



Offaly County Council & Tullamore Town Council

Variation No. 1 of the Tullamore Town and Environs Development Plan 2010-2016

Appropriate
Statement

Assessment

Screening

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1 Introduction

1.1 Background

This is the Appropriate Assessment (AA) Screening Report of the Variation No. 1 of the Tullamore Town and Environs Development Plan 2010-2016. The purpose of this report is to evaluate whether or not the Proposed Variation No. 1 is likely to significantly affect Natura 2000 sites (*i.e.* Special Areas of Conservation (SAC's) and Special Protection Areas (SPA's)) within or surrounding the Plan area and thus require a full Appropriate Assessment.

This Variation primarily relates to amending the written statement and zoning map of the current Plan to allow for General Industrial use to be open for consideration within the Business/Employment land use zoning and in particular to allow for such use in the Southern Environs Masterplan area.

Special Areas of Conservation (SAC) are designated under the EU's Habitats Directive by statutory instrument under the Habitats Regulations 1997 and the Special Protection Areas (SPA's) are designated by statutory instrument under the EU's Birds Directive 1979 and so, like SAC's, are of international importance.

Under the EU Habitats Directive (92/43/EEC) Competent Authorities are required to undertake Appropriate Assessments (AA) of any plan or project not directly connected with or necessary to the management of a Natura 2000 site but likely to have a significant effect thereon, either individually or in combination with other plans or projects.

The main purpose of an Appropriate Assessment is to identify the possible effects of implementing a Plan/Project on the conservation objectives and integrity of Natura 2000 sites¹.

This assessment therefore examines the implications of proceeding with Proposed Variation No. 1 in view of the conservation objectives and qualifying interests of associated Natura 2000 sites.

¹ Any Natura 2000 sites within the likely zone of impact of the plan or project. Generally 15km but this can vary (Appropriate Assessment of Plans and Projects in Ireland, Guidance for Planning Authorities (NPWS 2009, Revised February 2010).

1.2 Legislative Background

The Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Flora and Fauna – the 'Habitats Directive' provides legal protection for habitats and species of European importance. Article 2 of the Habitats Directive requires the maintenance or restoration of habitats and species of interest to the EU in a favourable condition. The Directive was transposed into Irish law by the European Communities (Natural Habitats) Regulations, SI 94/1997.

Articles 6(3) and 6(4) of the Habitats Directive sets out the decision-making tests for Plans or Projects affecting Natura 2000 sites.

Article 6(3) establishes the requirement for Appropriate Assessment:

"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".

Article 6(4) of the Directive deals with alternative solutions, the test of "*imperative reasons of overriding public interest*" (IROPI) and compensatory measures:

"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".

In formulating Proposed Variation No. 1, Offaly County Council and Tullamore Town Council must comply with the EU Habitats and Birds Directives and the Planning and Development (Amendment) Act 2010, European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011) and the Environment (Miscellaneous Provisions) Act 2011.

2 Methodology

2.1 Introduction

This Habitats Directive Screening Assessment has been prepared taking cognisance of the following guidelines:

- Department of the Environment Heritage and Local Government (DoEHLG) Appropriate Assessment Guidance for Planning Authorities (December 2009) and amended February 2010;
- European Commission, Assessment of plans and projects affecting Natura 2000 sites: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC (Luxembourg, 2001);
- European Communities MANAGING NATURA 2000 SITES. The provisions of Article 6, of the 'Habitats' Directive 92 / 43 / CEE (2000).

2.2 Brief Overview of Appropriate Assessment Methodology

The Appropriate Assessment process follows four stages as outlined below:

Stage 1 – Screening of the Proposed Variation No. 1 of the Tullamore Town and Environs Development Plan 2010-2016

The Screening Process will identify the likely impacts upon the Natura 2000 sites of Proposed Variation No. 1 of the Tullamore Town and Environs Development Plan 2010-2016 either alone or in combination with other Plans and Projects and considers whether these impacts are likely to be significant.

Ultimately, this process determines whether or not a Natura Impact Report is required *i.e.* whether Proposed Variation No. 1 to the Tullamore Town and Environs Development Plan 2010-2016 is likely to negatively affect the conservation objectives and qualifying interests of Natura 2000 sites. This will be done by examining the Proposed Variation's policies and objectives whilst taking regard of the current Plan's policies and objectives and determining if there are any potential impacts on the conservation objectives of the Natura 2000 sites.

This Screening Assessment will:

- Determine whether the Proposed Variation is directly connected with or necessary to the management of the site;
- Describe the Proposed Variation and other plans and projects that, '*in combination*' have the potential to have significant effects on a European site;
- Identify the potential effects on the European site and;
- Assess the significance of any effects on the European site.

Stage 2 – Appropriate Assessment

The Appropriate Assessment (if required) would determine the potential impacts of the Proposed Variation No. 1 to the Town Plan on the conservation objectives of the Natura 2000 sites (including Natura 2000 sites within a 15 km radius of the Town Plan's boundary) and where necessary, mitigation or avoidance measures to preclude negative effects are recommended. The impacts assessed include the indirect and cumulative impacts of approving the variation to the Plan, considered with any current or proposed activities, developments or policies impacting on the site(s). The potential impacts of policies and objectives outside the Natura 2000 sites but that potentially may impact upon them (known as 'ex situ' impacts) must also be included in the assessment.

Stage 3 – Assessment of Alternative Solutions

Stage 3 involves the examination of alternative ways of achieving the Proposed Variation to the Plan that avoids adverse impacts on the integrity of the Natura 2000 site(s).

Stage 4 – Assessment of Compensatory Measures

Stage 4 is an assessment of compensatory measures, where, in the light of an assessment of imperative reasons of overriding public interest, it is deemed that Proposed Variation No. 1 to the 2010 Town and Environs Development Plan should proceed.

Stage 1 and 2 above relate to Article 6(3) of the Habitats Directive and Stages 3 and 4 relate to Article 6(4).

2.3 Cumulative Effects

The National Spatial Strategy 2002-2020, National Development Plan 2007-2013 and the Midland Regional Planning Guidelines (MRPG's) 2010-2022, and the Offaly County Development Plan 2009-2015 set the planning framework within which Proposed Variation No. 1 to the Tullamore Town and Environs Development Plan 2010-2016 has been prepared with the objective of achieving an optimal balance of social, economic and physical development in the Plan area.

A Strategic Environmental Assessment (SEA) and Appropriate Assessment Screening were completed during the drafting of the Tullamore Town and Environs Development Plan 2010-2016 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 2010 Plan to ensure that no negative impacts would arise from its implementation.

Issues relating to European Union Legislation on the environment are provided for in the Tullamore Town and Environs Development Plan 2010-2016. Proposed Variation No. 1 will therefore be guided and informed by the relevant European legislation on the environment including; waste management and water protection policies and objectives as set out in the Shannon River Basin District (RBD), South Eastern RBD and Eastern RBD.

Development proposals on zoned lands in the Town Plan area must comply with the environmental policies and objectives contained in the Tullamore Town and Environs 2010-2016. It must be noted that while lands are zoned for particular use, their development may be limited in the absence of suitable or adequate treatment facilities in accordance with national legislation.

The Proposed Variation will allow for General Industrial use to be open for consideration within the Business/ Employment land use zoning, and in particular, to allow for such use in the Southern Environs Masterplan area. In the 2010 Development Plan, land zoned as Business/Employment is taken to include the use of land for primarily business and commercial use, including light industry/warehousing and the facilitation of enterprise park/office park type use, as appropriate. By their nature, proposals of these types involve large-scale buildings and require a high degree of accessibility and parking space for car users and delivery vehicles. This current zoning objective does not allow for General Industry. This Proposed Variation will only allow for General Industry within the Business/Employment zoned lands, provided individual proposals are compatible with existing development and appropriate in terms of the development of adjacent areas as per their land use zonings. General Industry will only be considered for locations within Business/Employment zoned lands provided that individual proposals demonstrate:

- Compatibility with existing development in the area;
- A quality of design and layout suitable for location in Business/Employment zoned lands rather than in industrial zoned lands;
- Significant investment in design, treatment of public realm and landscaping;
- An acknowledgement of the appropriate future development of adjacent areas as per their land use zonings.

It must be noted that the proposed changes to the Plan are without prejudice to the assessment of any planning application and the full ranges of issues which are required to be examined and decided upon during the course of any application. Should it be determined that an industrial development proposed to be sited on Business/Employment land use zoning has the potential to impact on designated sites or indeed has the potential to adversely impact on any environmental factor (*e.g.* soil, water, cultural heritage) then in line with the Town and Environs Plan's current environmental protection policies and objectives, this development will not be permitted unless appropriate mitigation to negate these impacts are proposed.

The Proposed Variation will have due regard to the specific needs and attributes of Tullamore and its environs while conforming with the relevant environmental provisions of the various plans, legislation and guidance documents which will inform the making of any given Plan. Examples of these documents include, but are not limited to:

- National Development Plan 2007-2013;
- National Spatial Strategy 2002-2020;

- Water Framework Directive 2000/60/EU;
- Making Ireland's Development Sustainable – Review, Assessment and Future Action;
- National Bio-diversity Plan – Actions for Bio-diversity 2011-2016;
- Midland Regional Planning Guidelines 2010-2022;
- Offaly County Development plan 2009-2015;
- Tullamore Town and Environs Development Plan 2010-2016;
- Development Management, Guidelines for Planning Authorities, June 2007;
- Development Plans, Guidelines for Planning Authorities, June 2007;
- Landscape and Landscape Assessment – Draft consultation Guidelines, 2000;
- Strategic Environmental Assessment Directive (2001/42/EC) and Guidelines for Regional Authorities and Planning Authorities, November 2004;
- Sustainable Rural Housing, Guidelines for Planning Authorities, April 2005;
- Sustainable Urban Housing: Design Standards for apartments, Guidelines for Planning Authorities, September 2007;
- Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities, May 2009 and its companion document 'Urban Design Manual- A best practice guide';
- The planning system and Flood Risk Management, Guidelines for Planning Authorities, November 2009.

The effects of higher level Strategies and Plans are considered insofar as they inform Proposed Variation No. 1 to the 2010 Plan. Subsidiary plans and projects will be subject to separate assessment procedures in accordance with all applicable Regulations and Directives.

3 Overview of Proposed Variation

3.1 Purpose of Variation

Proposed Variation No. 1 of the Tullamore Town and Environs Development Plan 2010-2016 relates primarily to amending the written statement and zoning map to allow for General Industrial use to be open for consideration within the Business/Employment land use zoning and in particular to allow for such use in the Southern Environs Master Plan area.

A summary of the key elements of Proposed Variation No. 1 are outlined below:

- 1.** The zoning objective for Business/Employment land use allows for Light Industry but not General Industry. This proposed variation changes the written objective for Business / Employment use and the zoning matrix to allow for General Industry therein, provided individual proposals are compatible with existing development and appropriate in terms of the development of adjacent areas as per their land use zonings. General Industry will be considered for locations within Business/Employment zoned lands provided that individual proposals demonstrate:
 - Compatibility with existing development in the area;
 - A quality of design and layout suitable for location in Business/Employment zoned lands rather than in industrial zoned lands;
 - Significant investment in design, treatment of public realm and landscaping;
 - An acknowledgement of the appropriate future development of adjacent areas as per their land use zonings.

The majority of lands zoned Business/Employment in the Tullamore Town and Environs Development Plan 2010-2016 are located in the Southern Environs Masterplan. Other Business/Employment lands which are subject to this particular element of the proposed variation are located to the east of Tullamore Town, to the north of the Grand Canal close to the Tullamore Bypass and lands to the west of Tullamore Town. The location of these Business/Employment Lands can be seen on the Land Use Zoning Map of the Tullamore Town and Environs Development Plan 2010-2016.

- 2** To reconfigure the southern part of the Southern Environs Masterplan by changing the zoning of 10.5 hectares of Open Space zoning to Business/Employment zoning. This allows for more viable development of the southern part of the Masterplan.
- 3** To re-route the Strategic Distributor Route which passes through the southern part of the Southern Environs Masterplan while ensuring it will, when the area is being comprehensively developed, still allow for the future linking of the Clonminch Road, the proposed neighbourhood centre, the school site and the wider Masterplan area.

- 4** To insert a more definite access link road objective (including a roundabout on the Clonminch Road) at the existing arrow objective onto the Clonminch Road to serve the Southern Environs Masterplan area. This will join with the re-routed Strategic Distributor Route as detailed in 3 above.
- 5** A knock-on impact of the rezoning of the open space lands to Business / Employment to support more viable development of the southern part of the Masterplan is a reduction in width of a part of the open space buffer along the N52 Tullamore Bypass. However it is not proposed to amend objective TTEO 13/17, which promotes the development of a nature walk from Ballard to Clonminch.
- 6** To move the existing access point objective onto the N52 Tullamore bypass approximately 500 metres to the west to facilitate the more viable development of the business / employment zoned land which forms the southern part of the Masterplan.
- 7** To alter the boundaries of the Enterprise and Charleville Nodes within the South Eastern Environs Masterplan area and apply a revised phasing strategy to the Enterprise Node. This will decouple the phasing of the lands zoned for business and employment from that of the remainder of the Masterplan.
- 8** Various text changes to reflect the above points.
- 9** Objective CHN7 to be relocated onto lands zoned public/community/educational to the west of the SE Masterplan area where it is of particular relevance. Objective CHN7 was shown in error on lands zoned open space in the plan. These lands are proposed to be rezoned Business/Employment as per item no. 2 above.

It is important to note while reading this report that the Tullamore Town and Environs Development Plan 2010-2016 was subject to Appropriate Assessment (AA) Screening in accordance with Article 3(4) of the EU Habitats Directive (Directive 92/93/EEC) and a Strategic Environmental Assessment (SEA) as per the requirements of the SEA Directive (2001/42/EEC). Both the AA and SEA informed the policies and objectives of the 2009 Plan. The SEA suggested appropriate mitigation measures, which were incorporated in the relevant chapters of the Plan upon its adoption in 2010.

One of the goals of the Tullamore Town and Environs Development Plan is *"To ensure that sufficient and suitability located land is located to satisfy the requirements of a multiple of function in the town which in turn, would be attractive and flexible to accommodate the requirements of a wide range of operators ranging from local level to international level"*. This Proposed Variation aims to facilitate this goal.

The Proposed Variation which accompanies this AA Screening Report should always be read in conjunction with the Tullamore Town and Environs Development Plan 2010-2016.

4 Appropriate Assessment Screening

4.1 Introduction

The Appropriate Assessment Screening process will determine whether Proposed Variation No. 1 is likely to have a significant effect on the conservation objectives and the integrity of Natura 2000 sites within the Town Plan boundary and also within 15km of the Town Plan boundary. This buffer zone was chosen as a precautionary measure to ensure that all affected Natura 2000 sites are included in this Screening Process.

The Screening Process will identify the likely impacts of the policies and objectives of the Proposed Variation either alone or in combination with other plans and projects and will consider whether these impacts are likely to be significant.

Ultimately, this process determines whether or not an Appropriate Assessment and the production of a Natura Impact Report is required *i.e.* whether Proposed Variation No. 1 to the 2010 Town and Environs Development Plan is likely to negatively affect the conservation objectives and qualifying interests of Natura 2000 sites.

4.2 Management of the Site

For a Plan to be '*directly connected with or necessary to the management of the site*', the '*management*' component must refer to management measures that are for conservation purposes, and the '*directly*' element refers to measures that are solely conceived for the conservation management of a site.

This Proposed Variation to the Tullamore Towns and Environs Development Plan 2010-2016 is not directly connected to the management of any Natura 2000 sites.

The existing Tullamore Town and Environs Development Plan 2010-2016 to which the Variation relates contains policies and objectives (*e.g.* **TTEP 13-01**, **TTEP 13-02**, **TTEP 13-03** and **TTEP 13-05**) which will directly or indirectly protect, conserve and manage areas of natural heritage, including Natura 2000 sites.

It is also worth noting that a series of tactical objectives are applicable to all Masterplan areas in Tullamore Town and its Environs. Proposed developments within the Masterplan areas will be assessed against these tactical objectives in addition to the policies, objectives and development criteria contained within the Tullamore Town and Environs Development Plan 2010-2016. The Natural Heritage Tactical Objectives include **NH2** "*Identify, protect and enhance where appropriate sites protected under the Wildlife Act, EU Habitats Directive, EU Birds Directive and those sites designated as Nature Reserves*" and **NH7** "*Identify concentrations of biodiversity in the masterplan sites and seek to ensure their protection*".

The majority of lands zoned as Business/Employment (lands to which this Proposed Variation specifically relate) are located in the Tullamore South Environs Masterplan Area (94 Hectares). Other areas include lands north of the canal close to the Tullamore Bypass (10.5 hectares) and on the western side of the Town (11 hectares) in the Grand Canal Quarter Masterplan area.

As with any potential development, in this case lands zoned for Business/Employment (which now will consider General Industry), cognisance of the all environmental policies and objectives contained in the Town and Environs Development Plan 2010-2016, including the tactical objectives relating to Masterplan areas in Chapter 5 of the Plan, will be taken into consideration when reviewing and deliberating applications concerning lands related to this Proposed Variation. This will ensure that no development will adversely impact on Charleville Wood SAC and the Natura 2000 within 15km of the Plan boundary (*e.g.* Clara Bog SAC, Raheenmore Bog SAC) or indeed any sites of ecological interests *e.g.* Grand Canal.

It is also important to note that the proposed changes to the Plan are without prejudice to the assessment of any application and the full range of issues which are required to be examined and decided upon during the appraisal of any planning application. This again will ensure that no development on lands zoned for Business/Employment (which may include General Industry, where appropriate) will impact on Natura 2000 sites or indeed Tullamore's biodiversity and natural heritage as a whole.

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

The European Communities (Habitats) Directive 1992, established a network of sites throughout Europe, which are of international importance. It is comprised of Special Protection Areas (SPA's) and Special Areas of Conservation (SAC's) which together are known as Natura 2000 sites. Special Protection Areas aim to protect birds and this designation originates from the Birds Directive 1979.

There is one SAC within the Plan boundary *i.e.* Charleville Wood SAC, and there are no SPA's.

Following guidance from the Department of the Environment, Heritage and Local Government (*Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities*), all Natura 2000 sites within both the Plan area and also an area extending 15 km around it have been considered (see **Figure 1**). This buffer zone was chosen as a precautionary measure to ensure that all potentially affected Natura 2000 sites are included in this Screening Process.

Charleville Wood is located southwest of Tullamore Town and within the Plan boundary and approximately 0.8 km from the edge of the Southern Environs Masterplan area which includes an area zoned for Business/Employment landuse. The Grand Canal is located approximately 2.3km north of the lands zoned as Business/Employment in the Southern Environs Masterplan area. Ballyduff Wood pNHA is located 6km north of this zoned land and Ballyduff Esker pNHA is located 6.5km northwest of this land.

Approximately 10.5 hectares of land is zoned as Business/Employment north of the canal close to the Tullamore Bypass. The Grand Canal pNHA is located 0.07km south of this area of zoned lands. Charleville Wood SAC is approximately 2.5km southwest of this Business/Employment zoned land. Ballyduff Esker pNHA and Ballyduff Wood pNHA are located approximately 5.5km and 3.3km respectively northwest of this zoned.

On the western side of the Town in the Grand Canal Quarter, 11 hectares of land is zoned as Business/Employment landuse. The Grand Canal pNHA is located 0.3km south of this area of zoned land. The nearest Natura 2000 site is Charleville Wood SAC which is approximately 0.85km from these lands. Ballyduff Esker pNHA is approximately 2km northwest of this Business/Employment zoned land and Ballyduff Wood pNHA is approximately 1.9km north of the lands.

Other Natura 2000 sites within 15 km of the Town boundary are: Clara Bog SAC (north west of the town), Clonaslee Esker and Derry Bog SAC (south west of the town), Lough Ennell SAC (north east of the town), Spilt Hills and Long Hill Esker SAC (north of the town), Raheenmore Bog SAC (north east of the town) and Slieve Bloom Mountains SAC and SPA (south of the town) (see **Figure 1**).

Table 1 overleaf details the qualifying interests for each of the SAC's and SPA's within 15 km of the Town.

Table 1: Natura 2000 Sites (SPAs and SACs) within the Development Plan Area and within 15 km of the Plan Area

Designation	Site Name & Code	Qualifying Interests
Natura 2000 Sites within Plan Boundary		
Special Area of Conservation	Charleville Wood SAC (Site Code: 000571)	<ul style="list-style-type: none"> • <i>Vertigo moulinsiana</i> • Old sessile oak woods with Ilex and Blechnum in British Isles
Designation within 15km of Town Plan Area		
Special Area of Conservation	Clara Bog SAC (Site Code: 000572)	<ul style="list-style-type: none"> • Marsh fritillary (<i>Euphydryas aurinia</i>) • Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco Brometalia</i>) (*important orchid sites) • raised bogs • Degraded raised bogs still capable of natural regeneration • Depressions on peat substrates of the Rhynchosporion • Bog woodland
	Lough Ennell SAC (Site Code: 004160)	<ul style="list-style-type: none"> • Brook lamprey (<i>Lampetra planeri</i>) • Otter (<i>Lutra lutra</i>) • Hard oligo-mesotrophic waters with benthic vegetation of Chara spp. • Alkaline fens
	Slieve Bloom Mountains SAC (Site Code: 000412)	<ul style="list-style-type: none"> • Northern Atlantic wet heaths with <i>Erica tetralix</i> • Blanket bog (*active only) • Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>)

Designation	Site Name & Code	Qualifying Interests
	Raheenmore Bog SAC (Site Code: 000582)	<ul style="list-style-type: none"> • Active raised bogs • Degraded raised bogs still capable of natural regeneration • Depressions on peat substrates of the Rhynchosporion
	River Barrow and River Nore SAC (Site Code: 002162)	<ul style="list-style-type: none"> • <i>Vertigo moulinsiana</i> • Freshwater pearl mussel (<i>Margaritifera margaritifera</i>) • White-clawed crayfish (<i>Austropotamobius pallipes</i>) • Sea lamprey (<i>Petromyzon marinus</i>) • Brook lamprey (<i>Lampetra planeri</i>) • River lamprey (<i>Lampetra fluviatilis</i>) • Allis shad (<i>Alosa alosa</i>) • Twaite shad (<i>Alosa fallax fallax</i>) • Salmon (<i>Salmo salar</i>) • Estuaries • Mudflats and sandflats not covered by seawater at low tide • Salicornia and other annuals colonizing mud and sand • Spartina swards (<i>Spartinion maritimae</i>) • Atlantic salt meadows (<i>Glaucopuccinellietalia maritimae</i>) • Otter (<i>Lutra lutra</i>) • Mediterranean salt meadows (<i>Juncetalia maritimi</i>) • Killarney fern (<i>Trichomanes speciosum</i>) • Pearl mussel (<i>Margaritifera durrovensis</i>) • Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation • European dry heaths

Designation	Site Name & Code	Qualifying Interests
		<ul style="list-style-type: none"> Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels Petrifying springs with tufa formation (<i>Cratoneurion</i>) Old sessile oak woods with Ilex and Blechnum in British Isles Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>)
	Clonaslee Esker and Derry Bog SAC (Site Code: 000859)	<ul style="list-style-type: none"> <i>Vertigo geyeri</i> Alkaline fens
	Split Hills & Long Hill Eskers SAC (Site Code: 001831)	<ul style="list-style-type: none"> Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco Brometalia</i>) (*important orchid sites)
Special Protection Area	Slieve Bloom Mountains SPA (Site Code: 004160)	<ul style="list-style-type: none"> Hen Harrier (<i>Circus cyaneus</i>)

4.4 Conservation Objectives

Management planning for nature conservation sites has a number of aims. These include:

- To identify and evaluate the features of interest for a site;
- To set clear objectives for the conservation of the features of interest;
- To describe the site and its management;
- To identify issues (both positive and negative) that might influence the site;
- To set out appropriate strategies/management actions to achieve the objectives.

Generic conservation objectives have been compiled for some SAC's and SPA's. These are based on the sites' qualifying features. In time, specific conservation objectives will be written for the features of interest within each Designated Site.

Table 2 below outlines the conservation objectives for each Natura 2000 site.

Table 2 Conservation Objectives for each Natura 2000 site

Designation	Site Name & Code	Conservation Objectives
Natura 2000 Sites within Plan Boundary		
Special Area of Conservation	Charleville Wood SAC (Site Code: 000571)	<p>To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected:</p> <ul style="list-style-type: none"> • <i>Vertigo moulinsiana</i>; • Old sessile oak woods with Ilex and Blechnum in the British Isles. <p>To maintain the extent, species richness and biodiversity of the entire site.</p> <p>To establish effective liaison and co-operation with landowners, legal users and relevant authorities.</p>
Special Area of Conservation	Clara Bog SAC (Site Code: 000572)	<p>To maintain or restore the favourable conservation condition of the Annex I habitat(s) and /or the Annex II species for which the SAC has been selected:</p> <ul style="list-style-type: none"> • <i>Euphydryas (Eurodryas, Hypodryas) aurinia</i>; • Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco Brometalia</i>)(* important • orchid sites); • Active raised bogs; • Degraded raised bogs still capable of natural regeneration; • Depressions on peat substrates of the Rhynchosporion; • Bog woodland.

Designation	Site Name & Code	Conservation Objectives
		<p>To maintain the extent, species richness and biodiversity of the entire site.</p> <p>To establish effective liaison and co-operation with landowners, legal users and relevant authorities.</p>
	Lough Ennell SAC (Site Code: 004160)	<p>To maintain or restore the favourable conservation condition of the Annex I habitat(s) and /or the Annex II species for which the SAC has been selected:</p> <ul style="list-style-type: none"> • Brook lamprey (<i>Lampetra planeri</i>) • Otter (<i>Lutra lutra</i>) • Hard oligo-mesotrophic waters with benthic vegetation of Chara spp. • Alkaline fens <p>To maintain the extent, species richness and biodiversity of the entire site.</p> <p>To establish effective liaison and co-operation with landowners, legal users and relevant authorities.</p>
	Slieve Bloom Mountains SAC (Site Code: 000412)	<p>To maintain or restore the favourable conservation condition of the Annex I habitat(s) and /or the Annex II species for which the SAC has been selected:</p> <ul style="list-style-type: none"> • Northern Atlantic wet heaths with <i>Erica tetralix</i> • Blanket bogs (* if active only) • *Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>) <p>To maintain the extent, species richness and</p>

Designation	Site Name & Code	Conservation Objectives
		<p>biodiversity of the entire site.</p> <p>To establish effective liaison and co-operation with landowners, legal users and relevant authorities.</p>
	<p>Raheenmore Bog SAC (Site Code: 000582)</p>	<p>To maintain or restore the favourable conservation condition of the Annex I habitat(s) and /or the Annex II species for which the SAC has been selected:</p> <ul style="list-style-type: none"> • Active raised bogs • Degraded raised bogs still capable of natural regeneration • Depressions on peat substrates of the Rhynchosporion <p>To maintain the extent, species richness and biodiversity of the entire site.</p> <p>To establish effective liaison and co-operation with landowners, legal users and relevant authorities.</p>
	<p>River Barrow and River Nore SAC (Site Code: 002162)</p>	<p>To maintain or restore the favourable conservation condition of the Annex I habitat(s) and /or the Annex II species for which the SAC has been selected:</p> <ul style="list-style-type: none"> • <i>Vertigo moulinsiana</i> • <i>Margaritifera margaritifera</i> • <i>Austropotamobius pallipes</i> • <i>Petromyzon marinus</i> • <i>Lampetra planeri</i> • <i>Lampetra fluviatilis</i> • <i>Alosa fallax</i> • <i>Salmo salar</i> (only in fresh water) • Estuaries • Mudflats and sandflats not covered by seawater at low tide • <i>Salicornia</i> and other annuals colonizing mud and sand • Atlantic salt meadows

Designation	Site Name & Code	Conservation Objectives
		<p><i>(Glauco-Puccinellietalia maritimae)</i></p> <ul style="list-style-type: none"> • <i>Lutra lutra</i> • Mediterranean salt meadows <i>(Juncetalia maritimi)</i> • <i>Trichomanes speciosum</i> • <i>Margaritifera durrovensis</i> <i>(Margaritifera margaritifera)</i> <p>To maintain the extent, species richness and biodiversity of the entire site.</p> <p>To establish effective liaison and co-operation with landowners, legal users and relevant authorities.</p>
	<p>Clonaslee Esker and Derry Bog SAC (Site Code: 000859)</p>	<p>To maintain or restore the favourable conservation condition of the Annex I habitat(s) and /or the Annex II species for which the SAC has been selected:</p> <ul style="list-style-type: none"> • <i>Vertigo geyeri</i> • Alkaline fens <p>To maintain the extent, species richness and biodiversity of the entire site.</p> <p>To establish effective liaison and co-operation with landowners, legal users and relevant authorities.</p>
	<p>Split Hills & Long Hill Eskers SAC (Site Code: 001831)</p>	<p>To maintain or restore the favourable conservation condition of the Annex I habitat(s) and /or the Annex II species for which the SAC has been selected:</p> <ul style="list-style-type: none"> • Semi-natural dry grasslands and scrubland facies on calcareous substrates important orchid sites. <p>To maintain the extent <i>Festuco Brometalia</i>, species richness and biodiversity of the entire site.</p> <p>To establish effective liaison and co-operation with landowners, legal users and relevant authorities.</p>

Designation	Site Name & Code	Conservation Objectives
Special Protection Area	Slieve Bloom Mountains SPA (Site Code: 004160)	To maintain the special conservation interest for this SPA at favourable conservation status: <ul style="list-style-type: none"> • Hen Harrier To maintain the extent, species richness and biodiversity of the entire site. To establish effective liaison and co-operation with landowners, legal users and relevant authorities.

4.5 Assessment Criteria

This section assesses the likelihood of potential impacts from Proposed Variation No. 1 of the Tullamore Town and Environs Development Plan 2010-2016 on Natura 2000 sites.

In practice and as outlined in the EU document "*Assessment of plans and projects significantly affecting Natura 2000 sites: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC*", and the national guidance document "*Appropriate Assessment of Plans and Projects in Ireland. Guidance for Planning Authorities*", impacts that could potentially occur through the implementation of a Proposed Variation, can be categorised under a number of headings:

- Loss/Reduction of habitat area – *e.g.* as a result of construction of infrastructure *etc.*;
- Disturbance to key species – *e.g.* as a result of increased public access to protected sites and increased recreational pressure;
- Habitat or species fragmentation – *e.g.* through urbanisation;
- Reduction in species density – *e.g.* transport infrastructure, land intensification *etc.*;
- Changes in key indicators of conservation value such as decrease in water quality and quantity *e.g.* through inadequate wastewater treatment, runoff of pollutants during construction and operational phases of development.

This Screening Assessment has been completed taking cognisance of the existing Development Plan's policies, objectives and provisions in the Plan for the protection of the environment and sites protected under European legislation (see **Table 3**).

Table 3: Current Plan 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

Table 3: Current Plan Natural Heritage Policies	
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 (pNHA) and cSAC) and to cooperate with relevant government bodies and the landowner in the management of Charleville Wood and Estate
TTEP 13-04	It is the Councils' policy to protect and enhance the built and natural heritage and the recreational potential of the Grand Canal Corridor and to encourage and promote access to and understanding of the Grand Canal.
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 13-06	It is the Councils' policy to continue to promote education, knowledge and pride in the natural heritage of Tullamore.
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 13-11	It is the Councils' policy to promote the preservation and enhancement of native and semi-natural woodlands, groups of trees and individual trees.
TTEP 13-13	It is the Councils' policy that developments, which require vehicular access from public roads that were formerly towpaths or from existing towpaths along the Grand Canal, are very strictly controlled. This is in addition to restrictions relevant to the Canal's designation as a Natural Heritage Area and consequently as an Area of Special Control (also refer to Offaly County Development Plan 2009-2015 – Chapter 14; Built Heritage). Within areas zoned as white lands in the Tullamore town and environs area, it is policy to consider housing applications for established families, only along roads that were formerly towpaths along the Grand Canal and that such developments will be strictly controlled.

The provisions of this Proposed Variation No. 1, have been devised to anticipate and avoid the need for development that would be likely to significantly and adversely affect the integrity and conservation objectives of any Natura 2000 site especially Charleville Wood SAC.

As mentioned previously any development proposals relating to land in Tullamore Town and its Environs will also be assessed using the policies and objectives of the current Town and Environs Development Plan 2010-2016. This will ensure that new development (*e.g.* general industrial development, road infrastructure *etc.*) takes place in tandem with the establishment of appropriate facilities, such as wastewater and water infrastructure, therefore ensuring proper planning and sustainable development in the town area.

Policy TTEP 13-03 of the current Town and Environs Development Plan "*It is the Councils' policy to protect the integrity of Charleville Wood (proposed Natural Heritage Area (pNHA) and cSAC) and to cooperate with relevant government bodies and the landowner in the management of Charleville Wood and Estate*", **Policy 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*" and **Policy P15-01** of the Offaly Development Plan 2009-2015 "*It is Council policy to prohibit any development that would be harmful to or that would result in a significant deterioration of habitats and/or disturbance of species in a 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)*"; will ensure that Natura 2000 sites are protected (*e.g.* Charleville Wood SAC, which is the most vulnerable in terms of its proximity to the Plan area).

The above, along with compliance with the key Strategic Goal of the Development Plan (*i.e.* To ensure that the development of Tullamore will not adversely compromise the natural environment) will ensure that no development arising from this Proposed Variation will impact adversely on the receiving natural environment.

It is also worth noting that any developments permitted on foot of this Proposed Variation shall be required to conform to National and European regulations and legislation for the prevention of environmental effects which would adversely impact on the integrity and conservation objectives of Natura 2000 sites².

² Except as provided for in Article 6(4) of the Habitats Directive, viz. there must be:

- (a) No alternative solution available;
- (b) Imperative reasons for overriding public interest, including those of a social and economic nature; and,
- (c) Adequate compensatory measures to ensure that the overall coherence of Natura 2000 is protected.

4.5.1 Describe the individual elements of the project (either alone or in combination with other plans or projects) likely to give rise to impacts on the Natura 2000 sites.

In general, any development that may result from the implementation of this Proposed Variation, such as the construction of General Industry (Key Element No. 1 of Proposed Variation No. 1) and road infrastructure (Key Elements No. 3, 4, 6 of Proposed Variation No. 1), could lead to a number of impacts depending on the scale of development and types and quantities of emissions during the construction and operation of these projects/developments. Since none of the lands relating to this Proposed Variation are within a Natura 2000 site, no direct loss/reduction of designated habitats/species will occur from the implementation of this Proposed Variation.

However, any indirect changes, such as changes in key indicators of conservation (*e.g.* deterioration in water quality), arising from the Proposed Variation have the potential to impact on the supporting ecosystems to which the qualifying species/habitats are dependent, leading to loss or disturbance to key species/habitats.

This Proposed Variation will only allow for General Industry within the Business/Employment zoned lands, provided individual proposals are compatible with existing development and appropriate in terms of the development of adjacent areas as per their land use zonings. General Industry will only be considered for locations within Business/Employment zoned lands provided that individual proposals demonstrate:

- Compatibility with existing development in the area;
- A quality of design and layout suitable for location in Business/Employment zoned lands rather than in industrial zoned lands;
- Significant investment in design, treatment of public realm and landscaping;
- An acknowledgement of the appropriate future development of adjacent areas as per their land use zonings.

The above will ensure that due cognisance is taken of current development in the area and will ensure that significant investment is taken in the design of any such development. High quality designed developments will ensure that possible emissions during construction and operation of these developments (to air, noise, aquatic environs) from any on lands relating to this Proposed Variation will be to the highest standard, thereby ensuring no negative impacts on the surrounding environs.

Charleville Wood SAC which is the closest Natura 2000 site to the Business/Employment lands within the Southern Environs Masterplan area is not only designated for its old Oak woodland which is a habitat listed on Annex I of the EU Habitats Directive but also for the rare snail species, *Vertigo moulinsiana* which is

listed on Annex II of the Habitats Directive. *Vertigo moulinsiana* is a ground and surface water dependent snail. It is also important to note that the wetland areas in this Natura site, with their associated bird populations and Myxomycete species contribute further to the conservation significance of this designated site.

It is thought that the Grand Canal may act as a population centre from which *Vertigo moulinsiana* individuals migrate out to nearby drains and lakes. For example, it is thought that the Grand Canal may be a source of the *Vertigo moulinsiana* population recorded at Charleville Lake in Tullamore (E. Moorkens, 2002). Therefore, any impact from Business/Employment developments (*e.g.* diffuse or point source contamination) either in close vicinity to the Grand Canal (*i.e.* lands north of the canal close to the Tullamore Bypass (10.5 hectares) and on the western side of the Town (11 hectares) in the Grand Canal Quarter Masterplan area) or close to the Charleville Wood SAC (*i.e.* Business/Employment lands in the Southern Environs Masterplan area) has the potential to impact on this water dependent Annex II species.

However, it is important to note that any proposed development on these lands and indeed any proposed development in the Town and Environs (*e.g.* general industry infrastructure development, road infrastructure *etc.*) will be required to adhere to **Policy TTEP 13-03** and **TTEO 13-01, TTEO 13-02** and **TTEO 13-04** of the current 2010 Development Plan and would be subject to an appropriate project level environmental assessment and Habitats Directive assessment, where deemed necessary. This will ensure that any development relating to this Proposed Variation will not significantly impact on the integrity and conservation objectives of Natura 2000 sites or sites of high ecological value (*e.g.* Grand Canal, Esker Riada).

The proposed reconfiguration of the southern part of the Southern Environs Masterplan by changing 10.5 hectares of Open Space zoning to Business/Employment zoning (Key Element No. 2 of Proposed Variation No. 1) and the altering of the boundary of the Enterprise and Charleville Nodes within the South Eastern Environs Masterplan area and applying a revised phasing strategy to the Enterprise Node (Key Element No. 7 of Proposed Variation No. 1) will not impact directly on Natura 2000 sites or their qualifying interests.

The reduction in width (500 metres) of part of the open space buffer along the N52 Tullamore Bypass (Key Element No. 5 of Proposed Variation No. 1), is a knock-on impact of the rezoning of the Open Space lands to Business/ Employment lands. Any reduction in buffer zone has the potential to impact on the habitat connectivity and ecological connectivity of the area. This will not impact directly on any Natura 2000 sites.

It is noted in **Policy ET1** of the current Development Plan that the provision of a landscape buffer along route of the N52 Tullamore Bypass can also serve as an amenity route and wildlife corridor. It states that the landscape buffer shall be managed in accordance with a Management Plan to be approved in advance by the Planning Authority. This policy has been revised in this Proposed Variation to ensure that the landscaped buffer shall be completed in tandem with development of contiguous lands and that development on lands adjoining the landscaped buffer should address and be responsive to it by means of

building design, orientation, public realm design and treatment and the use of other appropriate boundary treatments. This will ensure that any development permitted will include for an appropriate landscape design, which will in some way compensate for the proposed reduction in landscape buffer width at this location.

This policy is also supported by the proposed revision to **Policy CHN6** "*to encourage the linking of the linear open space areas which are shown both alongside the N52 bypass and within the masterplan area as amenities serving future development*". It must be stressed that this Proposed Variation does not propose to amend objective **TTEO 13-17** of the current Development Plan, which promotes the development of a nature walk from Ballard to Clonminch (*i.e.* amenity route and wildlife corridor). Potential developments in the area will therefore have to ensure that their development's plans/designs incorporate this objective which will in some way negate the proposed reduction in buffer width at this location. Based on the above, it is not considered that these elements of the Proposed Variation (Key Elements 2, 5, 7) will impact on the qualifying interests or conservation objectives of the Charleville Wood SAC or the SAC's or SPA's within 15 km of the Plans boundary.

In summary, taking into account the existing policies and objectives in the Tullamore Town and Environs Development Plan 2010-2016 which provide for the protection of the environment and of designated sites within the Town and **Policy TTEP 13-03**, which relates specifically to Charleville Wood SAC which is within the town boundary, it is considered unlikely that Proposed Variation No. 1 will have a significant adverse impact on any Natura 2000 site.

4.5.2 Describe any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the Natura 2000 sites by virtue of:

Size and scale

Where it is considered that potential general industrial developments arising (directly or indirectly) from the Proposed Variation may impact upon sensitive or designated sites, because of their proximity or scale, an Appropriate Assessment Screening and/or Environmental Assessment (*e.g.* EIA, EIR) will be sought, where deemed necessary. Therefore, no projects which would give rise to significant adverse direct, indirect or secondary impacts on the integrity of the Natura 2000 sites, arising from the size or scale of the project, shall be permitted on the basis of this Proposed Variation No. 1 (either individually or in combination with other plans or projects)².

Land take

There is one SAC within the town boundary (*i.e.* Charleville Wood SAC); however the Proposed Variation does not relate to lands within this designated site. Therefore, the overall landtake of Natura 2000 sites (see **Table 1** and **Figure 1**) will not be affected from the implementation of Proposed Variation No. 1.

Distance from the Natura 2000 site or key feature of the site

Charleville Wood SAC is the closest Natura 2000 site to the lands to which this Proposed Variation relates. This designated site is approximately 0.8 km west of the Southern Environs Masterplan area at its nearest point. With the implementation of the environmental policy within the current Development Plan 2010-2016 relating to this designated site (**TTEP 13-03**) and the general environmental policies and objectives within the current Plan (*e.g.* **TTEP 13-07, TTEO 13-01, TTEO 13-02, TTEO 13-04, TTEO 10-08, TTEP 10-01 and TTEP 10-04**), no projects giving rise to significant adverse direct, indirect or secondary impacts on the integrity of this Natura 2000 sites shall be permitted on the basis of this Proposed Variation.

² Except as provided for in Article 6(4) of the Habitats Directive, viz. there must be:

- (a) No alternative solution available;
- (b) Imperative reasons for overriding public interest, including those of a social and economic nature; and,
- (c) Adequate compensatory measures to ensure that the overall coherence of Natura 2000 is protected.

In terms of the remaining Natura 2000 sites within 15 km of the Town Plan boundary, no negative impacts are predicted from the implementation of this Proposed Variation (see **Table 1**) due to their distances from the lands relating to this Proposed Variation (see **Figure 1**).

In summary, no projects which would give rise to significant adverse direct, indirect or secondary impacts on the integrity of the Natura 2000 sites, arising from their proximity to the sites, shall be permitted on the basis of this Proposed Variation (either individually or in combination with other plans or projects)².

Resource requirements

All projects relating to resource requirements arising from this Proposed Variation (*e.g.* industrial water abstraction) will be subject to an Appropriate Assessment Screening (and full Appropriate Assessment, if deemed required) and relevant Environmental Assessments.

Furthermore, Policy **TTEP 13-03** and **Objectives TTEO 13-01** and **TTEO 13-02** of the current Development Plan 2010-2016 will ensure that no development is permitted which will impact negatively on designated sites and will ensure that any resource requirements that are required will be appropriately mitigated with regard to any impacts identified on Natura 2000 sites.

In summary, no projects giving rise to significant adverse direct, indirect or secondary impacts upon the integrity of any Natura 2000 sites, arising from their resource requirements (*e.g.* water abstraction) will be facilitated or shall be permitted on the basis of Proposed Variation No. 1 (either alone or in combination with other plans or projects)².

Emissions and waste (disposal to land, water or air)

Policy TTEP 13-03 will ensure that no development will adversely impact on the Charleville Wood SAC qualifying interests and its conservation objectives.

All development will comply with the adopted 2010 Development Plan's environmental protection policies and objectives relating to emissions and waste including:

TTEO 10-02 *The Councils, in association with relevant key stakeholders, will prepare and implement An Integrated Phased Implementation Plan/Programme for Critical Water, Surface Drainage and Waste Water related infrastructure to service the Town and Environs (including the 4 Master Plan areas). This Plan /Programme will take into account:*

² Except as provided for in Article 6(4) of the Habitats Directive, viz. there must be:

- (a) No alternative solution available;
- (b) Imperative reasons for overriding public interest, including those of a social and economic nature; and,
- (c) Adequate compensatory measures to ensure that the overall coherence of Natura 2000 is protected.

The phasing of the development of the Master Plan areas;

- *the adequacy - in terms of capacity and performance - of water and wastewater related infrastructure servicing the Plan area;*
- *the capacity of the receiving waters resources in the zone of influence of the Plan to assimilate additional discharges*
- *arising from waste water (reference EPA Assimilative Capacity Modelling System, water quality data and Water Framework Risk Categorisations); and*
- *the timeframe for provision of new water and waste water infrastructure to serve additional populations.*

Permissions for development will be linked to availability of appropriate water supply/waste water treatment infrastructure and capacity.

TTEP 10-36 *It is the Councils' Policy to minimise emissions to the air of greenhouse gases in order to contribute to a reduction and avoidance of human induced climate change in accordance with the Kyoto agreement. The Councils support, and are committed to, the National Climate Change Strategy, and to facilitate measures that seek to reduce emissions of greenhouse gases. In this regard, the Councils will support any initiatives taken to provide for more sustainable forms of energy use.*

TTEP 10-37 *It is the Councils' policy to support national and international initiatives for limiting emissions of greenhouse gases and encouraging the development of renewable energy sources.*

TTEP 10-25 *It is the Councils' policy, in conjunction with the EPA, to continue its programme of monitoring water quality of surface water and groundwater to ensure that waste from developments are discharged in a manner that will not lead to pollution of such waters.*

In summary, no projects giving rise to significant adverse direct, indirect or secondary impacts upon the integrity of any Natura 2000 sites, arising from their emissions will be facilitated or shall be permitted on the basis of Proposed Variation No. 1 (either alone or in combination with other plans or projects)².

Transportation requirements

The construction and operation of transport infrastructure has the potential to impact on the environment e.g. impacts on biodiversity and flora and fauna through for example the loss of ecological networks,

² Except as provided for in Article 6(4) of the Habitats Directive, viz. there must be:

- (a) No alternative solution available;
- (b) Imperative reasons for overriding public interest, including those of a social and economic nature; and,
- (c) Adequate compensatory measures to ensure that the overall coherence of Natura 2000 is protected.

habitat loss and fragmentation, species loss and disturbance; adverse impacts on subsoil drainage system on groundwater and surface/ground water impacts from runoff pollution.

However, as with all developments that will arise from this Proposed Variation, and indeed all development within the Tullamore Town and Environs Development Plan, an appropriate project level environmental assessment and Habitats Directive assessment (where deemed necessary) will be required to be carried out. This along with the implementation of the environmental protection policies and objectives contained in the adopted 2010 Development Plan will ensure that any works resulting from the proposed strategic Distributor Road or any transport infrastructure relating to this Variation will not significantly impact on Natura 2000 sites or indeed sites of high ecological value (*e.g.* Esker Riada, Grand Canal *etc.*).

Excavation requirements

Policy **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*" and Objective **TTEO 13-01** of the current Plan will ensure that no development which would be likely to give rise to significant adverse direct, indirect or secondary impacts on the integrity of the Natura 2000 sites, having regard to their conservation objectives, arising from excavation requirements shall be permitted on the basis of this Proposed Variation (either individually or in combination with other plans or projects)².

Duration of construction, operation, decommissioning, etc

A complete review of the Tullamore Town and Environs Development Plan 2010-2016 will commence in 2013/14. The next Plan for the Tullamore Town and its Environs will be operational for the period 2016-2021. As with any Plan review, the review of the 2010 Plan will be subject to the requirements of Strategic Environmental Assessment under the EU SEA Directive, Appropriate Assessment under the EU Habitats Directive and Water Framework Directive. A Strategic Flood Risk Assessment will be undertaken as part of the overall review. It is important to note that the current Tullamore Town and Environs Development Plan 2010-2016 was subject to a Strategic Environmental Assessment (SEA) as per the requirements of the SEA Directive (2001/42/EEC). The SEA informed the policies and objectives of the Development Plan and also suggested appropriate mitigation measures, which were incorporated into the relevant chapters of the Plan upon its adoption in 2010.

² Except as provided for in Article 6(4) of the Habitats Directive, viz. there must be:

- (a) No alternative solution available;
- (b) Imperative reasons for overriding public interest, including those of a social and economic nature; and,
- (c) Adequate compensatory measures to ensure that the overall coherence of Natura 2000 is protected.

All development proposals arising from this Proposed Variation during the lifetime of the current Plan will be in accordance with the provisions of the Water Framework Directive; the Habitats Directive and any guidelines issued under Section 28 of the Planning and Development Acts 2000-2011.

4.5.3 Describe any likely changes to the site arising as a result of:

Reduction of habitat area

The Proposed Variation does not propose any land take within Natura 2000 sites.

Any projects resulting from this Proposed Variation shall be subject to a Habitats Directive Assessment (HDA) in accordance with the requirements of Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC, where required.

Disturbance to key species & habitat or species fragmentation

It is Offaly County Council's and Tullamore Town Council's policy to take appropriate steps to avoid disturbances of key species and habitat or species fragmentation within designated sites and sites of high ecological value in order to comply with the policies and objectives set out in **Chapter 13** of the Development Plan 2010.

Due to its distance from lands zoned as Business/Employment, Charleville Wood SAC is the most vulnerable in terms of impacts from this Proposed Variation. However, the implementation of **Policy TTEP 13-03** "*It is the Councils' policy to protect the integrity of Charleville Wood (proposed Natural Heritage Area (pNHA) and cSAC) and to cooperate with relevant government bodies and the landowner in the management of Charleville Wood and Estate*" will ensure the protection of this site from any future development.

In terms of the remaining Natura 2000 sites within 15 km of the Plan boundary no disturbance to key species and habitats or species fragmentation associated with these sites are predicted from the implementation of this Proposed Variation due to their distances from the town boundary (see **Figure 1**).

Reduction in species density

Charleville Wood SAC is located within the Plan Boundary and a number of SAC's and SPA's are located within 15 km of the town Boundary (see **Table 1** and **Figure 1**) however there are no designated sites within lands zoned for Business/Employment in the Southern Environs Masterplan area or indeed lands zoned for Business/Employment elsewhere in the Plan area. Hence, there will be no direct reduction in species density resulting from the implementation of Proposed Variation No. 1.

As noted in **Section 4.5.1** above, indirect impacts on Charleville Wood SAC and its qualifying interests could result from negative impacts on ground and surface waters. *Vertigo moulinsiana* is a ground and surface water dependent snail. The wetland areas in this Natura site are associated also with bird populations (*e.g.* Mute and Whooper Swan) and Myxomycete species and these contribute further to the conservation significance of the site. Therefore, any direct impacts on the surrounding ground and surface waters which feed these wetland areas (*e.g.* pollutant spills, inappropriate discharges) has the potential to impact negatively on the water dependant qualifying interests and high valued species which the wetlands support, thereby potentially leading to a reduction in species density at this site.

However, as with all developments that will arise from this Proposed Variation, and indeed all developments within the Tullamore Town and Environs Development Plan, an appropriate project level environmental assessment and Habitats Directive assessment (where deemed necessary). This along with the implementation of the environmental protection policies and objectives contained in the adopted 2010 Development Plan will ensure that any works resulting from this Proposed Variation will not significantly impact on Natura 2000 sites or indeed sites of high ecological value (*e.g.* Esker Riada, Grand Canal *etc.*).

In terms of the remaining Natura 2000 sites within 15 km of the Town Plan boundary no reduction in species density associated with these sites are predicted from the implementation of this Proposed Variation (see **Table 1**) due to their distance from the town boundary (see **Figure 1**).

Changes in key indicators of conservation value (water quality *etc.*)

Vertigo moulinsiana, a qualifying interest of Charleville Wood SAC, is a ground and surface water dependent snail. The wetland areas in this Natura site are associated also with bird populations (*e.g.* Mute and Whooper Swan) and Myxomycete species (a class of slime mould) which contribute further to the conservation significance/value of this site as a whole. Therefore, any direct impacts on the surrounding ground and surface waters which feed this wetland area have the potential to impact negatively on these species and therefore on the conversation status of this designated site.

However, with the implementation of **Policy TTEP 13-03** and environmental policies and objectives relating to the aquatic environment **Policies TTEP 10-21, TTEP 10-22, TTEP 10-23, TTEP 10-25** and **Objectives TTEO 10-08** and **TTEO 10-09**, no change in key indicators of conversation value are predicted from the implementation of this Proposed Variation.

Climate change

No projects giving rise to significant adverse changes in climatological conditions affecting the Natura 2000 sites shall be permitted on the basis of the provisions of this Proposed Variation (either individually or in combination with other plans or projects)².

4.5.4 Describe any likely impacts on the Natura 2000 site as a whole in terms of Interference with the key relationship that define the structure and function of the site.

The Charleville Wood SAC supports a diversity of wetland species including the Annex II *Vertigo moulinsiana*. The relationship between water quantity and quality and habitats is the key relationship that defines the structure and function of this site. Diffuse or point source contamination resulting from any proposed development within the Plan boundary could adversely affect the long-term distribution of the *Vertigo moulinsiana*, a qualifying interest of this Natura 2000 site.

It is also important to note that the wetland bird populations and Myxomycete species contribute further the conservation significance/value of this site.

Hence, any alteration to the quantity or quality of water within this site, and any direct impacts on the surrounding ground and surface waters which feed this wetland, has the potential to have significant implications for the extent and quality of species/habitats and the key environmental conditions that support this site and which helps it function.

All developments that will arise from this Proposed Variation, and indeed all developments that will arise from the current Tullamore Town and Environs Development Plan 2010-2016, will be subject to an appropriate project level environmental assessment and Habitats Directive assessment, where deemed necessary. This along with the implementation of the environmental protection policies and objectives contained in the adopted 2010 Development Plan will ensure that any works resulting from this Proposed Variation will not significantly impact upon the key relationships that define the structure and function of the Charleville Wood SAC Natura 2000 site or indeed any designated site (Clara Bog SAC, Raheenmore Bog SAC), or any site of high ecological value (*e.g.* Esker Riada, Grand Canal *etc.*).

² Except as provided for in Article 6(4) of the Habitats Directive, viz. there must be:

- (a) No alternative solution available;
- (b) Imperative reasons for overriding public interest, including those of a social and economic nature; and,
- (c) Adequate compensatory measures to ensure that the overall coherence of Natura 2000 is protected.

4.5.5 Provide Indicators of significance as a result of the identification of effects set out above in terms of loss, fragmentation, disturbance *etc*;

Offaly County Council and Tullamore Town Council is taking appropriate steps to avoid the deterioration of designated sites (through habitat/species loss, fragmentation, disturbance *etc.*) in accordance with the policies and objectives set out in **Chapter 15** of the Offaly County Development Plan 2009-2015 which provide for the protection of the environment and of the designated sites within the county as a whole. This along with the policies and objectives in the Tullamore Town and Environs Development Plan 2010-2016 (especially **Policies TTEP 13-02** and **TTEP 13-03** and **Objectives TTEO 13-01** and **TTEO 13-02**), it is considered unlikely that the implementation of Proposed Variation No. 1 will have significant adverse impact on any of the Natura 2000 sites as outlined in **Table 1**.

It should also be stressed again that any projects resulting from this Proposed Variation shall be subject to a Habitats Directive Assessment (HDA) in accordance with the requirements of Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC), where required.

4.5.6 Describe from the above those elements of the project or plan, or combination of elements, where the above impacts are likely to be significant or where the scale or magnitude of impacts is not known.

Not applicable.

4.6 Finding of No Significant Effects Report Matrix

Name of project or plan:

Tullamore Town and Environs Development Plan 2010-2016 Proposed Variation No. 1

Name and location of Natura 2000 sites:

See **Section 4.3** for Natura 2000 sites within the Plan boundary and those within 15km of Plan boundary.

Description of the project or plan:

See **Section 3** for description of Proposed Variation No. 1.

Is the Proposed Variation necessary to the management of Natura 2000 Sites?

The Proposed Variation is not directly connected with or necessary to the management of the Natura 2000 sites but rather the future planning and sustainable development of the Tullamore Town and Environs.

Are there other projects or plans that together with the project or plan being assessed could affect the sites (provide details)?

Water quality, is a key indicator of conservation value for any surface or ground water dependant Natura site (*e.g.* Charleville Wood SAC surface and groundwater dependent). The relationship between water quantity and quality and habitats is the key relationship that defines the structure and function of many of the SAC's and SPA's within 15 km of the Plan's boundary (*e.g.* Clara Bog SAC, Ferbane Bog SAC and Lough Ennell SAC/SPA). Diffuse or point source contamination resulting from any proposed development (*e.g.* release of suspended sediment due to runoff of soil from construction areas, raw or uncured concrete, fuels, lubricants and hydraulic fluids, waste water discharges) would have deleterious effects upon aquatic biodiversity and flora and fauna including species protected under Annex II of the Habitats Directive (*e.g.* *Vertigo moulinsiana*).

The construction and operation of any development in the Town and Environs has the potential to impact negatively on sites of high ecological value (*e.g.* Grand Canal) through for example surface/ground water impacts from runoff pollution. As mentioned earlier it is thought that the Grand Canal may act as a population centre from which *Vertigo moulinsiana* individuals migrate out to nearby drains and lakes. It is thought that the Grand Canal may be a source of the *Vertigo moulinsiana* populations recorded at Charleville Lake in Tullamore. Therefore, any developments (*e.g.* diffuse or point source contamination) either in close vicinity to the Grand Canal (*i.e.* lands north of the canal close to the Tullamore Bypass (10.5 hectares) and on the western side of the Town (11 hectares) in the Grand Canal Quarter Masterplan area) or close to the Charleville Wood SAC (*i.e.* Business/Employment lands in the Southern Environs Masterplan area) has the potential to impact on this water dependent Annex II species.

The key proposed amendment to the current Town and Environs Development Plan, is to allow for General Industry use to be open for consideration within the Business/Employment land use zoning and in particular to allow for such use in the Southern Environs Masterplan area. Objective **TTEO 13-01** of the current plan "*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*" will ensure

that any works associated with Proposed Variation No. 1 will not significantly impact directly or indirectly on the integrity and conservation objectives of any Natura 2000 site.

The assessment of significance of effects

Describe how the plan (alone or in combination) is likely to affect the Natura 2000 site:

As mentioned in the previous sections, any development that may result from the implementation of the Proposed Variation No. 1 (Business/Employment related development, including the potential for General Industry) could lead to a number of impacts depending on where the development is sited, the scale of development and types and quantities of emissions. However, the provisions of the Proposed Variation have been devised so as not to conflict with the policies and objectives of the Tullamore Town and Environs Development Plan 2010-2016 for which both an AA Screening and full SEA were completed.

Any developments permitted on foot of this variation shall be required to conform to National and European regulations and legislation for the prevention of environmental effects which would adversely impact on the integrity and conservation objectives of Natura 2000 sites. This, along with the implementation of the County's natural heritage policies and objectives contained within the Offaly County Development Plan 2009-2015 and Tullamore Town and Environs Development Plan's environment policies and objectives will ensure that no development will be permitted that will significantly adversely impact on Natura 2000 sites² or site of high ecological status/value.

Explain why these effects are not considered significant:

Any developments permitted on foot of this Variation shall be required to conform to National and European regulations and legislation for the prevention of environmental effects which would adversely impact on the integrity and conservation objectives of Natura 2000 sites. This along with the natural heritage and environmental policies and objectives to which the Variation must comply will ensure that no development will be permitted that will significantly adversely impact on Natura 2000 sites (directly or indirectly).

List of agencies consulted:

As part of the SEA Screening, the following statutory bodies were consulted.

- Environmental Protection Agency (EPA);
- Department of Environment, Community and Local Government (DoECLG);

- Copy also sent to Department of Arts, Heritage & the Gaeltacht, having regard to the recent transfer of Heritage and NPWS Section from former Department of Environment, Heritage and Local Government.
 - Department of Communications, Energy and Natural Resources (DCENR)
 - Department of Agriculture, Marine and Food (DoAMF)
 - Adjoining Planning Authorities.

Regard was taken of the EPA SEA screening submission received.

Data collection to carry out the assessment

Who carried out this assessment?

WYG Environmental & Planning Ireland Ltd.

Sources of data

Existing Literature, Records & Data

Information published by the NPWS and EPA.

Level of assessment completed

A desktop study was completed utilising existing information from the relevant state authorities.

Where the full results of the assessment can be accessed and viewed?

Please see public notice announcing Proposed Variation No. 1 of Plan.

5 Conclusion

This Screening Report for the Appropriate Assessment of the Proposed Variation No. 1 to the Tullamore Town and Environs 2010-2016, 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.

Development that may result from implementation this Proposed Variation, could lead to a number of impacts resulting from, for example, pollutant spills, waste generation, surface and groundwater pollution, species disturbance (*e.g.* birds) and habitat fragmentation *etc.* However, any development arising from this Proposed Variation will be required to confirm to National and European regulations and legislation for the prevention of environmental effects which would adversely impact on the integrity and conservation objectives of Natura 2000 sites and to adhere to **all** environmental protection policies and objectives contained within the current 2010 Town and Environs Plan and indeed the 2009 County Development Plan. This will ensure that no development will be permitted that will significantly adversely impact on Natura 2000 sites or indeed sites of high ecological status (*e.g.* Esker Riada, Grand Canal).

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 Proposed Variation No. 1 to the Tullamore Town and Environs Development Plan 2010-2016, does not require any further assessment to demonstrate compliance with the Directive.

Figure 1

Natura 2000 Sites (SPAs and SACs) within the Development Plan Area and within 15 km of the Plan Area



