

# Mountmellick Local Area Plan

## Screening Statement in support of Appropriate Assessment

19<sup>th</sup> March 2018

## **Mountmellick Local Area Plan**

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## 1.0 INTRODUCTION

Laois County Council has prepared a Local Area Plan (LAP) for Mountmellick for the period 2018-2024. Minogue & Associates have been appointed by Laois County Council to undertake a Strategic Environmental Assessment and Habitats Directive Assessment of the LAP. This Habitats Directive Assessment (HDA): Stage 1 Screening for Appropriate Assessment has been undertaken in conjunction with the Strategic Environmental Assessment (SEA) of the LAP and should be read in combination with the Strategy and the associated SEA environmental Report (ER).

The purpose of this Habitats Directive Assessment is to assess the potential for the LAP, its policies, objectives and land use zonings to result in likely significant effects to the integrity and conservation status of European Sites.

### 1.1 HABITATS DIRECTIVE ASSESSMENT

The Habitats Directive Assessment is an assessment of the potential effects of a land use plan or project on one or more Natura 2000 (N2K) Sites. It is noted that a Habitats Directive Assessment is commonly referred to as an “Appropriate Assessment” (Dodd *et al*, 2007). However “Appropriate Assessment” forms only one stage of the HDA process (all stages making up the assessment process are outlined in detail below). The EU Habitats Directive provides the legislative framework for the protection of habitats and species throughout Europe through the establishment of a network of designated conservation areas known as the N2K network. The N2K network includes sites designated as Special Areas of Conservation (SACs), under the EU Habitats Directive and Special Protection Areas (SPAs) designated under the EU Birds Directive. Under the European Communities (Birds and Natural Habitats Regulations 2011, as amended) SACs and SPAs are referred to as European Sites. SACs are designated in areas that support habitats listed on Annex I and/or species listed on Annex II of the Habitats Directive. SPAs are designated in areas that support: 1% or more of the all-Ireland population of bird species listed on Annex I of the EU Birds Directive; 1% or more of the population of a migratory species; and more than 20,000 waterfowl.

Articles 6(1) & (2) of the Habitats Directive set out provisions for the conservation management of European Sites. Articles 6(3) and 6(4) of this Directive set out a series of procedural steps to test whether or not a plan or project is likely to affect a European Site. Article 6(3) also establishes the requirement for a HDA:

*"any plan or project not directly connected with or necessary to the management of the (European) site but likely to have a significant effect thereon, either individually or in combination with other plans and projects, shall be subjected to appropriate assessment of its implications for the site in view of the site's conservation objectives. In light of the conclusions of the assessment of the implication 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 affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public".*

Therefore, the objective of this Screening is to identify whether or not land use measures outlined in the Mountmellick LAP will have the potential to adversely affect the integrity of European Sites. Such a conclusion will be arrived at by assessing the implications of LAP for each European Site's "qualifying interests" (i.e. those Annex I habitats and Annex II species of SACs and Special Conservation Interests (SCIs) of SPAs) and associated conservation objectives.

The HDA is underpinned by the precautionary principle. Therefore, if the risk of adverse impacts to the conservation objectives of a European Site cannot be ruled out it is assumed that the potential for an adverse impact will exist. Where such uncertainties are identified during the assessment, measures will be proposed to avoid or mitigate the risk of adverse impacts occurring.

The Screening was undertaken with reference to the following guidance documents on Habitats Directive Assessments:

- Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities (2009). DEHLG.

- Managing Natura 2000 Sites – The provisions of Article 6 of the Habitats directive 92/43/EEC. European commission (2000). (To be referred to as MN 2000).
- Assessment of Plans and Projects Significantly Affecting Natura 2000 sites – Methodological Guidance of the Provisions of Article 6(3) and (4) of the Habitats directive 92/43/EEC. European Commission (2001).

## **1.2 STAGES OF THE HABITATS DIRECTIVE ASSESSMENT**

The European Commission (2001) Guidance has outlined a staged process for the completion of a HDA.

- Stage 1 – Screening: This stage defines the proposed plan, establishes whether the proposed plan is necessary for the conservation management of the European Site and assesses the likelihood of the plan to have a significant effect, alone or in combination with other plans or projects, upon a European Site.
- Stage 2 – Appropriate Assessment: If a plan or project is likely to have a significant effect an Appropriate Assessment must be undertaken. In this stage the impact of the plan or project to the Conservation Objectives of the European Site is assessed. The outcome of this assessment will establish whether the plan will have an adverse effect upon the integrity of the European Site.
- Stage 3 – Assessment of Alternative Solutions: If it is concluded that, subsequent to the implementation of mitigation measures, a plan has an adverse impact upon the integrity of a European Site it must be objectively concluded that no alternative solutions exist before the plan can proceed.
- the Stage 4 – Where no alternative solutions exist and where adverse impacts remain but imperative reasons of overriding public interest (IROPI) exist for the implementation of a plan or project an assessment of compensatory measures that will effectively offset the damage to the Natura site 2000 will be necessary.

The remainder of this document sets out the Methodology and Results of the Stage 1 Screening Assessment. It is structured as follows:

Section 2: Habitats Directive Assessment Methodology;

Section 3: Summary Description of the Mountmellick LAP;

Section 4: Identifies the European Sites within the zone of influence of the Mountmellick LAP;

Section 5: Identifies the Likely Significant Effects of the Mountmellick LAP to European Sites occurring within its zone of influence;

Section 6: provides a Screening conclusion.

## 2.0 SCREENING METHODOLOGY

The function of the Screening Assessment is to identify whether the Mountmellick LAP will have a likely significant effect on European Sites. In this context “likely” means any effect that may be reasonably predicted and “significant” means not trivial or inconsequential but an effect that is potentially relevant to the Site’s conservation objectives<sup>1</sup>. Any effect, which would compromise the functioning and viability of a Site and interfere with achieving the conservation objectives of the Site would constitute a significant effect.

The nature of the likely interactions between the Mountmellick LAP and the integrity of European Sites will depend upon the potential for land use elements of the LAP to interact with European Sites and their associated qualifying features of interest; the sensitivity of European Site qualifying features to potential impacts associated with land use policies, objectives and zoning of the LAP; the current conservation status of the European Site qualifying features; and the likely changes that will result from the implementation of the Mountmellick LAP, in combination with other plans and projects.

The European Commission Guidelines (2001) outline the stages involved in undertaking a Screening assessment of a plan or project that has the potential to have likely significant effects on European Sites. The methodology adopted for the Screening of the Mountmellick LAP is informed by these guidelines and was undertaken in the following stages:

1. A brief description of the Mountmellick LAP is provided and determine whether it is necessary for the conservation management of European Sites;
2. Identification of European Sites occurring within the zone of influence of the Mountmellick LAP;
3. Review the aims, policies, objectives and zoning proposed in the Mountmellick LAP to determine which have the potential to affect European Sites and determine whether the European Sites are vulnerable to the effects; and

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<sup>1</sup>See English Nature’s Habitat Regulations Guidance Note No. 3, 1999.

4. Identification of other plans or projects that, in combination with the aims, policies, objectives and zoning of the Mountmellick LAP, have the potential to affect European Sites.

### **3.0 BRIEF DESCRIPTION OF THE MOUNTMELLICK LAP**

The Mountmellick LAP aims to provide a statutory framework for the future growth, development and improvement of Mountmellick that are consistent with county, regional and national development policies and objectives, set out in the Laois County Development Plan (CDP) – 2017 – 2023; Midland Regional Planning Guidelines 2010 – 2022; National Spatial Strategy 2002 - 2020 and the Project Ireland 2040 National Planning Framework.

The purpose of the Mountmellick LAP is to guide future development within Mountmellick LAP, in a sustainable and equitable manner and to inform members of the public, the local community, stakeholders, developers and the Planning Authority regarding policies and objectives for development, including provisions in relation to land use management, economic development, community facilities and amenities, transport and infrastructure, urban design, heritage and the environment.

The Mountmellick Local Area Plan is based on a number of general goals which are designed to improve the quality of life of the citizens of the town and surrounding hinterland and which the council will endeavour to implement during the period of the plan. The development of Mountmellick over the lifetime of this plan shall be focused on employment generation, the consolidation of the town centre and the provision of community and social services.

The following are specific objectives in relation to the delivery of the Strategy:

1. To support and facilitate sustainable intensification and consolidation of the town centre and in established residential areas;
2. To promote balanced economic development and employment ensuring a diverse range of economic sectors are developed and supported;
3. To promote and support the development of enterprise and employment;
4. To support and facilitate development on zoned land based on the policies and objectives of the Laois County Development Plan 2017-2023;
5. To focus new residential development into infill and backland sites;

6. To protect, conserve and enhance the built, natural and cultural environment, through promoting awareness, utilising relevant heritage legislation and promoting good quality urban design;

On the basis of the above it is the key policy of the Council to:

1. Implement the development strategies for Mountmellick in order to be consistent with, and in accordance with policies of higher tier plans.
2. Support strategic enterprise and employment opportunities at appropriate locations in Mountmellick, having regard to proper planning and sustainable development and relevant development control standards.
3. Facilitate and promote Mountmellick's role as a "Service Town" as designated in the MRPGs and Laois County Development Plan 2017-2023.
4. Monitor and manage the delivery of population and housing in Mountmellick, in line with national, regional and county level objectives, through the development strategy in this plan and also through the development management process. To cooperate with the Eastern and Midland Regional Assembly as part of the monitoring and review approach.
5. Facilitate the support and provision of new, and expansion of existing, services, facilities and community infrastructure.

### **3.1 MOUNTMELLICK LAP & NATURA CONSERVATION MANAGEMENT**

The Mountmellick LAP sets out an overall strategy for the proper planning and sustainable development of Mountmellick. It is clear from strategic objectives of the Plan, as outlined above, that it is not necessary for the management of any European Site for nature conservation purposes. Therefore consideration is given to the Plan and whether it has the potential to result in likely significant effects to European Sites and their Conservation Objectives.

## **4.0 IDENTIFICATION OF EUROPEAN SITES WITHIN THE ZONE OF INFLUENCE OF THE MOUNTMELLICK LAP**

In order to identify the European Sites that could be significantly affected by the implementation of the Mountmellick LAP an initial long-list of sites occurring within a 15km radius of the LAP area (to be referred to as the study area) has been compiled. The establishment of a 15km buffer area surrounding the LAP area is in line with the DAHLG recommended procedures for identifying European Sites. The buffer distance of 15km was also considered sufficient to ensure all potential impacts to European Sites arising from the implementation of the Plan were taken into account (see Section 4.1 below for more information).

### **4.1 IDENTIFICATION OF THE ZONE OF INFLUENCE OF THE LAP**

One European Site, the River Barrow and River Nore SAC, occurs within the boundary of the LAP and as such this SAC was automatically considered to occur within the zone of influence of the plan. All other European Sites were identified as occurring within the zone of influence of the LAP where connections and pathways between the LAP area and surrounding European Sites occur. A review of the pathway and connections between the LAP and surrounding European Sites has confirmed that the LAP Area is not connected to any European Sites beyond a 15km radius of the area. Given the absence of any connections or pathways to European Sites beyond 15km it was considered acceptable to restrict the screening of all likely significant effects that may arise from Plan to a radius of 15km from the Plan boundary. This approach is also in line with the recommendations of the DEHLG (2010) guidelines, which recommend all European Sites occurring within the 15km have been examined at the Screening stage.

### **4.2 EUROPEAN SITES WITHIN 15KM OF THE PLAN**

A total number of four European Sites, comprising threeSACs and one SPA, were identified within a 15km radius of the LAP area (see Figures 4.1 and 4.2). These European Sites along with their qualifying features of interest and their dominant habitat and species characteristics are presented in Table 4.1.



Figure 4.1: SACs and SPAs within 15km of the Mountmellick LAP Boundary

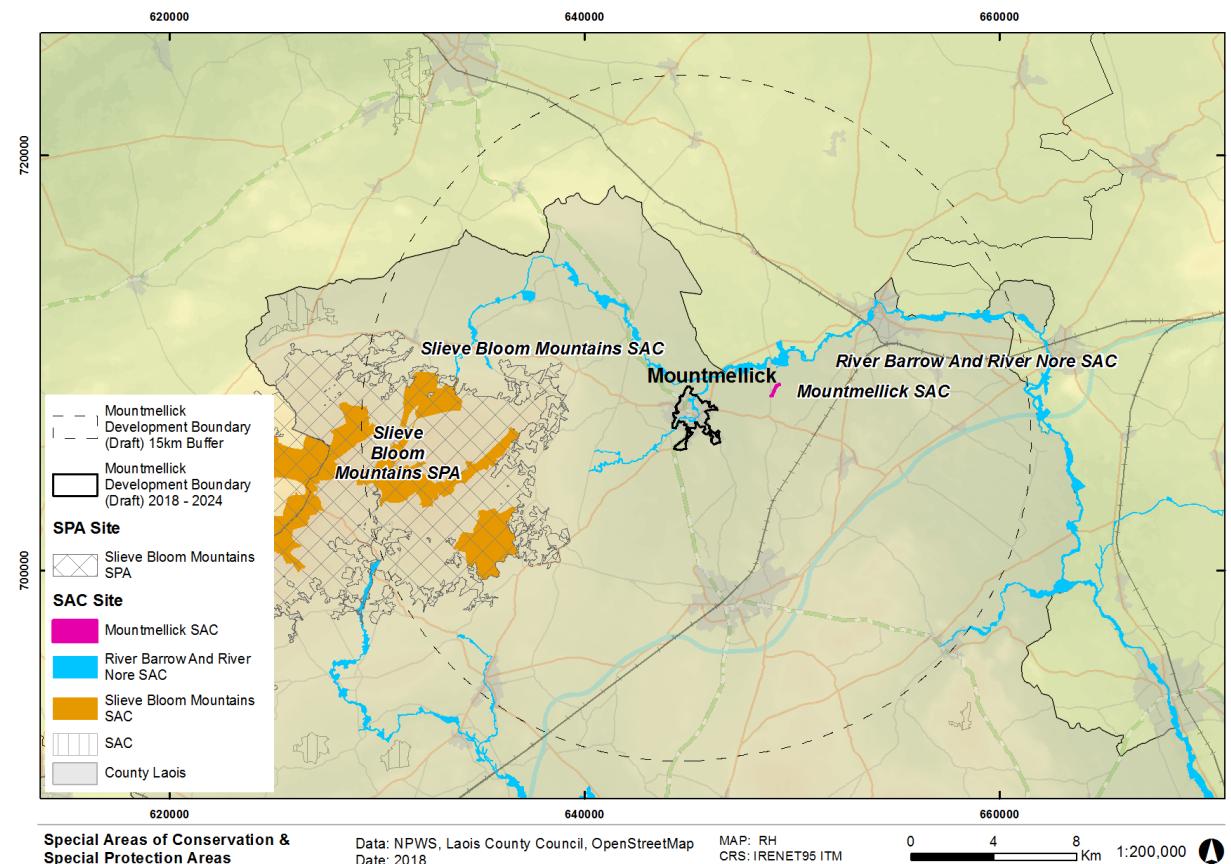


Table 4.1: European Sites within 15km of the Mountmellick LAP Area

Site Name	Qualifying Features of Interests	Dominant Feature	Habitat	Qualifying Species: Mobile or Sedentary
<b>SACs</b>				
River Barrow and River Nore SAC (002162)	<p><i>Vertigo moulinsiana</i> [1016]</p> <p>Freshwater pearl mussel (<i>Margaritifera margaritifera</i>) [1029]</p> <p>White-clawed crayfish (<i>Austropotamobius pallipes</i>) [1092]</p> <p>Sea lamprey (<i>Petromyzon marinus</i>) [1095]</p> <p>Brook lamprey (<i>Lampetra planeri</i>) [1096]</p> <p>River lamprey (<i>Lampetra fluviatilis</i>) [1099]</p> <p>Allis shad (<i>Alosa alosa</i>) [1102]</p> <p>Twaite shad (<i>Alosa fallax fallax</i>) [1103]</p> <p>Salmon (<i>Salmo salar</i>) [1106]</p> <p>Estuaries [1130]</p> <p>Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p>Salicornia and other annuals colonizing mud and sand [1310]</p> <p>Spartina swards (<i>Spartinum maritima</i>) [1320]</p>	Waterbody	Mobile	

Site Name	Qualifying Features of Interests	Dominant Feature	Habitat	Qualifying Species: Mobile or Sedentary
	Atlantic salt meadows ( <i>Glauco-Puccinellietalia maritimae</i> ) [1330] Otter ( <i>Lutra lutra</i> ) [1355] Mediterranean salt meadows ( <i>Juncetalia maritimi</i> ) [1410] Killarney fern ( <i>Trichomanes speciosum</i> ) [1421] Pearl mussel ( <i>Margaritifera durrovensis</i> ) [1990] Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation [3260] European dry heaths [4030] Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels [6430] Petrifying springs with tufa formation ( <i>Cratoneurion</i> ) [7220] Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in British Isles [91A0] Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> ( <i>Alno-Padion</i> , <i>Alnion incanae</i> , <i>Salicion albae</i> ) [91E0]			
Mountmellick SAC (002141)	<i>Vertigo mouliniana</i> [1016]	NA	Sedentary	

Site Name	Qualifying Features of Interests	Dominant Feature	Habitat	Qualifying Species: Mobile or Sedentary
Slieve Bloom Mountains SAC (000412)	Northern Atlantic wet heaths with <i>Erica tetralix</i> [4010] Blanket bog (*active only) [7130] Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, <i>Alnion incanae</i> , <i>Salicion albae</i> ) [91E0]	Peatland		NA
<b>SPAs</b>				
Slieve Bloom Mountains SPA (004160)	Hen Harrier ( <i>Circus cyaneus</i> ) [A082]	Peatland		Mobile

#### 4.3 EUROPEAN SITES WITHIN THE ZONE OF INFLUENCE OF THE MOUNTMELLICK LAP

Following the identification of all European Sites occurring within a 15km radius of the Plan area, the next step in the Screening is the identification of those European Sites occurring within the zone of influence of the Plan. As the River Barrow and River Nore SAC occurs within the boundary of the plan area it is considered to occur within the zone of influence of the plan. The next nearest European Site (Mountmellick SAC) to the plan area is located approximately 2.7km (as the crow flies) from the Plan area. Given this distance separating the plan from the other European Sites listed in Table 4.1 above the Plan will not have the potential to result in direct impacts to them. Thus this Screening exercise focuses on investigating whether the Plan will have the potential to result in indirect effects to the Mountmellick SAC and the Slieve Bloom Mountains SPA or effect mobile species associated with these European Sites beyond the boundaries of their designated conservation areas.

A source-pathway-receptor model has been used to establish which European Sites could occur within the zone of influence of potential indirect impacts. Under such a model the Plan and its land use elements represent the source.

Potential impact pathways are restricted to hydrological pathways and the potential for mobile qualifying species of European Sites to interact with the Plan and its land use elements.

The receptors represent European Sites and their associated qualifying features of interest.

European Sites and their associated qualifying features are likely to occur in the zone of influence of the project only where hydrological pathways establish a link between the project and the European Site or where there is potential for qualifying species of surrounding European Sites to interact with or be affected by land use elements of the Plan. Other impact pathways such as aerial emission pathway, lighting and disturbance pathways are not considered to have the potential to link the Plan area to surrounding European Sites due to the distance between the Plan area and these European Sites.

Table 4.2 provides a determination as to whether each European Site within a 15km buffer distance of the Plan area occurs within the zone of influence of the Plan. This determination has been undertaken in line with the following assessment questions:

- Is there hydrological pathway link between the Plan area and European Sites?
- Are qualifying habitats of these European Sites at risk of experiencing impacts as a result of the project?
- Does the Plan area have the potential to interact and affect Annex II qualifying species/ special conservation interest species of these European Sites?

Note that, for completeness, the River Barrow and River Nore SAC is included in Table 4.2.

Table 4.2 below shows that of the three European Sites occurring within a 15km radius of the Plan area, only the River Barrow and River Nore SAC occurs within the zone of influence of the Plan.

As all other European Sites are not connected to the Plan area via an impact pathway they do not occur within the zone of influence of the project and are screened out at this stage of the Screening process. Thus the remainder of this Screening will investigate whether the project has the potential to result in likely significant effects to the conservation objectives of the River Barrow and River Nore SAC.

Table 4.2: Identification of European Sites within the Zone of Influence of the Plan

European Sites	Distance from Plan area	Hydrological Pathway	Do qualifying habitats occur within the zone of influence of the plan?	Does the Plan have the potential to interact with Mobile Species?	Do European Sites occur within the Plan's Zone of Influence?
River Barrow and River Nore SAC (002162)	Within the plan boundary	Yes. The Owenass River flows through the LAP and this watercourse, which is a direct tributary of the River Barrow is designated as part of the River Barrow and River Nore SAC. As such this SAC is located within the plan area and there is a hydrological connection between the plan area and this SAC.	This SAC is designated for its role in supporting a range of coastal and estuarine habitats, terrestrial habitats and freshwater habitats. None of the SACs coastal and estuarine habitats or terrestrial habitats occur within the zone of influence of the project due to the distance buffering the Plan area from these habitats. However the freshwater dependent/influenced habitats of the area are considered to occur within the zone of influence of the Plan.	Yes. The River Barrow and River Nore SAC is designated for its role in supporting a range of mobile freshwater qualifying species that include three lamprey species, Atlantic Salmon and otters. These species are known to occur along the River Barrow in the plan area.	Yes, this SAC is located within the zone of influence of the Plan.
Mountmellick	2.7km to the	No. This SAC does not occur	No. No Annex 1 qualifying habitats	No. This SAC is designated for its	No. No impact pathways

European Sites	Distance from Plan area	Hydrological Pathway	Do qualifying habitats occur within the zone of influence of the plan?	Does the Plan have the potential to interact with Mobile Species?	Do European Sites occur within the Plan's Zone of Influence?
SAC (002141)	east	downstream of the Plan area.	are listed as qualifying features of interest for this SAC.	role in supporting the Annex 2 species <i>Vertigo moulinsiana</i> . This is a sedentary species and the habitats upon which this species rely are not connected to the Plan area.	link the Plan area to this SAC.
Slieve Bloom Mountains SAC (000412)	7.3km to the west	No. This SAC does not occur downstream of the Plan area.	No. This SAC is designated for terrestrial peatland habitats and alluvial woodland habitats, located at a remote distance from and upstream of the Plan area.	No. No Annex 2 species are listed as qualifying features of interest for this SAC.	No. No impact pathways link the Plan area to this SAC.
Slieve Bloom Mountains SPA (004160)	5km to the west	No. This SPA does not occur downstream of the Plan area.	No. No habitats upon which the Hen Harrier relies occur within the Plan area.	No. The Plan area does not support habitats upon which the Hen Harrier is known to rely and they are not likely to routinely or habitually interact with the Plan	No. No impact pathways link the Plan area to this SPA.

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European Sites	Distance from Plan area	Hydrological Pathway	Do qualifying habitats occur within the zone of influence of the plan?	Does the Plan have the potential to interact with Mobile Species?	Do European Sites occur within the Plan's Zone of Influence?
				area.	

#### 4.4 OVERVIEW OF THE RIVER BARROW AND RIVER NORE SAC

The River Barrow and River Nore cSAC spans a wide area of central and eastern Ireland, passing through eight counties in all (Offaly, Laois, Kildare, Carlow, Kilkenny, Tipperary, Wexford and Waterford). The designation covers the river channels and some adjacent terrestrial habitat from their upstream catchments in the Slieve Bloom Mountains to the estuary of the River Barrow at Creadun Head, Waterford. Tributaries of both rivers are also included in the designation.

The Owenass River, that flows through the LAP boundary is designated as part of the River Barrow and River Nore SAC.

#### 4.5 QUALIFYING FEATURES OF INTEREST OF THE RIVER BARROW AND RIVER NORE SAC OCCURRING IN THE ZONE OF INFLUENCE OF THE PLAN

The River Barrow and River Nore SAC is designated for a range of estuarine, lotic and riparian Annex 1 habitats, as well as lotic and terrestrial Annex 2 species. The qualifying features of interest of this SAC are outlined in Table 4.3.

Table 4.3: Qualifying Features of Interest of the River Barrow and River Nore SAC

Qualifying habitats/Qualifying Species Type	Qualifying feature of interest
Coastal/Estuarine	Estuaries Mudflats and sandflats not covered by seawater at low tide Reefs Salicornia and other annuals colonising mud and sand Atlantic salt meadows ( <i>Glauco-Puccinellietalia maritimae</i> ) Mediterranean salt meadows ( <i>Juncetalia maritimi</i> )
Terrestrial	European dry heaths Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles

Qualifying habitats/Qualifying Species Type	Qualifying feature of interest
	Trichomanes speciosum (Killarney Fern)
Surface Freshwater	Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation (to be referred to as "Floating River Vegetation"). Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels (to be referred to as Tall Herb Fringe Communities") Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) (to be referred to as Alluvial Forests) Vertigo moulinsiana (Desmoulin's Whorl Snail) MargaritiferamargaritiferaMargaritiferadurrovensis Austropotamobius pallipes (White-clawed Crayfish) Petromyzon marinus (Sea Lamprey) Lampetra planeri (Brook Lamprey) Lampetra fluviatilis (River Lamprey) Alosafallaxfallax (Twaite Shad) Salmo salar (Salmon) Lutra lutra (Otter) Vertigo moulinsiana (Desmoulin's Whorl Snail)
Groundwater	Petrifying springs with tufa formation (Cratoneurion) Vertigo moulinsiana (Desmoulin's Whorl Snail)

All coastal and estuarine qualifying habitats of this SAC are located at a remote distance from the project site and are not located within the zone of influence of the project. No examples of terrestrial qualifying habitats or species occur within the zone of influence of the project. The location of these features, as mapped in the Site Specific Conservation Objectives (SSCOs) (NPWS, 2011) for this SAC are located at remote distance from the project site. No groundwater habitats or species occur within the zone of influence of the project. The location of these features, as mapped in the Site Specific Conservation Objectives (SSCOs) (NPWS, 2011) for this SAC are located at remote distance from the project site.

It is the freshwater qualifying habitats and species of this SAC that require further examination to determine which, if any, of these occur within the zone of influence of the project.

A review of aerial imagery does not indicate the presence of any alluvial woodland habitats occurring along the section of the River Barrow within the plan area or downstream of the plan area and a review of Map 6 of the published SSCOs (NPWS, 2011) for this SAC indicates that the nearest example of this habitat to the plan area is approximately 45km downstream along the main channel of the River Barrow. In light of the distance between the project site and examples of this qualifying habitat, and the fact that a number of other watercourses discharge into the Barrow between the plan area and this location, thereby diluting the waters of the River Barrow downstream of the plan area, this habitat is not considered to lie within the zone of influence of the project.

The overall extent of hydrophilous tall herb fringe communities within the SAC is currently unknown. As such it is assumed that examples of this habitat occur along the River Barrow within and/or downstream of the plan area and within the zone of influence of the project.

The overall extent of the floating river vegetation habitat within the SAC is currently unknown. It is noted that the basis for the inclusion of this Annex 1 habitat on the list of qualifying habitats for this SAC is the presence of an excellent example of this community associated with extensive tufa deposits on the riverbed of the Kings River, which is a tributary of the River Nore. While this example of floating river vegetation is not hydrologically linked to the Plan area, it is possible that other examples of this qualifying habitat occur along the Owenass River and the main channel of the River Barrow, within and downstream of the plan area. As such this qualifying habitat is considered to occur within the zone of influence of the project.

The SSCO distribution maps of Annex 2 qualifying species of the SAC indicate that populations of the white-clawed crayfish occur approximately 1.3km downstream of the plan area along the main channel of the River Barrow. In addition the National Biodiversity Data Centre (NBDC) holds recent (i.e. 2009) records for the occurrence of white-clawed crayfish along the Owenass River, approximately 750m downstream of the plan area. No

other Annex 2 qualifying species are mapped in close proximity to the plan area. It is assumed that all qualifying fish species and otters occur along the River Barrow within and downstream of the plan area. In addition records for the presence of otters along the River Barrow within the plan area are held by the National Biodiversity Centre (NBDC). Thus in light of the above the qualifying features of interest of the SAC that occur within the zone of influence of the project are:

Floating River Vegetation; Tall Herb Fringe; White-clawed crayfish; Otter; and qualifying fish species, including Atlantic Salmon, Brook Lamprey, River Lamprey and Sea Lamprey.

#### **4.6 CONSERVATION OBJECTIVES FOR INTEREST FEATURES OF EUROPEAN SITES OCCURRING WITHIN THE ZONE OF INFLUENCE OF THE PROJECT**

Generic conservation objectives for all European Sites have been established by the National Parks and Wildlife Service (NPWS). The generic conservation objective for the two habitats occurring within the zone of influence of the project is to maintain the favourable conservation status of these habitats. The favourable conservation status of these habitats is achieved when:

- its natural range, and area it covers within that range, are stable or increasing, and
- the specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future, and
- the conservation status of its typical species is favourable.

The generic conservation objective for the qualifying species occurring within the zone of influence of the project is to maintain or restore the favourable conservation status of these species. This is achieved 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, and
- 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 probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

Detailed Site-Specific Conservation Objectives (SSCOs) have been published for the River Barrow and River Nore SAC and the qualifying features of interest of this SAC that occur within the zone of influence of the project. These SSCOs are outlined in the Natura Impact Report for the Mountmellick LAP.

#### **4.7 THREATS & PRESSURE TO THE RIVER BARROW AND RIVER NORE SAC & THE QUALIFYING FEATURES OF INTEREST OCCURRING WITHIN THE PLAN ZONE OF INFLUENCE**

Threats and pressures to the European Sites and qualifying features of interest in Ireland have been documented by the National Parks and Wildlife Service at two levels, namely at the European Sites level and at the qualifying feature of interest/ Annex 1 habitat and Annex 2 species level. The threats and pressures to European Sites are documented by the NPWS in the Natura 2000 - Standard Data Forms for each SAC. The Natura 2000 - Standard Data Forms for the River Barrow and River Nore SAC is available at <https://www.npws.ie/sites/default/files/protected-sites/natura2000/NF002162.pdf>. The threats and pressures to individual habitats and species listed on Annex 1 and Annex 2 of the Habitats Directive have been documented at a national level in Ireland's most recent Article 17 submission to the EU, titled *The Status of EU Protected Habitats and Species in Ireland* (NPWS, 2013).

Table 4.4 lists the threats and pressures to the River Barrow and River Nore SAC at the SAC site level and to each of the qualifying features of interest of the River Barrow and River Nore SAC occurring within the zone of influence of the Plan. Table 4.5 then groups these threats and pressures under impact types. The broad elements of the Plan that could give rise to these impact type are also listed in Table 4.5 so that relationship between the land use elements of the plan, the impacts that could arise from them and the existing threats and pressures to qualifying features of interest and the River Barrow and River Nore SAC are identified.

Table 4.4: Documented Threats & Pressures to the River Barrow and River Nore SAC & its Qualifying Features of Interest occurring within the Zone of Influence of the Plan

Site Features	Threats & Pressures
River Barrow and River Nore SAC (Site Level)	Forest and Plantation management & use Pollution to surface waters (limnic, terrestrial, marine & brackish) Use of fertilizers (forestry) Intensive cattle grazing Erosion Motorized nautical sports Forestry activities not referred to above Human induced changes in hydraulic conditions Changes in abiotic conditions Invasive non-native species Agricultural intensification Modifying structures of inland water courses Intensive fish farming, intensification Water abstractions from surface waters Peat extraction Fishing and harvesting aquatic resources Port areas Removal of hedges and copses or scrub Industrial or commercial areas Reduction in migration/ migration barriers Dredging/ removal of limnic sediments Estuarine and coastal dredging Netting Leisure fishing
Floating River Vegetation	Diffuse pollution to surface waters due to agricultural and forestry activities. Pollution to surface waters by industrial plants Mechanical removal of peat Modification of hydrographic functioning, general
Tall Herb Fringe	Agricultural intensification

Site Features	Threats & Pressures
	Grazing Pollution to surface waters Invasive non-native species Landfill, land reclamation and drying out, general
White-clawed crayfish	Invasive non-native species Leisure fishing Dredging/ removal of limnic sediments Management of aquatic and bank vegetation for drainage purposes Introduction of disease Pollution to surface waters
Otter	Roads, motorways Professional passive fishing Pollution to surface waters
Atlantic Salmon	Agricultural intensification Intensive sheep grazing Fertilisation Artificial planting on open ground (non-native trees) Forest replanting (non native trees) Use of fertilizers (forestry) Peat extraction Disposal of household / recreational facility waste Disposal of industrial waste Intensive fish farming, intensification Poaching Pollution to surface waters by industrial plants Diffuse pollution to surface waters due to agricultural and forestry activities Diffuse pollution to surface waters due to household sewage and waste waters Invasive non-native species Modification of hydrographic functioning, general Water abstractions from surface waters Management of aquatic and bank vegetation for drainage purposes

Site Features	Threats & Pressures
Lamprey Species	Canalisation Reduction in migration/ migration barriers Pollution to surface waters Siltation rate changes, dumping, depositing of dredged deposits Diffuse pollution to surface waters due to agricultural and forestry activities Other point source pollution to surface water

Table 4.5: Summary of Threats & Pressures and Relationship to the LAP

Impact Type	Threats & Pressures	Plan Elements
Agriculture, Forestry & Turbary	Forest and Plantation management & use Use of fertilizers (forestry) Intensive cattle grazing Erosion Agricultural intensification Peat extraction Removal of hedges and copses or scrub Diffuse pollution to surface waters due to agricultural and forestry activities. Mechanical removal of peat Grazing Intensive sheep grazing Fertilisation Artificial planting on open ground (non-native trees) Forest replanting (non native trees) Human induced changes in hydraulic conditions Changes in abiotic conditions Water abstractions from surface	The Plan has been prepared to provide a framework for the future growth, development and improvement of Mountmellick town. It does not contain any policies, objectives or zoning that relate to agriculture, forestry or turbary activities.

Impact Type	Threats & Pressures	Plan Elements
	waters Drainage Poaching	
Residential, Commercial, Industrial & Infrastructural Development	Modifying structures of inland water courses Canalisation Human induced changes in hydraulic conditions Modification of hydrographic functioning Changes in abiotic conditions Invasive non-native species Water abstractions from surface waters Industrial or commercial areas Pollution to surface waters Pollution to surface waters by industrial plants Other point source pollution to surface water Diffuse pollution to surface waters due to household sewage and waste waters Siltation rate changes, dumping, depositing of dredged deposits Landfill, land reclamation and drying out, general Roads, motorways Disposal of household / recreational facility waste Disposal of industrial waste Removal of hedges and copses or scrub	The Plan contains Policies, Objectives and Land Use Zoning relevant to future residential, commercial, industrial and infrastructural development as well as flood management and alleviation projects in the Plan area.  The key elements of the Plan that could exacerbate these threats and pressures are population growth, water use and surface water and wastewater generation, the generation of waste, changes in land use, the promotion and development of recreation, tourism, leisure and amenity facilities and the carrying out of flood management and alleviation projects.
Recreational Activity	Erosion	The Plan contains Policies,

Impact Type	Threats & Pressures	Plan Elements
	<p>Human induced changes in hydraulic conditions</p> <p>Fishing</p> <p>Pollution to surface waters</p> <p>Invasive non-native species</p> <p>Introduction of disease</p> <p>Management of aquatic and bank vegetation for drainage purposes</p> <p>Poaching</p>	<p>Objectives and Land Use Zoning relevant to future residential, commercial, industrial and infrastructural development in the Plan area.</p> <p>The key elements of the Plan that could exacerbate these threats and pressures are population growth, changes in land use and the promotion and development of recreation, tourism, leisure and amenity facilities in close proximity to or connected to the River Barrow.</p>

## **5.0 LIKELY SIGNIFICANT EFFECTS OF THE MOUNTMELLICK LAP TO EUROPEAN SITES OCCURRING WITHIN ITS ZONE OF INFLUENCE**

Section 4 above has identified the River Barrow and River Nore SAC as the only European Sites within the zone of influence of the Plan and has identified the qualifying features of interest of this SAC that occur within the Plan's zone of influence. The existing threats and pressures to these qualifying feature of interest have been listed in Tables 4.4 and 4.5 and elements of the Plan that have the potential to exacerbate these pressures have been identified.

To recapitulate the findings outlined in Table 4.5 the main elements of the Plan with the potential to result in threats and pressures to the qualifying features of interest of the River Barrow and River Nore SAC occurring within the zone of influence of the Plan relate to:

- Population growth and economic development leading to increases in consumption and waste generation;
- Zoning and potential for adverse effects to surface waters associated with development on newly zoned lands;
- Residential, commercial, industrial and infrastructural development and flood management and alleviation projects;
- Tourism and recreational development, principally relating to the development of recreational infrastructure such as walking and cycling along and in the vicinity of the River Barrow.

Each of these elements of the Plan will have the potential to result in adverse effects to hydrological processes and surface water quality. Adverse effects to hydrological processes and water quality will have the potential to result in:

- A reduction in the extent, distribution and/or status of floating river vegetation and tall herb fringe habitats along the stretch of the Owenass River within the plan area and along the River Barrow downstream of the plan area;
- Disturbance to otters, Atlantic Salmon, lamprey species and white-clawed crayfish occurring along the Owenass River and the main channel of the River Barrow within and downstream of the Plan area;

- A decline in the status of freshwater habitats along the Owenass River and the main channel of the River Barrow upon which the above listed species rely; and
- Reduction in the densities of the above listed species supported by the Owenass River and River Barrow within and downstream of the Plan area.

## **5.1 IN-COMBINATION EFFECTS WITH OTHER PLANS & PROJECTS**

As part of the Habitats Directive Article 6(3) assessment process consideration must be given to the potential for the Plan to combine with other plans or projects to result in cumulative negative effects to European Sites. Consideration has been given for this Plans potential to combine with a number of other plans relevant to the wider surrounding area. These plans include:

- Water Services Strategic Plan
- Regional Planning Guidelines 2010-2020- to be replaced by Regional Spatial and Economic Strategies
- Eastern Catchment and Flood Risk Assessment and Management Plan (draft)
- Eastern River Basin District Management Plan
- Eastern-Midlands Regional Waste Management Plan 2015
- Laois County Development Plan 2017-2023
- Offaly County Development Plan 2014 - 2020
- Laois Local Economic and Community Plan 2016
- Laois County Heritage Plan 2014-2019
- Offaly County Heritage Plan 2017-2023
- Irelands Ancient East and Laois Tourism Strategy 2018-2023
- Barrows Blueway Project

## **6.0 SCREENING CONCLUSION**

The Screening of the Mountmellick LAP as set out above shows that, in the absence of appropriate mitigation measures, the Plan will have the potential to result in likely significant effects to qualifying features of interest of the River Barrow and River Nore SAC.

Due to the potential risk of such effects occurring following the implementation of the Plan it has been concluded that Plan has the potential to result in significant effects to European Sites. As such a Stage 2 Appropriate Assessment and the preparation of an NIR is required.