

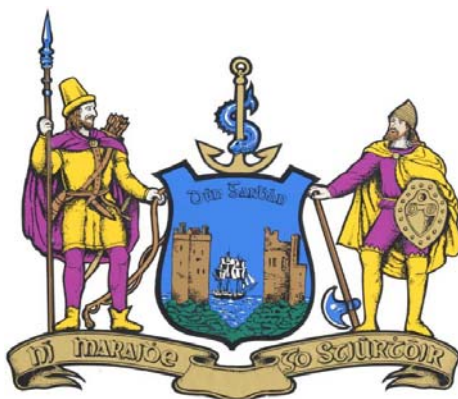
Habitats Directive Article 6

Screening Assessment

Dungarvan Town Development Plan

2012-2018

April 2012



Dungarvan Town Council
Comhairle Baile Dhún Garbhán

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Map 1. SACs and SPAs in County Waterford

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1. Introduction to Habitats Directive and Article 6 Assessment

The aim of the European Habitats Directive (Council Directive 92/43/EEC on the conservation of wild habitats and of wild fauna and flora) is to create a network of protected wildlife sites in Europe, maintained at a favourable conservation status¹. Each member state must designate their most important natural areas as Special Areas of Conservation. The Directive specifies the scientific criteria on the basis of which SAC sites must be selected and very strictly curtails the grounds that can be used as justification for damaging a site. The network of sites is referred to as NATURA 2000 and includes SACs (Special Areas of Conservation) for protected habitats and species and SPAs (Special Protection Areas) for protected birds and their habitats.

The European Habitats Directive (Council of the European Communities 1992) was transposed into Irish legislation by the European Communities (Natural Habitats) Regulations 1997 and amended in 1998, 2005 and 2011. The EC Birds and Natural Habitats Regulations 2011 address transposition issues raised in judgements of the ECJ against Ireland and along with provisions of the Planning and Development (Amendment) Act 2010 (Part XAB), clarify the obligations of planning authorities under the Birds and Habitats Directives.

The Regulations and the Planning and Development (Amendment) Act 2010 require planning authorities when considering plans or projects that are likely to have a significant effect on a SAC/SPA, to ensure that an appropriate assessment screening (and where required a full appropriate assessment) of the implications of the plan/project for the conservation status of the site is undertaken.

Sites may contain priority or non-priority habitats and species. The only justifications for damaging a qualifying "priority" site are "considerations relating to human health and public safety, to beneficial consequences of primary importance of the environment, or further to an opinion from the European Commission, to other imperative reasons of overriding public interest" (IROPI), but this can only be allowed after an assessment is made in line with the Article 6 procedure, and there are no other alternatives and an agreement is reached with the European Commission.

Article 6 of the Habitats Directive provides a strict assessment procedure for any plan or project not directly connected with or necessary to the management of a designated European site but which has the potential to have implications for the site in view of

¹ The conservation status of a species can be taken as "favourable" when population dynamics data on the species concerned indicate that it is maintaining itself on a long term basis as a viable component of its natural habitats, the natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future and there is and will continue to be a sufficiently large habitat to maintain its populations on a long-term basis. Article 1 (i) of the Habitats Directive 92/43/EEC

The conservation status of a habitat can be taken as "favourable" when its natural range and area it covers within that range is stable or increasing and the ecological factors that are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future.

the site's conservation objectives. The Town Development Plan for Dungarvan 2012-2018, therefore, falls under the remit of Article 6.

2. Guidance on the implementation of Article 6

2.1 National Guidance

Circular Letter SEA 1/08 & NPWS 1/08 of 15 February, 2008 **Appropriate Assessment of Land Use Plans** states that:-

Any draft land use plan (development plans, local area plans, regional planning guidelines, schemes for strategic development zones) or amendment/variation to it proposed under the Planning and Development Act 2000 (as amended) must be screened for any potential impact on areas designated as Natura 2000 sites (normally called Special Areas of Conservation (SACs) or Special Protection Areas (SPAs).

This screening should be based on any ecological information available to the authority and an adequate description of the plan and its likely environmental impacts. This should take into account any policies that will set the terms for future development. Up to date maps of Natura 2000 sites, or areas proposed for designation, are available on www.npws.ie. The results of the screening should be recorded and made available to the public.

In any case where, following screening, it is found that the draft plan or amendment may have an impact on the conservation objectives of a Natura 2000 site or that such an impact cannot be ruled out, adopting a precautionary approach-

- an Appropriate Assessment of the plan must be carried out and
- in any case where a strategic environmental assessment (SEA) would not otherwise be required, it must also be carried out.

2.2 DoEHLG Guidance

The Department of Environment, Heritage and Local Government published *Appropriate Assessment of Plans and Projects in Ireland, Guidance for Planning Authorities in December 2009*. This guidance document establishes the steps and procedures to be followed in undertaking an appropriate assessment of statutory land use plans within the framework of current planning legislation.

Section 4.10 of the Guidance states “ It is the competent authority’s responsibility to carry out the appropriate assessment of the plan. The Statement of AA of plans should be based on best available information, objective criteria, best scientific knowledge and expert judgement in relation to its impact on the integrity of a Natura 2000 site with respect to the conservation objectives of the site and to its structure and function. There should be no reasonable scientific doubt as to the absence of effects.”

It is recommended that the Department be consulted by a planning authority at every stage of the plan making process (i.e. at the pre-draft, draft and proposed amendments stages). The Department’s comments should be taken into account by the planning

authority before the plan is adopted. In each iteration of the plan, earlier observations from the Department should be carried forward.

Section 4.8 of the guidance states “ The key to deciding if an appropriate assessment of a plan would be required is determined by an assessment of whether the plan and its policies and objectives are likely to have a significant effect on a Natura 2000 site. The decision will be influenced by the nature and extent of the development likely to be proposed in the plan, and the plan’s area *in situ*, *ex situ* and in combination relationship to adjoining the Natura 2000 sites and the wider Natura 2000 network.

When screening the plan and its policies and objectives there are two possible outcomes:

The plan poses no risk of a significant effect and as such requires no further assessment ; and

The plan has potential to have a significant effect (or this is uncertain) and AA of the plan is necessary.

Screening can be used to establish which policies and objectives have potential to have significant effects, and therefore the ones that require further attention at the AA stage.

2.3 European Guidance

The European Commission methodological guidance on the provisions of article 6(3) and 6(4) of the Habitats Directive sets out the four stages for the assessment.²

Stage 1. 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 2. 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 3. 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;

² *Assessment of plans and projects significantly affecting Natura 200 sites- methodological guidance on the provisions of Article 6(3) and 6 (4) of the Habitats Directive 92/43/EEC.*
Managing Natura 2000 sites The provisions of Article 6 of the Habitats Directive 92/43/EEC.
European Commission (2002)

Stage 4. 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.

3. Procedure for stage one screening

This report consists of a Stage 1 Screening for Habitats Directive Assessment of the Town Development Plan for Dungarvan 2012-2018 and the proposed amendments to the plan.

This stage examines the likely effects of the Town Development Plan and amendments to the plan on Natura 2000 sites in Dungarvan and within a 15km radius of the town and considers whether it can be objectively concluded that these sites will not be significantly impacted. This assessment comprises four steps:-

Step 1: determining whether the project or plan is directly connected with or necessary to the management of the site: -

The Town Development Plan 2012-2018 is a spatial planning framework for Dungarvan and is not directly connected to the management of any Natura 2000 sites.

Step 2: describing the project or plan and the description and characterisation of other projects or plans that in combination have the potential for having significant effects on the Natura 2000 site;

The objective of the Town Development Plan is to provide a strategic planning framework for the development of Dungarvan. The Plan is intended to be a framework for local authority development and will address issues such as settlement, transportation, industrial development, community facilities and environmental protection.

With a total population in excess of 8,362 (Census 2006), Dungarvan encompasses 13.5 % of the County Waterford population. One of the key assets of the town is its diversity of natural heritage and landscape providing for a strong tourism base. The main waterway corridor is the River Colligan that flows into Dungarvan Harbour which is designated a SPA. There are 6 Natura 2000 sites within 15km of Dungarvan.

Step 3: Identifying the potential effects on the Natura 2000 site;

The DoEHLG Guidance on Appropriate Assessment on Plans and Projects in Ireland (December 2009) states that all N2000 sites within or adjacent the plan area must be mapped and tabulated, and site integrity and site conditions necessary to support the site integrity must be indicated.

The information presented in Table 1 details Natura 2000 sites within Dungarvan. The following information is listed for the N2000 site:

- Site code
- Site name
- Qualifying interests
- Conservation objectives
- Threats to site integrity

Table 2 details Natura 2000 sites outside Dungarvan but within a 15km buffer of the town.

Step 4: Assessing the significance of any effects on the Natura 2000 site.

The screening stage involves application of the precautionary principle proportional to the policy/objective and the Natura 2000 site in question. Objectives, policies and zonings from the Town Development Plan (2012-2018) and their impact on the N2000 network have been screened to ascertain if the policies / objectives are likely to have significant effects on any Natura 2000 sites, using the following framework.

- Town Development Plan zoning/policy/objective
- N2000 site
- Qualifying interests
- Threats to site integrity
- Potential impacts from the Town Development Plan
- Risk of significant impact (Y/N)
- Potential 'in combination' impacts
- Risk of significant impacts (Y/N)
- Avoidance and (then) mitigation measures
- Action required: Policy change needed / rewording / additional CDP objective

Where no significant effects are found, then policies or objectives are accepted. If all the policies / objectives in the Town Development Plan are found not to have a significant effect on any Natura 2000 site then a Finding of no Significant Effects Report is prepared and no further HDA assessment is required.

Where a policy / objective as worded does have a significant effect, then the policy /objective needs to be amended or rejected. The local authority understands that if it still wishes to proceed with the policy /objective even though it may have a significant effect, then a Stage 2 extended HDA assessment is required.



Table 1: Natura 2000 sites within Dungarvan

County Waterford		Special Areas of Conservation (SACs)		
Site code	Site name	Qualifying interests	Conservation objectives	Threats to site integrity
	Dungarvan Bay	Brent Goose, Black-tailed Godwit , Bar-tailed Godwit, of international importance Nationally important numbers of Shelduck, Wigeon, Red-breasted Merganser, Grey Plover, Golden Plover, Lapwing, Knot, Sanderling, Dunlin, Redshank and Turnstone	To maintain the bird species of special conservation interest for which this SPA has been listed at favourable conservation status	Disturbance, Water pollution, climate change, change in species composition, aquaculture, bait digging, aggregate extraction, industrialisation, port/marina, communications networks, water pollution

Table 2: Natura 2000 sites within 15km of Dungarvan

County Waterford		Special Areas of Conservation (SACs)		
Site code	Site name	Qualifying interests	Conservation objectives	Threats to site integrity
002123	Ardmore Head	Dry coastal heath and vegetated sea cliffs.	To maintain the Annex I habitats and Annex II species for which the cSAC has been selected at favourable conservation status. 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.	Amenity use, residential and other development in adjacent areas, encroachment of scrub

002324 Glendine Wood	Semi-natural Woodland with rare assemblages of Ground Flora.	<p>To maintain the Annex I habitats and Annex II species for which the cSAC has been selected at favourable conservation status.</p> <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>Collection of samples, outdoor sport and leisure, human disturbance in localities used for recreational purposes. Woodland clearance, overgrazing, natural processes such as wind felling of trees.</p> <p>Modifications to the hydrology of a site through afforestation, road development or hydro-electric engineering, water pollution, air pollution, hydrocarbons, global warming, climate change</p>
000665 Helvick Head	Vegetated Sea Cliffs and Dry Heath.	<p>To maintain the Annex I habitats and Annex II species for which the cSAC has been selected at favourable conservation status.</p> <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>Agriculture, burning, sand and gravel extraction, urbanisation, industrialisation, acidification, tropospheric ozone and nitrogen enrichment caused by atmospheric deposition</p>
000072 Blackwater River (Cork/Waterford)	Estuary, Mudflats, Shingle Banks, Salt Meadows, Floating River Vegetation, Old Oak Woods, Alluvial Woodland, Yew Woodland, Freshwater Pearl Mussel, White-clawed Crayfish, Shad, Lampreys, Salmon, Otter, Killarney Fern	<p>To maintain the Annex I habitats and Annex II species for which the cSAC has been selected at favourable conservation status.</p> <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>	
001952 Comeragh Mountains	Blanket bog, Dry, Wet and Alpine Heath, Rocky Slopes, Oligotrophic Lakes, Floating River Vegetation, Shining Sicklemoss	<p>To maintain the Annex I habitats and Annex II species for which the cSAC has been selected at favourable conservation status.</p> <p>To maintain the extent, species richness and biodiversity of the entire site.</p> <p>To establish effective liaison and co-operation with</p>	<p>Agriculture, burning, sand and gravel extraction, urbanisation, industrialisation, acidification, tropospheric ozone and nitrogen enrichment caused by atmospheric deposition</p> <p>Abandonment, overgrazing, burning,</p>

		landowners, legal users and relevant authorities.	quarrying, outdoor recreation
		Special Protection Areas (SPAs)	
Site code Site name	Qualifying interests	Conservation objectives	Threats to site integrity
Helvick Head Coast	Peregrine, Chough Kittiwake and Guillemot	To maintain the bird species of special conservation interest for which this SPA has been listed at favourable conservation status	Development, Change in agricultural practices, agricultural abandonment, encroachment of scrub, loss of close-sward grazing,
Mid-Waterford Coast	Peregrine, Chough	To maintain the bird species of special conservation interest for which this SPA has been listed at favourable conservation status	Development, Change in agricultural practices, agricultural abandonment, encroachment of scrub, loss of close-sward grazing,

5. Screening Assessment

Table 4 presents assessment of impacts from the Town Development Plan 2012-2018 at a strategic level on Natura 2000 sites where they occur adjacent to Dungarvan. Potential impacts for Annex II species which occur within 15km of the town are also screened. These include Freshwater Pearl Mussel, Killarney Fern, Salmon, Crayfish, Twaite Shad and Otter.

Table 4. Habitats Directive Assessment Matrix to determine risk of significant impacts on SACs and SPAs.

Natura 2000 Site SAC	Pressure Topic	Possible impacts from Town Development Plan	Risk of Significant Impact	Mitigation measure
Dungarvan Bay	Water quality Waste Water Treatment (EPA classify trophic status as Intermediate. SERBDMP state the area requires restoration to reach good status under the WFD by 2015). DoEHLG Published Pollution Reduction Programme for Dungarvan Harbour for shellfish water 2009	Increase in population in Dungarvan, in combination with Ballinroad, Helvick and Baile na Gall	<p>Secondary treatment with a population equivalent to serve 25,000 is available at Dungarvan</p> <p>A secondary treatment WWTP is in place at Ballinroad and is at capacity with plans to connect current plant to Dungarvan WWTP under the current Water Services Investment Programme in 2011.</p> <p>A secondary WWTP was put in place in Ring/Helvick/Baile na Gall under the current Water</p>	<p>Draft Town Development Plan Policy INF11</p> <p>Phased residential zoning of lands in Ballynamuck East, Parknagappal, Parkatlugger,,Duckspool and Kilrush</p> <p>Provisions of Waste Water Discharge (Authorisation) Regulations S.I. no 684 of 2007 and application of PD 7/09</p> <p>DoEHLG Water Services Investment Programme Town Development Plan</p>

			Services Investment Programme (Dungarvan and Environs Sewerage Scheme) A licence application was made in June 2009 Under the Waste Water Discharge (Authorisation) Regulations 2007	South-East River Basin District Management Plan Policy ENV 4 & 5
Glendine Wood	Road development Tree Felling	None Dungarvan by-pass is an external project to this plan dealt with under in-combination impacts below	Route selection will be subject to EIA and AA to ensure avoidance of adverse impacts on the SAC and Annex II species.	By-pass scheme subject to project appropriate assessment Town Development Plan Policy NH7
Ardmore Head	Amenity use, residential and other development in adjacent areas, encroachment of scrub	No physical or hydrological links	None	N/A
Blackwater River (Cork/Waterford)		No physical or hydrological links Lickey (Blackwater) catchment 5km from	None	N/A
Comeragh Mountains	Recreational pressure	Growth in population could cause increased recreational	Plan seeks to implement population targets set out in	Town Development Plan objective CS1

		use of area	SERPGs and phase residential zoning	Phased-zoning of lands in Ballynamuck East, Parknagappal Parkatluggera, Duckspool and Kilrush
Helvick Head	Agricultural abandonment, encroachment of scrub, loss of close-sward grazing,	No physical or hydrological links Helvick Head 8 km from Dungarvan	None	N/A
Natura 2000 Site SPA	Pressure Topic	Possible impacts from Town Development Plan	Risk of Significant Impact	Mitigation measure
Helvick Head Coast	Disturbance	No physical or hydrological links Helvick Head 8 km from Dungarvan	None	N/A
Mid-Waterford Coast	Disturbance	No physical or hydrological links Ballyvoyle Head approximately 6 km from Dungarvan	None	N/A

Annex II species	Conservation Status³ (National level)	Pressure Topic	Risk of significant impact Mitigation measure
Killarney Fern	Good	Modifications to the hydrology of a site through development	None from Plan directly External Project - Dungarvan bypass will be subject to H.D.A. at the project level by the NRA
Salmon	Bad	Water quality	None from Plan directly Programme of Measures under WFD and River Basin District Management Plans
Crayfish	Poor	Water quality	None from Plan directly River Basin District Management Plans
Twaite Shad	Bad	Water quality	None from Plan directly River Basin District Management Plans
Otter	Poor Otter known from Dungarvan	Water quality Clearance of riparian vegetation	Infrastructure projects will be subject to H.D.A. at the project level
River Lamprey	Good	Water quality	None from Plan directly River Basin District Management Plans
Sea Lamprey	Poor	Weirs and Channel maintenance	None from Plan directly Infrastructure projects will be subject to H.D.A. at the project level

³ The Status of EU Protected Habitats and Species in Ireland DoEHLG 2008

5.2 Potential Impacts and Mitigation

5.2.1 Strategic Objectives

The Town Development Plan 2012-2018 aims to support growth in Dungarvan where existing and proposed infrastructural capacities permit. A review of the Town Development Plan 2006-2012 showed that of the existing area of zoned land in Dungarvan (approximately 240ha.) approximately 136 ha remains undeveloped.

The projected housing zoning requirements set out in the SE Regional Planning Guidelines 2010-2022 state a requirement for 43 ha of total zoned housing land in Dungarvan for the period 2010-2016 and 85 ha for County Waterford. The zoning proposed for the Dungarvan Town Plan 2012-2018 is broadly in line with targets set in the Regional Planning Guidelines.

In the context of Habitats Directive Assessment, potential impacts on Natura 2000 sites may arise where increased population growth cannot be served by water and wastewater infrastructure leading to deterioration of water quality standards and pollution which may compromise habitat quality and thereby affect the favourable conservation status of habitats and species. Eutrophication in some instances may provide richer feeding grounds for bird life in SPAs but in the main, water pollution is considered a threat to site integrity in the Natura 2000 network.

Development zoning in towns near rivers, estuaries and along coastlines which are designated SAC/SPA requires the provision of adequate waste water treatment capacity and appropriate level of treatment to reduce the threat of deteriorating water quality. The Dungarvan WWT plant (secondary treatment) has capacity to service current and projected future population with a Population Equivalent of 25,000.

A phased residential zoning of approximately 86ha is proposed in the review of the current Town Development Plan 2006-2012 in line with population targets set out in the South East Regional Planning Guidelines 2010-2022.

5.2.2 Development Policies and Objectives

Potential impacts on the Natura 2000 network from all policies and development objectives in the Town Development Plan were assessed (Appendix 1 and 3). While some policies set a framework for future development that may impact on SACs/SPAs, the strategic nature of the policy may not contain sufficient detail to accurately assess the significance of the impact and thus it is considered that the impacts will be more appropriately assessed at project level if and when that project is progressed. Amendments were accordingly proposed to ensure any development objectives and policies that could impact on SACs/SPAs are screened for appropriate assessment where relevant and progressed in compliance with Article 6 of the

Habitats Directive.

Any potential impacts at project level should also be mitigated by the range of policies contained in Section 8.15 of the Town Development Plan relating to Natural Heritage.

6. Impacts on Natura sites within 15km of County Waterford

There are 7 Natura 2000 sites located within 15km of Dungarvan. No significant impacts are implied for Ardmore Head, Helvick Head, Mid Waterford Coast, Comeragh Mountains, or The Blackwater River. Glendine Wood which contains the Annex II species Killarney Fern is relevant to the proposed N25 Dungarvan by-pass and would be subject to AA as part of that project AA screening which is external to this plan.

7. In-combination effects

The County Development Plan for Waterford 2011-2017 was reviewed as part of this screening assessment to assess possible in-combination impacts from the two plans.

There are 3 urban waste water treatment plants within the catchment of Dungarvan Harbour SPA. The Dungarvan plant (secondary treatment) has capacity to service current and projected future population with a Population Equivalent of 25,000. The Ring/Helvick/Ballinagoul plant is part of the Dungarvan and Environs Sewerage Scheme and incorporates secondary treatment. The Ballinroad Road plant is at capacity. Abandonment of the Ballinroad plant and connection to the Dungarvan and Environs Sewerage Scheme proposed under the current Water Services Investment Programme commenced in September 2011.

TABLE 8 – Urban waste water treatment plants

Name	Map Ref	Dist	Status	Treatment level	WSIP 07-09	Capacity PE	% surplus existing	% surplus future	At Risk
Ballinroad	682	0.5	nd	Secondary	Yes	750	7 %	-11 %	Yes – B
Dungarvan	692	0.5	nd	Secondary	Yes	25,000	-	-	No
Ring/Helvick/Ballinagoul	707	0.5	nd	Secondary	Yes	1,500	-	-	No

NOTE: A minus figure in the percentage surplus columns means that the plant is working above its design capacity. nd denotes 'no data' where plants are located in areas with no WFD status information

Source: *Characterisation Report for Dungarvan Harbour Shellfish area Pollution Reduction Programme 2009*

The total area of land zoned for residential development in Dungarvan in 2010 was approximately 132 ha and in Dungarvan Environs was 59 ha.

The total area of land zoned for residential development in Dungarvan Environs (Waterford County Development Plan 2011-2017) in 2011 is approximately 48 ha with another 19ha zoned R3-phased residential.

The total area of land zoned for residential development in Ballinroad is approximately 12 ha with another 5.7 ha zoned R3-phased residential.

The total area of land zoned for residential development in the Dungarvan Town Plan 2012-2018 is approximately 45 ha with approximately 86ha phased residential zoning proposed for lands at Ballynamuck East Parknagappal Parkatluggera, Duckspool and Kilrush.

In-combination the total area of land available for residential development in Dungarvan, Dungarvan Environs and Ballinroad is 105 ha with 110.7ha zoned as phased residential.

The projected housing zoning requirements set out in the SE Regional Planning Guidelines 2010-2022 state a requirement for 43 ha of total zoned housing land in Dungarvan for the period 2010-2016 and 85 ha for County Waterford. The zoning proposed for the Dungarvan Town Plan 2012-2018 is broadly in line with targets set in the Regional Planning Guidelines.

Dungarvan by-pass

Proposals are in place by the National Roads Authority for an N25/E30 Dungarvan Outer Bypass to link the N25 National Primary Route to the northeast of Dungarvan with the N25 National Primary Route to the southwest of the town. The by-pass will also provide a link to the N72 National Secondary Route and the R672 Regional Road. A preferred route corridor has been selected that runs 100m north of Glendine Wood SAC. Funding has not been made available for this road scheme to date to take it on to detailed design and EIS stage. The scheme will be screened for AA at project inception stage.

7. Conclusion

A Habitats Directive Screening Assessment was carried out on the Town Development Plan for Dungarvan 2012-2018. A review of conservation objectives and threats to site integrity for the range of Natura 2000 sites within and adjacent to the plan area was undertaken to identify sites that may be impacted by policies/objectives in the Town Development Plan. Pressure topics such as waste water treatment were assessed for their impacts on Dungarvan Bay. The assessment found there is adequate wastewater treatment capacity for existing and future population growth in the town. The proposed phased zoning of 86ha of residential lands until 2018 supports the sustainable development of the town.

In -combination impacts were considered involving a review of combined residential zonings in Dungarvan Environs and Ballinroad. Ballinroad WWT was at capacity and was connected to the Dungarvan and Environs sewerage Scheme under the Water Services Investment Programme in September 2011.

It is concluded that the policies, objectives and zonings proposed in the Dungarvan Development Plan 2012-2018 will not have an adverse impact on the conservation objectives for Dungarvan Harbour SPA nor on other Natura 2000 sites within the catchment.

The Draft Town Development Plan and AA Screening Report were made available for public consultation from 15th August 2011 until 24th October 2011. Amendments proposed to the plan were also screened for Appropriate Assessment (Appendix 3) and it was concluded that the proposed amendments will not have an adverse impact on the conservation objectives for Dungarvan Harbour SPA nor on other Natura 2000 sites within the catchment.

This assessment should be read in conjunction with the Town Development Plan 2012-2018 and the accompanying Environmental Report prepared in fulfilment of the SEA process.

Appendix 1. AA screening of Town Development Plan policies and objectives

Reference No.	Draft Dungarvan Development Plan Policy 2012-2018	Proposed Amended Policy following screening of Draft Plan Pre-public consultation	Proposed Amended policy following public consultation and review of submissions
Policy ECD 21	The Council supports the protection and sustainable development of coastal walkways in the interest of providing access to coastal heritage and scenic landscapes.	The Council supports the protection and sustainable development of coastal walkways in the interest of providing access to coastal heritage and scenic landscapes <u>subject to compliance with Articles 6 and 10 of the EU Habitats Directive.</u>	The Council supports the protection and sustainable development of coastal walkways in the interest of providing access to coastal heritage and scenic landscapes. <u>Routes near Special protection Areas will be subject to Habitats Directive Assessment</u>
Policy ECD 22	To develop the marine leisure sector of Dungarvan in a coherent and sustainable manner, including the development of marinas, water sport based activities, improvement of quays and slipways and enhanced interpretation and safety that do not cause landscape or environmental degradation and avoid adverse effects on the designated sites in the area.	To develop the marine leisure sector of Dungarvan in a coherent and sustainable manner, including the development of marinas, water sport based activities, improvement of quays and slipways and enhanced interpretation and safety that do not cause landscape or	To develop the marine leisure sector of Dungarvan in a coherent and sustainable manner, including the development of marinas, water sport based activities, improvement of quays and slipways and enhanced interpretation and safety that do not cause landscape or environmental degradation and avoid adverse effects on

		environmental degradation <u>subject to compliance with Articles 6 and 10 of the EU Habitats Directive.</u>	the designated sites in the area. <u>Developments likely to have an effect on the Special Protection Area will be subject to a Habitats Directive Assessment.</u>
ECD24	To support and co-operate with the appropriate development agencies in the provision of vital infrastructure at appropriate locations for forestry, fisheries and aquaculture activity in accordance with the policies and objectives for this plan.	Addition <u>And subject to compliance with Articles 6 and 10 of the EU Habitats Directive.</u>	To support and co-operate with the appropriate development agencies in the provision of vital infrastructure at appropriate <u>sustainable</u> locations for forestry, fisheries and aquaculture activity in accordance with the policies and objectives for this plan.
ECD 25	To support and promote the sustainable development of the aquaculture sector, in order to maximize its contribution to jobs and the economic profile of the Town, and the growth of coastal communities.	Addition <u>subject to compliance with Articles 6 and 10 of the EU Habitats Directive.</u>	
INF2	To protect the efficient and safe operation, and facilitate the ongoing development of National,	Mitigation by policy NH 7	

	Regional and Local Roads throughout Dungarvan in accordance with the National Development Plan 2007-2013 and Transport 21. The Planning Authority shall have regard to the Spatial Planning and National Roads (Draft) Guidelines for Planning Authorities and any subsequent guidelines on road planning that may be issued from the DoEHLG or the Department of Transport during the lifetime of this Plan. The Planning Authority shall consult with the NRA in the preparation of any Masterplan which may affect the carrying capacity of a National Road.		
INF15	To implement the plans, policies and objectives as set out in the Joint Waste Management Plan for the South East Region 2006, the National Waste Prevention Programme 2009-2012 and the EPA's National Hazardous Waste Management Plan at the Local Authority level.	Mitigation by policy NH 7	
INF18	To facilitate improvements in energy infrastructure. To support and facilitate the future expansion of the natural gas pipeline. To facilitate where appropriate future alternative renewable energy developments. To collaborate with Eirgrid in accordance with the Grid 25 Strategy to facilitate the delivery of quality connection, transmission and market services to electricity generators, suppliers and customers utilising the high voltage electricity system	Mitigation by policy NH 7	To facilitate <u>sustainable</u> improvements in energy infrastructure. To support and facilitate the future <u>sustainable</u> expansion of the natural gas pipeline. To facilitate where appropriate future <u>sustainable</u> alternative renewable energy developments. To collaborate with Eirgrid in accordance with the Grid 25

			Strategy to facilitate the <i>sustainable</i> delivery of quality connection, transmission and market services to electricity generators, suppliers and customers utilising the high voltage electricity system
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Appendix 2

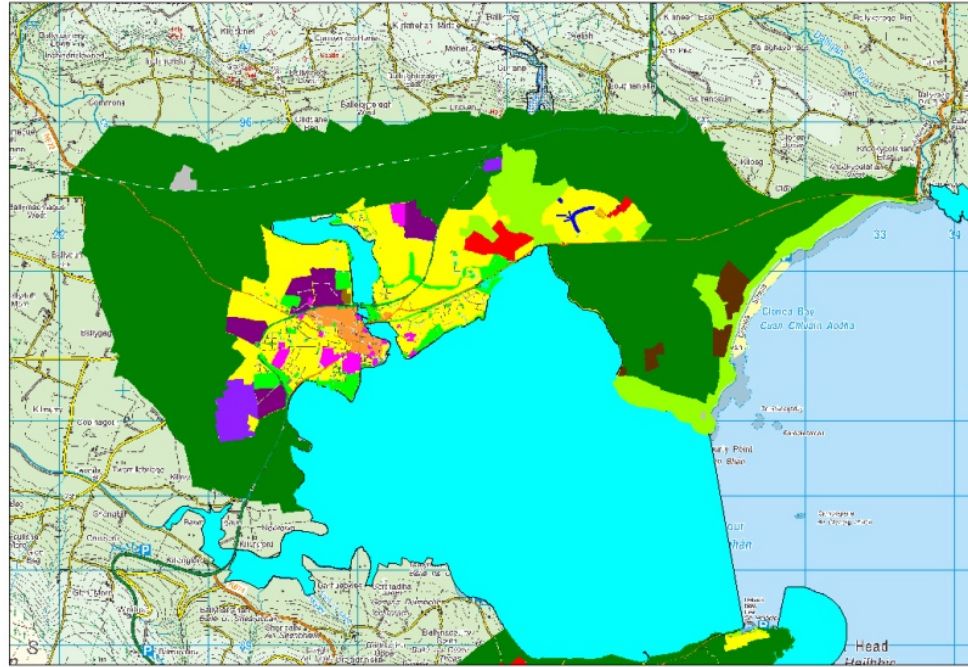


Figure 1. County Development Plan zoning 2005-2011 and Dungarvan Town Plan 2006-2012 (Dungarvan Harbour SPA in blue)

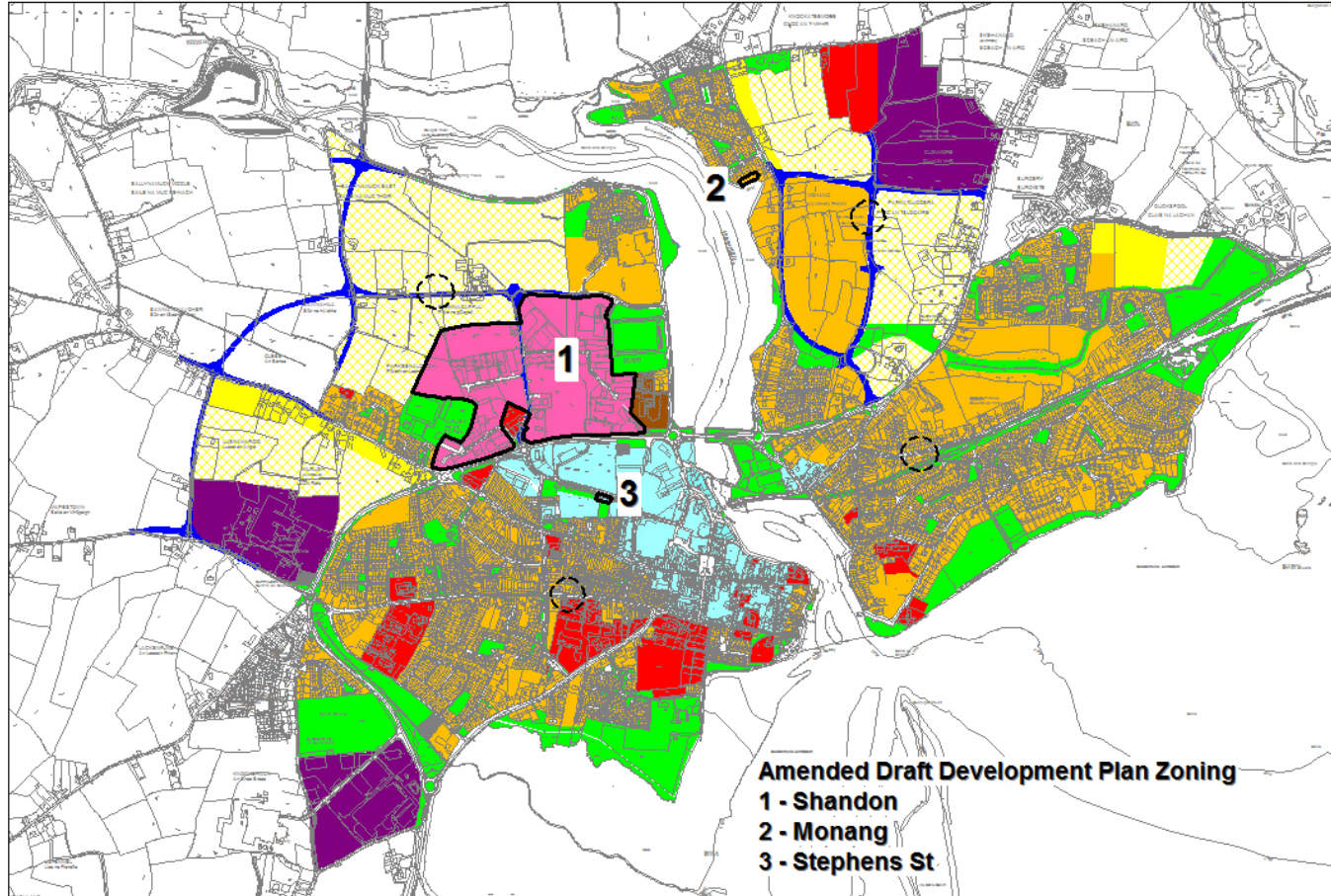
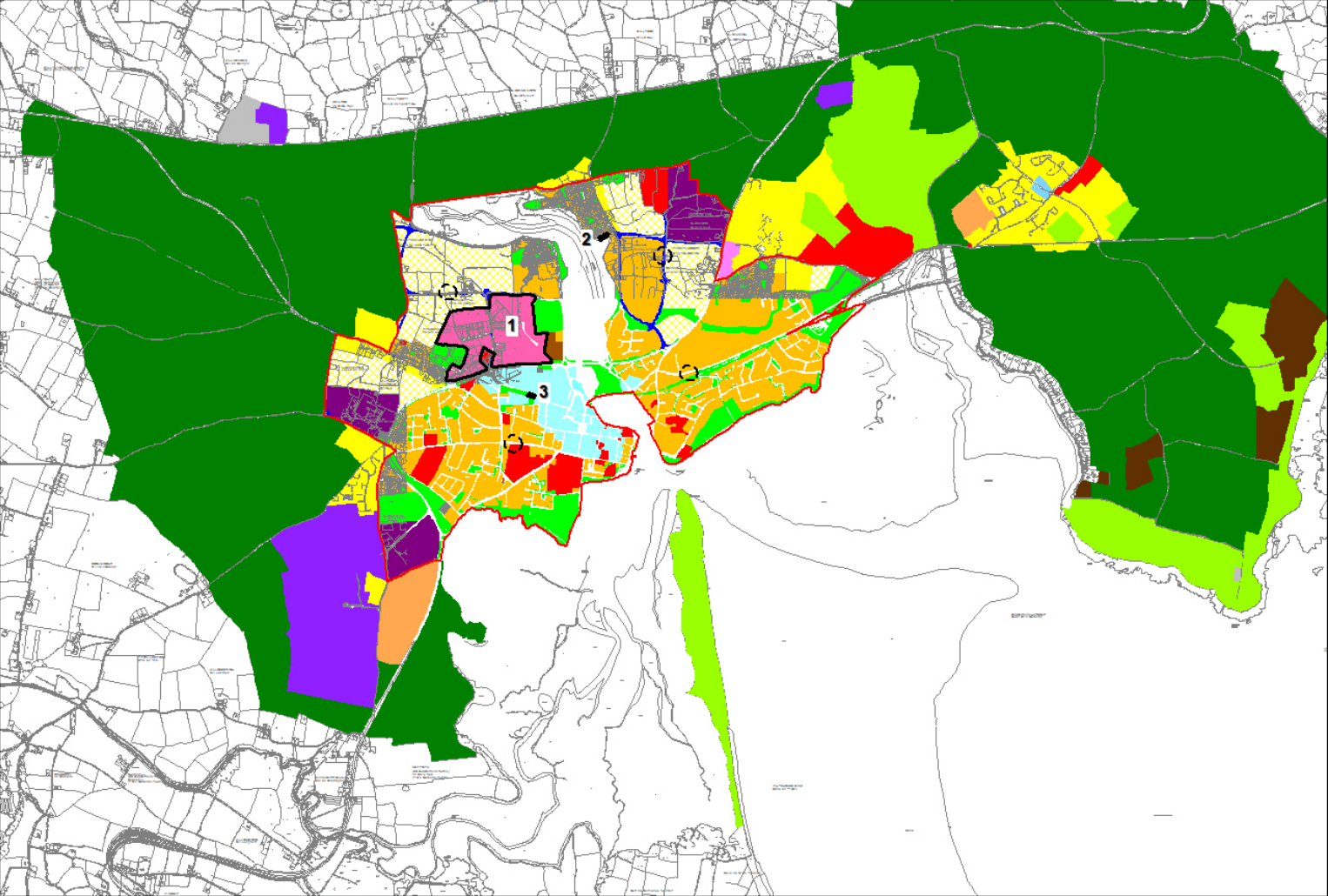


Figure 2. Dungarvan Town Zoning 2012-2018

Figure 3. Dungarvan Environs, Ballinroad Zoning 2011-2017 (Waterford County and Dungarvan Town Zoning 2012-2018)



Appendix 3. AA screening of Proposed Material Amendments to Dungarvan Town Development Plan 2012-2018

Proposed Amendment	Proximity to Natura 2000 site	Potential for Significant impact	Recommendation
Zoning Amendments			
Kilrush Business Park Change from Light Industry zoning to Special Use Zoning	200m	No significant adverse impact implied as land subject to existing zoning	No change
Fairlane Change from Open Space zoning to Town Centre zoning	380m	No significant adverse impact implied due to small area of land involved	No change
Monang Residential Zoning of approximately .16 ha	Adjacent to River Colligan Estuary /Dungarvan Bay SPA	No significant adverse impact implied. Any development proposed for site will be subject to AA at project level.	No Change

Town Development Plan 2012-2018

Policy	Proposed Amendment	Likely Significant Impact & recommendation
ENV7	To promote and facilitate the sustainable development and use of wind energy in and adjoining the Town where appropriate. <i>Developments likely to have an effect on the Special Protection Area will be subject to a Habitats Directive Assessment.</i>	No significant adverse impact implied – compliance with Habitats Directive required for policy
ENV8	The Council will facilitate and promote the use of <i>sustainable</i> ⁴ micro-renewable technologies in the generation of electricity where they will not have an adverse impact on residential amenities, biodiversity, water quality and landscape sensitivities. Screening for Appropriate Assessment will be carried out where required to ensure that there is no negative impact on the integrity (defined by the structure and function and conservation objectives) of any Natura 2000 site located at or adjacent to proposed site for micro renewable development and that the requirements of Articles 6 (3) and (4) of the EU Habitats Directive 92/43/EEC are fully satisfied.	No significant adverse impact implied-compliance with Habitats Directive required for policy
Obj ECD 6	To identify and develop visitor trails where appropriate <i>and sustainable</i> to promote heritage, open to the public and make accessible.	No significant adverse impact implied-compliance with Habitats Directive required for policy
INF18	1.To facilitate <i>sustainable</i> improvements in energy infrastructure. 2.To support and facilitate the future <i>sustainable</i> expansion of the natural gas pipeline. 3.To facilitate, where appropriate, future <i>sustainable</i> alternative renewable energy developments.	No significant adverse impact implied-compliance with Habitats Directive required for policy

⁴ Sustainable development includes compliance with all European Union Directives.

	4.To collaborate with EirGrid in accordance with the Grid 25 Strategy to facilitate the <u>sustainable</u> delivery of quality connection, transmission and market services to electricity generators, suppliers and customers utilising the high voltage electricity system	
Obj ENV1	It is an objective of the Development Plan: a)To encourage, where appropriate <u>and sustainable</u> , proposals for renewable energy developments and ancillary facilities; b)To support and encourage the appropriate <u>and sustainable</u> development of the bio-energy sector and facilitate its development for energy production, heat storage and distribution.	No significant adverse impact implied-compliance with Habitats Directive required for policy
ENV9	The Council will support and facilitate, where possible and at appropriate <u>and sustainable</u> locations, the policies and objectives of the South East Region Bio-energy Implementation Plan 2008-2013.	No significant adverse impact implied-compliance with Habitats Directive required for policy
ENV12	It is the policy of the Council that flood risk be managed pro-actively at all stages in the planning process, by avoiding development in flood risk areas where possible <u>and sustainable</u> , and by reducing the causes of flooding to and from existing and future development	No significant adverse impact implied-compliance with Habitats Directive required for policy
ECD 5	To facilitate, as the opportunities arise, the sustainable development/enhancement of tourist trails and designated walking and cycling trails that do not cause landscape or environmental degradation throughout the town and connecting to adjoining areas. The Council shall also encourage the development of off-road cycling at appropriate locations. <u>Trails near Special Protection Areas will be subject to Habitats Directive Assessment.</u>	No significant adverse impact implied-compliance with Habitats Directive required for policy
ECD 10	To support and facilitate the <u>sustainable</u> development of light industry lands for employment growth within Dungarvan	No significant adverse impact implied-compliance with Habitats Directive required for policy

ECD16	To encourage new investment in the Tourism sector with specific reference to accommodation in terms of choice, <u>sustainable</u> location and quality of product.	No significant adverse impact implied-compliance with Habitats Directive required for policy
ECD19	It is the policy of the Council to continue to promote and facilitate, where possible, the provision of high quality walking and cycling routes in the town. <u>Routes near the Special Protection Area will be subject to Habitats Directive Assessment.</u>	No significant adverse impact implied-compliance with Habitats Directive required for policy
ECD21	The Council supports the protection and sustainable development of coastal walkways in the interest of providing access to coastal heritage and scenic landscapes. <u>Routes near the Special Protection Area will be subject to Habitats Directive Assessment.</u>	No significant adverse impact implied-compliance with Habitats Directive required for policy
ECD22	To develop the marine leisure sector of Dungarvan in a coherent and sustainable manner, including the development of marinas, water sport based activities, improvement of quays and slipways and enhanced interpretation and safety that do not cause landscape or environmental degradation and avoid adverse effects on the designated sites in the area. <u>Routes near the Special Protection Area will be subject to Habitats Directive Assessment.</u>	No significant adverse impact implied-compliance with Habitats Directive required for policy
ECD 24	To support and co-operate with the appropriate development agencies in the provision of vital infrastructure at appropriate <u>sustainable</u> locations for fisheries and aquaculture activity.	No significant adverse impact implied-compliance with Habitats Directive required for policy
OP2	To improve public access to coastal and riverside areas. <u>Access development to and near Special Protection Areas will be subject to Habitats Directive Assessment.</u>	No significant adverse impact implied-compliance with Habitats Directive required for policy
CP2	To recognise the value of the Town's natural coastal defences and ensure their protection <u>by sustainable means and with professional advice</u>	No significant adverse impact implied-compliance with Habitats Directive required for policy
NH4	To conserve the favourable conservation status of species and	No significant adverse impact - compliance

	habitats <i>of conservation value</i> within Dungarvan Harbour Special Protection Area.	with Habitats Directive required for policy
NH14	To consult with Inland Fisheries Ireland and NPWS on any development proposal concerning riparian areas and watercourses <i>of conservation value</i> and to take account of the requirements for the protection of fisheries habitat during construction and development works at river sites.	No significant adverse impact - compliance with Habitats Directive required for policy
DM10.19	Where the Planning Authority considered out houses to be of architectural merit, consideration may be given to the restoration of same for appropriate and sympathetic residential/cottage industry type development. Full planning permission is required for the conversion of outbuildings. <u><i>A survey for bats and/or barn owls will be required for out houses likely to be breeding sites or resting places for these species.</i></u> Where a sensitive renovation proposal is presented the development management standards as set out in Table 10.3 should be adhered to.	No significant adverse impact implied-compliance with Habitats Directive required for policy
DM 10.32	<u><i>Car wash effluent and forecourt surface drainage treatment systems will have adequate measures in place for their maintenance</i></u>	Application of Development Management Standards. No significant Impacts
DM 10.34	The Planning Authority shall facilitate, <u><i>where possible and in accordance with the policies and objectives of this plan</i></u> the provision, of micro-renewable technologies.	No significant adverse impact implied-compliance with Habitats Directive required for policy
DM 10.35	Telecommunication infrastructure shall generally be favoured in agricultural/greenbelt lands or on other land uses which the Planning Authority may deem suitable <u><i>where possible and in accordance with the policies and objectives of this plan</i></u>	No significant adverse impact implied-compliance with Habitats Directive required for policy
DM 10.37	<u><i>Screening for Appropriate Assessment will be carried out where required to ensure that there is no negative impact on the</i></u>	No significant adverse impact implied-compliance with Habitats Directive

	<i>integrity (defined by the structure and function and conservation objectives) of any Natura 2000 site located at or adjacent to sites proposed for development and that the requirements of Articles 6 (3) and (4) of the EU Habitats Directive 92/43/EEC are fully satisfied.</i>	required for policy
Section 6.21	The development of telecommunication masts and antennae in Town Centre areas should be avoided where alternative locations are available.	No significant adverse impacts
DM1	The Planning Authority will undertake Stage II Flood Risk Assessment of the Plan commencing in 2012. <i>The Planning Authority will require Flood Risk Assessments to be undertaken on lands within the boundaries as defined by the Flood Map in accordance with Flood Risk Management-Guidelines for Planning Authorities 2009.</i>	No significant adverse impact implied-compliance with Habitats Directive required for policy
Flood Map	Insertion of Flood Map indicating areas of land in Dungarvan that will require Flood Risk Assessments to be undertaken in advance of approval for development.	Identification of areas of flood risk and requirement for flood risk assessment is positive.
CS3, Section 9.4 , CS 9, CS10 and CS11	Proposed changes to wording of these policies	No impacts
Section 4.7	The Council will also encourage the utilisation and redevelopment of obsolete and vacant sites by developers <i>where possible in a sustainable manner</i> in preference to green-field development.	No significant adverse impact implied-compliance with Habitats Directive required for policy
RPS	Additions and deletions to RPS	No impacts

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