicklow which are almost certainly natural in origin and which retain much of their original character and species composition.

Qualifying interests	Conservation objectives and Threats	Direct Impact(s) of the variation	Indirect Impact(s) of the variation	Cumulative impact(s) of the variation	Relevant objectives included in the County Development Plan	Residual Impacts
Old sessile oak woods with Ilex and Blechnum in British Isles [91A0]	To maintain the favourable conservation condition of Old sessile oak woods with Ilex and Blechnum in the British Isles in Deputy's Pass Nature Reserve SAC. Threats include invasive non-native species and overgrazing by deer.	None	None	None	CPO 17.1, CPO 17.2, CPO 17.4, CPO 17.5, CPO 17.6, CPO 17.14, CPO 17.18, CPO 17.19, CPO 17.20, CPO 17.21, CPO 17.22	None

Assessment

Given the distance of this European Site at circa 5km from the site that is the subject of Proposed Variation No. 1, it is not considered that the change in zoning proposed in Variation No. 1 will cause any direct impacts on this Nature Reserve in terms of reduction in habitat area, disturbance to key species, habitat or species fragmentation or reduction in species density.

The European Site is in state ownership and is managed by the NPWS with a structure in place to deal with management issues and threats, including accessibility and regulation of uses. It is considered that the provisions of the County Development Plan, namely CPO 17.4, CPO 17.5, CPO 17.6 and CPO 17.18 adequately mitigate against potential indirect impacts in the future.

Table 3.3 Wicklow Mountains SAC

European Site

Wicklow Mountains SAC is a complex of upland areas in Counties Wicklow and Dublin. Most of the western part of the site consists of an elevated moorland, covered by peat. The dominant topographical features are the products of glaciation; high corrie lakes, deep valleys and moraines are common features of this area. The substrate over much of the area is peat, usually less than 2m deep. Poor mineral soil covers the slopes, and rock outcrops are frequent. The Wicklow Mountains are drained by several major rivers including the Dargle, Liffey, Dodder, Slaney and Avonmore and the river water in the mountain areas is often peaty, especially during floods.

The vegetation over most of Wicklow Mountains SAC is a mosaic of heath, blanket bog and upland grassland with stands of dense Bracken, and small woodlands mainly along the rivers. Small areas of old oakwood occur on the slopes of Glendalough and Glenmalure, with native Sessile Oak trees, many of which are 100-120 years old. The site supports a range of rare plant species including Parsley Fern, Marsh Clubmoss, Lanceolate Spleenwort, Small-white Orchid and Bog Orchid, which are all legally protected under the Flora (Protection) Order, 2015.

Deer are abundant, mainly hybrids between Red and Sika Deer. Other mammals include Hare, Badger and Otter, the latter being a species listed on Annex II of the E.U. Habitats Directive. Pine Marten has recently been confirmed as occurring within the site. Among the birds, Meadow Pipit, Skylark, Raven and Red Grouse are resident throughout the site. Wood Warbler and Redstarts are rare breeding species of the woodlands. Dipper and Grey Wagtail are typical riparian species. Merlin and Peregrine, both Annex I species of the E.U. Birds Directive, breed within the site.

Qualifying interests	Conservation objectives and Threats	Direct Impact(s) of the variation	Indirect Impact(s) of the variation	Cumulative impact(s) of the variation	Relevant objectives included in the County Development Plan	Residual Impacts
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	To maintain the favourable conservation condition of Oligotrophic waters containing very few minerals of sandy plains (<i>Littorelletalia uniflorae</i>) in Wicklow Mountains SAC. Threats to wet heath include overgrazing and erosion. Furthermore, climate change is acknowledged to be a potential future threat as it is expected to	None	None	None	CPO 17.1, CPO 17.2, CPO 17.4, CPO 17.5, CPO 17.6, CPO 17.9, CPO 17.14, CPO 17.18, CPO 17.19, CPO 17.20, CPO 17.21, CPO 17.22	None

<p>submountain areas, in Continental Europe) [6230] Blanket bogs (* if active bog) [7130] Siliceous scree of the montane to snow levels (Androsacetalia alpinae and Galeopsietalia ladani) [8110] Calcareous rocky slopes with chasmophytic vegetation [8210] Siliceous rocky slopes with chasmophytic vegetation [8220] Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0] Lutra lutra (Otter) [1355]</p>	<p>cause rises in temperature and decreases in precipitation.</p> <p>Threats to dry heath include overgrazing by sheep and burning for agriculture.</p> <p>Threats to calaminarian grassland include impacts from recreational activities (walking/hiking).</p> <p>The main threats to the otter include pollution, particularly organic pollution resulting in fish kills; and accidental deaths (road traffic and fishing gear).</p>					
<p>Assessment</p> <p>Given the separation distance of c. 8km between this European Site and the site of Proposed Variation No. 1, it is not considered that the proposed variation will cause any direct impacts on this site in terms of reduction in habitat area, disturbance to key species, habitat or species fragmentation or reduction in species density. The site is in state ownership and managed by the NPSW and the main management issues for the site are identified in the National Park Management Plan. Management of the site is addressed through the regulation of access, grazing, peat extraction, recreation and other uses. It is not considered that Proposed Variation No. 1 is likely to give rise to any indirect impacts on the European site. It is considered that the provisions of the County Development Plan, namely CPO 17.4, CPO 17.5, CPO 17.6, CPO 17.9 and CPO 17.18 adequately mitigate against potential indirect impacts in the future.</p>						

Table 3.4 Wicklow Mountains SPA

European Site

This is an extensive upland site, comprising a substantial part of the Wicklow Mountains. Most of the site is in Co. Wicklow, but a small area lies in Co. Dublin. The underlying geology of the site is mainly of Leinster granites, flanked by Ordovician schists, mudstones and volcanics. The predominant habitats present are blanket bog, heaths and upland grassland. The site is a Special Protection Area (SPA) under the E.U. Birds Directive, of special conservation interest for the Merlin and Peregrine birds. Other birds of the open peatlands and scree slopes that have been recorded within the site include Ring Ouzel and Red Grouse.

Qualifying interests	Conservation objectives	Direct Impact(s) of the variation	Indirect Impact(s) of the variation	Cumulative impact(s) of the variation	Relevant objectives included in the County Development Plan	Residual Impacts
Merlin (Falco columbarius) [A098] Peregrine (Falco peregrinus) [A103]	To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.	None	None	None	CPO 17.1, CPO 17.2, CPO 17.4, CPO 17.5, CPO 17.6, CPO 17.9, CPO 17.14, CPO 17.18, CPO 17.19, CPO 17.20, CPO 17.21, CPO 17.22	None

Assessment

Given the separation distance of c. 8km between this European Site and the site of proposed Variation No. 1, it is not considered that the Proposed Variation will cause any direct impacts on this site in terms of reduction in habitat area, disturbance to key species, habitat or species fragmentation or reduction in species density. The site is in state ownership and managed by the NPWS and the main management issues for the site are identified in the National Park Management Plan. Management of the site is addressed through the regulation of access, grazing, peat extraction, recreation and other uses. It is not considered that the proposed Variation is likely to give rise to any indirect impacts on the European Site. The existing provisions of the County Development Plan namely CPO 17.4, CPO 17.5, CPO 17.6, CPO 17.9 and CPO 17.18 adequately mitigate against potential indirect impacts in the future.

Table 3.5 The Murrough Wetlands SAC

European Site

The Murrough is a coastal wetland complex which stretches for 15km from Ballygannon to north of Wicklow town, and in parts, extends inland for up to 1 km. On the seaward side, vegetation includes species such as Sea Rocket, Sea Sandwort, Sea-holly and Yellow Horned-poppy. Low sand hills occur at Kilcoole, with Marram and Lyme-grass. Typical species include Sweet Vernal-grass, Crested Dog’s-tail, Common Bird’s-foot-trefoil, Burnet Rose and Pyramidal Orchid. In some places, particularly at the south of the site, a gorse heath has developed on the stony ridge.

Saltmarsh is present within the site at Broad Lough and in the northern end of the site in the vicinity of The Breaches. Fen vegetation is well developed in the Murrough wetlands, with both alkaline and calcareous fen with Great Fen-sedge represented. The Murrough is an important site for wintering waterfowl and breeding birds. Species listed on Annex I of the E.U. Birds Directive include Little Egret, Whooper Swan, Greenland White-fronted Goose, Golden Plover, Kingfisher and Little Tern. Otter has also been reported regularly.

Qualifying interests	Conservation objectives and Threats	Direct Impact(s) of the variation	Indirect Impact(s) of the variation	Cumulative impact(s) of Plan the variation	Relevant objectives included in the County Development Plan	Residual Impacts
Annual vegetation of drift lines [1210] Perennial vegetation of stony banks [1220] Atlantic salt meadows (Glaucopuccinellietalia maritima) [1330] Mediterranean salt meadows (Juncetalia maritimi) [1410] Calcareous fens with Cladium mariscus and species of the Caricion davalliana [7210] Alkaline fens [7230]	To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA. Threats to alkaline fens include land abandonment, overgrazing, drainage and pollution.	None	None	None	CPO 17.1, CPO 17.2, CPO 17.4, CPO 17.5, CPO 17.6, CPO 17.14, CPO 17.15, CPO 17.18, CPO 17.19, CPO 17.20, CPO 17.21, CPO 17.22, CPO 17.24, CPO 17.25, CPO 17.26	None

Assessment

Given the distance of this European Site at approx 14km from the site of Proposed Variation No. 1, it is not considered that the Proposed Variation No. 1 will cause any direct impacts on this site in terms of reduction in habitat area, disturbance to key species, habitat or species fragmentation or reduction in species density.

There is no hydrological connection between the site of Proposed Variation No. 1 in Rathdrum and the European Site and it is not considered likely that the Proposed Variation will to give rise to any indirect impacts on the European Site. The existing provisions of the County Development Plan, namely CPO 17.4, CPO 17.5, CPO 17.6, CPO 17.15 and CPO 17.25 adequately mitigate against potential indirect impacts in the future.

Table 3.6 The Murrough SPA

European Site

The Murrough is a coastal wetland complex which stretches for 15km from Ballygannon to north of Wicklow town, and in parts, extends inland for up to 1 km. On the seaward side vegetation includes species such as Sea Rocket, Sea Sandwort, Sea-holly and Yellow Horned-poppay. Low sand hills occur at Kilcoole, with Marram and Lyme-grass. Typical species include Sweet Vernal-grass, Crested Dog’s-tail, Common Bird’s-foot-trefoil, Burnet Rose and Pyramidal Orchid. In some places, particularly at the south of the site, a gorse heath has developed on the stony ridge.

Saltmarsh is present within the site at Broad Lough and in the northern end of the site in the vicinity of The Breaches. Fen vegetation is well developed in the Murrough wetlands, with both alkaline and calcareous fen with Great Fen-sedge represented. The Murrough is an important site for wintering waterfowl and breeding birds. Species listed on Annex I of the E.U. Birds Directive include Little Egret, Whooper Swan, Greenland White-fronted Goose, Golden Plover, Kingfisher and Little Tern. Otter has also been reported regularly.

Qualifying interests	Conservation objectives	Direct Impact(s) of the variation	Indirect Impact(s) of the variation	Cumulative impact(s) of the variation	Relevant objectives included in the County Development Plan	Residual Impacts
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]	To maintain or restore the favourable conservation condition of the wetland habitat at The Murrough SPA as a resource for the regularly-occurring migratory waterbirds that utilise it.	None	None	None	CPO 17.1, CPO 17.2, CPO 17.4, CPO 17.5, CPO 17.6, CPO 17.14, CPO 17.15, CPO 17.18, CPO 17.19, CPO 17.20, CPO 17.21, CPO 17.22, CPO 17.24, CPO 17.25, CPO 17.26	None

Assessment

Given the distance of this European Site at approx 14km from the site of Proposed Variation No. 1, it is not considered that the Proposed Variation No. 1 will cause any direct impacts on this site in terms of reduction in habitat area, disturbance to key species, habitat or species fragmentation or reduction in species density.

There is no hydrological connection between the site of Proposed Variation No. 1 in Rathdrum and the European Site and it is not considered likely that the Proposed Variation will to give rise to any indirect impacts on the European Site. The existing provisions of the County Development Plan, namely CPO 17.4, CPO 17.5, CPO 17.6, CPO 17.15 and CPO 17.25 adequately mitigate against potential indirect impacts in the future.

Table 3.7 Wicklow Head SPA

European Site

Wicklow Head is a rocky headland with extensive exposures of mica-schist and is situated approximately 3km south of Wicklow town. The site comprises the cliffs and cliff-top vegetation, as well as some heath vegetation and the marine area to a distance of 500m from the base of the cliffs is included in the site. At the time this site was identified for Special Protection Area (SPA) designation it was utilised by a nationally important population of Kittiwake and this species is regarded as a special conservation interest for this SPA. A survey in 2002 recorded a nationally important population of breeding Kittiwake (956 pairs) and other breeding seabirds including Fulmar (62 pairs), Shag (11 pairs), Herring Gull (20 pairs), Guillemot (281 pairs) and Razorbill (125 pairs). The site also supports a pair of breeding Peregrine. Ravens nest annually on the cliffs, and the heath supports such species as Stonechat, Whitethroat and Linnet.

Qualifying interests	Conservation objectives	Direct Impact(s) of the variation	Indirect Impact(s) of the variation	Cumulative impact(s) of the variation	Relevant objectives included in the County Development Plan	Residual Impacts
Kittiwake (<i>Rissa tridactyla</i>) [A188]	To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.	None	None	None	CPO 17.1, CPO 17.2, CPO 17.4, CPO 17.5, CPO 17.6, CPO 17.14, CPO 17.24	None

Assessment

Given the distance of this European Site at approx 15km from the site of Proposed Variation No. 1, it is not considered that the Proposed Variation No. 1 will cause any direct impacts on this site in terms of reduction in habitat area, disturbance to key species, habitat or species fragmentation or reduction in species density. The existing provisions of the County Development Plan, namely CPO 17.4, CPO 17.5 and CPO 17.6 adequately mitigate against potential indirect impacts in the future.

Table 3.8 Magherabeg Dunes SAC

European Site

Magherabeg Dunes SAC is a sand dune system situated at Ardmore Point, about 5km south of Wicklow Head in Co. Wicklow. The Three Mile Water River enters the sea through the dunes. The site is fairly intact, though some areas are being naturally eroded by wind and sea, in particular at the southern end, where bedrock has been exposed.

Despite its small size, the dune system at Magherabeg shows most of the developmental stages, with embryonic dunes, white dunes and grey fixed all represented. Species present include Sea Couch, Marram and Sea Sandwort. Stable fixed dunes are well represented, with such species as Red Fescue, Common Restharrow, Common Bird's-foot-trefoil, Wild Pansy, Wild Thyme and White Clover. Burnet Rose is present on the older fixed dunes, with species such as Gorse and Bracken also present. The dune system is backed by drift banks, which are well covered by deciduous woodland and scrub. Other species occurring on these drift banks include Hemp-agrimony, Yellow-wort and the scarce species Wood Vetch. Along the low cliffs at Ardmore Point a line of petrifying springs with tufa formations occurs, and a range of specialised moss species are found. The Three Mile Water River, which flows through the dunes provides habitat for wetland species such as sedges, including Bladder Sedge, Fox Sedge and Grey Sedge. The very rare hybrid sedge, *Carex x grossii* has also been recorded here. Common Reed is also found along the river. The site is of conservation importance because it is a fine example of a dune system which is fairly intact and which has a well-developed flora. The lack of easy public access to this site has undoubtedly helped in preventing damage and erosion from amenity activities. The presence of wetland vegetation on the site is of additional interest.

Qualifying interests	Conservation objectives	Direct Impact(s) of the variation	Indirect Impact(s) of the variation	Cumulative impact(s) of the variation	Relevant objectives included in the County Development Plan	Residual Impacts
Annual vegetation of drift lines [1210] 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] Petrifying springs with tufa formation (Cratoneurion) [7220]	To maintain the favourable conservation condition of Annual vegetation of drift lines in Magherabeg Dunes SAC.	None	None	None	CPO 17.1, CPO 17.2, CPO 17.4, CPO 17.5, CPO 17.6, CPO 17.14, CPO 17.15, CPO 17.18, CPO 17.19, CPO 17.20, CPO 17.21, CPO 17.22, CPO 17.24, CPO 17.25, CPO 17.26	None

Assessment

Given the distance of this European Site at circa 13km from the site of Proposed Variation No. 1, it is not considered that the Proposed Variation No. 1 will cause any direct impacts on this site in terms of reduction in habitat area, disturbance to key species, habitat or species fragmentation or reduction in species density.

There is no hydrological connection between the site the subject of the Proposed Variation in Rathdrum and the European Site and it is not considered likely that the Proposed Variation will to give rise to any indirect impacts on the European Site.

The existing provisions of the County Development Plan, namely CPO 17.4, CPO 17.5, CPO 17.6, CPO 17.14, CPO 17.15, CPO 17.18 and CPO 17.24 adequately mitigate against potential indirect impacts in the future.

Table 3.9 Buckrone-y- Brittas Dunes and Fen SAC

European Site

Buckrone-y-Brittas Dunes and Fen is a complex of coastal habitats located about 10km south of Wicklow town. It comprises two main sand dune systems, Brittas Bay and Buckrone-y Dunes, connected on the coast by the rocky headland of Mizen Head. The dunes have cut off the outflow of a small river at Mizen Head and a fen, Buckrone-y Fen, has developed. A further small sand dune system occurs south of Pennycomequick Bridge.

The invertebrate fauna of Buckrone-y fen has been investigated and some notable species have been recorded, including the beetle *Eurynebria complanata* and the following flies: *Machimus cowini*, *Anasimyia lunulata*, *Parhelophilus consimilis* and *Lejogaster splendia*. Little Tern, a species listed on Annex I of the E.U. Birds Directive, has bred or attempted to breed at Buckrone-y strand in recent years. Teal are regular in winter (119), as are Curlew (46), Lapwing (515) and Snipe (87). Several coastal habitats that are listed on the E.U. Habitats Directive, including two priority habitats - fixed dune and decalcified dune heath are present. The area contains two legally protected plants, as well as a number of other rare or scarce plant species. The site provides habitat for some rare species of invertebrate and for the vulnerable Little Tern. A rich flora and fauna has persisted on this site despite extensive amenity use and adjacent farming. However, future land use practices will need to be managed to ensure the continued survival of this unique mosaic of coastal habitats.

Qualifying interests	Conservation objectives	Direct Impact(s) of the variation	Indirect Impact(s) of the variation	Cumulative impact(s) of the variation	Relevant objectives included in the County Development Plan	Residual Impacts
Annual vegetation of drift lines [1210] Perennial vegetation of stony banks [1220] 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] Atlantic decalcified fixed dunes (<i>Calluno-Ulicetea</i>) [2150] Dunes with <i>Salix repens</i> ssp. <i>argentea</i> (<i>Salicion arenariae</i>) [2170] Humid dune slacks [2190] Alkaline fens [7230]	To maintain the favourable conservation condition of Annual vegetation of drift lines in Buckrone-y-Brittas Dunes and Fen SAC. Threats to the Grey Dunes include recreation. Pressures on the dune slacks habitat come from a number of sources, including sports and leisure activities (e.g. walking). Threats to Alkaline fens are land abandonment, overgrazing, drainage and pollution.	None	None	None	CPO 17.1, CPO 17.2, CPO 17.4, CPO 17.5, CPO 17.6, CPO 17.14, CPO 17.24, CPO 17.26	None

Assessment

Given the distance of this European Site at over 12km from the site of Proposed Variation No. 1, it is not considered that the Proposed Variation No. 1 will cause any direct impacts on this site in terms of reduction in habitat area, disturbance to key species, habitat or species fragmentation or reduction in species density.

There is no hydrological connection between the site of Proposed Variation No. 1 in Rathdrum and the European Site and it is not considered likely that the proposed variation to the plan will give rise to any indirect impacts on the European Site.

The existing provisions of the County Development Plan, namely CPO17.4, CPO17.5, CPO17.6, CPO 17.14 and CPO 17.24 adequately mitigate against potential indirect impacts in the future.

4.2 Summary of Assessment of Significance

Tables 3.1 to 3.9 assess the potential impact of Proposed Variation No. 1 to the Wicklow County Development Plan 2022-2028 on European Sites situated within 15km of the boundary of the site of the proposed variation. This assessment has taken in direct, indirect and cumulative potential impacts arising from the provisions and objectives of the variation.

The assessment of each of the 9 No. European Sites indicates that the proposed variation will not cause any significant adverse impacts on any of these sites.

Proposed Variation No. 1 has been prepared in accordance with the provisions of the County Development Plan and in accordance with European, National and Regional legislation which set the framework for the achievement of the optimal balance of social, economic and physical development within the plan area. The effects of higher-level strategies and plans are considered insofar as they inform the plan. Subsidiary plans and projects will be subject to separate assessment procedures in accordance with all applicable regulations and directives.

Having regard to the purpose and provisions of Proposed Variation No.1 it is considered that the proposed variation (either individually or in combination with other plans or projects) shall not give rise to significant adverse impacts on the integrity of any European Sites.

4.3 Conclusions and AA Determination

The likely impacts that will arise from Proposed Variation No. 1 have been examined in the context of a number of factors that could potentially affect the integrity of European sites and have been presented in Tables 3.1-3.9.

It is the conclusion of this screening statement that there will be no adverse impacts on the integrity of any European Sites located within 15km of the subject lands of Proposed Variation No.1 and that a Stage 2 Appropriate Assessment is not required.