

Screening for Appropriate Assessment of the Derrinturn Small Town Plan

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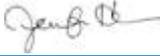
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1 INTRODUCTION

1.1 BACKGROUND

This report comprises information in support of screening for an Appropriate Assessment in line with the requirements of Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC) on the Conservation of Natural Habitats and of Wild Fauna and Flora; the Planning and Development Act 2010; and the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477/2011) of the Small Town Plan (STP) for Derrinturn in Kildare categorised as a small town in the Kildare County Development Plan 2011-2017. The report has taken into consideration: the European Commission's publication, *Assessment of plans and projects significantly affecting Natura 2000 sites - Methodological guidance on the provisions of Articles 6 (3) and (4) of the Habitats Directive 92/43/EEC*; Circular Letter SEA 1/08 & NPWS 1/08 from the Department of the Environment, Heritage and Local Government; and *Appropriate Assessment of Plans and Project in Ireland – Guidance for Planning Authorities* (2010) from the Department of the Environment, Heritage and Local Government.

1.2 DERRINTURN SMALL TOWN PLAN

The Kildare County Development Plan (CDP) 2011-2017 was prepared under the provisions of the Planning and Development Act 2000-2010 and came into effect on 2 May 2011. The adopted Plan underwent a detailed assessment of the impact of its implementation on the environment in accordance with the SEA Directive (2001/42/EEC). This Strategic Environmental Assessment is contained in Volume III of the CDP.

The CDP sets out the Core Strategy for the County for the period 2011-2017. The objectives and policies of Kildare County Council in respect of the physical planning are set out as well as the framework for coordinating the activities of the Council as service providers for, *inter alia* housing, sanitary services, roads, etc. The CDP designates smaller centres at the level of small town, rural settlement and rural nodes. Derrinturn is designated within the Small Town category.

In these small towns local business will be promoted and retail will mainly be of a convenience nature to serve the town and its local catchment. These small towns will also provide services such as schools, health facilities and recreational facilities. In all cases, the level of growth in small towns is to be managed in line with the ability of local services to cater for this growth.

Variation no. 1 of the CDP 2011-2017 will be carried out incorporating detailed objectives for each town in the Small Town category. These objectives will replace the current Local Area Plans for each Small Town areas once adopted. The variation will ensure that land use objectives within each town are consistent with the Core Strategy of the CDP.

1.3 LEGISLATIVE CONTEXT

The Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora, better known as "The Habitats Directive", provides legal protection for habitats and species of European importance. Articles 3 to 9 provide the legislative means to protect habitats and species of Community interest through the establishment and conservation of an EU-wide network of sites known as Natura 2000. These are Special Areas of Conservation (SACs) designated under the Habitats Directive and Special Protection Areas (SPAs) designated under the Conservation of Wild Birds Directive (79/409/ECC).

Articles 6(3) and 6(4) of the Habitats Directive set out the decision-making tests for plans and projects likely to affect Natura 2000 sites (Annex 1.1). Article 6(3) establishes the requirement for Appropriate Assessment (AA):

Any plan or project not directly connected with or necessary to the management of the [Natura 2000] site but likely to have a significant effect thereon, either individually or in combination with other plans or 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 implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.

Article 6(4) states:

If, in spite of a negative assessment of the implications for the [Natura 2000] site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature, Member States shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted.

Where the site concerned hosts a priority natural habitat type and/or a priority species the only considerations which may be raised are those relating to human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest.

1.4 STAGES OF THE APPROPRIATE ASSESSMENT

This Appropriate Assessment has been prepared in accordance with the European Commission Environment DG document *Assessment of plans and projects significantly affecting Natura 2000 sites: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC*, referred to as the "EC Article 6 Guidance Document (EC2000)". The guidance within this document provides a non-mandatory methodology for carrying out assessments required under Article 6(3) and 6(4) of the Habitats Directive, and are viewed as an interpretation of the EU Commission's document "*Managing Natura 2000 sites: The Provisions of Article 6 of the Habitats Directive 92/43/EEC*", referred to as "MN2000".

This Assessment has also taken into consideration the Department of the Environment, Heritage and Local Government publication *Appropriate Assessment of Plans and Project in Ireland – Guidance for Planning Authorities* (2010).

In complying with the obligations under Article 6(3) and following the EC2000 and MN2000 Guidelines, this AA has been structured as a stage by stage approach as follows:

1) Screening stage

- Description of the plan;
- Identification of Natura 2000 sites potentially affected;
- Identification and description of individual and cumulative impacts likely to result;
- Assessment of the significance of the impacts identified above on site integrity;
- Exclusion of sites where it can be objectively concluded that there will be no significant effects; and

- Screening conclusion.

2 SCREENING

2.1 DESCRIPTION OF PLAN

Derrinturn is designated as a Small Town in the County Settlement Strategy as contained in Chapter 3 of the CDP. The STP consists of specific objectives and a land use map that will ensure the sustainable development of the town over the period of the STP. Once adopted, it will supersede the Derrinturn LAP 2008. The development of Derrinturn is governed by the overarching policies and objectives of the CDP together with the relevant development management standards as outlined in Chapter 19.

Derrinturn is located in the north west of the County along the Regional Road, R403 between Allenwood to the south east, Carbury to the north west and Edenderry to the west. Derrinturn is approximately 21km from Clane and 30km from Naas.

The population of Derrinturn has increased from 791 in 2002 to 1,138 in 2006. The CDP Settlement Strategy allocates an additional 165 residential units to Derrinturn over the lifetime of the CDP and a population target of 1,362 persons by the year 2017.

Principles Governing Future Development of the Town

Future development of Derrinturn will take place in the context of the Core Strategy as outlined in Chapter 2 of the CDP. In this regard, the focus of new development will be on:

- Consolidating, strengthening and revitalising the town centre by promoting the development of under-utilised and derelict sites and by increasing the range of goods and services available;
- Encouraging the expansion of the town centre;
- Identifying appropriate areas for community and amenity focused mixed-use development; and
- Protecting and preserving the natural, architectural, archaeological and cultural heritage of Derrinturn.

2.2 EXISTING ENVIRONMENT AT THE STP LANDS

Derrinturn is a service centre for its surrounding hinterland. Since the 1990s it has experienced significant pressure for development to serve housing demands beyond the immediate hinterland and serves as a commuter town to Dublin and adjoining urban centres.

Derrinturn is located within the medium landscape sensitivity area identified in Chapter 14 of the CDP, which is recognised as having the ability to accommodate development pressure but with limitations in the scale and magnitude.

2.2.1 Water Quality / Water Framework Directive

Derrinturn lies within the South Eastern River Basin District for which a River Basin Management Plan 2009-2015 has been prepared. The Ballyshannon River has its source north of the town and it flows in a southerly direction through the town to its confluence with the Cushaling River. The Cushaling River forms part of the Figile River, which is a tributary of the River Barrow. The Cushaling waterbody is part of the Figile Water Management Unit. The overall status of this waterbody is “Bad” with restoration to “Good Status” required by 2021. River water monitoring is carried out by the Council and other agencies for the purposes of implementing the Water Framework Directive. Policies in relation to the maintenance and improvement of water quality are set out in Section 7.6.2 of the CDP.

2.2.2 Water Supply

Water in Derrinturn is primarily supplied from the Ballymore Eustace Regional Water Supply. Key water supply projects underway in order to facilitate the future development of the county include the Barrow Abstraction Scheme and the Ballymore Eustace Water Treatment Plant Upgrade.

The level of growth in Derrinturn will be managed in line with the ability of local services to cater for future growth. No development shall be permitted to proceed if the local services are insufficient to cater for the development.

2.2.3 Wastewater Facilities

The new wastewater treatment plant was completed in 2008 and provides for a population equivalent (PE) of 1,600 which is sufficient to cater for the projected demands of the town (1,362) over the period of the STP.

The level of growth in Derrinturn will be managed in line with the ability of local services to cater for future growth. No development shall be permitted to proceed if the local services are insufficient to cater for the development.

2.2.4 Groundwater Protection

Derrinturn is situated in the Kildare groundwater waterbody. The overall status of this waterbody is “Good” and therefore must be protected at a minimum. Derrinturn is situated on a locally important aquifer with groundwater vulnerability in the area classified as High. The Geological Survey of Ireland has completed a Groundwater Protection Scheme for County Kildare. The overall aim of the groundwater protection scheme is to preserve the quality of groundwater, particularly for drinking water purposes, for the benefit of present and future generations. The scheme is not intended to have any statutory authority, but provides a framework for decision-making and guidelines for the Council in carrying out its functions.

2.2.5 Flood Protection and Management

In accordance with Ministerial Guidelines, *The Planning System and Flood Risk Management – Guidelines for Planning Authorities* (2009), flood risk management will be integrated into spatial planning policies. While there are no recorded flood events in the village the STP will ensure that the proposed landuse planning framework will be informed by a process of screening for flood risk and any further flood risk assessment, as deemed appropriate.

In order to reduce surface water run-off and minimise the risk of flooding, the STP lands shall be required to be developed in accordance with Sustainable Drainage System (SuDS) principles in compliance with the Greater Dublin Strategic Drainage Study. This approach using SuDS can best be summarised as offering a “total” solution to rainwater management. Water is either infiltrated or conveyed more slowly to the drainage system and ultimately to watercourses, using for example permeable paving, swales, infiltration trench/blanket, soakways, green roofs, rain water harvesting, detention basins, ponds and wetlands. These facilities are designed to prevent pollution of streams and rivers and to slow runoff from sites, thereby helping to prevent downstream flooding and improve water quality. A “treatment train” approach is required to mimic natural catchment processes as closely as possible. This strategy shall comprise of a series of features which incrementally reduce pollution, flow rates and volumes of runoff.

2.3 BRIEF DESCRIPTION OF THE NATURA 2000 SITES

This section of the screening process describes the Natura 2000 sites within a 15km radius of the STP area. A 15km buffer zone has been chosen as a precautionary measure, to ensure that all potentially affected Natura 2000 sites are included in the screening process. This is in line with *Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities*, produced by the Department of the Environment, Heritage and Local Government.

Table 2.1 lists the SACs that are within 15km of the STP area. **Figure 2.1** shows their locations in relation to the Derrinturn STP area.

The integrity of a Natura 2000 site (referred to in Article 6.3 of the EU Habitats Directive) is determined based on the conservation status of the qualifying features of the SAC. The qualifying features for each site have been obtained through a review of the Conservation Objectives available from the NPWS.

Table 2.1: SACs within 15km of Derrinturn STP and their Qualifying Features

Site Code	Site Name	Qualifying Habitats	Qualifying Species
000925	The Long Derries, Edenderry SAC	Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco Brometalia</i>).	-
002331	Mouds Bog SAC	Active raised bogs [7110]; Degraded raised bogs still capable of natural regeneration [7120]; and Depressions on peat substrates of the <i>Rhynchosporion</i> [7150].	-
001387	Ballynafagh Lake SAC	Alkaline fens [7230].	Desmoulin’s Whorl Snail [1016]; and Marsh Fritillary [1065].
000391	Ballynafagh Bog SAC	Active raised bogs [7110]; Degraded raised bogs still capable of natural regeneration [7120]; and	-

Site Code	Site Name	Qualifying Habitats	Qualifying Species
		Depressions on peat substrates of the <i>Rhynchosporion</i> [7150].	

2.4 ASSESSMENT CRITERIA

2.4.1 Direct, Indirect or Secondary Impacts

As shown in **Table 2.1** there are 4 Natura 2000 sites within 15km of the STP boundary. No Natura 2000 site lies within the boundaries of the STP lands; therefore, no direct impacts will occur through landtake or fragmentation of habitats. In addition, the STP lands are approximately 4.4 km from the nearest Natura 2000 site (The Long Derries SAC), therefore, no impacts through direct disturbance of habitats and species will occur from development occurring through the implementation of the objectives of the STP.

Any changes to the groundwater regime or surface water quality could have adverse effects on the habitats and species for which the Ballynafagh Lake SAC, Ballynafagh Bog SAC, Mouds Bog SAC and The Long Derries SAC are designated.

The Long Derries cSAC

The Long Derries cSAC is located approximately 4.4km to the southwest of the STP boundary and are also separated by the Grand Canal (**Figure 2.1**). Given the elevation of the Long Derries SAC in the surrounding landscape relative to Derrinturn, it is anticipated that the groundwater within the STP boundary drains towards the Cushaling River to the south and is not connected to the groundwater of the Long Derries cSAC, which is also likely to drain to the Cushaling River, further to the south. Any potential development in Derrinturn is unlikely to impact on the groundwater regime of the Long Derries esker and therefore, will not impact on the integrity of the Long Derries cSAC or the habitat for which it is designated - Semi-natural dry grasslands and scrubland facies on calcareous substrates.

Ballynafagh Lake SAC

Ballynafagh Lake SAC is located approximately 10.5km to the southeast of the STP boundary. There is no connecting surface waters between the STP boundary and Ballynafagh Lake SAC. Therefore, any potential development within the STP lands is unlikely to impact on the integrity of Ballynafagh Lake SAC or the habitats for which it is designated.

Ballynafagh Bog SAC

Ballynafagh Bog SAC is located approximately 11.0km to the southeast of the STP boundary. Given the elevation of Ballynafagh Bog SAC in the surrounding landscape relative to Derrinturn, it is anticipated that the groundwater within the STP boundary drains towards the Cushaling River to the south and is not connected to the groundwater of Ballynafagh Bog SAC. Therefore, any potential development within the STP lands is unlikely to impact on the integrity of Ballynafagh Bog SAC or the habitats for which it is designated.

Mouds Bog SAC

Mouds Bog SAC is located approximately 14.6km to the southeast of the STP boundary and are also separated by the Grand Canal (**Figure 2.1**). Given the elevation of Mouds Bog SAC in the surrounding landscape relative to Derrinturn, it is anticipated that the groundwater within the STP boundary drains

towards the Cushaling River to the south and is not connected to the groundwater of Mouds Bog SAC. Therefore, any potential development within the STP lands is not likely to impact on the integrity of Mouds Bog SAC or the habitats for which it is designated.

2.4.2 Cumulative and in Combination Impacts

This step aims to identify at this early stage any possible significant in-combination or cumulative effects/impacts of the proposed draft STP with other such plans and projects on the 4 Natura 2000 sites. Other plans and projects specific to the 4 relevant Natura 2000 sites are the following:

- Kildare County Development Plan 20011-2017;
- Greater Dublin Area Regional Planning Guidelines 2010;
- National Spatial Strategy;
- Eastern RBD Management Plan;
- Water Services Investment Programme;
- IPPC Programme;
- Local Authority Discharge;
- Groundwater Pollution Reduction Programmes;
- Surface Water Pollution Reduction Programmes;
- Catchment Flood Risk Assessment and Management Study; and
- Catchment Flood Risk Management Plans.

No other pathway has been identified by which any of the plans and projects identified could have a significant 'in combination' effect on any of the 4 Natura 2000 sites identified.

2.4.3 Likely Changes to the Site

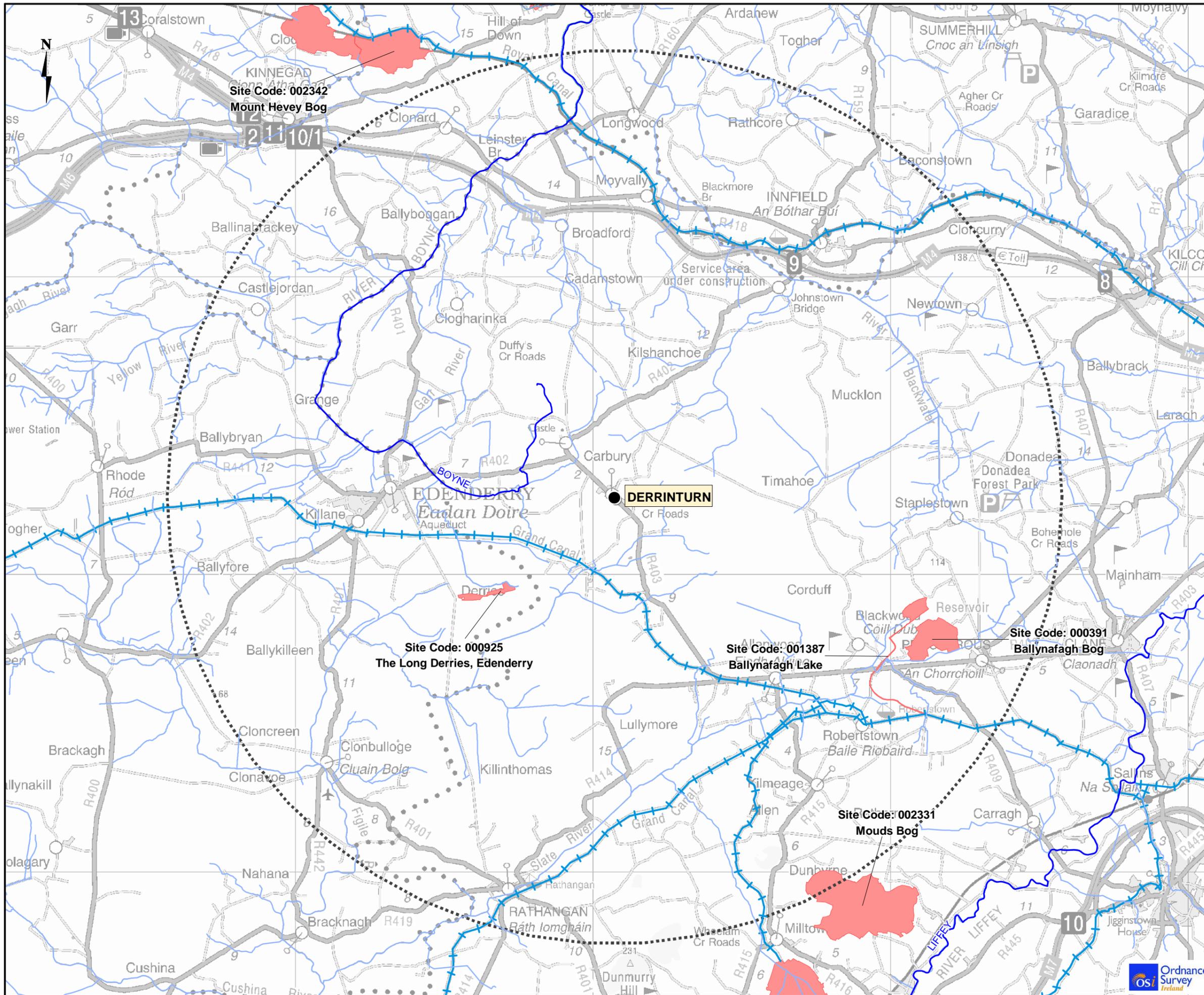
The likely changes that could arise from the implementation of the STP have been examined in the context of a number of factors that could potentially affect the integrity of the identified Natura 2000 sites. It has been determined that no Natura 2000 sites will be potentially impacted as a result of the STP. **Table 2.2** shows the Likely Changes to Natura 2000 Sites as a result of the STP.

Table 2.2: Likely Changes to Natura 2000 Sites

Site Name	Reduction of Habitat Area	Disturbance to Key Species	Habitat or Species Fragmentation	Reduction in Species Density	Changes in Key Indicators of Conservation Value (Water Quality Etc.)	Climate Change
The Long Derries, Edenderry SAC	None	N/A	None	None	None	N/A
Mouds Bog SAC	None	N/A	None	None	None	N/A
Ballynafagh Lake SAC	None	None	None	None	None	N/A
Ballynafagh Bog SAC	None	N/A	None	None	None	N/A

2.4.4 Elements of the Plan Where the Impacts are Likely to be Significant

The development of these lands could potentially yield additional residential units within Derrinturn town, which may cause additional load on waste water treatment systems, water supply, surface water run off, etc. However, the level of growth in Derrinturn will be managed in line with the ability of local services to cater for future growth. No development shall be permitted to proceed if the local services are not sufficient to cater for the development. Therefore, it is envisaged that no elements of the STP are likely to cause significant impacts on Natura 2000 sites.



Legend

- Special Protection Areas (SPAs)
- Special Areas of Conservation (SACs)
- Main River
- Small River/Stream
- Grand Canal
- Derrinturn
- Buffer (15km)

Data Source:
Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) was downloaded from National Parks and Wildlife Service (NPWS) website. Data was last updated 17/08/2011.

Rivers data was downloaded from Environmental Protection Agency (EPA).

Client
Kildare County Council

Project
Appropriate Assessment of Derrinturn Small Town Plan

Title
Natura 2000 Designated Areas

Figure 2.1

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3 SCREENING CONCLUSION AND STATEMENT

The likely impacts that will arise from the STP have been examined in the context of a number of factors that could potentially affect the integrity of the Natura 2000 network. None of the sites within 15km of the STP area will be adversely affected. A Finding of No Significant Effects Matrix has been completed and is presented in Section 4 of this Screening Statement.

On the basis of the findings of this Screening for Appropriate Assessment of Natura 2000 sites, it is concluded that the proposed STP will not have a significant effect on the Natura 2000 network and a Stage 2 Appropriate Assessment is not required.

4 FINDING OF NO SIGNIFICANT EFFECTS REPORT MATRIX

Name of project or plan	Derrinturn STP
Name and location of Natura 2000 site	The Long Derries SAC; Mouds Bog SAC; Ballynafagh Lake SAC; and Ballynafagh Bog SAC.
Description of the project or plan	<p>Derrinturn is designated as a Small Town in the County Settlement Strategy as contained in Chapter 3 of the CDP. The STP consists of specific objectives and a land use map that will ensure the sustainable development of the town over the period of the STP. Once adopted, it will supersede the Derrinturn LAP 2008. The development of Derrinturn is governed by the overarching policies and objectives of the CDP together with the relevant development management standards as outlined in Chapter 19.</p> <p>Derrinturn is located in the north west of the County along the Regional Road, R403 between Allenwood to the south east, Carbury to the north west and Edenderry to the west. Derrinturn is approximately 21km from Clane and 30km from Naas.</p> <p>The population of Derrinturn has increased from 791 in 2002 to 1,138 in 2006. The CDP Settlement Strategy allocates an additional 165 residential units to Derrinturn over the lifetime of the CDP and a population target of 1,362 persons by the year 2017.</p> <p>Principles Governing Future Development of the Town</p> <p>Future development of Derrinturn will take place in the context of the Core Strategy as outlined in Chapter 2 of the CDP. In this regard, the focus of new development will be on:</p> <ul style="list-style-type: none"> • Consolidate, strengthen and revitalise the village centre by promoting the development of under-utilised and derelict sites and by increasing the range of goods and services available; • Supporting the provision of public transport services; • Identifying appropriate areas for community and amenity focused mixed-use development; • Supporting development of renewable energy within and to serve the town; and • Protecting and preserving the natural, architectural, archaeological and cultural heritage of Derrinturn.
Is the project or plan directly connected with or necessary to the management of the site (provide details)?	No

<p>Are there other projects or plans that together with the project or plan being assessed could affect the site (provide details)?</p>	<p>Kildare County Development Plan 2011-2017; Greater Dublin Area Regional Planning Guidelines 2010; National Spatial Strategy; South Eastern RBD Management Plan; Water Services Investment Programme; IPPC Programme; Local Authority Discharge; Groundwater Pollution Reduction Programmes; Surface Water Pollution Reduction Programmes; Catchment Flood Risk Assessment and Management Study; and Catchment Flood Risk Management Plans.</p>
<p>The Assessment of Significance of Effects</p>	
<p>Describe how the project or plan (alone or in combination) is likely to affect the Natura 2000 site.</p>	<p>The proposed development is not likely to affect Natura 2000 sites.</p>
<p>Explain why these effects are not considered significant.</p>	<p>No Natura 2000 site lies within the boundaries of the STP lands; therefore, no direct impacts will occur through landtake or fragmentation of habitats. In addition, the STP lands are approximately 4.4 km from the nearest Natura 2000 site (The Long Derries SAC), therefore, no impacts through direct disturbance of habitats and species will occur from development occurring through the implementation of the objectives of the STP.</p> <p>Any changes to the groundwater regime or surface water quality could have adverse effects on the habitats and species for which the Ballynafagh Lake SAC, Ballynafagh Bog SAC, Mouds Bog SAC and The Long Derries SAC are designated.</p> <p>The Long Derries cSAC</p> <p>The Long Derries cSAC is located approximately 4.4km to the southwest of the STP boundary and are also separated by the Grand Canal (Figure 2.1). Given the elevation of the Long Derries SAC in the surrounding landscape relative to Derrinturn, it is anticipated that the groundwater within the STP boundary drains towards the Cushaling River to the south and is not connected to the groundwater of the Long Derries cSAC, which is also likely to drain to the Cushaling River, further to the south. Any potential development in Derrinturn is unlikely to impact on the groundwater regime of the Long Derries esker and therefore, will not impact on the integrity of the Long Derries cSAC or the habitat for which it is designated - Semi-natural dry grasslands and scrubland facies on calcareous substrates.</p> <p>Ballynafagh Lake SAC</p>

	<p>Ballynafagh Lake SAC is located approximately 10.5km to the southeast of the STP boundary. There is no connecting surface waters between the STP boundary and Ballynafagh Lake SAC. Therefore, any potential development within the STP lands is unlikely to impact on the integrity of Ballynafagh Lake SAC or the habitats for which it is designated.</p> <p>Ballynafagh Bog SAC</p> <p>Ballynafagh Bog SAC is located approximately 11.0km to the southeast of the STP boundary. Given the elevation of Ballynafagh Bog SAC in the surrounding landscape relative to Derrinturn, it is anticipated that the groundwater within the STP boundary drains towards the Cushaling River to the south and is not connected to the groundwater of Ballynafagh Bog SAC. Therefore, any potential development within the STP lands is unlikely to impact on the integrity of Ballynafagh Bog SAC or the habitats for which it is designated.</p> <p>Mouds Bog SAC</p> <p>Mouds Bog SAC is located approximately 14.6km to the southeast of the STP boundary and are also separated by the Grand Canal (Figure 2.1). Given the elevation of Mouds Bog SAC in the surrounding landscape relative to Derrinturn, it is anticipated that the groundwater within the STP boundary drains towards the Cushaling River to the south and is not connected to the groundwater of Mouds Bog SAC. Therefore, any potential development within the STP lands is not likely to impact on the integrity of Mouds Bog SAC or the habitats for which it is designated.</p>
List of agencies consulted: provide contact name and telephone or e-mail address.	N/A
Response to consultation.	N/A
Data Collected to Carry Out the Assessment	
Who carried out the assessment?	RPS
Sources of data	NPWS database Information from Kildare Water Services
Level of assessment completed	Desktop
Where can the full results of the assessment be accessed and viewed?	Kildare County Council Planning Department
Overall Conclusion	Stage 1 Screening indicates that the proposed LAP will not have a significant negative impact on the Natura 2000 network. Therefore, a Stage 2 'Appropriate Assessment' under Article 6(3) of the Habitats Directive 92/43/EEC is not required.