



# Appropriate Assessment Screening Determination Report

Variation No. 1  
of the  
Offaly County Development Plan 2014-2020

February 2018

Appropriate Assessment (AA) Screening Determination in accordance with the EU's Habitats Directive Article 6(3) and the Section 177U of the Planning and Development Act 2000 (as amended) by Offaly County Council as Competent Authority.

*Natura 2000 sites are defined under the Habitats Directive (Article 3) as a European ecological network of special areas of conservation composed of sites hosting the natural habitat types listed in Annex I and habitats of the species listed in Annex II. The aim of the network is to aid the long-term survival of Europe's most valuable and threatened species and habitats. In Ireland these sites are designed as European sites - defined under the Planning Acts and/or Birds and Habitats Regulations as (a) a candidate site of Community importance, (b) a site of Community importance, (c) a candidate special area of conservation, (d) a special area of conservation, (e) a candidate special protection area, or (f) a special protection area. They are commonly referred to in Ireland as candidate Special Areas of Conservation (cSACs) and Special Protection Areas (SPAs).*

## Introduction

An Appropriate Assessment (AA) Screening determination has been made by Offaly County Council regarding variation No.1 of the Offaly County Development Plan 2014-2020.

The variation is seeking to make additions to the Offaly County Development Plan 2014-2020, a plan which through a series of Policies and Objectives sets out the vision and direction for the future growth and development of County Offaly up to 2023. Proposed land use plans must undergo a formal “test” or “screening” to ascertain whether they are likely to result in any significant adverse effects on specific sites designated for their nature conservation importance. These sites are those designated under the European Commission’s Natura 2000 network of sites (hereafter “European sites”). These sites are designated on the basis of the presence of certain habitats and species that are deemed to be of international importance. The Irish Government and local planning authorities have a legal obligation to protect these sites.

The EC Habitats and Birds Directives are the framework for the designation of these sites. The EC Habitats Directive requires the “screening” of plans and projects under Article 6(3). If the screening process results in a judgement that likely significant effects may occur or cannot be ruled out, then a more detailed ‘appropriate assessment’ (AA) is required.

This report constitutes the Appropriate Assessment Screening Determination Report of variation no. 1 to the Offaly County Development Plan 2014-2020 and follows on from the preparation of an Appropriate Assessment Screening Report (November 2017).

## Determination

Having regard to the content of variation no. 1 and consideration of the potential for significant impacts arising from its implementation which may have the potential to adversely affect any Natura 2000 site; with regard to their Qualifying Interests and Conservation Objectives, it was determined as part of the Screening for Appropriate Assessment that it is possible to rule out likely significant effects on all European sites.

This decision has been informed following an examination, analysis and evaluation of the relevant information, including in particular, the nature of the variation and its potential relationship with European sites, as well as considering other plans and projects, and applying the precautionary principle, it is possible to rule out likely significant effects on all European sites assessed.

The principle trigger for a Natura Impact Report would be if the variation was likely to have significant effects on a NATURA 2000 site. The variation seeks to incentivise the development of vacant sites in urban areas for housing and regeneration purposes. This is intended to bring underutilised and vacant sites and buildings in urban areas into beneficial use. No negative impacts are predicted from the implementation of this variation due to the nature of the amendments. The policies and provisions of the Offaly County Development Plan 2014-2020 to which the variation will form part have been devised to anticipate and avoid the need for development that would be likely to significantly and adversely affect the integrity of any Natura 2000 sites or areas of high ecological value/interest.

A Strategic Environmental Assessment (SEA) and a Natura Impact Report (in accordance with the Habitats Directive) were completed during the drafting of the Offaly County Development Plan 2014-2020 which examined the cumulative impacts of the plan's policies and objectives on the environment, including Natura 2000 sites. Mitigation measures were proposed and incorporated into the 2014-2020 Plan to ensure that no negative impacts would arise from its implementation.

Therefore, in accordance with the Methodological guidance on the provision of Article 6(3) and (4) of the Habitats Directive 92/43/EEC, it is concluded that the variation, does not require any further assessment (stage 2) to demonstrate compliance with the Directive.

Taking the above on board, along with the conclusions of the Appropriate Assessment Screening Report (November 2017), it is determined that further stages of Appropriate Assessment are not required. The variation has been prepared to ensure that any development (either individually or in combination with other plans or projects) shall not give rise to significant adverse impacts on the integrity or conservation objectives of any Natura 2000 sites.

## **Conclusion**

This Appropriate Assessment Screening Report and Determination Report of the variation, has been carried out in accordance with the Methodological guidance on the provision of Article 6(3) and (4) of the Habitats Directive 92/43/EEC as published by the European Commission.