

# APPROPRIATE ASSESSMENT - SCREENING REPORT -

IN ACCORDANCE WITH THE REQUIREMENTS OF  
ARTICLE 6(3) OF THE EU HABITATS DIRECTIVE

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OF THE

## TULLAMORE DEVELOPMENT PLAN 2010-2016

**for:** **Tullamore Town Council** & **Offaly County Council**  
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## Section 1 Preamble

This is the Appropriate Assessment (AA) Screening Report of the Tullamore and Environs Development Plan (2010-2016) in accordance with the requirements of Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC).

Article 6(3) of the Habitats Directive states:

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

Furthermore, Article 6(4) states:

If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of social or economic nature, the Member State shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted. Where the site concerned hosts a priority natural habitat type and/or a priority species the only considerations which may be raised are those relating to human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest.

In Ireland, Natura 2000 comprises sites that are designated as Special Areas of Conservation (SACs) and/or Special Protection Areas (SPAs)<sup>1</sup>.

AA comprises four stages<sup>2</sup>:

### **Stage One: Screening**

The process which identifies the likely impacts upon a Natura 2000 site of a project or plan, either alone or in combination with other projects or plans, and considers whether these impacts are likely to be significant.

### **Stage Two: Appropriate Assessment**

The consideration of the impact on the integrity of the Natura 2000 site of the project or plan, either alone or in combination with other projects or plans, with respect to the site's structure and function and its conservation objectives. Additionally, where there are adverse impacts, an assessment of the potential mitigation of those impacts.

### **Stage Three: Assessment of Alternative Solutions**

The process which examines alternative ways of achieving the objectives of the project or plan that avoid adverse impacts on the integrity of the Natura 2000 site.

### **Stage Four: Assessment where no alternative solutions exist and where adverse impacts remain**

An assessment of compensatory measures where, in the light of an assessment of imperative reasons of overriding public interest (IROPI), it is deemed that the project or plan should proceed.

This report documents the first of these stages. It's conclusion that significant impacts on Natura 2000 sites are unlikely means that further AA stages are not required.

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<sup>1</sup> including Ramsar sites (classified under the Ramsar Convention 1971)

<sup>2</sup> *Assessment of plans and projects significantly affecting Natura 2000 sites (Methodological guidance on the provision of Article 6(3) and (4) of the Habitats Directive 92/43/EEC)*, European Commission, 2002. And *Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities*, Department of the Environment, Heritage and Local Government, 2009.

## Section 2 The Plan

### 2.1 Format

The headings in this and the following sections are derived from the guidance documents: *“Assessment of plans and projects significantly affecting Natura 2000 sites (Methodological guidance on the provision of Article 6(3) and (4) of the Habitats Directive 92/43/EEC)”*<sup>3</sup> and *Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities*<sup>4</sup>.

### 2.2 Brief Description of the Plan

#### 2.2.1 Background

Under Section 9 of the Planning and Development Act 2000, every planning authority must make a development plan, setting the framework for all future development in the planning authority's area for the stated period, for the whole functional area of the authority every six years. Development Plans are required to set out an overall strategy for the proper planning and sustainable development of the area in question. It is in this context in which Offaly County Council - the planning authority for the Tullamore Environs area - and Tullamore Town Council - the planning authority for the Tullamore Town area - have adopted the Tullamore Town and Environs Development Plan.

The 2010-2016 Plan replaces the 2004-2010 Plan and it is intended to provide for the proper planning and sustainable development for Tullamore and its Environs for a duration of six years, unless amended.

The Plan has been prepared in accordance with the requirements and the various provisions of the Planning and Development Act 2000 as amended and the Planning and Development (Strategic Environmental Assessment Regulations) 2004.

#### 2.2.2 Structure and Content

The Development Plan consists of:

- The Written Statement; and,
- A volume of Appendices.

*The Written Statement* contains the following 15 chapters:

- Chapter 1: Introduction and Vision
- Chapter 2: Tullamore - Midlands Linked Gateway
- Chapter 3: Context and Challenges
- Chapter 4: Overall Strategy
- Chapter 5: Masterplans
- Chapter 6: Employment, Economy and Enterprise
- Chapter 7: Town Centre, Renewal and Retail
- Chapter 8: Transport, Accessibility and Movement
- Chapter 9: Tourism
- Chapter 10: Infrastructure and Environment
- Chapter 11: Community, Social, Cultural and Sports Development
- Chapter 12: Built Heritage
- Chapter 13: Natural Heritage
- Chapter 14: Development Standards
- Chapter 15: Zoning Matrix and Land-Use Zoning Map

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<sup>3</sup> European Commission 2002

<sup>4</sup> Department of the Environment, Heritage and Local Government, 2009.

The written statement is to be read in conjunction with the following 4 appendices:

- Offaly County Housing Strategy (Adopted 2008)
- Offaly County Retail Strategy (Adopted 2009)
- Tullamore Town Record of Protected Structures
- SEA Environmental Report (this document)

### **2.2.3 Vision Statement from the Plan**

The Overall Vision of the Tullamore Town and Environs Development Plan 2010-2016 is that all people in Offaly will enjoy equal opportunity and a good quality of life - that they will look forward to the future with confidence while cherishing the past.

The Councils' aim is to apply this vision in terms of its land use and planning implications through the implementation of the Town and Environs Development Plan. For the Plan, this means having regard to:

- How land use and planning decisions will impact on quality of life for the people of Tullamore;
- How such decisions will impact on Tullamore as a location to live and work of choice, not necessity; and,
- How such decisions will impact on the need to protect Tullamore's natural and built assets.

It is intended that the vision acts as a 'prompt' for all strategies, policies and objectives of the plan.

The Overall Aim of the Development Plan is:

- To set out a framework for the physical development of the Linked Gateway town of Tullamore and its Environs, so that growth may take place in a sensitive, co-ordinated and orderly manner, while at the same time conserving the town's character and intrinsic heritage value.

## **2.3 Is the Plan Necessary to Management of Natura 2000 Sites?**

The Plan is not directly connected with or necessary to the management of the Natura 2000 sites in the Plan area. However, they do include, inter alia, measures to protect, conserve and manage the Town and Environs' natural heritage in a prudent and sustainable manner, including Natura 2000 sites, and to seek its enhancement where appropriate and feasible.

## **2.4 Measures in Plan that will Contribute to the Avoidance of Impacts on the Natura 2000 Network**

The Development Plan contains numerous measures which will contribute to the conservation of Natura 2000 sites in accordance with the requirements of the Habitats Directive.

### **Chapters 1 & 2: Introduction and Vision & Tullamore - Midlands Linked Gateway Town**

#### Strategic Goals:

- To ensure that the development of Tullamore will not adversely compromise the natural environment.
- To provide and maintain adequate water supply, drainage and waste water services. This will be undertaken in a manner which protects and enhances the natural environment, whilst providing for economic and urban development purposes.

### **Chapter 5: Masterplans**

#### Strategic Objectives:

SO7: To ensure that the high amenity value of the natural and built environment within the masterplan areas is protected and enhanced, where appropriate.

## **Chapter 13: Natural Heritage**

### Aim

To conserve, protect and enhance Tullamore's natural heritage, where possible. The Councils will aim to strike a reasonable balance between conservation and development objectives in the interests of the proper planning and sustainable development.

### Natural Heritage Policies

TTEP 13-01 It is the Councils' policy to have regard to the views and guidance of the National Parks and Wildlife Service of the DoEHLG in respect of proposed development where there is a possibility that such development may have an impact on sites with proposed and/or nature conservation designations.

TTEP 13-02 It is the Councils' policy to prohibit any development that would be harmful to or that would result in a significant deterioration of habitats and/or disturbance of protected species within Tullamore and to support/co-operate with statutory authorities and others in support of measures taken to manage proposed or designated sites in order to achieve their conservation objectives.

TTEP 13-03 It is the Councils' policy to protect the integrity of Charleville Wood (proposed Natural Heritage Area and SAC) and to cooperate with relevant government bodies and the landowner in the management of Charleville Wood and Estate.

TTEP 13-05 It is the Councils' policy to protect, conserve and enhance Tullamore's biodiversity and natural heritage including wildlife (flora and fauna), habitats, landscapes and/or landscape features of importance to wildlife, especially along the Railway line, the Grand Canal and the Tullamore, Silver and Clodiagh Rivers.

TTEP 13-07 It is the Councils' policy to conserve, protect and enhance where possible wildlife habitats such as rivers (including riparian buffer zones/wildlife corridors), streams, wetlands, trees, woodlands and scrub, hedgerows and other boundary types such as stone walls and ditches providing a network of habitats and corridors essential for wildlife to flourish.

TTEP 13-08 It is the Councils' policy to protect riparian corridors by reserving land along their banks for ecological corridors and maintain them free from inappropriate development, where appropriate, and discourage culverting or realignment.

TTEP 13-09 It is the Councils' policy to promote the protection and preservation of existing hedgerows and to encourage planting of native hedgerow species.

TTEP 13-10 It is the Councils' policy to use native species in Tullamore, including on the Councils property, for landscaping works carried out by or on the part of Tullamore Town Council/Offaly County Council.

TTEP 13-11 It is the Councils' policy to promote the preservation and enhancement of native and semi-natural woodlands, groups of trees and individual trees.

TTEP 13-12 It is the Councils' policy to discourage the felling of mature trees to facilitate development and to encourage tree surgery rather than felling where necessary.

### Natural Heritage Objectives

TTEO 13-01 To conserve and protect European and National sites and to ensure that any development proposal in the vicinity of, or affecting a European or National designated site, provides sufficient information to show how its proposals will impact on the habitat of the site, and appropriate amelioration, and the Councils will consult with the Department of Environment, Heritage and Local Government in this regard.

TTEO 13-02 To protect, conserve and enhance Tullamore's biodiversity and natural heritage. The principle of enhancement will be taken into account in the Development Management Process. It is a particular objective to protect plants, animals species and habitats, which have been identified by the Habitats Directive, Birds Directive, Wildlife Act and the Flora Protection Order.

TTEO 13-03 To carry out ecological studies in order to have improved baseline data and decision-making capacity.

TTEO 13-04 To protect the natural environment of the Grand Canal, Tullamore, Silver and Clodiagh Rivers and railway line and their corridors through the town.

## Open Space and Amenity Objectives

TTEO 13-16 To protect trees or stands of trees which are of significant amenity value to the area. During the life of this plan, the Councils will investigate the feasibility of protecting such trees and/or stands of trees by Tree Preservation Orders.

TTEO 13-16 To protect trees or stands of trees which are of significant amenity value to the area. During the life of this plan, the Councils will investigate the feasibility of protecting such trees and/or stands of trees by Tree Preservation Orders.

TTEO 13-18 To protect trees or stands of trees which are of significant amenity value to the area. During the life of this plan, the Councils will investigate the feasibility of protecting such trees and/or stands of trees by Tree Preservation Orders.

## 2.5 Other Instruments

Numerous other higher level measures further contribute to the avoidance of potential impacts of the Plan. These measures include EU Directives, National legislation and various guidelines. Principal among them are the following:

- **The Habitats Directive (HD):** The European Council Directive on the Conservation of natural habitats and of wild fauna and flora (92/43/EEC) (Habitats Directive)
- **The Water Framework Directive (WFD):** The Water Framework Directive 2000/60/EC
- **The National Biodiversity Plan (NBP):** UN Convention on Biological Diversity 1992 - National Biodiversity Plan 2002 is as a result of this.
- **The Wildlife Act (WA):** Wildlife Act 1976 and Wildlife (Amendment) Act 2000 (Wildlife Act)
- **The Birds Directive (BD):** The 1979 European Council Directive on the Conservation of Wild Birds (79/409/EEC) (Birds Directive)
- **The Ramsar Convention (R):** Convention on Wetlands of International Importance (Ramsar)
- **The Bathing Water Directive (BW):** Bathing Water Directive (76/160/EEC)
- **The Urban Waste Water Treatment Directive (WW):** (91/271/EEC) (amended by Directive 98/15/EEC)

## 2.6 Cumulative Effects

The National Spatial Strategy 2002-2020 and the National Development Plan 2007-2013 set the planning framework within which the Development Plan has been prepared with the objective of achieving an optimal balance of social, economic and physical development in the area. The effects of the higher level Strategy and Plan 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.

## Section 3 Natura 2000 Sites

### 3.1 Natura 2000 Sites in and within 15 km of the Plan Area

Following guidance from the Department of the Environment, Heritage and Local Government, all Natura 2000 sites within both the Plan area and an area extending 15km around it are considered. They are all mapped on Figure 1 below and listed on the following table.

Natura 2000 Sites Within Plan Boundary		Natura 2000 Sites Within 15km of the Plan area	
Candidate Special Areas of Conservation (cSACs)	Code	Candidate Special Areas of Conservation (cSACs)	Code
Charleville Wood	000571	Clara Bog	000572
		Clonaslee Esker and Derry Bog	000859
Special Protection Areas (SPAs)	Code	Lough Ennell	000685
N/a	N/a	Raheenmore Bog	000582
		River Barrow and River Nore	002162
		Slieve Bloom Mountains	000412
		Split Hills and Long Hill Esker	001831
		Special Protection Areas (SPAs)	Code
		Slieve Bloom Mountains SPA	004160

**Table 1 Natura 2000 sites in the Plan area and with 15km of the Plan area**

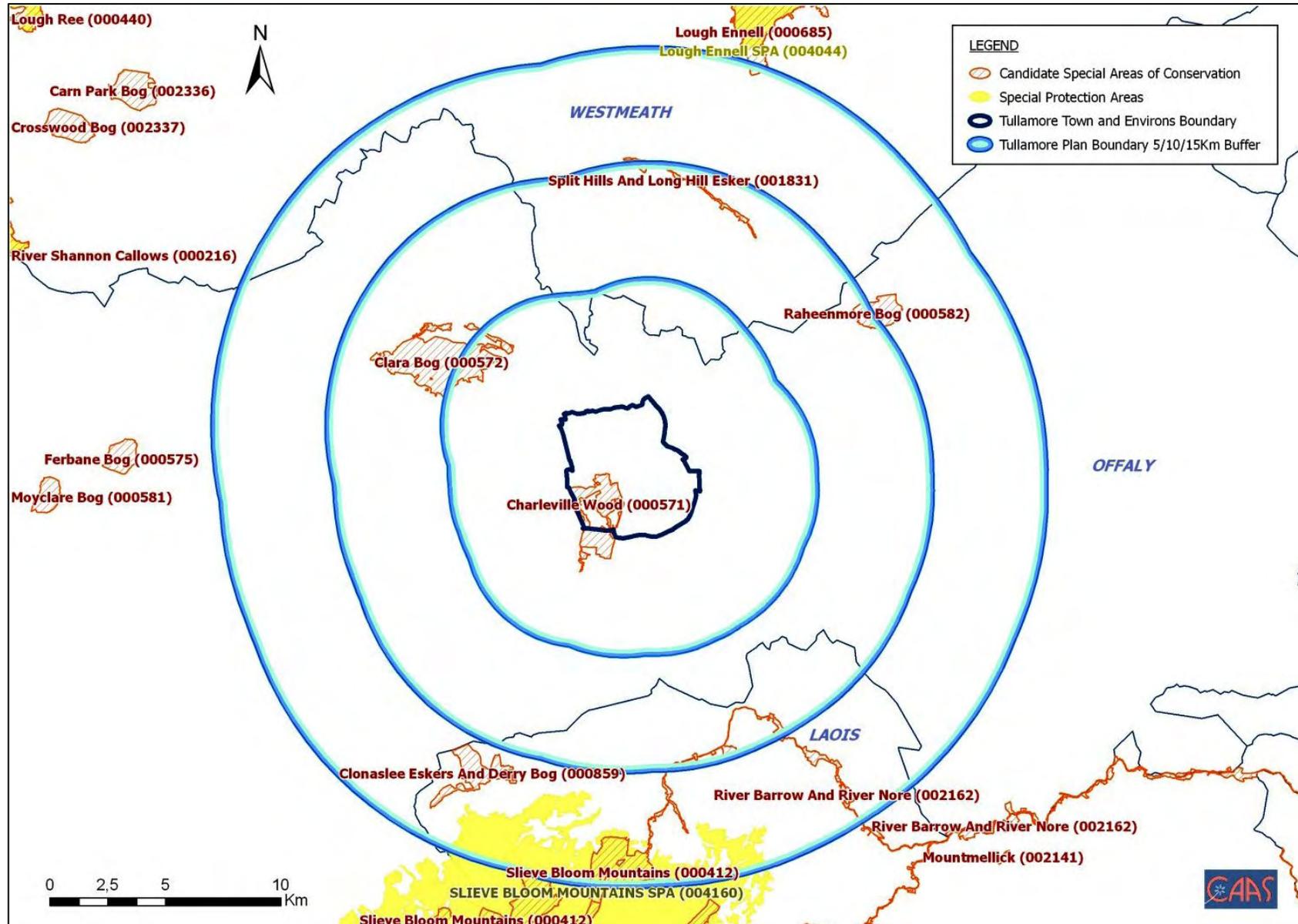


Figure 3.1 Natura 2000 Sites within the Plan area and within 15km of the Plan area

## 3.2 Special Protection Areas

Special Protection Areas (SPAs) have been selected for protection under the 1979 European Council Directive on the Conservation of Wild Birds (79/409/EEC) - referred to as the Birds Directive - by the DEHLG due to their conservation value for birds of importance in the European Union.

There are no SPAs within the Plan area. The one SPA which falls within 15km of the Plan boundary is set out in Section 3.2.2 of this report. The characteristics<sup>5</sup> of this SPA is summarised below and the site's main conservation objectives<sup>6</sup> are included.

### 3.2.1 SPAs within 15km of the Plan Area

**Slieve Bloom Mountains SPA** (Site Code: 004160) The Slieve Bloom Mountains SPA is situated on the border between Counties Offaly and Laois, and runs along a north-east/south-west aligned ridge for approximately 25 km. Much of the site is over 200 m in altitude, rising to a maximum height of 527 m at Arderin. The site has a near continuous ridge of mountain blanket bog, with wet and dry heaths also well represented. Much of the slopes are afforested, and overall coniferous plantations account for c. 60% of the site. The principal tree species present are Sitka Spruce (*Picea sitchensis*) and Lodgepole Pine (*Pinus contorta*). The remainder of the site is mostly rough grassland that is used for hill farming. This varies in composition and includes some wet areas with rushes (*Juncus* spp.) and some areas subject to scrub encroachment. Some stands of deciduous woodland also occur, especially within the river valleys. The site is a Special Protection Area (SPA) under the E.U. Birds Directive, of special conservation interest for Hen Harrier. This SPA is one of the strongholds for Hen Harrier in the country and, indeed, is the most easterly regular population. The mix of forestry and open areas provides optimum habitat conditions for this rare bird, which is listed on Annex I of the E.U. Birds Directive. The site is also a traditional site for a breeding pair of Peregrine. Several pairs of Merlin are known to breed within the site. Both of these species are also listed on Annex I of the E.U. Birds Directive. Red Grouse is found on many of the unplanted areas of bog and heath – this is a species that has declined in Ireland and is now Red-listed. Much of the unplanted blanket bog is a Statutory Nature Reserve. Overall, the site provides excellent nesting and foraging habitat for breeding Hen Harrier and is among the top five sites in the country for the species. It is also likely to be of national importance for breeding Merlin.

Main Conservation Objective:

1. To maintain the special conservation interests for this SPA at favourable conservation status: Hen Harrier; Merlin.

## 3.3 Special Areas of Conservation

Candidate Special Areas of Conservation (cSACs) have been selected for protection under the European Council Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora (92/43/EEC), referred to as the Habitats Directive, by the Department of the Environment, Heritage and Local Government due to their conservation value for habitats and species of importance in the European Union. The sites are candidate sites because they are currently under consideration by the Commission of the European Union.

There is one cSAC within the Plan area which is detailed in Section 3.3.1 below. The seven cSACs outside of the Plan area which fall within 15km of the Plan boundary are set out in Section 3.3.2 of this report. Conservation objectives and the characteristics<sup>7</sup> for all cSACs are listed.

### 3.3.1 cSACs within the Plan Area

**Charleville Wood** (Site Code: 000571) Charleville Wood is a large Oak woodland surrounded by estate parkland and agricultural grassland located about 3 km south-west of Tullamore. The site, which is

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<sup>5</sup> A site's characteristics are outlined in its site synopsis as provided by the National Parks and Wildlife Service

<sup>6</sup> Source: National Parks and Wildlife Service 2009

<sup>7</sup> A site's characteristics are outlined in its site synopsis as provided by the National Parks and Wildlife Service

underlain by deep glacial deposits, includes a small lake with a wooded island, and a stream runs along the western perimeter. The woodland is considered to be one of very few ancient woodlands remaining in Ireland, with some parts undisturbed for at least 200 years. Some 10% of the woodland has been underplanted with conifers and other exotic trees, but the rest of the area is dominated by Pedunculate Oak. Apart from Oak, there is much Ash and scattered Wych Elm), while Birch is a feature of the boggy margins. A number of unusual insects have also been recorded in Charleville Wood, notably *Mycetobia obscura* (Diptera), a species known from only one other site in Ireland. The site is also notable for the presence of a large population of the rare snail species, *Vertigo moulinsiana*. The lake is an important wildfowl habitat - it supports populations of Mute and Whooper Swan and a number of duck species, including Teal, Wigeon, Shoveler, Pochard and Tufted Duck. The wooded island at its centre is famed for its long history of non-disturbance. Hazel, Spindle (*Euonymus europaeus*) and Ivy (*Hedera helix*) reach remarkable sizes here. Charleville Wood is one of the most important ancient woodland sites in Ireland. The woodland has a varied age structure and is relatively intact with both areas of closed canopy and open areas with regenerating saplings present. The understorey and ground layers are also well represented. Old Oak woodland is a habitat listed on Annex I of the EU Habitats Directive, while the rare snail species, *Vertigo moulinsiana*, is listed on Annex II of this directive. The wetland areas, with their associated bird populations, the rare insect and Myxomycete species contribute further to the conservation significance of the site.

Draft Conservation Objectives:

1. To maintain the Annex I habitat for which the cSAC has been selected at favourable conservation status: Old sessile oak woods with *Ilex* and *Blechnum* in British Isles.
2. To maintain the Annex II species for which the cSAC has been selected at favourable conservation status: *Vertigo moulinsiana*.
3. To maintain the extent, species richness and biodiversity of the entire site.
4. To establish effective liaison and co-operation with landowners, legal users and relevant authorities.

### 3.3.2 SACs within 15km of the Plan Area

Raheenmore Bog (Site Code 000582): This raised bog developed in a small basin in the catchment of two major river systems i.e. the Brosna and the Boyne. It is situated about 5 km from Daingean. The peat is very deep, being up to 15 m in places. The bog has a well-developed hummock and hollow system. The hummocks are often colonised by the mosses *Sphagnum imbricatum* and *S. fuscum*. Pool areas support Great Sundew (*Drosera anglica*), the moss *Sphagnum cuspidatum* and the liverwort (*Cladopodiella fluitans*). In places, moss lawns of *Sphagnum magellanicum* have infilled the pools. Overall, the cover of *Sphagnum* moss on the bog is very good. Raheenmore Bog is within the breeding territory of a pair of Merlin, a scarce species in Ireland and one that is listed on Annex I of the EU Birds Directive. Other typical bogland birds which breed include Red Grouse and Snipe. Raheenmore Bog is a classical example of a Midland Raised Bog and the deepest remaining in Ireland. This habitat is increasingly under threat in this country and worldwide. The site is remarkably intact and is one of the few raised bogs where restoration of the lagg zone is feasible.

Draft Conservation Objectives:

1. To maintain the Annex I habitats for which the cSAC has been selected at favourable conservation status: Semi-natural dry grasslands and scrubland facies calcareous substrates (*Festuco Brometalia*); Active raised bogs; Degraded raised bogs still capable of natural regeneration; Depressions on peat substrates of the *Rhynchosporion*; Bog woodland.
2. To maintain the Annex II species for which the cSAC has been selected at favourable conservation status: *Euphydryas aurinia*.
3. To maintain the extent, species richness and biodiversity of the entire site.
4. To establish effective liaison and co-operation with landowners, legal users and relevant authorities.

**Lough Ennell** (Site Code 000685) Lough Ennell is a large, open, steep-sided lake, located 3km south of Mullingar, Co. Westmeath. This site shares an internationally important Greenland White-fronted Goose flock with Loughs Iron, Glen and Owel. Nationally important bird populations which have been recorded on Lough Ennell are: Cormorant (average peak 149; absolute maximum 448); Mute Swan (average peak 424); Pochard (average peak 889; maximum 2,600 on 8/11/85); Tufted Duck (average peak 720) and Coot (average peak 639). Lough Ennell is of significance as a highly productive lake which supports a rich

variety of lower plant and invertebrate species. Its lakeshore habitats, which include alkaline fen, a habitat listed on Annex I of the EU Habitats Directive, support a diverse flora. These habitats also provide important refuges for wildfowl.

Draft Conservation Objectives:

1. To maintain the Annex I habitat for which the cSAC has been selected at favourable conservation status: Alkaline fens.
2. To maintain the extent, species richness and biodiversity of the entire site.
3. To establish effective liaison and co-operation with landowners, legal users and relevant authorities.

**Split Hills and long Hill Esker** (Site Code 001831): Split Hills and Long Hill Esker is a 5km long site which crosses the main Galway-Dublin road mid-way between Kilbeggan and Tyrrellspass in Co. Westmeath. It is a very prominent feature on the local landscape. The main habitat is of semi-natural woodland dominated by Hazel (*Corylus avellana*), Ash (*Fraxinus excelsior*), and Hawthorn (*Crataegus monogyna*). Oak (*Quercus robur*), Wych Elm (*Ulmus glabra*) and Irish Whitebeam (*Sorbus hibernica*) are important constituents. Split Hill and Long Hill Esker is one of the finest and longest wooded eskers in the country, one of the very few woodlands in the area and a fine geomorphological feature of great scenic value. The trees are particularly well-grown and impressive and much of the woodland has developed naturally on its steep slopes. The presence of a very species-rich ground flora which includes a rare and legally protected plant, at its only known Irish location, makes this site of great botanical and ecological importance. The site also supports some excellent examples of calcareous grassland which is rich in orchids. The increasing rarity of this habitat (due to agricultural intensification) is recognised in that it is awarded priority status on Annex I of the European Habitats Directive.

Draft Conversation Objectives:

1. To maintain the Annex I habitat for which the cSAC has been selected at favourable conservation status: Semi-natural dry grasslands and scrubland facies on calcareous substrates (*Festuco-Brometalia*)
2. To maintain the extent, biodiversity and species richness of the entire site.
3. To establish effective liaison and co-operation with landowners, legal users and relevant authorities.

**River Barrow and River Nore** (Site Code 002162): This site consists of the freshwater stretches of the Barrow/Nore River catchments as far upstream as the Slieve Bloom Mountains and it also includes the tidal elements and estuary as far downstream as Creadun Head in Waterford. The site passes through eight counties – Offaly, Kildare, Laois, Carlow, Kilkenny, Tipperary, Wexford and Waterford. Major towns along the edge of the site include Mountmellick, Portarlinton, Monasterevin, Stradbally, Athy, Carlow, Leighlinbridge, Graigueamanagh, New Ross, Inistioge, Thomastown, Callan, Bennettsbridge, Kilkenny and Durrus. The larger of the many tributaries include the Lerr, Fushoge, Mountain, Aughavaud, Owenass, Boherbaun and Stradbally Rivers of the Barrow and the Delour, Dinin, Erkina, Owveg, Munster, Arrigle and King's Rivers on the Nore. The site is a candidate SAC selected for alluvial wet woodlands and petrifying springs, priority habitats on Annex I of the E.U. Habitats Directive. The site is also selected as a candidate SAC for old oak woodlands, floating river vegetation, estuary, tidal mudflats, *Salicornia* mudflats, Atlantic salt meadows, Mediterranean salt meadows, dry heath and eutrophic tall herbs, all habitats listed on Annex I of the E.U. Habitats Directive. The site is also selected for the following species listed on Annex II of the same directive - Sea Lamprey, River Lamprey, Brook Lamprey, Freshwater Pearl Mussel, Nore Freshwater Pearl Mussel, Crayfish, Twaite Shad, Atlantic Salmon, Otter, *Vertigo moulinsiana* and the plant Killarney Fern. A good example of petrifying springs with tufa formations occurs at Dysart Wood along the Nore. This is a rare habitat in Ireland and one listed with priority status on Annex I of the EU Habitats Directive. The site is very important for the presence of a number of EU Habitats Directive Annex II animal species including Freshwater Pearl Mussel (*Margaritifera margaritifera* and *M. m. durrovensis*), Freshwater Crayfish (*Austroptamobius pallipes*), Salmon (*Salmo salar*), Twaite Shad (*Alosa fallax fallax*), three Lamprey species - Sea (*Petromyzon marinus*), Brook (*Lampetra planeri*) and River (*Lampetra fluviatilis*), the marsh snail *Vertigo moulinsiana* and Otter (*Lutra lutra*). This is the only site in the world for the hard water form of the Pearl Mussel *M. m. durrovensis* and one of only a handful of spawning grounds in the country for Twaite Shad. The freshwater stretches of the River Nore main channel is a designated salmonid river. The site is of ornithological importance for a number of E.U. Birds Directive Annex I species including Greenland White-fronted Goose, Whooper Swan, Bewick's Swan, Bartailed Godwit, Peregrine and Kingfisher. Nationally important numbers of Golden Plover and Bar-tailed

Godwit are found during the winter. Wintering flocks of migratory birds are seen in Shanahoe Marsh and the Curragh and Goul Marsh, both in Co. Laois and also along the Barrow Estuary in Waterford Harbour. Overall, the site is of considerable conservation significance for the occurrence of good examples of habitats and of populations of plant and animal species that are listed on Annexes I and II of the E.U. Habitats Directive respectively. Furthermore it is of high conservation value for the populations of bird species that use it. The occurrence of several Red Data Book plant species including three rare plants in the salt meadows and the population of the hard water form of the Pearl Mussel which is limited to a 10 km stretch of the Nore, add further interest to this site.

**Draft Conservation Objectives:**

1. To maintain the Annex I habitats for which the cSAC has been selected at favourable conservation status: Estuaries; Mudflats and sandflats not covered by seawater at low tide; Salicornia and other annuals colonising mud and sand; Atlantic salt meadows (*Glauco-Puccinellietalia maritima*); Mediterranean salt meadows (*Juncetalia maritimi*); Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitriche-Batrachion* vegetation; European dry heaths; Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels; Petrifying springs with tufa formation (*Cratoneurion*); Old sessile oak woods with *Ilex* and *Blechnum* in British Isles; Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion*, *Alnion incanae*, *Salicion albae*)
2. To maintain the Annex II species for which the cSAC has been selected at favourable conservation status: *Vertigo moulinsiana*; *Margaritifera margaritifera*; *Austroptamobius pallipes*; *Petromyzon marinus*; *Lampetra planeri*; *Lampetra fluviatilis*; *Alosa fallax*; *Salmo salar*; *Lutra lutra*; *Trichomanes speciosum*; *Margaritifera durrovensis*
3. To maintain the extent, species richness and biodiversity of the entire site
4. To establish effective liaison and co-operation with landowners, legal users and relevant authorities.

**Clonaslee Eskers And Derry Bog** (Site Code 000859): Located approximately 5km west of the town of Clonaslee, this site consists of a series of morainic hills and esker ridges which are the legacy of the last period of glaciation. To the northwest the Derry Hills are two isolated hills situated in a bog, which forms part of the site. The main esker ridge runs along the southern part of the site. The site contains a population of the rare snail *Vertigo geyeri*, a species listed under Annex II of the EU Habitats Directive. In the southwestern part of the site, woodland dominated by Hazel (*Corylus avellana*) is more common. Ash (*Fraxinus excelsior*), Hawthorn (*Crataegus monogyna*) and Sycamore (*Acer pseudoplatanus*) also occur, with Oak and Birch. To the east of the road water percolates down through the glacial material of the esker ridge and emerges in a series of small, calcium-rich springs which flow into cutaway bog to the north. This results in the creation of a species-rich alkaline fen. Black Bog-rush (*Schoenus nigricans*) dominates the vegetation here. Derry Bog, which is a cutaway raised bog, lies to the northwest of the site. This supports a typical range of bog mosses and flowering plants, such as Ling Heather and Bog Asphodel (*Narthecium ossifragum*). The rare snail *Vertigo geyeri* was recorded from the fen area at this site in 1998. This species is a glacial relic with a disjunct European population, which is considered vulnerable due to loss of habitat, particularly through drainage. It is listed on Annex II of the EU Habitats Directive. Two plant species, protected under the Flora (Protection) Order, 1999, occur within the site. Wood Bitter-Vetch (*Vicia orobus*) occurs in quantity among Oak/Birch scrub on Derry Hills. This site is of conservation importance for the presence of the rare snail *Vertigo geyeri* and the extremely unusual assemblage of plants associated with the esker ridges. These include three rare plants, two of which are legally protected in Ireland. The esker grasslands and neighbouring peatland habitats are themselves of conservation value and are an increasingly threatened resource in Ireland.

**Draft Conversation Objectives:**

1. To maintain the Annex I habitat for which the cSAC has been selected at favourable conservation status: Alkaline fens.
2. To maintain the Annex II species for which the cSAC has been selected at favourable conservation status: *Vertigo geyeri*.
3. To maintain the extent, species richness and biodiversity of the entire site.
4. To establish effective liaison and co-operation with landowners, legal users and relevant authority

**Slieve Blooms Mountains** (Site Code: 000412): The Slieve Bloom Mountains lie on the Offaly-Laois border, starting about 8km north-east of Roscrea and running about 24km north-east, towards Clonaslee. The mountains are of Old Red Sandstone, flanked by Silurian rocks. From approx. 180m O.D., the site

extends to 529m O.D. This site is remarkable for its mountain blanket bog habitat. Generally uniform in character, the vegetation consists of a deep, spongy mat of Bog Moss (*Sphagnum capillifolium*), with other mosses and lichens. An unusual feature is the abundance of Bog Rosemary (*Andromeda polifolia*) and Cranberry (*Vaccinium oxycoccos*), species usually associated with raised bogs. The uncommon Lesser Twayblade (*Listera cordata*) occurs under Heather at this site. The uplands at this site provide excellent habitat for Peregrine Falcon, a species listed on Annex I of the E.U. Birds Directive. Breeding pairs occur here. For the main part, the site is fringed by forestry plantations although in a few places there remains a relatively undisturbed transition downslope to poorly-drained acidic grassland. On the Slieve Blooms, the Heather forms tall, dense stands, with individual stems up to 20 years old, suggesting that burning has not been extensive in recent years. There is little evidence of grazing or erosion. Overall, vegetation structure is exceptionally well conserved due to lack of disturbance. A large portion of the site lies within a Statutory Nature Reserve.

Draft Conversation Objectives:

1. To maintain the Annex I habitats for which the cSAC has been selected at favourable conservation status: Blanket bog (7130), Northern Atlantic wet heaths with *Erica tetralix* (4010), Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (Alno-Padion, *Alnion incanae*, *Salicion albae*) (91E0).
2. To maintain the extent, species richness and biodiversity of the entire site.
3. To establish effective liaison and co-operation with landowners, legal users and relevant authorities.

## Section 4 Assessment Criteria

### 4.1 Elements of the Plan with Potential to Give Rise to Significant Effects

A list of the individual policies and objectives of the Plan (either alone or in combination with other plans or projects) with potential to give rise to impacts on the Natura 2000 sites is included in the left hand column of the assessment tables contained in the accompanying Appendix.

These have been taken from Section 8 - *Evaluation of Plan Provisions* - of the Environmental Report which has been prepared as part of the Strategic Environmental Assessment process. In that evaluation, each of the Plan policies and objectives were evaluated against the Strategic Environmental Objectives (SEOs) listed below:

SEO B1: To avoid loss of relevant habitats, geological features, species or their sustaining resources in designated ecological sites.

SEO B2: To avoid significant adverse impacts, including direct, cumulative and indirect impacts, to relevant habitats, geological features, species or their sustaining resources in designated ecological sites by development within or adjacent to these sites.

SEO B3: To sustain, enhance or - where relevant - prevent the loss of ecological networks or parts thereof which provide significant connectivity between areas of local biodiversity.

Where the Plan's policies/objectives were found to have:

- a) Probable Conflict with status of SEOs- unlikely to be mitigated;
- b) Potential Conflict with status of SEOs- likely to be mitigated; and/or
- c) Uncertain interaction with status of SEOs,

they were further examined in this assessment.

### 4.2 Elements of Plan Likely to Cause Impacts

The tables in the Appendix identify whether these policies and objectives are likely to cause any direct, indirect or secondary impacts (either alone or in combination with other plans or projects) on the sites by assessing them against the sites' conservation objectives, as given in Sections 3.2 and 3.3 above.

Where potential impacts are identified, then avoidance/mitigation measures contained as policies or objectives within the Plan as well as other laws/standards/procedures are cited and it is determined whether there will be any residual impacts or not.

## Section 5 Conclusions

### 5.1 Criteria for Assessment

On the basis of the above analysis it can be concluded that no projects that will cause significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites shall be permitted on the basis of this Plan<sup>5</sup> (either individually or in combination with other plans or projects), considering the following factors<sup>8</sup>:

- size and scale
- land-take
- distance from the Natura 2000 site or key features of the site
- resource requirements (water abstraction etc.)
- emissions (disposal to land, water or air)
- excavation requirements
- transportation requirements
- duration of construction, operation, decommissioning, etc.
- habitat area
- disturbance to key species
- habitat or species fragmentation
- species density
- changes in key indicators of conservation value (water quality etc.)
- climate change
- key relationships that define the structure of the sites
- key relationships that define the function of the site

Furthermore, such developments as will be permitted on foot of the provisions of this Plan shall be required to conform to the relevant regulatory provisions for the prevention of pollution, nuisance or other environmental effects.

### 5.2 Conclusion

The trigger for a Stage Two<sup>9</sup> AA would be if the Plan were likely to have significant effects on a Natura 2000 site. This screening report evaluates the Plan to see if it needs to be the subject of a Stage Two AA. It finds that the Plan has been formulated to ensure that uses, developments and effects arising from permissions based upon the Plan (either individually or in combination with other plans or projects) shall not give rise to significant effects on the integrity of any Natura 2000 sites<sup>10</sup>. 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 Plan does not require any further assessment to demonstrate compliance with the Directive.

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<sup>8</sup> These factors have been taken from *“Assessment of plans and projects significantly affecting Natura 2000 sites (Methodological guidance on the provision of Article 6(3) and (4) of the Habitats Directive 92/43/EEC)”*

<sup>9</sup> ref. Section 1

<sup>10</sup> Except as provided for in Section 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.