

# **APPROPRIATE ASSESSMENT CONCLUSION STATEMENT**

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## **FOR THE PORTARLINGTON JOINT LOCAL AREA PLAN 2025-2031**

**for: Laois and Offaly County Councils**



**by: CAAS Ltd.**



**JULY 2025**

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# Section 1 Introduction and Background

## 1.1 Introduction

This is the Appropriate Assessment (AA) Conclusion Statement for the Portarlington Joint Local Area Plan. The obligation to undertake AA derives from Article 6(3) and 6(4) of the Habitats Directive 92/43/EEC as transposed into Irish legislation by, inter alia, the Planning and Development Act 2000, as amended. AA is a focused and detailed impact assessment of the implications of a strategic action (such as a plan or programme) or project, alone and in combination with other strategic actions and projects, on the integrity of any European Site in view of its conservation objectives. This AA Conclusion Statement should be read in conjunction with the Plan and associated documents including the AA Natura Impact Report (NIR).

## 1.2 Legislative Requirements in relation to AA

In carrying out the AA for the Plan, Planning and Development Act 2000, as amended, requires, inter alia, that the Councils consider the matters arrayed in the first column on Table 1.1 below. The second column identifies how these issues have been addressed.

**Table 1.1 Matters taken into account by the AA**

Matter specified by the Regulations	How addressed by AA
(a) the Natura Impact Report	An AA NIR accompanies this AA Conclusion Statement and the Plan.
(b) any supplemental information furnished in relation to any such report	This AA Conclusion Statement accompanies the NIR that provides additional detail on European Sites.  Submissions made during the Plan preparation/AA process were taken into account in the preparation of the final, consolidated AA NIR.  Proposed Material Alterations were screened for the need to undertake Stage 2 AA (Stage 2 AA was not required for the Alterations).
(c) if appropriate, any additional information sought by the authority and furnished by the applicant in relation to a Natura Impact Report	
(d) any information or advice obtained by the public authority	
(e) if appropriate, any written submissions or observations made to the public authority in relation to the application for consent for proposed plan or project	
(f) any other relevant information	

In addition to the above, the Regulations require that the Councils make available for inspection determinations regarding the outcome of the assessment with respect to whether or not the Plan would adversely affect the integrity of a European site (a copy of these determinations are provided at Section 4).

## 1.3 AA Conclusion Statement

Non-Statutory AA guidance (Department of Environment, Heritage and Local Government, 2009) states that (Section 4.14) it *"is recommended that planning authorities include a clear and discrete AA Conclusion Statement as a distinct section in the written statement of the plan separate to the SEA statement."* This guidance recommends that the following issues are addressed by the AA Conclusion Statement:

- Summary of how the findings of the AA were factored into the Plan (see Section 2);
- Reasons for choosing the Plan as adopted, in the light of other reasonable alternatives considered as part of the AA process (see Section 3);
- A declaration that the Plan as adopted will not have an adverse effect on the integrity of European Sites (provided at Section 4); and
- The NIR (the AA NIR is accompanied by this AA Conclusion Statement and has informed the AA Determinations – see Section 4).

Furthermore, as stated in the Draft "Development Plans Guidelines for Planning Authorities" (Department of Housing, Local Government and Heritage, 2021):

*"....There is a similar requirement to publish a determination relating to the AA that may have been undertaken. Under Article 6.3 of the Habitats Directive the determination (often termed an 'AA Conclusion Statement') must state as to whether or not the Draft Plan would adversely affect the integrity of a European site. However as stated in Section 3.5, this determination must have been made prior to the adoption of the Draft Plan."*

This AA Conclusion Statement addresses the above issues and includes signed AA Determinations at Section 4.

## Section 2 How the findings of the AA were factored into the Plan

The SEA and AA team worked with the Plan-preparation team at the Councils in order to integrate requirements for environmental protection and management into the Plan. The Plan was prepared in an iterative manner whereby the Plan and AA documents have informed subsequent versions of the other. The findings of the AA were integrated into the Plan through mitigation measures. These mitigation measures ensure that the Plan will not affect the integrity of the European Sites, alone or in combination with other plans or projects.<sup>1</sup> The mitigation measures included in the Joint Local Area Plan that most relevant to the protection of European sites are identified on Tables 2.1, 2.2 and 2.3 below.

**Table 2.1 Measures for adherence to policy objectives of the County Development Plans<sup>2</sup>**

	Specific policy or Plan section
Measure(s)	<p><b>Section 1.1</b></p> <p>In the full interpretation of all objectives for Portarlington, it is essential that the Laois County Development Plan 2021 – 2027, the Offaly County Development Plan 2021 – 2027 and this JLAP are read together.</p> <p>Where conflicting objectives arise between the County Development Plans and the JLAP, the objectives of the relevant County Development Plan shall take precedence.</p> <p>It should be noted that the general development management standards applicable to the plan area are included in the relevant County Development Plans, while policies and objectives that are specific to Portarlington are included in this JLAP.</p> <p>It is a specific provision of this Plan to ensure that all of the provisions from the Laois County Development Plan 2021-2027 and the Offaly County Development Plan 2021-2027 identified in the SEA Environmental Report and/or AA Natura Impact Report that accompany this Plan shall be complied with throughout the implementation of this Plan.</p>

**Table 2.2 Mitigation measures<sup>3</sup> for overarching ecologically sensitive components<sup>4</sup> identified in the Plan area**

Component	Applied Development Plan Objectives / Mitigation Measure(s) <sup>5</sup>
Natural heritage, biodiversity and National / European sites	<p><b>Policy 15.1</b></p> <p>Prohibit any development that would be harmful to or that would result in a significant deterioration of habitats and/or disturbance of species in any Special Protection Area (SPA), Special Area of Conservation (SAC) and candidate Special Area of Conservation (cSAC), Natural Heritage Area (NHA) and Proposed Natural Heritage Area (pNHA).</p> <p><b>Policy 15.4</b></p> <p>Protect, manage, and enhance the natural heritage, biodiversity, landscape, and environment of Portarlington in recognition of its importance as a natural resource that can contribute towards sustainable urban drainage, flood management, and climate action.</p> <p><b>Policy 15.6</b></p> <p>Support the conservation and enhancement of the River Barrow and River Nore SAC, and to protect the SAC from any plans and projects that are likely to have a significant effect on the coherence or integrity of the designated site, in accordance with relevant EU environmental directives and applicable national legislation, policies, plans and guidelines.</p> <p><b>Objective 6.8</b></p> <p>Protect, conserve and enhance the built, natural and cultural environment, by promoting awareness and high-quality urban design and utilising relevant heritage legislation.</p>

<sup>1</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 in place.

<sup>2</sup> Laois County Development Plan 2021-2027 and Offaly County Development Plan 2021-2027

<sup>3</sup> Due to the high-level nature of Development Planning, one Plan objectives/mitigation measures can address several sources for effect identified as requiring mitigation measures e.g., a objectives/mitigation measure providing for the protection of water quality could address potential sources for effects resulting from forestry activities and wastewater.

<sup>4</sup> Due to the high-level nature of Development Planning, a 'component' in the context of this report is a high-level ecological receptor that potential effects identified from the Plan could impact, such as 'natural heritage and biodiversity' and "surface water courses".

<sup>5</sup> All of the measures included in this table address the protection of European sites in relation to the QIs/SCIs in view of their respective COs and the potential effects identified in the Plan.

Component	Applied Development Plan Objectives / Mitigation Measure(s) <sup>5</sup>
	<p><b>Table 10 Town Centre Opportunity Sites, Sites 1-5</b></p> <p>Any development of the land should be informed by</p> <ul style="list-style-type: none"> <li>- Appropriate Assessment under the Habitats Directive where required</li> </ul> <p><b>Objective 15.8</b></p> <p>Seek to preserve and protect trees that have a particular local amenity, conservation or landscape value and require the planting of new native tree species in all new developments.</p> <p><b>Objective 15.11</b></p> <p>Protect and preserve landscape features which significantly contribute to green infrastructure in Portarlington, including trees, hedgerows, woodlands, wetlands, watercourses, and other habitats.</p>
Wetlands and surface water courses	<p><b>Policy 15.6</b></p> <p>Support the conservation and enhancement of the River Barrow and River Nore SAC, and to protect the SAC from any plans and projects that are likely to have a significant effect on the coherence or integrity of the designated site, in accordance with relevant EU environmental directives and applicable national legislation, policies, plans and guidelines.</p> <p><b>Policy 13.2</b></p> <p>Protect both ground and surface water resources and to work with Uisce Éireann to develop and implement Water Safety Plans to protect sources of public water supply and their contributing catchments.</p>
Management of water services, wastewater and implementation of SuDS <sup>6</sup>	<p><b>Policy 10.6</b></p> <p>Require that all development proposals in Portarlington integrate SUDS, and nature-based solutions to SUDS, as part of an overall sustainable urban drainage and urban greening approach, unless they are demonstrated to be operationally unfeasible to the satisfaction of the Council.</p> <p><b>Policy 13.4</b></p> <p>Minimise flood risk arising from pluvial (surface water) flooding in Portarlington by promoting the use of natural flood risk management measures including the use of Sustainable Urban Drainage Systems (SuDS) and nature-based solutions.</p> <p><b>Policy 13.1</b></p> <p>Require that new developments connect to the public water and wastewater networks in Portarlington where public mains are available, and subject to connection agreements with Uisce Éireann and compliance with normal planning and environmental criteria.</p> <p><b>Policy 13.2</b></p> <p>Protect both ground and surface water resources and to work with Uisce Éireann to develop and implement Water Safety Plans to protect sources of public water supply and their contributing catchments.</p> <p><b>Policy 13.3</b></p> <p>Preserve free from development the wayleaves of all public sewers and all public water mains.</p> <p><b>Objective 13.1</b></p> <p>Support Uisce Éireann in the provision of a sufficient quantity and quality of water to serve the needs of the existing and future population of Portarlington over the period of the Plan and in accordance with the Core Strategies of Laois and Offaly County Councils, and to promote the sustainable management of the water supply for the town.</p> <p><b>Objective 13.3</b></p> <p>Support wastewater treatment infrastructure investment and provision by Uisce Éireann in Portarlington, including any maintenance works and planned upgrades of the Wastewater Treatment Plant and the associated wastewater network serving the town, including the safeguarding of existing infrastructure.</p>
Plan monitoring	<p><b>Policy 17.1</b></p> <p>Implement in conjunction with key stakeholders, the policies and objectives of this Local Area Plan and to review the success or otherwise of the implementation of policies and objectives with reference to Section 10.3 of the Development Plan Guidelines for Planning Authorities (2022), Sections 6.2 and 6.5 of Local Area Plans Guidelines for Planning Authorities (2013), Chapter 14 of the Laois County Development Plan 2021-2027 and Chapter 14 of the Offaly County Development Plan 2021 – 2027.</p>

<sup>6</sup> Sustainable Urban Drainage Systems

**Table 2.3 Mitigation measures<sup>7</sup> for specific sources for potential effect<sup>8</sup> identified in the Plan**

Source for potential effect arising	Applied Development Plan Objectives / Mitigation Measure(s)
Tourism and leisure activities	<p><b>Objective 15.10</b></p> <p>Promote, protect, and enhance sustainable and appropriate access to natural heritage in Portarlington and recognise the important role of natural heritage in the area, in terms of enhancing the image of the town and contributing to quality of life and wellbeing, economic growth, tourism and recreation.</p> <p><b>Objective 15.17</b></p> <p>Ensure the appropriate management of leisure activities in and adjacent to the River Barrow in order to ensure there is no impact on the distribution, populations or breeding grounds of the Qualifying Interests of the River Barrow and River Nore SAC.</p>
Blueways and greenways	<p><b>Policy 15.1</b></p> <p>Prohibit any development that would be harmful to or that would result in a significant deterioration of habitats and/or disturbance of species in any Special Protection Area (SPA), Special Area of Conservation (SAC) and candidate Special Area of Conservation (cSAC), Natural Heritage Area (NHA) and Proposed Natural Heritage Area (pNHA).</p> <p><b>Objective 15.9</b></p> <p>Promote a network of paths and cycle tracks to enhance accessibility to the Green Infrastructure network, while ensuring that the design and operation of the routes respond to the ecological protection needs of each site.</p>
Built environment	<p><b>Policy 7.2</b></p> <p>Promote and encourage compact growth in Portarlington through the sustainable intensification and consolidation of the town centre.</p> <p><b>Policy 10.4</b></p> <p>Support the effective and efficient use of land in Portarlington, prioritising compact growth through the development and regeneration of vacant and underutilised brownfield/infill land and buildings within the existing built-up footprint of the town.</p> <p><b>Policy 11.6</b></p> <p>Support the continued operation and reasonable development of existing non-conforming uses provided that such uses do not:</p> <ul style="list-style-type: none"> <li>- Cause an adverse impact on the environment.</li> </ul> <p><b>Objective 12.8</b></p> <p>Investigate the feasibility, including compliance with NPF National Strategic Outcome No. 4 "Sustainable Mobility", of providing future relief roads as indicated on the Objectives Map taking into account environmental sensitivities identified in the SEA Environmental Report and the policies and objectives of the Laois County Development Plan and the Offaly County Development Plan. The development of any relief road proposal shall be subject to the requirements of the EIA, Habitats, Water Framework and Flood Directives where relevant and appropriate.</p>
Flood Risk Management	<p><b>Objective 6.9</b></p> <p>Develop and improve flood mitigation measures throughout the town and rural hinterland in compliance with the Barrow Flood Risk Management Plan (OPW, 2018), and the European Habitats Directive.</p> <p><b>Table 10 Town Centre Opportunity Sites, Sites 1-5</b></p> <p>Any development of the land should be informed by</p> <ul style="list-style-type: none"> <li>- Appropriate Assessment under the Habitats Directive where required</li> </ul> <p><b>Policy 13.4</b></p> <p>Minimise flood risk arising from pluvial (surface water) flooding in Portarlington by promoting the use of natural flood risk management measures including the use of Sustainable Urban Drainage Systems (SuDS) and nature-based solutions.</p> <p><b>Policy 13.5</b></p> <p>Require the submission of a Site-Specific Flood Risk Assessment (FRA), by a suitably qualified and indemnified professional, in areas at risk of flooding in Portarlington. The assessment shall be prepared in accordance with the Planning System and Flood Risk Management: Guidelines for Planning Authorities (DEHLG and OPW, 2009) and Circular PL2/2014 (and any future revisions or updates to these Guidelines).</p> <p><b>Objective 13.4</b></p> <p>Manage flood risk in Portarlington in conjunction with the Office of Public Works (OPW) and in accordance with the requirements of the Planning System and Flood Risk Management: Guidelines for Planning Authorities (2009), Circular PL02/2014, and any future revisions or updates to these Guidelines.</p>

<sup>7</sup> Due to the high-level nature of Development Planning, one Plan objectives/mitigation measures can address several sources for effect identified as requiring mitigation measures e.g., a objectives/mitigation measure providing for the protection of water quality could address potential sources for effects resulting from forestry activities and wastewater.

<sup>8</sup> These potential sources for effects are determined based on the nature of the Plan, the ecological sensitivities of the Draft Plan area, and connectivity to European sites.

Source for potential effect arising	Applied Development Plan Objectives / Mitigation Measure(s)
Invasive species	<p>The management of invasive species' occurrence and risk where required is provided for via alignment with and adherence to the policy objectives of both the Offaly County Development Plan 2021-2027 and the Laois County Development Plan 2021-2027, via Section 1.1 (page 6) (Table 2.1 above).</p> <p>This statement therefore renders any development or project resulting from the implementation of this Plan subject to compliance with policy objective BLP-34 of the Offaly County Development Plan 2021-2027 for areas of Portarlington to which this Plan relates, and policy objective BNH 5 of the Laois County Development Plan 2021-2027</p>
Climate	<p><b>Objective 6.10</b></p> <p>Enhance climate adaptation and mitigation, and accelerate a transition to a low carbon, climate resilient and environmentally sustainable economy in Portarlington.</p> <p><b>Chapter 10 Climate Action</b></p> <p><b>Strategic Aim:</b> To tackle the challenge of climate change in Portarlington, focusing on the role of spatial planning in contributing to the transition to a low-carbon and climate resilient future, through targeted climate change mitigation and adaptation measures aimed at reducing greenhouse gases and increasing energy efficiency and conservation.</p> <p><b>Policy 10.1</b></p> <p>Support the implementation of International and National objectives on climate action including the Climate Action Plan 2024 (CAP24) and any subsequent updates, the National Adaption Framework, Climate Action and Low Carbon Development (Amendment) Act 2021 (and any amending legislation) and both the Laois Climate Action Plan 2024 – 2029 and the Offaly Climate Action Plan 2024 – 2029 (and any updated Plans).</p> <p><b>Policy 10.2</b></p> <p>Support the transition of Portarlington to a competitive, low carbon, climate-resilient and environmentally sustainable economy by 2050, by way of reducing greenhouse gases, increasing renewable energy, and improving energy efficiency and conservation.</p> <p><b>Policy 10.3</b></p> <p>Secure climate resilience and a reduction of greenhouse gas emissions in Portarlington by actively implementing policies which support integrated land use planning and sustainable travel, and maximise such opportunities through development location, form, layout, and design.</p> <p><b>Policy 10.5</b></p> <p>Secure climate resilience and a reduction of greenhouse gas emissions in Portarlington through support for urban regeneration projects and interventions, including the implementation of the 'Portarlington Regeneration Strategy 2030'.</p> <p><b>Policy 10.7</b></p> <p>Require the use of renewable energy technologies in residential, commercial and community developments.</p> <p><b>Policy 10.8</b></p> <p>Support and facilitate the installation of lower carbon and low carbon heating options including district heating systems as a decarbonising technology in new developments in Portarlington, subject to compliance with proper planning and environmental considerations.</p> <p><b>Policy 10.9</b></p> <p>Support construction of green routes/cycleways/pedestrian routes throughout the town.</p> <p><b>Policy 10.10</b></p> <p>Support the provision of electricity charging infrastructure for electrical vehicles throughout the town, both on street and in new developments, in accordance with car parking standards and best practice.</p> <p><b>Objective 10.1</b></p> <p>Support, in conjunction with key stakeholders, the implementation of the Climate Action Plans for County Laois and County Offaly, and to facilitate their role as a driver in the mitigation of greenhouse gas emissions and climate change adaptation in Portarlington, and the translation of national climate policy to local and community levels in the town.</p> <p><b>Policy 12.1</b></p> <p>Actively support an integrated approach to land use and transport planning in Portarlington that promotes a shift towards a sustainable, healthy, and low carbon town with a reduced need for car-based travel, and through the prioritisation of development that is within reasonable walking and cycling distances from key employment, service, educational, and recreational areas, and key public transport nodes.</p> <p><b>Policy 13.7</b></p> <p>Require the use of renewable energy technologies in residential, commercial and community developments.</p>
Waste Management	<p><b>Policy 13.6</b></p> <p>Require the incorporation of sustainable waste management measures within developments, including the provision of adequately sized facilities for the storage, separation, and collection of waste and recyclable materials.</p> <p><b>Objective 13.5</b></p> <p>Promote and support sustainable forms of waste management by households, communities, and businesses, including waste prevention, minimisation, reuse, recycling, and recovery.</p>



## Section 3 Consideration of Alternatives

This section summarises the alternatives considered for the Plan during the preparation process. These alternatives have been incorporated into the Plan having regard to both:

1. The environmental effects (including those related to ecology and European sites) which are identified by the SEA (informed by the AA) and are summarised below; and
2. Planning - including social and economic - effects that also were considered by the Councils.

### 3.1 Limitations in Available Alternatives

The Plan is required to be prepared by the existing, already in force, Laois and Offaly County Development Plans and the Planning and Development Act 2000 (as amended), which specifies various types of objectives that must be provided for by the Plan.

The alternatives available for the Plan are significantly limited by the provisions of higher-level planning objectives, including those of the National Planning Framework (NPF), the Regional Spatial and Economic Strategy (RSES) for the Eastern and Midlands Region and the County Plans.

### 3.2 Alternatives Already Considered

The preparation of the Laois and Offaly County Development Plans and associated SEA processes already considered various different types of alternatives. The selected alternatives for the County Development Plans set requirements for lower tier planning in the Counties and have been integrated into the Joint Local Area Plan, as appropriate.

### 3.3 Local Transport Plan Alternatives

- **Local Transport Plan Alternative 1:** Inform the Plan with a Local Transport Plan, which focuses on delivering travel solutions that support moving people from the private car to more sustainable modes.
- **Local Transport Plan Alternative 2:** Do not inform the Plan with a Local Transport Plan, which focuses on delivering travel solutions that support moving people from the private car to more sustainable modes, relying solely on existing provisions, including those included as part of the County Development Plans.

Informing the Plan with a Local Transport Plan, which focuses on delivering travel solutions that support moving people from the private car to more sustainable modes, (**Area Based Transport Assessment Alternative 1**) would provide a more coordinated and more orderly provision of transport infrastructure and services, with delivery of projects, and associated benefit with respect to sustainable mobility and compact development, more likely. This approach would be more likely to improve the potential for meeting important objectives relating to emissions and energy use. Potentially adverse impacts on environmental components including ecology and water would need to be adequately mitigated at project level.

Not informing the Plan with a Local Transport Plan, which focuses on delivering travel solutions that support moving people from the private car to more sustainable modes, (**Area Based Transport Assessment Alternative 2**) would provide a less coordinated and less orderly provision of transport infrastructure and services, with delivery of projects, and associated benefit with respect to sustainable mobility and compact development, less likely. This approach would be less likely to improve the potential for meeting important objectives relating to emissions and energy use. Potentially adverse impacts arising from more coherently planned transport developments on environmental components, including ecology and water, could be mitigated at both JLAP and project level.

Selected Local Transport Plan Alternative for the Plan: Alternative 1

### 3.4 Transport Infrastructure Alternatives

In integrating provisions relating to the provision of transport infrastructure into the Plan, the following alternatives were considered:

- **Transport Infrastructure Alternative 1:** Provide new transport infrastructure with all additional environmental mitigation left to be defined until project level.
- **Transport Infrastructure Alternative 2:** Provide new transport infrastructure, subject to environmental constraints, including those related to habitats and potential impacts such as disturbance from lighting – includes minimising river crossings, avoiding sensitive habitats, not increasing barriers to flood waters and sustainable design and construction techniques.

Under **Transport Infrastructure Alternative 1**, new transport infrastructure would be considered subject to environmental constraints, including those related to habitats and potential impacts (e.g. disturbance from lighting). This would include minimising river crossings, avoiding sensitive habitats, not increasing barriers to flood waters and sustainable design and construction techniques. By focusing on mitigation at both plan and project levels, Alternative 1 would offer the most certainty for environmental protection and management and would be more likely to result in important individual projects (relating to sustainable mobility and emissions/energy objectives) receiving permission.

Under **Transport Infrastructure Alternative 2**, all additional environmental mitigation would be left to be defined in the future, at project level. This would offer the least certainty for environmental protection and management and would be more likely to result in important individual projects (relating to sustainable mobility and emissions objectives) not been given permission.

Selected Transport Infrastructure Alternative for the Plan: Alternative 1

### 3.5 Ecosystem Services Approach Alternatives

The importance of fulfilling natural capital<sup>9</sup> and ecosystem<sup>10</sup> service obligations has increasingly emerged in recent years. An Ecosystems Services Approach would provide a strategy for the integrated management of land, water and living resources that promotes conservation and sustainable use in an equitable way. An Ecosystems Services Approach would include the integration of ecological considerations at a local level across the Plan area.

- **Ecosystem Services Approach Alternative 1:** A Plan that follows an Ecosystems Services Approach to a greater degree.
- **Ecosystem Services Approach Alternative 2:** A Plan that that does not follow, or follows to a lesser degree, an Ecosystems Services Approach.

**Ecosystem Services Approach Alternative 1** would integrate a strategy throughout the Plan for the integrated management of land, water and living resources that promotes conservation and sustainable use in an equitable way. Principles that would be integrated throughout the Plan, in a coordinated and comprehensive manner, would include:

- Consideration of natural systems - by using knowledge of interactions in nature and how ecosystems function;
- Taking into account of the services that ecosystems provide - including those that underpin social and economic well-being, such as flood and climate regulation or recreation, culture and quality of life; and
- Involving people - those who benefit from the ecosystem services and those managing them need to be involved in decisions that affect them.

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<sup>9</sup> Renewable and non-renewable resources (e.g. plants, animals, air, water, soils, minerals).

<sup>10</sup> Ecosystems are multifunctional communities of living organisms interacting with each other and their environment. Ecosystems provide a series of services for human well-being (ecosystem services) either directly or indirectly contributing towards human wellbeing.

This would mean that there would be:

- An increased likelihood in the extent, magnitude and frequency of positive effects occurring with regard to natural capital and ecosystem service issues, such as the management of air quality, noise pollution, light pollution, pollination, flood risk, water bodies and river basins and natural resources supporting energy production and recreation; and
- A decreased likelihood in the extent, magnitude and frequency of adverse effects on natural capital and ecosystem services.

**Ecosystem Services Approach Alternative 2** would not integrate a strategy throughout the Plan for the integrated management of land, water and living resources that promotes conservation and sustainable use in an equitable way.

As has been the case over previous plan periods, many natural capital and ecosystem service issues would be integrated into individual Plan Policy Objectives and into decision making at lower tiers of plan preparation and development management. However, this approach would be less coordinated and comprehensive than would be the case under an Ecosystems Services Approach.

This would mean that there would be:

- A decreased likelihood in the extent, magnitude and frequency of positive effects occurring with regard to natural capital and ecosystem service issues; and
- An increased likelihood in the extent, magnitude and frequency of adverse effects on natural capital and ecosystem services.

Selected Ecosystem Services Approach Alternative for the Plan: Alternative 1

### 3.6 Built Heritage Alternatives

- **Built Heritage Alternative 1:** A Plan that adds detailed, local-level provisions to the existing planning framework relating to the conservation of built heritage.
- **Built Heritage Alternative 2:** A Plan that does not add detailed, local-level provisions to the existing planning framework relating to the conservation of built heritage, relying solely on existing provisions, including those included as part of the County Development Plans.

A Plan that adds detailed, local-level provisions to the existing planning framework relating to the conservation of built heritage (**Built Heritage Alternative 1**) would further contribute the protection of existing heritage that is already contributed towards by the existing planning framework. By integrating heritage considerations into the Plan, Alternative 1 would be most likely to ensure that new development respects the historic grain of the built environment and archaeology that currently exists.

A Plan that does not add detailed, local-level provisions to the existing planning framework relating to the conservation of built heritage, relying solely on existing provisions, including those included as part of the County Development Plans (**Built Heritage Alternative 2**) would not further contribute the protection of existing heritage that is already contributed towards by the existing planning framework. By not integrating heritage considerations into the Plan, Alternative 2 would be least likely to ensure that new development respects the historic grain of the built environment and archaeology that currently exists.

Selected Built Heritage Alternative for the Plan: Alternative 1

### 3.7 Approach to Opportunity Sites Alternatives

Alternatives under this heading relate to Opportunity Sites across the Plan area.

- **Approach to Opportunity Sites Alternative 1:** Do not include specific key planning criteria for future for future planning applications at Opportunity Sites; development would be market-led and would seek to comply with relevant planning provisions in the absence of additional guidance.
- **Approach to Opportunity Sites Alternative 2:** Include specific key planning criteria for future planning applications at Opportunity Sites, but which allow for flexibility in areas such as final design, layout and uses.
- **Approach to Opportunity Sites Alternative 3:** Include Opportunity Sites that would outline specific key planning criteria (which would not allow for flexibility in areas such as design, layout and uses) for future planning applications at Opportunity Sites.

A Joint Local Area Plan for Portarlington would help to direct incompatible development away from the most sensitive locations in the wider County areas and to focus on directing compact, sustainable development within and adjacent to the existing built-up footprint of Portarlington. Development of areas within and adjacent to the existing built-up footprint of Portarlington, which is generally more robust, better serviced and better connected than other lands elsewhere in the wider County areas, would contribute towards environmental protection and sustainable development, including climate mitigation and adaptation. Compact development would be accompanied by placemaking initiatives to enable Portarlington to become a more desirable place to live – so it can sustainably accommodate new residents and maintain and improve services to existing and future communities.

Not including specific guidance for future planning applications at Opportunity Sites (**Approach to Opportunity Sites Alternative 1**) would reduce the likelihood of sustainable development. Development would be market-led and would seek to comply with relevant planning provisions in the absence of additional guidance. The sustainable development of the Plan area would be less likely than under Alternative 2.

By including specific guidance for Opportunity Sites while, at the same time, allowing for flexibility in areas such as final design, layout and uses, for future planning applications at Opportunity Sites, **Alternative 2** would increase the likelihood of sustainable development.

Including Opportunity Sites that would outline specific key planning criteria (which would not allow for flexibility in areas such as design, layout and uses) for future planning applications at Opportunity Sites (**Approach to Opportunity Sites Alternative 3**) would increase the potential to hinder compliance with rigid criteria in the longer term, in a context of evolving market needs and planning requirements.

Selected Approach to Opportunity Sites Alternative for the Plan: Alternative 2

### 3.8 Compact Development/Land Use Zoning Alternatives

Two alternatives for compact development/land use zoning are identified as follows (there are various alternative components under each alternative):

- **Compact Development/Land Use Zoning Alternative 1: “More Consolidated, More Compact Development”**

Under this Compact Development/Land Use Zoning Alternative, the town would reach its population allocation under the core strategies as contained in the Laois and Offaly County Development Plans.

The approach under this alternative would allow for water supply, waste water, compact growth, public transport and co-ordinated development considerations to be integrated into the Plan to the highest degree.

The infrastructure required to be in place to achieve the growth targets is already in place or planned under this alternative.

The development of central and adjacent areas would be more compact and sustainable under this scenario and would better support the longer-term viability of the settlement. 30% of residential units would be expected to take place within the existing built-up footprint on infill and/or brownfield sites, with a greater focus on use of consolidation and regeneration sites, with potential for wider regeneration benefits to the town centre, including housing provision. Regeneration, reuse and redevelopment of more central and brownfield and infill lands and optimising the use of vacant, derelict, and underutilised sites and buildings would be more likely to be achieved.

Giving a strong preference to lands that have both greater capacity to satisfy the principles of active travel and a more realistic opportunity of being developed over the lifetime of the Plan and giving a focus to Opportunity Sites (with clear design and uses identified – making successful applications for the sustainable, compact development of the town more likely) would allow for the proper planning and sustainable development of the town as envisaged by the wider planning framework to the greatest degree.

There would be greater potential and viability for integrated land use and transportation under this alternative, including proximate development patterns linked by active travel infrastructure and public transport. Associated benefits and improvements to the public realm and appearance of the built environment, including liveability and quality of life improvements, would be more likely.

This Compact Development/Land Use Zoning Alternative would make the greatest contribution towards the protection and management of the environment by facilitating development of lands (including those within central and adjacent areas) that have relatively low levels of environmental sensitivities and are served (or can be more easily served) by infrastructure and services, thereby helping to avoid the need to develop more sensitive, less well-served lands elsewhere in the Plan area and beyond. There would be a reduced need for greenfield land consumption under this alternative. This Compact Development/Land Use Zoning Alternative would be considered the most effective out of both Compact Development/Land Use Zoning Alternatives considered in the delivery of a sustainable, low carbon and climate resilient future for the town.

The approach under Compact Development/Land Use Zoning Alternative 1 'More Consolidated, More Compact Development' would benefit the protection of various environmental components. Although potentially adverse effects associated with land use development would exist, they would be mitigated to a significant degree. Less residual environmental effects would result.

Under this alternative there would be:

- More optimum use of land and resources, with positive role for addressing climate change, such as potential for reduced carbon heavy travel patterns.
- Greater potential for modal shift to sustainable travel such as walking, cycling and public transport, with knock on benefits for climate resilience in the Plan area.
- Use of already serviced lands in more central and built-up urban area could lead to potential reduced costs for delivery of new supporting infrastructure.
- Creation of more liveable built environments, with greater accessibility to services and amenities for local communities.

- **Compact Development/Land Use Zoning Alternative 2 “Less Consolidated, Less Compact Development”**

Under this Compact Development/Land Use Zoning Alternative, the Town would reach its population allocation under the core strategies as contained in the Laois and Offaly County Development Plans.

The approach under this alternative would not allow for water supply, waste water, compact growth, public transport and co-ordinated development considerations to be integrated into the Plan to the highest degree.

Additional infrastructure would be required to accommodate sporadic development, more than would be required for Alternative A ‘More Consolidated, More Compact Development’ and some development may have to be serviced by private waste water treatment systems which would have to be properly maintained.

The development of the Town and Outer Core areas would be less compact and less sustainable under this scenario and would not optimally support the longer-term viability of the settlement. 30% of residential development would be less likely to be achieved within the existing built-up footprint on infill and/or brownfield sites in comparison with Alternative A ‘More Consolidated, More Compact Development’. Under this alternative there would be potential for greater proportion of housing to be delivered outside of the built-up area, including on urban fringe and outer suburban areas and on greenfield sites, creating unsustainable travel patterns with a reliance on the private car. Giving less of a preference to lands that have both greater capacity to satisfy the principles of active travel and a more realistic opportunity of being developed over the lifetime of the Plan and giving less of a focus to Opportunity Sites (there would be no clear guidance on the design parameters or uses provided – making successful applications for the sustainable, compact development of the town less likely) would allow for the proper planning and sustainable development of the town as envisaged by the wider planning framework to a lesser degree.

There would be greater potential for negative impacts on the vitality and viability of the built-up area (including Town and Outer Core areas), due to increased and sustained levels of vacancy and dereliction for existing buildings and brownfield lands. This alternative would be likely to result in a more dispersed pattern of low-density urban development, that would be more difficult to serve with active travel infrastructure and public transport.

This Compact Development/Land Use Zoning Alternative would make less of a contribution towards the protection and management of the environment by facilitating development of lands (including those town centre and adjacent areas) that have relatively low levels of environmental sensitivities and are served (or can be more easily served) by infrastructure and services. Demand to develop more sensitive, less well-served lands elsewhere in the Plan area would be provided for. This Compact Development/Land Use Zoning Alternative would be considered the least effective out of both Compact Development/Land Use Zoning Alternatives considered in the delivery of a sustainable, low carbon and climate resilient future for the town.

The approach under Alternative 2 ‘Less Consolidated, Less Compact Development’ would benefit the protection of various environmental components to a lesser degree. Although potentially adverse effects associated with land use development would exist, they would be mitigated to in many cases; however, more residual environmental effects would result.

Under this alternative there would be:

- An increase in car dependency and associated carbon heavy travel patterns, which would undermine efforts aimed at securing climate resilience.
- Increased suburban pattern of residential development with potential for self-contained and disconnected built environments.
- Reduced potential for modal shift to sustainable travel options such as walking, cycling and public transport.

- Potential for increased costs associated with the delivery on new supporting infrastructure (roads, footpaths etc.) in more peripheral and outer suburban areas.
- Increased costs for the delivery of necessary supporting infrastructure for urban fringe, outer suburban areas and greenfield sites.

Selected Compact Development/Land Use Zoning Alternative for the Plan: Alternative 1 "More Consolidated, More Compact Development"

### **3.9 Reasons for Choosing the Selected Alternative in light of Other Reasonable Alternatives Considered**

Alternatives were selected for the JLAP having regard to both:

1. The environmental effects which are identified by the SEA and are summarised above; and
2. Planning - including social and economic - effects that also were considered.

## Section 4 AA Determinations

### Appropriate Assessment Determination under Section 177V of the Planning and Development Act 2000, as amended, for the Portarlington Joint Local Area Plan 2025-2031

In order to comply with the requirements of Section 177V of the Planning and Development Act 2000, as amended, and pursuant to Article 6(3) of the Habitats Directive as to whether or not a plan or project would affect the integrity of any European site(s), this Appropriate Assessment determination is being made by Laois County Council relating to the potential for the Portarlington Joint Local Area Plan 2025-2031 that is being adopted<sup>1</sup> to have effects on the integrity of European sites.

In carrying out this Appropriate Assessment (AA), the Councils is taking into account the matters specified under Part XAB of the Planning and Development Act 2000 (as amended), including the following:

- The Natura Impact Report prepared for the Draft Plan (November 2024);
- The Screening for AA Report prepared for Proposed Material Alterations (April 2025);
- The Consolidated Natura Impact Report (June 2025);
- Written submissions made during the Plan preparation process; and
- Ongoing advice on AA from the Councils' agents.

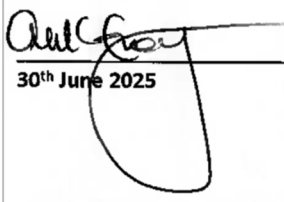
As part of the AA, it was identified that the Plan may, if unmitigated, have likely significant effects on 1 (no.) European site. Plan elements that could present sources with pathways for likely significant effects to European sites are:

- The Plan's provisions, including those relating to housing, town centre revitalisation, placemaking and sustainable communities, climate change, economic development, sustainable travel and transportation, infrastructure and environmental services, built heritage and biodiversity and natural heritage, which introduce sources for potential effects through construction phase such as habitat loss, light pollution, disturbance effects and hydrological interactions through surface hydrological connectivity and/or shared groundwater sources;
- Loading pressures from the operational phase of developments – these sources could result in habitat loss/fragmentation, light pollution, disturbance effects and interactions with water quality (surface and/or groundwater); and
- Increases in visitor numbers to ecologically sensitive areas during the operational phase of developments which have potential to introduce sources for significant effects, such as recreational and tourism developments.

The undersigned, having carefully considered the information referred to above agrees with and adopts the reasoning and conclusions presented and determines that:

- Implementation of the Plan to be adopted would have had the potential to result in adverse effects to the integrity of 1 (no.) European site, if unmitigated.
- The risks to the safeguarding and integrity of the Qualifying Interests, Special Conservation Interests and Conservation Objectives of the European site have been addressed by the inclusion of mitigation measures into the Plan that will prioritise the avoidance of effects in the first place and mitigate against the identified potential significant effects where these cannot be avoided. In addition, all lower-level plans and projects arising through the implementation of the Plan will themselves be subject to AA/screening for AA when further details of design and location are known.
- In-combination effects from interactions with other plans and projects are considered and the mitigation measures incorporated into the Plan are seen to be robust to ensure that there will be no effect on the integrity of any European site as a result of the implementation of the Plan, either alone or in-combination with other plans/projects.
- Having incorporated mitigation measures<sup>2</sup> into the Plan, it has been demonstrated that the Plan to be adopted<sup>3</sup> is not foreseen to give rise to any effect on the integrity of any designated European site, alone or in combination with other plans or projects<sup>4</sup>. This demonstration has been made in view of the conservation objectives of the habitats and/or species, for which these sites have been designated.

Signatory:

  
30<sup>th</sup> June 2025

<sup>1</sup> Incorporating the Draft Plan and all and any material alterations and associated modifications considered by the AA process.

<sup>2</sup> As identified by the following reference numbers in the Consolidated Natura Impact Report: Subsection 1.1, Objective 6.8, Objective 6.9, Objective 6.10, Policy 7.2, Chapter 10 Climate Action Strategic Aim, Policy 10.1, Policy 10.2, Policy 10.3, Policy 10.4, Policy 10.5, Policy 10.6, Policy 10.7, Policy 10.8, Policy 10.9, Policy 10.10, Objective 10.1, Table 10 Town Centre Opportunity Sites 1-5, Policy 11.6, Policy 12.1, Objective 12.8, Policy 13.1, Policy 13.2, Policy 13.3, Policy 13.4, Policy 13.5, Policy 13.6, Policy 13.7, Objective 13.1, Objective 13.3, Objective 13.4, Objective 13.5, Policy 15.1, Policy 15.4, Policy 15.6, Objective 15.8, Objective 15.9, Objective 15.10, Objective 15.11, Objective 15.17 and Policy 17.1. Note that non-material changes to individual Plan provisions referenced in this determination and described in the Consolidated Natura Impact Report may be updated during the finalisation of the Plan, including numbering, formatting and graphic design.

<sup>3</sup> Incorporating the Draft Plan and all and any material alterations and associated modifications considered by the AA process.

<sup>4</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 in place.





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**Appropriate Assessment Determination**  
**under Section 177V of the Planning and Development Act 2000, as amended, for the**  
**Portarlington Joint Local Area Plan 2025-2031**

In order to comply with the requirements of Section 177V of the Planning and Development Act 2000, as amended, and pursuant to Article 6(3) of the Habitats Directive as to whether or not a plan or project would affect the integrity of any European site(s), this Appropriate Assessment determination is being made by Laois County Council and Offaly County Council relating to the potential for the Portarlington Joint Local Area Plan 2025-2031 that is being adopted<sup>1</sup> to have effects on the integrity of European sites.

In carrying out this Appropriate Assessment (AA), the Councils are taking into account the matters specified under Part XAB of the Planning and Development Act 2000 (as amended), including the following:

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- Written submissions made during the Plan preparation process; and
- Ongoing advice on AA from the Councils' agents.

As part of the AA, it was identified that the Plan may, if unmitigated, have likely significant effects on 1 (no.) European site. Plan elements that could present sources with pathways for likely significant effects to European sites are:

- The Plan's provisions, including those relating to housing, town centre revitalisation, placemaking and sustainable communities, climate change, economic development, sustainable travel and transportation, infrastructure and environmental services, built heritage and biodiversity and natural heritage, which introduce sources for potential effects through construction phase such as habitat loss, light pollution, disturbance effects and hydrological interactions through surface hydrological connectivity and/or shared groundwater sources;
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- Increases in visitor numbers to ecologically sensitive areas during the operational phase of developments which have potential to introduce sources for significant effects, such as recreational and tourism developments.

The undersigned, having carefully considered the information referred to above agrees with and adopts the reasoning and conclusions presented and determines that:

- Implementation of the Plan to be adopted would have had the potential to result in adverse effects to the integrity of 1 (no.) European site, if unmitigated.

<sup>1</sup> Incorporating the Draft Plan and all and any material alterations and associated modifications considered by the AA process.



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Signed: 

Name: Anna Marie Delaney

Date: 13<sup>th</sup> June 2025

<sup>2</sup> As identified by the following reference numbers in the Consolidated Natura Impact Report: Subsection 1.1, Objective 6.8, Objective 6.9, Objective 6.10, Policy 7.2, Chapter 10 Climate Action Strategic Aim, Policy 10.1, Policy 10.2, Policy 10.3, Policy 10.4, Policy 10.5, Policy 10.6, Policy 10.7, Policy 10.8, Policy 10.9, Policy 10.10, Objective 10.1, Table 10 Town Centre Opportunity Sites 1-5, Policy 11.6, Policy 12.1, Objective 12.8, Policy 13.1, Policy 13.2, Policy 13.3, Policy 13.4, Policy 13.5, Policy 13.6, Policy 13.7, Objective 13.1, Objective 13.3, Objective 13.4, Objective 13.5, Policy 15.1, Policy 15.4, Policy 15.6, Objective 15.8, Objective 15.9, Objective 15.10, Objective 15.11, Objective 15.17 and Policy 17.1. Note that non-material changes to individual Plan provisions referenced in this determination and described in the Consolidated Natura Impact Report may be updated during the finalisation of the Plan, including numbering, formatting and graphic design.

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