

**Kildare County Council (KCC)**

## Proposed Variation No. 4 of the Kildare County Development Plan 2023-2029 (as varied)

Screening for Appropriate Assessment (AA) Report

Reference: 02

Issue | 10 February 2026

This report takes into account the particular instructions and requirements of our client. It is not intended for and should not be relied upon by any third party and no responsibility is undertaken to any third party.

Job number 312816-01

**Ove Arup & Partners Ireland Limited**

50 Ringsend Road

Dublin 4

D04 T6X0

Ireland

[arup.com](http://arup.com)

## Contents

---

<b>1.</b>	<b>Introduction</b>	<b>1</b>
1.1	Overview	1
1.2	Report Aim	1
1.3	Background to the Proposed Variation No. 4	1
1.4	Legislative Context	2
1.5	Relationship with the SEA Directive	2
1.6	Statement of Competency	2
1.7	Report Structure	2
<b>2.</b>	<b>The Proposed Variation No. 4</b>	<b>3</b>
2.1	Overview	3
2.2	Proposed Variation No. 4 description	3
2.3	Geographic Area	3
2.4	Embedded Protective Policies and Draft New or Amended Policies and Objectives as Included in the Kildare CDP (as varied)	4
<b>3.</b>	<b>Data, Guidance and Methodology</b>	<b>5</b>
3.1	AA Stages	5
3.2	Definitions	5
3.3	Guidance	6
3.4	Data Sources	7
3.5	Methodology	7
<b>4.</b>	<b>Screening Assessment</b>	<b>8</b>
4.1	Overview	8
4.2	Source – Pathway – Receptor	8
4.3	In-Combination Effects	9
4.4	Summary	10

## Figures

Figure 1 Geographic areas relevant to the Proposed Variation No. 4	4
--	---

## Appendices

<b>Appendix A</b>	<b>A-1</b>	
A.1	Assessment of Potential Source of Impacts of the Proposed Variation No. 4	A-2
A.2	Mitigation Measures based on the policies and objectives of the Kildare CDP (as varied)	A-4
A.3	Embedded protective policies and objectives relevant to European sites included in the Kildare CDP (as varied) (as taken from the NIR of the Kildare CDP)	A-7
A.4	Source-Pathway-Receptor Assessment	A-23

# 1. Introduction

## 1.1 Overview

This report for the purposes of Appropriate Assessment (AA) screening has been prepared by Ove Arup and Partners Ltd (Arup) on behalf of Kildare County Council (KCC) with respect to Proposed Variation No. 4 of Kildare County Development Plan (CDP) 2023-2029 (as varied) (hereafter referred to as ‘the Proposed Variation No. 4’).

Article 6(3) of the Habitats Directive requires that any plan or project, which is not directly connected with, or necessary to the management of a European site, but would be likely to have a significant effect, either alone or in-combination with other plans or projects, should be subject to AA.

## 1.2 Report Aim

This AA Screening Report has been prepared to provide information for the ‘competent authority’<sup>1</sup> regarding the potential for ‘Likely Significant Effects’ (LSE) of the Proposed Variation No. 4, on European sites within the Zone of Influence (ZoI) of the Draft Variation No. 4.

## 1.3 Background to the Draft Variation No. 4

KCC published the Kildare CDP 2023-2029 in January 2023 which is the key strategy document which structures the proper planning and sustainable development of land-use across County Kildare over the six-year statutory time period of the plan. The CDP (as varied) consists of two volumes:

- **Volume 1 Written Statement** - The Written Statement constitutes the main body of the document which comprises the Vision, Core Strategy, development management standards and the overarching policies and objectives of the CDP.
- **Volume 2 Part 1: Small Towns and Environs Plans and Part 2: Villages Plans and Rural Settlements** provides a coherent planning framework for the small towns, environs of Ladytown and Blessington, villages, and rural settlements across the county. The Strategy includes policies and specific objectives which are underpinned by the strategic vision and the overarching guiding principles of the Kildare CDP (as varied). This Volume also includes land use zoning maps for small towns, villages and the environs of Ladytown and Blessington.

In February 2026, KCC, as Planning Authority, gave notice pursuant to Section 58(7) of the Planning and Development Act 2024, of Proposed Variation No. 4 No. 4 of the Kildare CDP 2023-2029 (as varied). The Proposed Variation No. 4 has been prepared to update the Kildare CDP 2023-2029 (as varied) by replacing the Landscape Character Assessment (LCA) (2004) with the recently completed LCA (2025), which was carried out in response to Action *LR A1* of the Plan, which seeks to review and update the LCA 2004 within two years of the adoption of the CDP (as varied), as follows:

- **LR A1:** Review and update the County Landscape Character Assessment, within two years of the adoption of this Plan, having regard to the European Landscape Convention Florence 2000, in accordance with all relevant legislation and guidance documents and to ensure consistency with the forthcoming National and Regional Landscape Character Assessment. All landscape character designations will be fully reviewed having regard to updated best practice guidance, LCAs of adjoining Local Authorities and other local relevant considerations, including clusters of biodiversity rich areas and the Council’s Green Infrastructure Strategy.

---

<sup>1</sup> Per the Planning and Development Act 2024, with regard to the appropriate assessment of plans, competent authority means “in relation to a development plan proposed to be made under *Chapter 5* of *Part 3* or a proposed variation of a development plan under that Chapter, the planning authority to whose functional area the development plan concerned relates.”

## **1.4 Legislative Context**

The Habitats Directive on the conservation of natural habitats and wild fauna and flora (92/43/EEC) (the ‘Habitats Directive’) provides the legal protection for habitats and species, with Articles 3 to 9 providing legislation protection to the EU wide network of sites known as the Natura 2000 site network.

Natura 2000 is a network of protected sites which comprises Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) (referred to as European sites within this report). SACs are protected sites designated under the Habitats Directive, whilst SPAs are protected sites designated under the Birds Directive. They are high quality sites that contribute significantly to the conservation of a large range of habitats and species.

Articles 6(3) and 6(4) of the Habitats Directive set out the decision-making tests for plans and projects likely to affect European sites. Article 6(3) establishes the requirement for AA whilst Article 6(4) sets out the Alternative Solutions, Imperative Reasons of Overriding Public Interest (IROPI) and compensatory measures where LSE on European sites cannot be excluded.

The Habitats Directive has been transposed into Irish law by the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011) (as amended), and by Section 202 of the Planning and Development Act 2024 (as amended). In the context of the AA screening of the Proposed Variation No. 4, the governing legislation is principally Section 202 of the Planning and Development Act 2024 (as amended).

## **1.5 Relationship with the SEA Directive**

In the preparation of this AA Screening report, the approach has been conducted in parallel with the requirements of the Strategic Environmental Assessment (SEA) process (2001/42/EC as transposed into Irish law). Article 3.2(b) of the SEA Directive expressly links to AA.

## **1.6 Statement of Competency**

The statements of competencies for the contributing authors to this Screening for AA report are provided below:

Sinead Whyte holds a BSc and MSc from UCD. She has over 25 years’ experience in the field of environmental assessment. She is a Chartered Member of the Institute of Water and Environmental Management for 20 years.

Maeve Riley has a BSc in Zoology from University College Cork, an MSc in Environmental Consultancy from Newcastle University and is a full member of CIEEM. Maeve is an ecologist with over 10 years of working in private ecological consultancy. She has worked across a range of projects preparing AA from renewable energy to LRD and water projects.

Scott Bastow holds a B.A. (Hons) in Zoology from Trinity College Dublin and is an associate member of CIEEM. Scott is an ecologist with approximately 2 and a half years’ experience working in private ecological consulting and is experienced with the AA process.

## **1.7 Report Structure**

The report is structured below:

- Section 2 provides an overview of the Proposed Variation No. 4
- Section 3 outlines the AA process, provides important definitions and outlines the guidance, data and methodology used to inform the assessment
- Section 4 sets out the screening assessment using the Source-Pathway-Receptor-model and details the assessment for effects and screening
- Section 5 provides a summary and conclusion.

## 2. The Proposed Variation No. 4

### 2.1 Overview

The CDP consists of two volumes, of which the Written Statement (Volume 1) sets out the strategic framework, policies, and objectives which guide sustainable development, land use, urban design, infrastructure, and environmental management across County Kildare. The Proposed Variation No. 4 comprises amendments to the written statement of the Kildare CDP 2023-2029 (as varied) as follows:

- Update Chapter 13 (Landscape, Recreation & Amenity) to replace the Landscape Character Assessment (2004) with the Landscape Character Assessment (2025). The changes include new landscape character types, landscape character areas, guidance principles for development, and updated policies and objectives, where relevant;
- Update the Wind Energy Strategy (Appendix 2 of the CDP (as varied)) to have regard to the Landscape Character Assessment (2025); and
- Include Landscape Character Assessment (2025) as a new Appendix (Appendix 13) to the CDP (as varied).

The Proposed Variation No. 4 is also supported by a Strategic Environmental Assessment (SEA) Screening Report pursuant to the Planning and Development SEA Regulations (as amended).

There are 14 no. amendments included in the Proposed Variation No. 4, refer to Appendix A for full details of the new objectives and textual amendments to existing objectives and policies in the CDP.

### 2.2 Proposed Variation No. 4 description

The full list of draft new and revised policies and objectives can be found within the Proposed Variation No. 4 and in Appendix A. It should be noted that the updated Chapter 13 (Landscape, Recreation & Amenity) of the CDP (as varied) will include revisions to the following existing objectives and policies: LR02, LR06, LR07, LR011, LR012, LR013, LR014, LR015, LRP2, LR017, LR018, LR030, LR031 and LR O38

### 2.3 Geographic Area

The geographic areas pertinent to Proposed Variation No. 4 of the Kildare CDP (as varied) are illustrated in Figure 1.

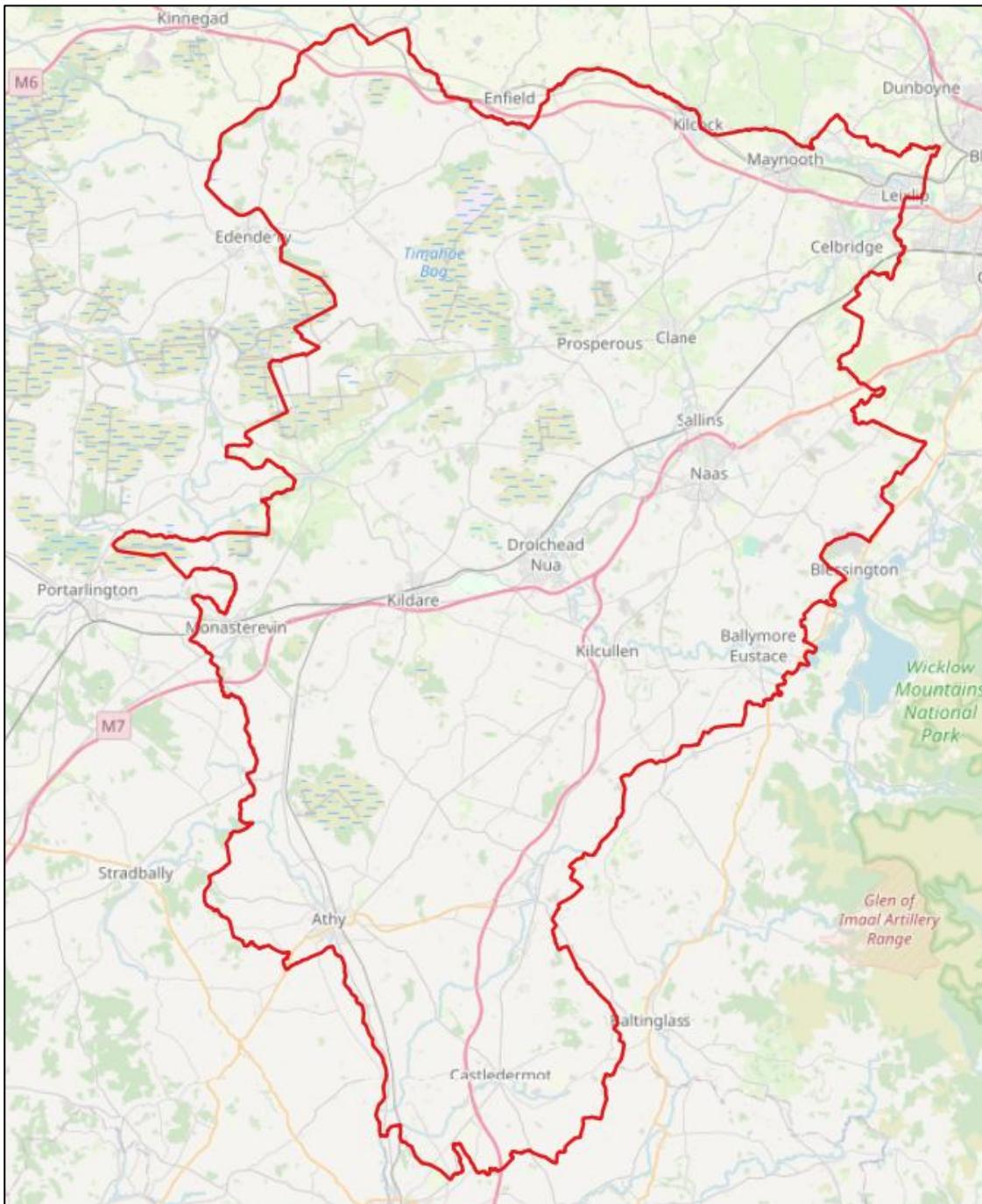


Figure 1 Geographic areas relevant to the Proposed Variation No. 4

## 2.4 Embedded Protective Policies and Draft New or Amended Policies and Objectives as Included in the Kildare CDP (as varied)

Kildare CDP (as varied) was subject to Stage 1 AA Screening and Stage 2 Natura Impact Report (NIR) in accordance with Article 6(3) and 6(4) of the Habitats Directive. The NIR recommended a suite of mitigation measures following the assessment of the draft CDP. These measures were built into the published Kildare CDP (as varied) as a suite of embedded protective policies and objectives to avoid the potential for LSE on the integrity of European sites within the scope of the Kildare CDP (as varied) (Appendix A.3).

As the Proposed Variation No. 4 constitutes a variation of the Kildare CDP (as varied), accordingly, the embedded protective policies arising from the AA of the CDP are applicable in this context and are treated as such for the purposes of assessing the Proposed Variation No. 4. While the Proposed Variation No. 4 is independently assessed for the potential for LSE, any embedded protective policies that apply are considered part of the baseline policy framework and not as mitigation measures specific to the Proposed Variation No. 4.

The following embedded protective policies and objectives are considered to be of particular importance with regards to European sites and are applicable to the Draft Variation No. 4:

- BI O9: *'Avoid development that would adversely affect the integrity of any Natura 2000 site and promote favourable conservation status of habitats and protected species including those listed under the Birds Directive, the Wildlife Acts and the Habitats Directive, to support the conservation and enhancement of Natura 2000 Sites including any additional sites that may be proposed for designation during the period of this Plan and protect the Natura 2000 network from any plans and projects that are likely to have a significant effect on the coherence or integrity of a Natura 2000 Site.'*
- BI O10: *'Ensure an AA Screening, in accordance with Article 6(3) and Article 6(4) of the Habitats Directive, Section 177A of the Planning and Development Act (2001-2022) or any superseding legislation and with DEHLG guidance (2009), is carried out in respect of any plan or project not directly connected with or necessary to the management of a Natura 2000 site to determine the likelihood of the plan or project having a significant effect on a Natura 2000 site, either individually or in combination with other plans or projects and to ensure that projects which may give rise to significant cumulative, direct, indirect or secondary impacts on Natura 2000 sites will not be permitted (either individually or in combination with other plans or projects) unless for reasons of overriding public interest.'*

## 3. Data, Guidance and Methodology

### 3.1 AA Stages

The AA process involves a number of steps and tests that need to be applied in sequential order.

An important aspect of the process is that the outcome at each successive stage determines whether a further stage in the process is required. First of all, a plan or project must be screened to identify whether the potential for LSE on a European site(s) exists. If that possibility cannot be excluded, an AA is to be undertaken prior to any consent being granted. Consent shall not be granted if it cannot be concluded that there will be no adverse effects on the integrity of any European site. Article 6(4) allows for consent to be granted in particular and exceptional circumstances, even if adverse effects may arise.

The AA Screening must include a final determination by the competent authority as to whether or not a proposed project or plan would adversely affect the integrity of a European site. In order to reach a final determination, the public authority must undertake examination, analysis and evaluation, followed by findings, conclusions and a final determination.

### 3.2 Definitions

#### 3.2.1 European sites

European sites, as defined under the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. 477/2011) (as amended) are part of the Natura 2000 network and include those designated as SACs, candidate SACs (cSACs), SPAs or proposed SPAs (pSPAs). These are sometimes referred to as Natura 2000 sites.

SACs are selected for the conservation of Annex I<sup>2</sup> habitats (including priority types which are in danger of disappearance) and Annex II<sup>3</sup> species (other than birds).

SPAs are selected for the conservation of Annex I birds and all migratory birds and their habitats.

<sup>2</sup> Annex I habitats are habitats whose conservation requires the designation of Special Areas of Conservation

<sup>3</sup> Annex II species are animal and plant species whose conservation requires the designation of Special Areas of Conservation

The Annex habitats and species, for which each site is selected, are termed the Qualifying Interests (QI) for SACs and termed Special Conservation Interests (SCI) for SPAs of each site.

### 3.2.2 Conservation Objective

Conservation objectives (COs) for the European sites are defined for the relevant QIs and SCIs. In its most general sense, a CO is the specification of the overall target for the species and/or habitat types for which a site is designated in order for it to contribute to maintaining or reaching favourable conservation status.<sup>4</sup>

### 3.2.3 Source-Pathway-Receptor Model

The Source-Pathway-Receptor (S-P-R) model is used to assess where a potential effect may result by examining the source, its pathway and the receptor. As per guidance from the Office of the Planning Regulator (OPR)<sup>5</sup> these can be defined as follows:

- **Source:** The origin of a potential effect which may include characteristics of a plan or project that have the potential to result in effects e.g. direct impacts such as loss of habitat;
- **Pathway:** How the potential effect may occur on the source. These are identifiable through linkages that may occur through the plan or project and European sites e.g. direct pathways such as physical proximity, hydrological connections or indirect pathways such as disturbance to migrating species; and
- **Receptor:** The European site network and respective QIs/SCIs, their ecological condition and sensitivities e.g. freshwater pearl mussel is sensitive to siltation in water.

### 3.2.4 Zone of Influence

A Zone of Influence (ZoI) within any assessment of projects and/or plans considers the area over which ecological features may be affected by biophysical changes as a result of the proposed plan/project and associated activities.

## 3.3 Guidance

The following guidance was used in carrying out the assessment:

- AA of Plans and Projects in Ireland – Guidance for Planning Authorities (Department of Environment, Heritage and Local Government, 2010 revision);
- AA under Article 6 of the Habitats Directive; Guidance for Planning Authorities. Circular National Parks and Wildlife Service (NPWS) 1/10 and PSSP 2/10;
- Assessment of plans and projects in relation to Natura 2000 Sites: Methodical guidance on Article 6(3) and (4) of the Habitats Directive 92/43/EEC (European Commission Environment Directorate-General, 2021);
- Communication from the Commission on the precautionary principle. European Commission (2000);
- Guidance Document on Article 6(4) of the Habitats Directive 92/43/EEC (European Commission, 2007);
- Guidelines for Good Practice AA of Plans under Article 6(3) Habitats Directive (International Workshop on Assessment of Plans under the Habitats Directive, 2011);
- Managing Natura 2000 Sites: The Provision of Article 6 of the Habitats Directive 92/43/EEC (EC Environment Directorate-General, 2019);
- Office of the Planning Regulator Practice Note PN01 - AA Screening for Development Management (OPR, 2021); and

---

<sup>4</sup> Commission Note on Setting Conservation Draft objectives for Natura 2000 Sites (November 2012) European Commission, Doc. Hab.12-04/06. Accessed at: [http://ec.europa.eu/environment/nature/natura2000/management/docs/commission\\_note/commission\\_note2\\_EN.pdf](http://ec.europa.eu/environment/nature/natura2000/management/docs/commission_note/commission_note2_EN.pdf)

<sup>5</sup> OPR (2021) Appropriate Assessment Screening for Development Management. OPR Practice Note PN01

- Strict Protection of Animal Species Guidance for Public authorities on the Application of Articles 12 and 16 of the EU Habitats Directive to development/works undertaken by or on behalf of a Public authority (NPWS 2021).

The requirements for Screening for AA for European sites, are set out in Section 202 of the Planning and Development Act 2024 with numerous relevant rulings and opinions issued in both Irish and EU courts. AA is a process required under Article 6(3) of the EU Habitats Directive as transposed by the aforementioned legislation as stated within Section 1.4.

### 3.4 Data Sources

The ecological data reviewed to inform this report comprises:

- Article 12 Birds Directive - Article 12 web tool;<sup>6</sup>
- Environmental Protection Agency (EPA) Map Viewer;<sup>7</sup>
- KCC (2023) Kildare County Development 2023-2029;<sup>8</sup>
- NPWS (2023) Conservation Draft objectives Series;<sup>9</sup>
- NPWS (2023) SAC and SPA Datasheets;<sup>10</sup>
- National Parks and Wildlife Service (NPWS) Designations web viewer;<sup>11</sup>
- NPWS Protected Sites in Ireland;<sup>12</sup>
- NPWS The Status of EU Protected Habitats and Species in Ireland Web Viewer;<sup>13</sup>
- The Status of EU Protected Habitats and Species in Ireland. Volume 1: Summary Overview. Unpublished NPWS report. NPWS (2019);<sup>14</sup>
- The Status of EU Protected Habitats and Species in Ireland. Volume 2: Habitat Assessments. Unpublished NPWS report. Edited by: Deirdre Lynn and Fionnuala O’Neil. NPWS (2019); and<sup>15</sup>
- The Status of EU Protected Habitats and Species in Ireland. Volume 3: Species Assessments. Unpublished NPWS report (2019). Edited by: Deirdre Lynn and Fionnuala O’Neill (2020).<sup>16</sup>

### 3.5 Methodology

In line with the relevant guidance and case law, this Screening for AA consists of the below steps:

1. **Impact Prediction:** Identify the aspects of the Proposed Variation No. 4 likely to affect the COs of European sites. The more general classification of impacts can include direct and indirect effects; short and long-term effects; construction, operational and decommissioning effects; and isolated, interactive

---

<sup>6</sup> Article 12 of the Birds Directive Web tool accessed at <https://nature-art12.eionet.europa.eu/article12/> accessed November 2023

<sup>7</sup> EPA Map Viewer accessed at <https://gis.epa.ie/EPAMaps/> accessed September 2025

<sup>8</sup> Kildare County Council (2023) Kildare County Development Plan 2023-2029 Accessed at <https://kildarecoco.ie/AllServices/Planning/DevelopmentPlans/KildareCountyDevelopmentPlan2023-2029/> September 2025.

<sup>9</sup> NPWS Conservation draft objectives accessed at <https://www.npws.ie/protected-sites/conservation-management-planning/conservation-draft-objectives> Accessed September 2025

<sup>10</sup> NPWS SAC and SPA Datasheets accessed at <https://www.npws.ie/maps-and-data/designated-site-data/sac-and-spa-datasheets-downloads> accessed September 2025

<sup>11</sup> NPWS Designations web viewer accessed at <https://dahg.maps.arcgis.com/apps/webappviewer/index.html?id=8f7060450de3485fa1c1085536d477ba> accessed September 2025

<sup>12</sup> NPWS Protected sites accessed at <https://www.npws.ie/protected-sites> accessed September 2025

<sup>13</sup> NPWS The Status of EU Protected Habitats and Species in Ireland web viewer accessed at <https://storymaps.arcgis.com/collections/1a721520030d404f899d658d5b6e159a> accessed September 2025

<sup>14</sup> The Status of EU Protected Habitats and Species in Ireland: Volume 1 Summary Overview accessed at [https://www.npws.ie/sites/default/files/publications/pdf/NPWS\\_2019\\_Vol1\\_Summary\\_Article17.pdf](https://www.npws.ie/sites/default/files/publications/pdf/NPWS_2019_Vol1_Summary_Article17.pdf) Accessed September 2025

<sup>15</sup> The Status of EU Protected Habitats and Species in Ireland. Volume 2: Habitat Assessments. Unpublished NPWS report [https://www.npws.ie/sites/default/files/publications/pdf/NPWS\\_2019\\_Vol2\\_Habitats\\_Article17.pdf](https://www.npws.ie/sites/default/files/publications/pdf/NPWS_2019_Vol2_Habitats_Article17.pdf) Accessed September 2025

<sup>16</sup> The Status of EU Protected Habitats and Species in Ireland. Volume 3: Species Assessments. Unpublished NPWS report accessed at [https://www.npws.ie/sites/default/files/publications/pdf/NPWS\\_2019\\_Vol3\\_Species\\_Article17.pdf](https://www.npws.ie/sites/default/files/publications/pdf/NPWS_2019_Vol3_Species_Article17.pdf) Accessed September 2025

and cumulative effects. A Source-Pathway-Receptor model has been used to identify the zone of influence. This also includes transboundary considerations.

**2. Assessment of Effects:** The actions of the Proposed Variation No. 4 are assessed as to whether they are likely to result in LSE upon the integrity of European sites. This requires understanding of relevant QIs/SCIs and associated COs.

### 3.5.1 Impact Prediction: Identifying the Zone of Influence

The ZoI is established using the S-P-R method and takes into consideration the scale of the elements of the Proposed Variation No. 4. There is no recommended ZoI, and guidance from the NPWS recommends that the distance should be evaluated on a case-by- case basis with reference to the nature, size and location of the plan/project, the sensitivities of the ecological receptors, and the potential for in-combination effects (cumulative).

For an effect to occur there must be a risk enabled by having a source (e.g. construction works at a proposed development site), a ‘receptor’ (e.g. QI or SCI of a European site), and a pathway between the source and the receptor (e.g. a watercourse which connects a plan area to an SAC, ex situ foraging habitat for SCI birds). The principle for establishing ZoI, as outlined in the 2021 OPR Practice Note PN01<sup>15</sup> applies equally to a plan level AA and so the S-P-R method has been used in this report.

The identification of the European sites within the ZoI has been carried out by utilising GIS datasets from NPWS and of the European site network. The sites have been determined through the identification of the potential sources of the impacts of the Proposed Variation No. 4 and their pathways for effect to European sites.

### 3.5.2 Assessment of Effects

Where a plan or project is likely to undermine the COs, it must be considered as a LSE upon that European site. The assessment of effects stages determines whether the potential impacts identified using the S-P-R could result in a LSE.

From establishing the ZoI using the S-P-R method, focusing on the relevant QIs and SCIs of European sites which may be at risk of LSE arising from the Proposed Variation No. 4. The potential impacts of the Proposed Variation No. 4 are assessed against the COs of the relevant QIs and SCIs to determine in a LSE may occur as a result of implementation. Within this assessment, factors such as type, extent, duration, intensity, timing, probability and in-combination effects of the potential impact, as well as the vulnerability of the QIs and/or SCIs concerned.<sup>17</sup>

## 4. Screening Assessment

### 4.1 Overview

The scope of the Proposed Variation No. 4 has a scale of application across County Kildare.

### 4.2 Source – Pathway – Receptor

Potential connectivity between the implementation of the Proposed Variation No. 4 to the CDP and European sites and their respective QIs/SCIs is identified via the S-P-R model which highlights the potential impact pathways such as land, air, hydrological pathways etc which may support direct or indirect

---

<sup>17</sup> OPR (2021) Appropriate Assessment Screening for Development Management. OPR Practice Note PN01.

connectivity. Where connectivity exists between the Proposed Variation No. 4 and receptors, these receptors are taken forward to the assessment of LSE.

#### **4.2.1 Identification of Potential Sources of Impacts**

In identifying the potential impacts of the implementation of the Proposed Variation No. 4, it is important to note that this risk is an estimation based on scientific evidence and best practice. It does not constitute that an impact will occur or that it will result in ecological or environmental damage resulting in significant effects on European sites within the ZOI. The significance of the effect is dependent upon factors such as duration, magnitude and intensity of the project/plan in question and the existence of a credible S-P-R link. It is also determined by the extent of the exposure to the risk and the characteristics of the receptor.

By establishing a credible source and pathway, the receptors i.e. the QI and SCI habitats and species are only considered where links are identified to be credible. Factors include the distance between receptors and sources and the means by which the pathway travels through air, water, ground etc., occurs.

Typical activities which can result in impacts include construction activities which may result in impacts including air pollution from dust and other pollutants, water contamination due to improper handling of materials and waste, and soil erosion from ground disturbance. Noise pollution from construction sites can result in disturbance and/or displacement of species and construction can potentially result in the destruction of important habitats. The generation of significant amounts of waste, often not properly disposed of or recycled, is another concern. Operational activities of wastewater treatment plants, recreation, transport, residential and industrial sectors can also contribute to similar inputs to the environment as construction.

All draft revised policies and objectives, of the Proposed Variation No. 4 have undergone a review for potential sources of impacts. Draft new objectives and textual amendments to existing objectives and policies relating to updated National guidance, which has been previously subject to SEA and AA, are not a potential source of impacts as they include for desk-based studies only and these are not considered further.

An assessment of new objectives and textual amendments to existing objectives and policies concluded that there are no potential sources of impacts.

#### **4.2.2 Identification of Potential Pathways and Receptors**

Appendix A.4 outlines full details of Source-Pathway-Receptor Assessment undertaken. Given that there is no likely source of impacts from implementation of the new objectives and textual amendments to existing objectives and policies, based on information outlined in Section 4.2.1, there is no potential pathways to any receptors to be considered.

#### **4.2.3 Assessment of LSE**

The Proposed Variation No. 4 has been assessed for the potential to give rise to LSE on European sites. Appendix A.4 considers the potential for LSE from implementation of the new objectives and textual amendments to existing objectives and policies. The S-P-R model (described in Appendix A.4) concludes that there are no potential sources of impacts, therefore, no potential pathways to any receptors need to be considered. Additionally, the majority of updates made to draft policies and objectives are either changes to policies and objectives which will result in desk-based activities or have been assessed with the CDP which includes embedded mitigation and protective policies for European Sites (Section 2.4 and Appendix A.2 and A.3). With that in mind, there is no potential for LSE on any European Site from implementation of the draft policies and objectives, and the one new objective in the Proposed Variation No. 4.

### **4.3 In-Combination Effects**

The purpose of the in-combination assessment is to ascertain whether the Proposed Variation No. 4 may give rise to effects in-combination with other plans and/or projects. This report has found that no LSE exists for the Proposed Variation No. 4 due to the nature of the draft, new objectives and textual amendments to existing objectives and policies, and due to the embedded mitigation and protective policies in place for European sites (refer to Section 2.4, and Appendix A.2 and A.3).

Arising from this, the consideration of in-combination effects is not required given that the Draft Variation No. 4 alone, shall not result in LSE.

#### 4.4 Summary

As stated in Section 4.2 and Appendix A.1, there are no potential sources of impacts arising from implementation of the new objectives and textual amendments to existing objectives and policies in the Proposed Variation No. 4 and therefore, no potential pathway to any receptor exists.

Appendix A.4 considers the potential for LSE on European Sites from the implementation of the draft new objectives and textual amendments to existing objectives and policies of Proposed Variation No. 4. Policies and objectives which include for desk-based activities and the integration of National guidance, which have been previously subject to AA and SEA, negate the potential for LSE on European Sites. Additionally, there is embedded mitigation and protection policies for European Sites in the CDP that provide sufficient safeguards for the implementation of the draft revisions, including new objectives and textual amendments to existing objectives and policies in the Proposed Variation No. 4.

Furthermore, it is embedded within the CDP that any projects or plans must be subject to an AA prior to their implementation of relevant objectives. As such, this embedded protective policy and objectives would negate the risk of LSE from occurring. Thus, overall, the potential for LSE to European sites, alone or in-combination, does not exist and an AA is not required.

# Appendix A

## A.1 Assessment of Potential Source of Impacts of the Proposed Variation No. 4

Draft Updates to Policies and Objectives of CDP as part of Draft Variation No. 4 to the Kildare CDP 2023-2029	Are similar provisions included in the Kildare CDP 2023-2029 (as varied)?	Potential Source of Impacts
<p>LR 02 <del>Require a Landscape/Visual Impact Assessment to accompany proposals that are likely to significantly affect:</del></p> <ul style="list-style-type: none"> <li>● <del>Landscape Sensitivity Factors;</del></li> <li>● <del>A Class 4 or 5 Sensitivity Landscape (i.e. within 500m of the boundary);</del></li> <li>● <del>A route or view identified in Map V1 – 13.3 (i.e. within 500m of the site boundary).</del></li> <li>● <del>All Wind Farm development applications irrespective of location, shall be required to be accompanied by a detailed Landscape/Visual Impact Assessment including a series of photomontages at locations to be agreed with the Planning Authority, including from scenic routes and views identified in Chapter 13.</del></li> </ul> <p><i>Require a Landscape and Visual Impact Assessment (LVIA) to accompany significant development proposals in areas of High landscape character sensitivity. A LVIA should also accompany applications for:</i></p> <ul style="list-style-type: none"> <li>– <i>significant development proposals in other parts of the county, on a case-by-case basis (e.g., housing development, wind turbine and solar array developments, extractive industry, telecommunications infrastructure, afforestation and replanting of commercial forestry proposals); and</i></li> <li>– <i>smaller scale developments taking account of the landscape sensitivity of an area and/or concerns regarding potential negative landscape or visual impacts.</i></li> </ul>	<p>This objective does not align directly with any existing provision of the CDP. However, this objective supports and is consistent, with related, existing provisions of the CDP.</p>	<p>No – Aligns with provisions already in place as part of the CDP.</p>
<p>LR 06 <del>Investigate the feasibility of preparing a Landscape Conservation Area Assessment within the county to identify any area(s) or place(s) within the county as a Landscape Conservation Area, in accordance with the Planning and Development Act 2000 (as amended).</del></p> <p><i>Kildare County Council will have regard to the landscape character of adjoining counties, and any relevant regional strategies, when considering projects which may have a material impact on the landscape character of the adjoining counties.</i></p>	<p>This objective does not align directly with any existing provision of the CDP. However, this objective supports and is consistent, with related, existing provisions of the CDP.</p>	<p>No – Aligns with provisions already in place as part of the CDP.</p>
<p>LR 07 <del>Restrict the quarrying of sensitive sites within the Landscape Character Areas <u>in line with Table 13.3 and Table 13.4 above</u> <u>in line with the LCA Sensitivity Map V1-13.2A and Table 13.4 above</u> and to protect and conserve the ecological, archaeological, biodiversity and visual amenity surrounding quarry sites. <u>in identifying sites for restriction.</u></del></p>	<p>This provision updates reference to Landscape Character Areas (from LCA 2004) to the recently completed LCA (2025) within the CDP.</p>	<p>No – Aligns with provisions already in place as part of the CDP.</p>
<p>LR011 Support collaboration between Kildare County Council, the Midlands Regional Transition Team and all other relevant stakeholders and the development of partnership approaches to integrated peatland management for a just transition that incorporates the management, rehabilitation and restoration/re-wetting of significant tracts of peatlands in conjunction with appropriate development after uses, in accordance with the</p>	<p>This provision updates reference to the new guidance from the recently completed LCA (2025) in the CDP.</p>	<p>No – Aligns with provisions already in place as part of the CDP.</p>

Draft Updates to Policies and Objectives of CDP as part of Draft Variation No. 4 to the Kildare CDP 2023-2029	Are similar provisions included in the Kildare CDP 2023-2029 (as varied)?	Potential Source of Impacts
<i>guidance and recommendations for peatlands contained in Appendix 13 Landscape Character Assessment (2025) for the county.</i>		
LR 012 Recognise that boglands, including cutaway and cut-over bogs, are critical natural resources for ecological and environmental reasons, particularly for climate mitigation and adaptation. <i>Have regard to relevant peatland landscape character areas (LCAs) and sensitivity classes in evaluating all project proposals.</i> Development proposals for boglands that reduce biodiversity and increase greenhouse gas emissions will not be considered. Appropriate environmental assessment should be carried out for any development proposals which impact on boglands.	This provision updates reference to Landscape Character Areas (from LCA 2004) to the recently completed LCA (2025) within the CDP.	No – Aligns with provisions already in place as part of the CDP.
LR013 Recognise that some cutaway and cut-over boglands may represent degraded landscapes and/or brownfield sites and thus are potentially fit to absorb a variety of development provided that the development proposals <del>does</del> do not increase greenhouse gas emissions or damage protected habitats or species. <i>Refer to peatland landscape character areas (LCAs) and sensitivity classes in evaluating all project proposals.</i> Projects or developments which would result in increased ammonia emissions to watercourses shall not be considered.	This provision updates reference to Landscape Character Areas (from LCA 2004) to the recently completed LCA (2025) within the CDP.	No – Aligns with provisions already in place as part of the CDP.
LR014 Maintain the visual integrity of <del>Eastern Transition lands the Naas and Liffey Foothills and the South Eastern Kildare Hills landscape character areas, Transition lands</del> which have retained an upland character.	This provision updates reference to Landscape Character Areas (from LCA 2004) to the recently completed LCA (2025) within the CDP.	No – Aligns with provisions already in place as part of the CDP.
LR015 Continue to facilitate appropriate development in the <del>Eastern Transition Lands Naas and Liffey Foothills and South Eastern Kildare Hills</del> landscape character areas, in an incremental and clustered manner, where feasible, that respects the scale, character and sensitivities of the local landscape, recognizing the need for sustainable settlement patterns and economic activity within the county.	This provision updates reference to Landscape Character Areas (from LCA 2004) to the recently completed LCA (2025) within the CDP.	No – Aligns with provisions already in place as part of the CDP.
LR P2 Protect High Amenity Areas/ <i>Areas Protected under International, European and National legislation identified in Section 13.4 of this Plan</i> from inappropriate development and reinforce their character, distinctiveness and sense of place.	Expands on a definition of protected areas previously referenced in the CDP.	No – Aligns with provisions already in place as part of the CDP.
LR O17 (a) Control development that will adversely affect the visual integrity of Areas of High Amenity/ <i>Areas Protected under International, European and National legislation</i> by restricting the development of incongruous structures that are out of scale with the landscape within these Areas of High Amenity including advertising signs, hoardings, fencing, etc., which create visual clutter and disrupt the open nature of these areas.	Expands on a definition of protected areas previously referenced in the CDP.	No – Aligns with provisions already in place as part of the CDP.
(b) Require development in Areas of High Amenity/Areas Protected under International, European and National legislation to employ high standards of design and creativity in mitigating impact on the environment.		
LR O18 Facilitate appropriate development in Areas of High Amenity/ <i>Areas Protected under International, European and National legislation</i> that can utilise existing structures, settlement areas and infrastructure, taking account of the visual absorption opportunities provided by existing topography and vegetation.	Expands on a definition of protected areas previously referenced in the CDP.	No – Aligns with provisions already in place as part of the CDP.

Draft Updates to Policies and Objectives of CDP as part of Draft Variation No. 4 to the Kildare CDP 2023-2029	Are similar provisions included in the Kildare CDP 2023-2029 (as varied)?	Potential Source of Impacts
<p>LR 030 Sensitively consider development in the <i>Upland Character Areas</i> including <i>East Kildare Uplands the Naas and Liffey Foothills and the South Eastern Kildare Hills Landscape Character Areas (LCAs)</i> that have a functional and locational requirement to be situated on steep or elevated sites (e.g. reservoirs, telecommunication masts or wind energy structures) where it can be explicitly demonstrated that residual adverse visual impacts are minimised and mitigated.</p>	<p>This provision updates reference to Landscape Character Areas (from LCA 2004) to the recently completed LCA (2025) within the CDP.</p>	<p>No – Aligns with provisions already in place as part of the CDP.</p>
<p>LR 031 Have regard to the potential for screening vegetation when evaluating proposals for development within the Upland Character Areas including East Kildare Uplands <i>Naas and Liffey Foothills and the South Easter Kildare Hills</i>.</p>	<p>This provision updates reference to Landscape Character Areas (from LCA 2004) to the recently completed LCA (2025) within the CDP.</p>	<p>No – Aligns with provisions already in place as part of the CDP.</p>
<p>LR 038  <del>Ensure unenclosed land which has not been fenceed in the last 10 years remains not fenceed as per the Planning and Development Regulations 2001, Art 9(1)(a)(x) – Restrictions on exemptions.</del></p> <p>a. <i>To protect designated views of special amenity value identified in the Plan [see Tables 13.5 / Scenic Routes, Table 13.6: Hilltop Views, Views from Bridges / Table 13.7 Views from Bridges / or other land use plans and ensure that development proposals do not have an undue detrimental impact on these views.</i></p> <p>b. <i>Development proposals will be assessed against their impact on the designated view if it falls within the foreground, middle ground or background of that view. New development should not harm, and where possible, should make a positive contribution to, the characteristics and composition of the designated views and their landmark elements.</i></p> <p>c. <i>Development proposals that could affect a designated view should be accompanied by an assessment that explains, evaluates and justifies any visual impact on the view affected. The scoping process for determining whether a development proposal is likely to affect a designated view should be completed in consultation with Kildare County Council. The assessment should demonstrate that the proposal is consistent with the relevant objectives of this Plan. The assessment should form part of a landscape and visual impact assessment, design statement or townscape and visual impact assessment submitted with a planning application.</i></p> <p>d. <i>Development in the foreground and middle ground of a designated view should not be overly intrusive, unsightly or prominent to the detriment of the view. Most designated views are seen in a 120-degree field of view. It is not expected that the view outside of this field of vision should be assessed unless specified by Kildare County Council.</i></p> <p><i>Designated views of special amenity value and views of local landmark buildings / other local views of significance will need to be considered in the scoping of views to identify the potential impacts of development proposals.</i></p>	<p>This objective does not align directly with any existing provision of the CDP. However, this objective supports and is consistent with related, existing provisions of the CDP.</p>	<p>No – Aligns with provisions already in place as part of the CDP.</p>

## A.2 Mitigation Measures based on the policies and objectives of the Kildare CDP (as varied)

### Mitigation

Mitigation to prevent LSE and avoid adverse impacts on the integrity of any European sites is presented below. The table is based on a suite of embedded mitigation measures from the Kildare CDP 2023-2029 (as varied) which will contribute to avoid adverse impacts on the integrity of any European sites.

#### Mitigation against the potential effects associated with provisions of the CDP

Element of the Kildare CDP 2023-2029 (as varied)	Potential Impact	Mitigation including:
Chapter 3 Housing <ul style="list-style-type: none"><li>• New housing development throughout the county</li><li>• Transformation of brownfield sites &amp; regeneration of urban centres</li><li>• New student accommodation</li><li>• Implementation of LAPs</li></ul>	<ul style="list-style-type: none"><li>• Habitat Loss</li><li>• Disturbance to key species</li><li>• Habitat/species fragmentation</li><li>• Changes to key indicators of environmental quality</li></ul>	<p>The following chapters from the Kildare CDP 2023-2029 (as varied) include relevant policies and objectives which will mitigate against those provisions within Chapter 3 that may potentially lead to adverse impacts on European sites:</p> <ul style="list-style-type: none"><li>• Chapter 3 Housing</li><li>• Chapter 6 Infrastructure &amp; Environmental Services</li><li>• Chapter 12 Biodiversity &amp; Green Infrastructure</li></ul>
Chapter 4 Resilient Economy & Job Creation <ul style="list-style-type: none"><li>• Provisions relating to mixed use settlements and sustainable centres</li><li>• Working with statutory bodies (TII &amp; Irish Water) to provide support for services to accommodate future economic growth.</li><li>• Enhancement of broadband and installation of fibre network.</li><li>• Acquisition of land for entrepreneurial initiatives &amp; clustered incubator units</li><li>• Provision of new postal facilities including postal infrastructure</li></ul>	<ul style="list-style-type: none"><li>• Habitat Loss</li><li>• Disturbance to key species</li><li>• Habitat/species fragmentation</li><li>• Changes to key indicators of environmental quality</li></ul>	<p>The following chapters from the Kildare CDP 2023-2029 (as varied) include relevant policies and objectives which will mitigate against those provisions within Chapter 4 that may potentially lead to adverse impacts on European sites:</p> <ul style="list-style-type: none"><li>• Chapter 4 Resilient Economy &amp; Job Creation</li><li>• Chapter 6 Infrastructure &amp; Environmental Services</li><li>• Chapter 12 Biodiversity &amp; Green Infrastructure</li></ul>
Chapter 5 Sustainable Mobility Transport <ul style="list-style-type: none"><li>• Provisions relating to existing and new road infrastructure, walking, cycling, rail and aviation.</li><li>• Provisions to public transport</li></ul>	<ul style="list-style-type: none"><li>• Habitat Loss</li><li>• Disturbance to key species</li><li>• Habitat/species fragmentation</li><li>• Changes to key indicators of environmental quality</li></ul>	<p>The following chapters from the Kildare CDP 2023-2029 (as varied) include relevant policies and objectives which will mitigate against those provisions within Chapter 5 that may potentially lead to adverse impacts on European sites:</p> <ul style="list-style-type: none"><li>• Chapter 5 Sustainable Mobility Transport</li><li>• Chapter 6 Infrastructure &amp; Environmental Services</li><li>• Chapter 12 Biodiversity &amp; Green Infrastructure</li></ul>

Element of the Kildare CDP 2023-2029 (as varied)	Potential Impact	Mitigation including:
Chapter 6 Infrastructure & Environmental Services Provisions relating to the infrastructure of water, utilities, flood risk management and pollution.	<ul style="list-style-type: none"> <li>• Habitat Loss</li> <li>• Disturbance to key species</li> <li>• Habitat/species fragmentation</li> <li>• Changes to key indicators of environmental quality</li> </ul>	<p>The following chapters from the Kildare CDP 2023-2029 (as varied) include relevant policies and objectives which will mitigate against those provisions within Chapter 6 that may potentially lead to adverse impacts on European sites:</p> <ul style="list-style-type: none"> <li>• Chapter 6 Infrastructure &amp; Environmental Services</li> <li>• Chapter 12 Biodiversity &amp; Green Infrastructure</li> </ul>
Chapter 7 Energy & Communications <ul style="list-style-type: none"> <li>• Provisions relating to energy supply, renewable energy development, electricity supply and telecommunications.</li> <li>• Provisions relating to electrification of transportation methods</li> <li>• Provisions relating to reduction in greenhouse gas emissions</li> <li>• Provisions relating to ‘after use’ of industrial peatlands, sites, amenities and power stations</li> <li>• Provisions relating to data centre development</li> </ul>	<ul style="list-style-type: none"> <li>• Habitat Loss</li> <li>• Disturbance to key species</li> <li>• Habitat/species fragmentation</li> <li>• Changes to key indicators of environmental quality</li> </ul>	<p>The following chapters from the Kildare CDP 2023-2029 (as varied) include relevant policies and objectives which will mitigate against those provisions within Chapter 7 that may potentially lead to adverse impacts on European sites:</p> <ul style="list-style-type: none"> <li>• Chapter 6 Infrastructure &amp; Environmental Services</li> <li>• Chapter 7 Energy &amp; Communications</li> <li>• Chapter 12 Biodiversity &amp; Green Infrastructure</li> </ul>
Chapter 8 Urban Centres & Retail <ul style="list-style-type: none"> <li>• Provisions relating to the development and enhancement of urban centres and retail areas</li> <li>• Provisions relating to the promotion and encouragement of tourism retail</li> </ul>	<ul style="list-style-type: none"> <li>• Habitat Loss</li> <li>• Disturbance to key species</li> <li>• Habitat/species fragmentation</li> <li>• Changes to key indicators of environmental quality</li> </ul>	<p>The following chapters from the Kildare CDP 2023-2029 (as varied) include relevant policies and objectives which will mitigate against those provisions within Chapter 8 that may potentially lead to adverse impacts on European sites:</p> <ul style="list-style-type: none"> <li>• Chapter 6 Infrastructure &amp; Environmental Services</li> <li>• Chapter 12 Biodiversity &amp; Green Infrastructure</li> </ul>
Chapter 9 Our Rural Economy <ul style="list-style-type: none"> <li>• Provisions relating to rural infrastructure development</li> <li>• Provisions relating to former extractive industries and related sites (peatlands, quarries)</li> <li>• Provisions relating to forestry</li> </ul>	<ul style="list-style-type: none"> <li>• Habitat Loss</li> <li>• Disturbance to key species</li> <li>• Habitat/species fragmentation</li> <li>• Changes to key indicators of environmental quality</li> </ul>	<p>The following chapters from the Kildare CDP 2023-2029 (as varied) include relevant policies and objectives which will mitigate against those provisions within Chapter 9 that may potentially lead to adverse impacts on European sites:</p> <ul style="list-style-type: none"> <li>• Chapter 6 Infrastructure &amp; Environmental Services</li> <li>• Chapter 9 Our Rural Economy</li> <li>• Chapter 12 Biodiversity &amp; Green Infrastructure</li> </ul>
Chapter 10 Community Infrastructure & Creative Places <ul style="list-style-type: none"> <li>• Provisions relating to residential care for the elderly inclusive of amenities</li> <li>• Provisions relating to the enhancement and promotion of arts and cultural facilities</li> <li>• Provisions relating to educational, childcare, library, health, burial and fire services.</li> </ul>	<ul style="list-style-type: none"> <li>• Habitat Loss</li> <li>• Disturbance to key species</li> <li>• Habitat/species fragmentation</li> <li>• Changes to key indicators of environmental quality</li> </ul>	<p>The following chapters from the Kildare CDP 2023-2029 (as varied) include relevant policies and objectives which will mitigate against those provisions within Chapter 10 that may potentially lead to adverse impacts on European sites:</p> <ul style="list-style-type: none"> <li>• Chapter 6 Infrastructure &amp; Environmental Services</li> <li>• Chapter 12 Biodiversity &amp; Green Infrastructure</li> </ul>

Element of the Kildare CDP 2023-2029 (as varied)	Potential Impact	Mitigation including:
Chapter 11 Built & Cultural Heritage Provisions relating to Kildare's heritage resource including archaeology, heritage sites and the preservation of built and cultural heritage.	<ul style="list-style-type: none"> <li>Disturbance to key species</li> <li>Changes to key indicators of environmental quality</li> </ul>	<p>The following chapters from the Kildare CDP 2023-2029 (as varied) include relevant policies and objectives which will mitigate against those provisions within Chapter 12 that may potentially lead to adverse impacts on European sites:</p> <ul style="list-style-type: none"> <li>Chapter 6 Infrastructure &amp; Environmental Services</li> <li>Chapter 12 Biodiversity &amp; Green Infrastructure</li> </ul>
Chapter 13 Landscape & Amenity Includes the development and enhancement of recreational areas and amenities	<ul style="list-style-type: none"> <li>Habitat Loss</li> <li>Disturbance to key species</li> <li>Habitat/species fragmentation</li> <li>Changes to key indicators of environmental quality</li> </ul>	<p>The following chapters from the Kildare CDP 2023-2029 (as varied) include relevant policies and objectives which will mitigate against those provisions within Chapter 13 that may potentially lead to adverse impacts on European sites:</p> <ul style="list-style-type: none"> <li>Chapter 12 Biodiversity &amp; Green Infrastructure</li> <li>Chapter 13 Landscape &amp; Amenity</li> </ul>
Chapter 14 Urban Design, Placemaking and Regeneration Provisions relating to town and village settlements, design, renewal and regeneration.	<ul style="list-style-type: none"> <li>Habitat Loss</li> <li>Disturbance to key species</li> <li>Habitat/species fragmentation</li> <li>Changes to key indicators of environmental quality</li> </ul>	<p>The following chapters from the Kildare CDP 2023-2029 (as varied) include relevant policies and objectives which will mitigate against those provisions within Chapter 14 that may potentially lead to adverse impacts on European sites:</p> <ul style="list-style-type: none"> <li>Chapter 6 Infrastructure &amp; Environmental Services</li> <li>Chapter 12 Biodiversity &amp; Green Infrastructure</li> </ul>

## A.3 Embedded protective policies and objectives relevant to European sites included in the Kildare CDP (as varied) (as taken from the NIR of the Kildare CDP)

This assessment has considered the potential to impact on the achievement of the Conservation Objectives of the European sites, as required by Article 6 of the Habitats Directive. The assessment has been developed in the context of the full policy base contained within the Plan which includes environmental protection policies, introduced with a view of avoiding adverse effects in line with recognised mitigation hierarchy.

Of specific relevance to the potential for impact on European sites, the following environmental commitments and objectives as set out in Table 4 of the NIR, are contained within the Plan and underpin the assessment which follows. Note that there may be recommendations for further strengthening of the wording of these embedded mitigation measures by way of the SEA and NIR recommendations.

There is a lack of clarity around whether embedded mitigation measures included within a plan could be construed as being mitigation as explored further for projects in the People Over Wind case. Therefore, the decision has been made in this NIR to include the suite of embedded mitigation within the Plan and listed in Table 4 of the NIR as part of mitigation to avoid adverse impacts on the integrity of any European site.

### Embedded protective policies and objectives relevant to European sites in the CDP

Embedded protective policies and objectives relevant to European sites in the CDP	
Chapter 3 – Housing	<p><b>HO P11</b> Facilitate, subject to all appropriate environmental assessments proposals for dwellings in the countryside outside of settlements in accordance with NPF Policy NPO 19 for new Housing in the Open Countryside in conjunction with the rural housing policy zone map (Map 3.1) and accompanying Schedule of Category of Applicant and Local Need Criteria set out in Table 3.4 and in accordance with the objectives set out below. Documentary evidence of compliance with the rural housing policy must be submitted as part of the planning application</p> <p><b>HO O52</b> Recognise the biodiversity and ecosystem services value of established hedgerows within rural and urban settings and where hedgerow must be moved to achieve minimum sight lines, a corresponding length of hedgerow of similar species composition (native and of local provenance) shall be planted along the new boundary, while allowing occasional hedgerow trees to develop</p> <p><b>HO P21</b> Consider the presence of bat species, all of which are listed on Annex IV of the Habitats Directive in the restoration/refurbishment of traditional structures and to ensure applications relating to the restoration and reuse of vernacular structures and houses in the countryside are accompanied by a bat survey report, as required and appropriate.</p>
Chapter 4 Resilient Economy & Job Creation	<p><b>RE P11</b> Support the accommodation of Data Centres at appropriate locations in line with the objectives of the National Planning Framework and the principles for Sustainable Data Centre Development of the Government Statement on the Role of Data Centres in Ireland's Enterprise Strategy (July 2022) subject to appropriate Transport, Energy and Environmental Assessments and all relevant planning conditions. The location of data centres shall be situated where they will not have a potential likely significant effect on a European Site. Such developments shall be subject to an AA Screening Report, and where applicable, Stage 2 AA. They shall have regard for any hydrological connection shared with a European Site and shall account for any potential likely significant effects and provide mitigation and monitoring where appropriate.</p> <p><b>RE 071</b> Require that any application for a data centre will be subject to all relevant and cumulative environmental assessments and planning conditions and shall take account of the cumulative visual impact of the proposed connections of the data centre with electricity transmission, renewable energy and broadband infra- structure in the area.</p> <p><b>RE P12</b></p>

## Embedded protective policies and objectives relevant to European sites in the CDP

Ensure that economic and enterprise related development is provided in a manner which facilitates a reduction in greenhouse gas emissions and accelerates the transition towards a sustainable, low carbon and circular economy. The following measures shall be supported:

- An increase in employment densities within walkable distances of communities and on public transport routes.
- Promotion of walking and cycling and use of public transport through increased permeability and mobility management measures within and outside employment areas.
- The sourcing of power from district heating and renewables including wind and solar.

Additional native tree planting and landscaping on existing and proposed enterprise zones and development sites to aid with carbon sequestration, contributing to the green infrastructure network of the County and promoting quality placemaking

### RE P13

Support and facilitate sustainable agriculture, horticulture, forestry and other rural enterprises at suitable locations in the County where there will be no potential for likely significant effects on a European Site or on a site that shares a hydrological connection to a European Site.

### RE O99

Support the expansion and development of tourism in Kildare, investigating the feasibility of key opportunities such as those centred on the racing industry, motorsports, retail, heritage, historical heritage (both persons and places), geology, peatlands, golf and eco-tourism to include: Arthur's Way, the Dublin – Galway Greenway, the Barrow Blueway, the Shackleton Trail, Shackleton Museum, Mondello the Gordon Bennett Route, the Grand Canal Greenway, Brigid 1500, a Fitzgerald Family Trail, the Made of Athy Trail, Castledermot Town Wall, the Columbian Way and other opportunities. Such developments shall be subject to AA screening and where applicable, Stage 2 AA.

### RE O109

Support the development of sustainable forest-based tourism facilities and accommodation at appropriate locations within the Coillte estate. Such developments shall be subject to AA screening and where applicable, Stage 2 AA.

### RE P16

Support and promote environmental sustainability, which will be central to the development and protection of a viable tourism sector within the county

### RE O118

Ensure the highest standards of design are used in the development of tourism related facilities to ensure that there are no significant adverse impacts on the landscape, including Natura 2000 sites and historic archaeological sites. Such facilities must be integrated into the landscape to take advantage of natural screening and topography.

### RE O121

Require the preparation of 'Attraction Management Plans' for new developments/projects which may impact on areas of ecological or heritage sensitivity in County Kildare. These plans should consider (but not limited to) potential for loss of habitat and disturbance by increased visitor numbers. Applications or proposals will be accompanied by a management plan indicating projected numbers of users, hours of operation, seasons of operation, and an undertaking to protect the natural environment in the form of a risk assessment with proposed amelioration measures in respect of flora, fauna, hydrology, geology and soils. The Attraction Management Plans should have regard to any mitigation as detailed within a Stage 2 AA or EcIA.

### RE O122

Ensure the potential environmental effects of a likely increase in tourists/tourism-related traffic volumes in particular locations/along particular routes shall be considered and mitigated as appropriate. Such a consideration should include potential impacts on existing infrastructure (including drinking water, wastewater, waste and transport) resulting from tourism proposals and should have regard to any mitigation as detailed within a Stage 2 AA or EcIA.

### RE P19

Promote the tourist development potential of 'after use' peatlands, subject to proper planning, environmental protection and sustainable development whilst having regard to any mitigation as detailed within a Stage 2 AA or EcIA.

### RE O135

- Support and facilitate the development of Umeras Bog into a Peatlands Park.
- Develop the tourism potential of peatlands and in particular support the proposed Umeras Peatlands Park and existing Lullymore Heritage and Discovery Park as tourist and ecological amenities subject to proper planning, environmental protection and sustainable development.

## Embedded protective policies and objectives relevant to European sites in the CDP

	<p>(c) Explore what linkages could be created between raised boglands and fens and nearby blue ways and greenways, whilst ensuring that the environment and nearby properties would not be negatively affected or where there will be no potential for likely significant effects on a European Site or on a site that shares a hydrological connection with a European Site.</p> <p>(d) Look at the feasibility of creating linkages between the proposed Umeras Peatlands Park and Monasterevin train station. (e) Look at the feasibility of creating linkages between Mouds Bog and the nearby town of Newbridge.</p> <p>Such developments shall be subject to AA screening and where applicable, Stage 2 AA, and should have regard to any mitigation as detailed within a Stage 2 AA or EcIA.</p> <p><b>RE O136</b></p> <p>Facilitate the development of a tourism resource using cutaway peatlands in conjunction with Bord na Móna and Fáilte Ireland, subject to environmental considerations and nature designations, for example, recreational forestry, outdoor pursuits, peat ways on the network of bogs and industrial railways and a designation of a National Peatlands Park. Such developments shall be subject to AA screening and where applicable, Stage 2 AA.</p> <p><b>RE O139</b></p> <p>Require applicants to prepare a peatland stability assessment, carbon emissions balance assessment and hydrological and ecological impact assessments, as required, when developing project proposals for development on peatlands.</p> <p><b>RE P20</b></p> <p>Continue to work closely with key stakeholders in the tourism industry including Fáilte Ireland, INTO Kildare, Waterways Ireland, County Kildare Leader Partnership and the National Parks and Wildlife Services, in order to develop the Barrow Blueway for tourism and recreation and ensure ease of access to this amenity and that the Council works with Wicklow County Council, INTO Kildare, Fáilte Ireland and business stakeholders to promote the area both nationally and internationally as an area with a considerable number of tourist attractions and marketing potential.</p> <p><b>RE O140</b></p> <p>Support the development and marketing of the Barrow Blueway, including the Barrow Blueway Economic Plan, and facilitate related commercial opportunities throughout the county, subject to compliance with the Habitats Directive. Considering the River Barrow is a designated European Site, all developments within and adjacent to the Barrow Blueway should be subject to AA screening and where applicable Stage 2 AA.</p> <p><b>RE P21</b></p> <p>Work with the National Transport Authority (in conjunction with relevant objectives in Chapter 5), INTO Kildare, Fáilte Ireland, Waterways Ireland and all stakeholders to develop a co-ordinated approach to the selection, delivery and servicing of future greenways, blueways, trails and routes throughout the county and region, subject to all relevant and cumulative environmental assessments and planning conditions. New trails and routes should first be subject to the undertaking of feasibility assessment. Where feasibility is established, a Corridor and Route Selection Process will be undertaken where appropriate, for relevant new infrastructure in two stages”, Stage 1 – Route Corridor Identification, Evaluation and Selection and Stage 2 – Route Identification, Evaluation and Selection.</p> <p><b>RE O145</b></p> <p>Promote the development of existing and new walking and cycling routes throughout the county as an activity for both international visitors and local tourists, in a manner that is compatible with road safety, nature conservation and other environmental policies. Where developments of new and existing walking and cycling routes exist within 15km of a European Site, the project should be subject to AA screening and where applicable, Stage 2 AA.</p> <p><b>RE P26</b></p> <p>Support the development of tourism activities on and adjacent to waterways, subject to normal planning and environmental criteria and in accordance with the requirements of the Birds and Habitats Directive, Water Framework Directive and all other relevant European Directives.</p>
Chapter 5 Sustainable Mobility & Transport	<p><b>TM O11</b></p> <p>Facilitate and secure the delivery/implementation of the public transport regional corridor proposals that relate to County Kildare and the County Kildare local route proposals as identified within the NTA’s ‘The Connecting Ireland Rural Mobility Plan’ (November 2021), specifically prioritising the proposed new local route from Naas to Newbridge. Such developments shall be subject to AA screening and where applicable, Stage 2 AA.</p> <p><b>TM O13</b></p> <p>Promote and facilitate the implementation of public transport projects (bus and rail) and encourage transport providers and other agencies (e.g. NTA, developers etc.) to improve public transport (bus and rail) and to have regard to and support recently implemented and/or planned routes under NTA’s Bus Connects and proposed / planned routes under NTA’s Connecting Ireland Rural Mobility Plan; Including: 1. Kilcock, Maynooth and Leixlip into Dublin; 2. Celbridge into Dublin; 3. Maynooth to Naas; 4. Leixlip to Naas; 5. Celbridge to Naas;</p>

## Embedded protective policies and objectives relevant to European sites in the CDP

	<p>6. Naas to Caragh, in addition to a range of rural transport routes. Such developments shall be subject to AA screening and where applicable, Stage 2 AA.</p> <p><b>TM A19</b></p> <p>Provide new or upgraded lighting for all footpath and cycle track schemes subject to the consideration of ecology and impacts on wildlife. Appropriate environmental assessments will be required and may result in unlit sections which may include some parts of the county's Greenways. Where applicable, all species-specific mitigation will be included within the relevant sections of the AA.</p> <p><b>TM O88</b></p> <p>Improve connectivity between the local road network and the national/regional road network. The Council will ensure that any future development in this regard complies with the guidance to safeguard the overall operational function of the national road network as set out in the Spatial Planning and National Roads Guidelines, DECLG (2012). Such developments shall be subject to AA screening and where applicable, Stage 2 AA so as to ensure and protect the favourable status of European sites and their hydrological connections</p> <p><b>TM O96</b></p> <p>Improve and re-align where necessary and as funds allow, the regional roads subject to AA screening and where applicable, Stage 2 AA so as to ensure and protect the favourable status of European sites and their hydrological connections</p> <p><b>TM O97</b></p> <p>Improve connectivity across the railways and canals in County Kildare, in conjunction with relevant stakeholders including Irish Rail and Waterways Ireland, to ensure new crossings do not impede the safe passage of boats navigating waterways. Subject to AA screening and where applicable, Stage 2 AA so as to ensure and protect the favourable status of European sites and their hydrological connections.</p> <p><b>TM O102</b></p> <p>Minimise the extent of hedgerow removal in order to achieve adequate sightlines. However, where it has been satisfactorily demonstrated that there is no other suitable development site (for planning reasons) any removed hedgerow shall be replaced with native hedgerow species. Opportunities should be sought to translocate existing species rich hedgerows, where possible, and subject to proper biosecurity protocols.</p> <p><b>TM O119</b></p> <p>Ensure car parking particularly parking associated with retail areas is designed in such a manner as to reduce visual impact and promote carbon sequestration, green infrastructure, and nature-based surface water drainage solutions by requiring:</p> <ul style="list-style-type: none"> <li>• The landscape design to include planting of trees and pollinator species to be undertaken by an appropriately qualified Landscape Architect and in collaboration with an appropriately qualified ecologist to ensure the biodiversity in the general area will support European Sites;</li> <li>• The construction details for the root zones of the proposed trees in accordance with best practice and to specify which locations utilise systems such as 'root barriers' to avoid future conflict between roots, roads, footpath surfaces and underground utility services;</li> <li>• The provision of not more than two parallel or five perpendicular spaces between trees/planting bays; and</li> <li>• The use of permeable paving, where appropriate.</li> </ul> <p><b>TM O124</b></p> <p>Expand the existing public lighting network and ensure that all new developments are provided with adequate public lighting for the safety of all pedestrians, cyclists and minority groups. Such lighting networks shall have regard for protected species such as bats which can potentially be affected by lighting systems. The Lux, wavelength and TTC28 (Total Transfer Capability) will be considered in the selection of appropriate lighting.</p> <p><b>TM O125</b></p> <p>Ensure that landscape proposals detail public lighting locations and that proposed street lighting is not compromised by tree planting. The landscape proposals should ensure that the trees are planted a sufficient distance from public lighting so that when the canopy matures it does not cover the light standard.</p> <p><b>TM O126</b></p> <p>Remove all inappropriate and unnecessary street lighting and cabling and ensure future street lighting installations do not adversely impact sensitive physical, environmental, natural and heritage resources within the county.</p> <p><b>TM O130</b></p> <p>Ensure that the design of external lighting schemes minimises the incidence of light spillage or pollution in the immediate surrounding environment and has due regard to the residential amenity of surrounding areas and the need to mitigate adverse impacts on sensitive fauna and protected species.</p>
Chapter 6 Infrastructure and Environmental Services	<p><b>IN P2</b></p> <p>Ensure the protection and enhancement of water quality throughout Kildare in accordance with the EU WFD and facilitate the implementation of the associated programme of measures in the River Basin Management Plan 2018-2021 (and subsequent updates).</p> <p><b>IN O3</b></p>

## Embedded protective policies and objectives relevant to European sites in the CDP

Promote water conservation and best practice water conservation in all developments, including rainwater harvesting and grey water recycling.

### IN O6

Require an undisturbed edge or buffer zone to be maintained, where appropriate, between new developments and riparian zones of water bodies to maintain the natural function of existing ecosystems associated with water courses and their riparian zones, and to enable sustainable public access. The width of the edge or buffer zone shall be determined during the appropriate environmental assessment such as EcIA or AA.

### IN O7

Protect recognised salmonid water courses in conjunction with Inland Fisheries Ireland such as the Liffey catchment, which are recognised to be exceptional in supporting salmonid fish species.

### IN P4

Ensure adequate surface water drainage systems are in place which meet the requirements of the EU Water Framework Directive and the River Basin Management Plan in order to promote the use of Sustainable Drainage Systems.

### IN O21

Facilitate the development of nature based Sustainable Urban Drainage Systems, including the retrofitting of SuDS in established urban areas. Culverting entire drains and streams will generally be prohibited; interference with natural drainage systems is to be minimised and the Council will explore opportunities to remove culverted drainage systems in favour of open, natural drainage systems.

### IN O22

Require the implementation of Sustainable Urban Drainage Systems (SuDS) and other nature-based surface water drainage as an integral part of all new development proposals.

### IN O25

Promote the use of green infrastructure (e.g., green roofs, green walls, planting, and green spaces) as natural water retention measures.

### IN O34

Recognise the important role of natural boglands and other wetland areas in flooding patterns. Development in these areas shall therefore be subject to a Flood Risk Assessment in accordance with the relevant guidelines.

### IN O36

Require that development along urban watercourses comply with the Inland Fisheries Ireland Guidance: Planning for Watercourses in the Urban Environment (2020), including the maintenance of a minimum riparian zone of 35 metres for river channels greater than 10 meters in width, and 20 meters for river channels less than 10 metres in width. Development within this zone will only be considered for water compatible developments as defined in the OPW Planning System and Flood Risk Management Guidelines for Planning Authorities (2009).

### IN O38

Support Inland Fisheries Irelands' pilot projects to investigate the incorporation of habitat restoration measures into flood management schemes on the upper Barrow and its tributaries for native species such as salmon and to address invasive fish species, subject to all necessary planning and environmental assessments.

### IN P7

Support the implementation of the Water Framework Directive, the River Basin Management Plan, and the Local Authority Waters Programme in achieving and maintaining at least good environmental status for all water bodies in the county.

### IN P8

Implement the provisions of EU and National legislation on air, noise, and light pollution and other relevant legislative requirements, as appropriate.

### IN O56

Protect water quality from pollution by agricultural sources and to promote the use of good farming practices in accordance with the Nitrates Directive (91/676/EEC) and Ireland's Nitrates Action Programme 2017- 2021 (including any subsequent update).

### IN O57

Assess applications for developments, having regard to the impact on the quality of surface waters and any targets and measures set out in the River Basin Management Plan and any subsequent local or regional plans. Where developments have the potential to impact the water quality of surface waters and/or any of the targets and measures set out in the RBMP, such a project should be subject to AA screening and where applicable, Stage 2 AA.

### IN O58

Require development proposals which may have an impact on water quality to undertake site specific assessments to determine localised pressure

## Embedded protective policies and objectives relevant to European sites in the CDP

	<p><b>IN O68</b> Require the design of external lighting schemes to minimise the incidence of light spillage or pollution into the surrounding environment having regard to the residential amenity of surrounding areas and the need to mitigate adverse impacts on biodiversity, particularly on river corridors.</p> <p><b>IN O69</b> Investigate measures to improve the approach to street lighting and ensure new developments are lit appropriately protecting environmentally sensitive areas.</p>
Chapter 7 Energy and Communication s	<p><b>EC O2</b> Adopt a positive approach to renewable energy proposals, having regard to the proper planning and sustainable development of the area, including community, environmental and landscape impacts and impacts on protected or designated heritage areas / structures.</p> <p><b>EC O4</b> Support infrastructural renewal and development of electricity and gas networks in the county, subject to safety and amenity requirements, subject to AA screening and where applicable, Stage 2 AA so as to ensure and protect the favourable status of European sites and their hydrological connections. Such developments will have regard for protected species and provide mitigation and monitoring where applicable</p> <p><b>EC O5</b> Support and encourage the sustainable development of renewable energy auto production units (the production of energy primarily for on-site usage) for existing and proposed developments in line with relevant design criteria, amenity and heritage considerations and the proper planning and sustainable development of the area, subject to AA screening and where applicable, Stage 2 AA so as to ensure and protect the favourable status 224 of European sites and their hydrological connections. Such developments will have regard for protected species and provide mitigation and monitoring where applicable.</p> <p><b>EC O11</b> Encourage wind energy developments in suitable locations in an environmentally sustainable manner whilst having regard to Government policy and the County Wind Energy Strategy, while being sensitive to the EU and national target of 30% of land for biodiversity. Subject to AA screening and where applicable, Stage 2 AA so as to ensure and protect the favourable status of European sites and their hydrological connections. Such developments will have regard for protected species and provide mitigation and monitoring where applicable.</p> <p><b>EC O12</b> Support small to medium scale wind energy developments within agricultural, industrial or business areas and support small community based proposals in urban and rural areas where they do not negatively impact upon the environmental quality (i.e. the habitats, species, hydrological connections and air quality of the area) and visual or residential amenities of the area, subject to AA screening and where applicable, Stage 2 AA so as to ensure and protect the favourable status of European sites and their hydrological connections. Such developments will have regard for protected species and provide mitigation where applicable</p> <p><b>EC O13</b> Support the repowering (by replacing existing wind turbines) of existing windfarm development and the extension of existing and permitted wind farms on a case-by-case basis subject to further appropriate public consultation and proper planning considerations and environmental considerations such as the movement of qualifying interest species of European Sites. Projects shall provide mitigation and monitoring where applicable.</p> <p><b>EC O16</b> Require comprehensive winter and summer bird and wildlife surveys for all proposed wind farms sites, so that impacts on wildlife can be fully assessed and evaluated and so that appropriate mitigation and adaptation measures can be considered, to include for example removal or repositioning of turbines, introducing one black painted rotor blade (to reduce motion smear and reduce incident of collision) or the provision of technologies that help minimize harm to birds and other wildlife.</p> <p><b>EC O17</b> Support the building of integrated and commercial-scale solar projects at appropriate locations subject to a viability assessment and environmental safeguards including the protection of natural or built heritage features, biodiversity and views and prospects.</p> <p><b>EC O21</b> Support the provision of solar farms in appropriate locations in accordance with the criteria as set out in Section 7.6 of the CDP and environmental considerations such as the movement of qualifying interest species of European Sites. Projects shall provide mitigation and monitoring where applicable.</p> <p><b>EC O26</b> Only permit the removal of hedgerow where the removal of same has been clearly demonstrated, to the satisfaction of the Planning Authority, to be necessary for the development of a solar farm(s)</p>

## Embedded protective policies and objectives relevant to European sites in the CDP

<b>EC P6</b>	<p>Facilitate the development of new river-based hydro energy plants subject to all necessary environmental considerations. River based hydro energy developments shall not be permitted within Natura 2000 sites or within designated and proposed Natural Heritage Areas or, ex situ of these ecologically sensitive areas where proposals will adversely affect the integrity of Natura 2000 sites; impact on the ecological integrity of NHA/pNHAs, or the habitats of protected species (without appropriate licence) as designated under National and European legislation</p>
<b>EC O27</b>	<p>Support proposals for hydro energy installations, including small-scale hydroelectric projects on the rivers, watercourses, freshwater dams and weirs across the County, where projects do not negatively impact on freshwater species, biodiversity and natural or built heritage features. Many of the rivers and tributaries in the county are protected under the Birds and Habitats Directives or other heritage designations, which will require consideration during the investigation of any possible suitable site.</p>
<b>EC O29</b>	<p>Require, appropriate buffer zones around dams, reservoirs and embankments constructed for the purpose of electricity generation.</p>
<b>EC O30</b>	<p>Support the development of small-scale hydro-electricity projects in the county, in particular for on-site consumption to meet the electricity requirements of proposed new buildings, or refurbishment of existing buildings appropriate to their riverside location and setting. Such developments shall be subject to an AA Screening Report, and where applicable, Stage 2 AA. They shall have a regard for any hydrological connection shared with a European Site and shall account for any potential likely significant effects and provide mitigation and monitoring where appropriate.</p>
<b>EC P7</b>	<p>Facilitate large and smaller scale geothermal energy generating developments both standalone and in conjunction with other renewable energy projects, subject to the proper planning and sustainable development of the area and consideration of environmental and ecological sensitivities in particular the sensitivities of protected surface water or groundwater bodies and groundwater dependent terrestrial ecosystems and to have regard to the Draft Policy Statement on Geothermal Energy for a Circular Economy (2021) published by the Department of the Environment, Climate &amp; Communications (or any subsequent updates).</p>
<b>EC P8</b>	<p>Facilitate and support the development of projects that convert biomass to gas or electricity subject to national and regional policy. Such projects shall be subject to AA screening and where applicable, Stage 2 AA</p>
<b>EC P10</b>	<p>Facilitate micro-renewable energy installations and auto-generator installations where it is demonstrated to the satisfaction of the Council that they will not result in a significant adverse impact on residential, visual or environmental amenity. Such projects shall be subject to AA screening and where applicable, Stage 2 AA.</p>
<b>EC P17</b>	<p>Support the preparation of a comprehensive “after use” framework plan for the industrial peatlands and associated workshops, office buildings, industrial sites and power stations in Kildare, acknowledging the significant contribution that these expansive lands make towards the special landscape of the Bog of Allen and its potential to further the growth of tourism to and within the County including the creation of a National Peatlands Park, being a focal point for the environmental landscape, conservation and amenity.</p>
<b>EC O53</b>	<p>Support the implementation of the recommendations contained in the National Peatlands Strategy 2015 and any subsequent revisions, including the creation of a National Peatlands Park and Peatland Centre of Excellence.</p>
<b>EC O54</b>	<p>Require an Ecological Impact Assessment to be carried out and submitted with any planning application for energy infrastructure projects (e.g., wind and solar developments).</p>
<b>EC A8</b>	<p>Support in conjunction with Offaly County Council and Laois County Council any proposal for a new National Peatlands Park on Bord Na Mona cutaway bogs in Kildare, Laois and Offaly.</p>
<b>EC P18</b>	<p>Support the accommodation of Data Centres at appropriate locations in line with the objectives of the National Planning Framework and the principles for Sustainable Data Centre Development of the Government Statement on the Role of Data Centres in Ireland’s Enterprise Strategy (July 2022) subject to appropriate Transport, Energy and Environmental Assessments and all relevant planning conditions. The location of data centres shall be situated where they will not have a potential likely significant effect on a European Site. Such developments shall be subject to an AA Screening Report, and where applicable, Stage 2 AA.</p>

## Embedded protective policies and objectives relevant to European sites in the CDP

They shall have regard for any hydrological connection shared with a European Site and shall account for any potential likely significant effects and provide mitigation and monitoring where appropriate.

### EC O59

Consider applications for data centres having regard to the following criteria:

- Accessibility/ease of connection to power
- Availability of renewable energy to power any proposed data centre.
- Availability of high-powered fibre optic infrastructure
- Transport/road accessibility
- Compatibility of surrounding land uses/zoning
- Avoidance of designated sites including specifically avoidance of development of data centres where they would adversely affect the integrity of a European Site
- Availability of significant landbanks
- Noise
- Visual impact
- Flood risk

Such developments shall be subject to an AA Screening Report, and where applicable, Stage 2 AA. They shall have a regard for any hydrological connection shared with a European Site and shall account for any potential likely significant effects and provide mitigation and monitoring where appropriate

### EC P19

Support the development, reinforcement, renewal and expansion of the electricity transmission and distribution grid to provide for the future physical and economic development of Kildare. Such projects shall be subject to AA screening and where applicable, Stage 2 AA. The developments will have regard for protected species and provide mitigation and monitoring where applicable.

### EC O67

Require that developments involving the siting of overhead cables shall minimise visual impact by avoiding areas of high landscape sensitivity, sites and areas important for biodiversity and/or archaeological, cultural or heritage interest.

### EC O70

Facilitate the development of grid reinforcements including grid connections and a trans-boundary network into and through the county and between all adjacent counties. Such projects shall be subject to AA screening and where applicable, Stage 2 AA. The developments will have regard for protected species and provide mitigation and monitoring where applicable.

### EC O73

Consider the removal of trees (singular or in stands) and hedgerows (in part or in whole) only in circumstances where it can be clearly demonstrated that the removal of hedgerow material and or tree(s) is essential for the provision of energy and cannot be designed out. Where proven, the vegetation is to be replaced with equivalent number, species, variety and size as was in situ. Where non-native species are removed, they will be required to be replaced with native species. In all cases, plants of local provenance are to be planted within 1 year of removal and maintained to establishment to negate the habitat and biodiversity loss within 3 years. Existing vegetative or 'stepping-stone' linkages are to be maintained and improved upon to increase wildlife corridors. Opportunities should be sought to translocate existing species rich hedgerows, where possible, and subject to proper biosecurity protocols.

### EC O75

Promote and facilitate the provision of appropriate telecommunications infrastructure, including broadband connectivity and other technologies within the county. Such projects shall be subject to AA screening and where applicable, Stage 2 AA. The developments will have regard for protected species and provide mitigation and monitoring where applicable.

### EC O80

Ensure that the location of telecommunications structures minimises and/or mitigates any adverse impacts on communities, public rights of way, historical sites, or amenities, and the built or natural environment. Innovative design solutions will be encouraged

### EC O82

Minimise the provision of overground masts and antennae within the following areas: • Areas of high amenity/sensitive landscape areas. • Areas within or adjoining the curtilage of protected structures. • On or within the setting of archaeological sites.

### EC P21

Support the infrastructural renewal and development of the gas networks in the county, subject to proper planning, heritage, environmental and amenity requirements.

## Embedded protective policies and objectives relevant to European sites in the CDP

	<p><b>EC O85</b> Co-operate with service providers in securing a greater range and coverage of telecommunications services in order to ensure that people and businesses have equitable access to a wide range of services and the latest technologies as they become available.</p>
	<p><b>RD O6</b> Encourage the conservation and promotion of biodiversity in all rural development activities whilst supporting the restoration, preservation, and enhancement of ecosystems dependent on agriculture and forestry.</p> <p><b>RD O10</b> Encourage the development of environmentally sustainable agricultural practices, to ensure that development does not impinge on the visual amenity of the countryside and that the quality of the natural environment (watercourses, wildlife habitats and areas of ecological importance) is maintained and protected from the threat of pollution to support the achievement of climate targets.</p> <p><b>RD O12</b> Support the implementation of the draft objectives identified in the County Biodiversity Plan 2009-2014 (or as updated).</p> <p><b>RD O20</b> Support and encourage the work of the horticultural sector and third level institutions in the development of peat free media/compost to assist growers, producers, garden centres and homeowners with a sustainable alternative to peat-based compost and the negative environmental impacts associated with peat extraction.</p> <p><b>RD O21</b> Encourage the development of environmentally sustainable horticultural practices, to ensure that development does not impinge on the visual amenity of the countryside and that watercourses, wildlife habitats and areas of ecological importance are protected from the threat of pollution.</p> <p><b>RD P6</b> Increase forest cover in the county at appropriate locations while protecting sensitive landscapes, water bodies, all sites, habitats, and species of ecological importance including European sites and amenity areas</p> <p><b>RD O26</b> Support new forestry plantation and works related to forestry, subject to protection of visually sensitive areas, ecology, water resources and abstractions, and compliance with national regulations with respect to protection of the environment.</p> <p><b>RD O27</b> Support the development of forestry resources with several functions including, flood retention, biodiversity, water quality/catchment management, tourism and recreation in conjunction with Coillte and other relevant stakeholders.</p> <p><b>RD O28</b> Discourage monocultural forestry and encourage a greater range of tree species in forestry plantations and promote, in particular, more native, deciduous hardwood woodlands. Such forestry plantations shall be subject to best practice and appropriate biosecurity measures and protocols.</p> <p><b>RD O30</b> Ensure that development is appropriate in scale and character and does not have a negative visual impact on the countryside including public access, rights of way, walking routes and recreational facilities or cause degradation of wildlife habitats, nature conservation areas or areas of ecological importance.</p> <p><b>RD P7</b> Support the appropriate and sensitive diversification of former cutaway peatlands, whilst ensuring the protection of their ecological, archaeological, cultural, and educational significance in line with the National Peatlands Strategy (DAHG 2015) the National Raised Bog Special Area of Conservation Management Plan 2017-2022 and the Peatlands &amp; Climate Change Action Plan 2030.</p> <p><b>RD O32</b> Encourage the re-wetting, restoring and/or re-wilding of former cutaway bogs and peatlands with an emphasis on maximising biodiversity and carbon sequestration to account for approximately 70% of cutaway bogs. Such projects shall be subject to AA; shall have regard to any hydrological connection shared with a European Site and their qualifying interest species; shall not adversely affect drainage of surrounding lands; and shall account for any potential likely significant effects and provide mitigation and monitoring where appropriate.</p> <p><b>RD O33</b> Work with all relevant stakeholders including Bord na Móna to support the sustainable re-use and sustainable development of up to approximately 30% of cutaway boglands (within County Kildare) for economic purposes, including inter alia renewable energy (wind and solar) in appropriate locations, subject to relevant environmental assessments. Such projects shall be subject to AA; shall have regard to any hydrological</p>

## Embedded protective policies and objectives relevant to European sites in the CDP

	<p>connection shared with a European Site and their qualifying interest species; shall not adversely affect drainage of surrounding lands; and shall account for any potential likely significant, cumulative and in combination effects</p> <p><b>RD O34</b></p> <p>Proposals brought forward for any development on the county's cutaway peatlands shall be accompanied by an independent biodiversity profile of the landholding, setting out how the proposed development was formulated having regard to the following step by step, biodiversity-led process: 1. Identification of areas of greatest ecological value and how the proposal is compatible with peatland restoration. 2. Identification of areas of greatest carbon sequestration value. 3. Identification of areas of amenity value and potential, and incorporation of the Green Infrastructure Strategy (see Section 12.14.5). 4. Identification of the subject site as a percentage of the overall landholding and justification for the proposed use having regard to Objective RD O33.</p> <p><b>RD O37</b></p> <p>Recognise the importance of cutover and cutaway bogs in providing some critical ecosystem services such as potential carbon sinks. Cutover bogs should be identified for immediate management interventions to prevent further degradation, particularly the ongoing loss of their carbon store.</p> <p><b>RD O38</b></p> <p>Encourage, where possible, the return to a natural functioning peatland ecosystem in the first instance.</p> <p><b>RD O39</b></p> <p>Protect peatlands from inappropriate development having regard to the Wind Energy Strategy for County Kildare (see Appendix 2 of CDP).</p> <p><b>RD O40</b></p> <p>Ensure that peatland areas which are designated (or proposed for designation) as NHAs, SACs or SPAs are conserved for their ecological and archaeological significance</p> <p><b>RD O41</b></p> <p>When developing project proposals for development on peatlands, undertake a peatland stability assessment, carbon emissions balance assessment and hydrological and ecological impact assessments, as required.</p> <p><b>RD A1</b></p> <p>Promote and support the development and operation of a number of long distance peatways that traverse the Bog of Allen utilising former industrial peat railway tracks and lines at the following locations:</p> <ul style="list-style-type: none"> <li>• From Ticknevin Bridge (Grand Canal) to Rathangan</li> <li>• Enfield (Royal Canal)/Kilshancoe (Raven's Cross)/Killyon/Doogary through Timahoe Bog to Allenwood Community Development Association Ltd. and onto the Grand Canal and from there through Lullymore East and onto the Rathangan.</li> </ul> <p>These routes would also provide a loop walk comprising elements of the above two routes.</p> <p><b>RD P8</b></p> <p>Support and manage the appropriate future development of Kildare's natural aggregate resources in appropriate locations to ensure adequate supplies are available to meet the future needs of the county and the region in line with the principles of sustainable development and environmental management and to require operators to appropriately manage extraction sites when extraction has ceased</p> <p><b>RD O42</b></p> <p>Ensure that development for aggregate extraction, processing and associated concrete production does not significantly impact the following:</p> <ul style="list-style-type: none"> <li>- Special Areas of Conservation (SACs)</li> <li>- Special Protection Areas (SPAs)</li> <li>- Natural Heritage Areas (NHAs)</li> <li>- Other areas of importance for the conservation of flora and fauna.</li> <li>- Zones of Archaeological Potential.</li> <li>- The vicinity of a recorded monument.</li> <li>- Sensitive landscape areas as identified in Chapter 13 of the CDP.</li> <li>- Scenic views and prospects.</li> <li>- Protected Structures.</li> <li>- Established rights of way and walking routes.</li> <li>- Potential World Heritage Sites in Kildare on the UNESCO Tentative List, Ireland.</li> </ul> <p><b>RD O44</b></p> <p>Require applications for mineral or other extraction to include (but not limited to):</p>
--	--

## Embedded protective policies and objectives relevant to European sites in the CDP

	<ul style="list-style-type: none"> <li>• An AA under Article 6 of the Habitats Directive where any quarry / sand and gravel extraction are likely to have an impact on a Natura 2000 site (see Chapter 12);</li> <li>• An Environmental Impact Assessment Report (EIAR);</li> <li>• An Ecological Impact Assessment may also be required for sub-threshold developments to evaluate the existence of any protected species/habitats on site</li> <li>• A detailed landscaping plan to be submitted indicating proposed screening for the operational life of the site. The predominant use of native plant species in the proposed landscaping plan will be expected;</li> <li>• Detailed landscaping and quarry restoration plans. Habitats and species surveying shall be carried out and shall influence the restoration plan for the site.</li> </ul> <p>Comprehensive Site Restoration Plan and./or After-Use Strategy having regard to the principles of 'Rehabilitation Ecology'</p> <p><b>RD O49</b></p> <p>Have regard to the following guidance documents (as may be amended, replaced, or supplemented) in the assessment of planning applications for quarries, ancillary services, restoration and after-use:</p> <ul style="list-style-type: none"> <li>• Quarries and Ancillary Activities: Guidelines for Planning Authorities, DEHLG (2004).</li> <li>• Environmental Management Guidelines – Environmental Management in the Extractive Industry (Non-Scheduled Minerals), EPA (2006).</li> <li>• Archaeological Code of Practice between the DEHLG and ICF (2009).</li> <li>• Geological Heritage Guidelines for the Extractive Industry (2008).</li> <li>• Wildlife, Habitats, and the Extractive Industry – Guidelines for the protection of biodiversity within the extractive industry, NPWS (2009).</li> </ul> <p><b>RD O50</b></p> <p>Ensure the satisfactory and sensitive re-instatement and/or re-use of disused quarries and extraction facilities, where active extraction use has ceased. Future uses should include amenity, recreation and biodiversity areas shall be informed by an assessment of the specific site/lands and shall be subject to an ecological impact assessment or other environmental assessments as appropriate. Where it is proposed to reclaim, regenerate, or rehabilitate old quarries by filling or re-grading with inert soil or similar material, or to use worked-out quarries as disposal locations for inert materials, the acceptability of the proposal shall be evaluated against the criteria set out in Section 15.9.6 of this Plan. The Council will resist development that would significantly or unnecessarily alter the natural landscape and topography, including land infilling/ reclamation projects or projects involving significant landscape remodelling, unless it can be demonstrated that the development would enhance the landscape and / or not give rise to adverse impacts.</p> <p><b>RD O51</b></p> <p>Require that quarry remediation plans provide for environmental benefit, biodiversity and re-wilding in all instances. The 80% requirement for environmental/biodiversity may be waived at sites closer to urban areas where a significant portion of the site is being provided for sports, recreation, and amenity.</p>
Chapter 10 – Community Infrastructure and Creative Places	<p><b>SC O2</b></p> <p>Make provision, through appropriate land use zoning in the CDP settlement plans and Local Area Plans to deliver community infrastructure, supports and services in a planned and co-ordinated manner within the county, subject to AA screening and where applicable, Stage 2 AA.</p> <p><b>SC O25</b></p> <p>Increase the quantity and improve the quality of children's play facilities across the county particularly in areas where a lack of provision has been identified (e.g., play areas should be within a 10-minute walk of new and existing residential areas), subject to AA screening and where applicable, Stage 2 AA</p> <p><b>SC O28</b></p> <p>Support the provision of multi-purpose sports (to include minority sports, and arts / drama activities) halls, outdoor playing pitches, all-weather playing pitches, tennis courts, basketball courts, swimming pools, and associated facilities in appropriate locations and to particularly encourage flexibility in the design of sports facilities in order to accommodate a range of sporting activities, subject to AA screening and where applicable, Stage 2 AA</p> <p><b>SC A8</b></p> <p>Continue to develop open spaces throughout the county which encourage a range of recreational and amenity activities that will cater for both active and passive recreation, subject to AA screening and where applicable, Stage 2 AA</p> <p><b>SC O36</b></p> <p>Provide for nursing homes in urban and appropriately located rural settings in the county and to site residential care facilities for older persons close to community and social facilities (e.g., shops, health services etc.) ensuring older persons can remain part of and contribute to existing communities, subject to AA screening and where applicable, Stage 2 AA</p>

## Embedded protective policies and objectives relevant to European sites in the CDP

	<p><b>SC O46</b> Facilitate the development of new facilities in built up areas close to walking/cycling infrastructure and public transport links, subject to AA screening and where applicable, Stage 2 AA.</p> <p><b>SC O47</b> Facilitate the expansion of existing facilities to cater for the needs of community groups and the growing population in Kildare, subject to AA screening and where applicable, Stage 2 AA</p> <p><b>SC P10</b> Develop and improve the physical infrastructure of arts and cultural facilities throughout the county particularly in areas where there is a deficiency in such provision, subject to AA screening and where applicable, Stage 2 AA</p>
<p>Chapter 11 Built and Cultural Heritage</p>	<p><b>AH O49</b> Preserve, protect and where necessary encourage the use of heritage/traditional varieties of plants and trees that form part of the local/ regional biodiversity resource and that contribute to local identity.</p> <p><b>AH O51</b> Require that planning applications take into consideration the impacts of the development on their landscapes and demonstrate that the development proposal has been designed to take account of the heritage resource of the landscape.</p>
<p>Chapter 12 Biodiversity and Green Infrastructure</p>	<p><b>BI P1</b> Integrate in the development management process the protection and enhancement of biodiversity and landscape features by applying the mitigation hierarchy to potential adverse impacts on important ecological features (whether designated or not), i.e. avoiding impacts where possible, minimising adverse impacts, and if significant effects are unavoidable by including mitigation and/or compensation measures, as appropriate. Opportunities for biodiversity net gain are encouraged.</p> <p><b>BI O1</b> Require, as part of the Development Management Process, the preparation of Ecological Impact Assessments that adequately assess the biodiversity resource within proposed development sites, to avoid habitat loss and fragmentation and to integrate this biodiversity resource into the design and layout of new development and to increase biodiversity within the proposed development. Such assessments shall be carried out in line with the CIEEM (2018) Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine.</p> <p><b>BI O6</b> Apply the precautionary principle in relation to proposed developments in environmentally sensitive areas to ensure that all potential adverse impacts on a designated NHA or Natura 2000 Site arising from any proposed development or land use activity are avoided, remedied, or mitigated.</p> <p><b>BI P2</b> Seek to contribute to maintaining or restoring the conservation status of all sites designated for nature conservation or proposed for designation in accordance with European and national legislation and agreements. These include Special Areas of Conservation (SACs), Special Protection Areas (SPAs), Natural Heritage Areas (NHAs), Ramsar Sites and Statutory Nature Reserves.</p> <p><b>BI O8</b> Support the implementation of the National Raised Bog Special Areas of Conservation Management Plan 2017-2022.</p> <p><b>BI O9</b> Avoid development that would adversely affect the integrity of any Natura 2000 site and promote favourable conservation status of habitats and protected species including those listed under the Birds Directive, the Wildlife Acts and the Habitats Directive, to support the conservation and enhancement of Natura 2000 Sites including any additional sites that may be proposed for designation during the period of this Plan and protect the Natura 2000 network from any plans and projects that are likely to have a significant effect on the coherence or integrity of a Natura 2000 Site.</p> <p><b>BI O10</b> Ensure an AA Screening, in accordance with Article 6(3) and Article 6(4) of the Habitats Directive, Section 177A of the Planning and Development Act (2001-2022) or any superseding legislation and with DEHLG guidance (2009), is carried out in respect of any plan or project not directly connected with or necessary to the management of a Natura 2000 site to determine the likelihood of the plan or project having a significant effect on a Natura 2000 site, either individually or in combination with other plans or projects and to ensure that projects which may give rise to significant cumulative, direct, indirect or secondary impacts on Natura 2000 sites will not be permitted (either individually or in combination with other plans or projects) unless for reasons of overriding public interest.</p>

## Embedded protective policies and objectives relevant to European sites in the CDP

**BI O11** Support the establishment of conservation measures and the preparation and implementation of management plans for the conservation of Natura 2000 sites by NPWS, as required by Article 6(1) of the Habitats Directive.

### **BI P3**

Ensure that any proposal for development within or adjacent to a Natural Heritage Area (NHA), Ramsar Sites and Nature Reserves is designed and sited to minimise its impact on the biodiversity, ecological, geological and landscape value of the site, particularly plant and animal species listed under the Wildlife Acts and the Habitats and Birds Directive including their habitats

### **BI O12**

Require the preparation of an Ecological Impact Assessment (EcIA) by a suitably qualified professional for proposals for development within or adjacent to a Natural Heritage Area (NHA)/proposed Natural Heritage Areas (pNHA), to ensure the development is designed and sited to minimise its impact on the biodiversity, ecological, geological and landscape value of the site, particularly plant and animal species listed under the Wildlife Acts. Such assessments shall be carried out in line with the CIEEM (2018) Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine.

### **BI O13**

Support the establishment of conservation measures and preparation and implementation of management plans for the conservation of NHA sites by NPWS.

### **BI O14**

Conserve, preserve and protect the integrity of and maintain the favourable conservation value/status within or adjacent to Ramsar Sites, Statutory Nature Reserves, Biogenetic Reserves, Wildfowl Sanctuaries, all existing and proposed NHAs. They should be designed and sited so as to minimise their impact on the ecological and landscape values of these sites under National and European legislation and International Agreements.

### **BI O22**

Identify and protect areas of high nature conservation value (including but not limited to SAC / SPA / pNHA) and support the landscape features which act as ecological corridors/networks and stepping-stones, such as river corridors, hedgerows, and road verges so as to minimise the loss of habitats and features of the wider countryside which are of major importance for wild fauna and flora in accordance with Article 10 of the Habitats Directive.

### **BI A9**

Undertake surveys and collect data to provide an evidence-base to assist the Council in meeting its obligations under Article 6 of the Habitats Directives (92/43/EEC) as transposed into Irish Law, subject to available resources.

### **BI P4**

Ensure that any new development proposal does not have a significant adverse impact, incapable of satisfactory mitigation on plant, animal or bird species which are protected by law.

### **BI O15**

Ensure that any new development proposal does not have a significant adverse impact on rare and threatened species, including those protected under the Wildlife Acts 1976 and 2012, the Birds Directive 1979 the Habitats Directive 1992 and the Flora Protection Order species and any species listed under the national red lists or that could be listed on a national red list.

### **BI O16**

Ensure appropriate species and habitat avoidance and mitigation measures are incorporated into all new development proposals.

### **BI O17**

Require a derogation licence, where necessary, issued by the DHLGH, in the event of a proposed development impacting on a site known to be a breeding or resting site of species listed in the Habitats Directive (Annex IV species).

### **BI O18**

Require all applications for new developments to identify, protect and sensitively enhance the most important ecological features and habitats, and incorporate these into the overall open space network, keeping free from development and to provide links to the wider Green Infrastructure network as an essential part of the design process and by making provision for local biodiversity (e.g. through provision of swift boxes or towers, bat roost sites, hedgehog highways , green roofs, etc.).

### **BI O19**

Require that all biodiversity data gathered in the preparation of planning applications will be made available to the National Biodiversity Data Centre (NDBC).

### **BI O20**

## Embedded protective policies and objectives relevant to European sites in the CDP

Conserve and protect habitats and species listed in the Annexes of the EU Habitats Directive (92143/EEC) (as amended), the Birds Directive (20091147/EC), Directive Annex 2, the Wildlife Acts 1976 to 2000, The Wildlife Acts 1976 (as amended) and the Flora Protection Order No 94 of 1999.

### **BI O21**

Work with bodies such as the NPWS and National Biodiversity Data Centre to ensure that species for which Kildare is a national stronghold such as Green-Flowered Helleborine Orchid, Yellowhammer and Linnet, which are nationally rare or declining, are supported to flourish and seek to ensure the habitat conditions favourable to such species are retained in the county.

### **BI O22**

Identify and protect areas of high nature conservation value (including but not limited to SAC/SPA/pNHA) and support the landscape features which act as ecological corridors/networks and stepping-stones, such as river corridors, hedgerows, and road verges so as to minimise the loss of habitats and features of the wider countryside which are of major importance for wild fauna and flora in accordance with Article 10 of the Habitats Directive.

### **BI A9**

Undertake surveys and collect data to provide an evidence-base to assist the Council in meeting its obligations under Article 6 of the Habitats Directives (92/43/EEC) as transposed into Irish Law, subject to available resources.

### **BI P7**

Recognise and promote inland waters, natural environmental assets and to protect rivers, streams and other watercourses and, wherever possible, maintain them in an open state capable of providing suitable habitats for fauna and flora while discouraging culverting or realignment.

### **BI O37**

Ensure the protection of rivers, streams and other watercourses and, wherever possible, maintain them in an open state capable of providing suitable habitats for fauna and flora while discouraging culverting or realignment. Endeavour to re-open previously culverted streams and watercourses through any future development/redevelopment proposals.

### **BI O38**

Require the preparation and submission of an Ecological Impact Assessment (EcIA) including bat and otter surveys for developments along river or canal corridors.

### **BI O39**

Consult with Inland Fisheries Ireland (IFI) in relation to any development (greenfield development or redevelopment of brownfield sites) that could potentially impact on the aquatic ecosystems and associated riparian habitats while taking account of ‘Requirements for the Protection of Fisheries Habitat during Construction and Development Works at River Sites’ (IFI, 2004) and ‘Planning for Watercourses in the Urban Environment’ (IFI, 2020).

### **BI O40**

Support Inland Fisheries Ireland’s pilot projects to investigate the incorporation of habitat restoration measures on waters draining the Bog of Allen into flood management schemes.

### **BI O41**

Maintain riparian buffer zones and potential uses as identified in Table 12.4 when considering potential development and proposed development layouts within or adjacent to waterways.

### **BI O42**

Ensure that any proposals for a National Peatlands Park will consider the important rivers and populations of native fish and other species, when draining the Bog of Allen area.

### **BI O43**

Consult with Inland Fisheries Ireland (IFI) and Waterways Ireland in relation to any structures designed for crossing fisheries waters. In this regard consideration must be given to the following biological criteria:

- species of fish required to safely pass
- size of fish required to pass (life stage)
- time of year in which fish passage is required
- high and low design passage flows etc.

### **BI O44**

Require that expert advice is sought from a suitably qualified bat expert, in developing lighting proposals along river and stream corridors or other important locations or corridors for wildlife, to mitigate impacts of lighting on bats and other species. The use of artificial lighting shall be avoided in streamside zones (see Figure 12.2) and artificial lighting should be restricted unless absolutely necessary in the middle zone (See Table 12.4). LEDs should, where permitted, be warm white to minimise disturbance to wildlife.

### **BI O45**

## Embedded protective policies and objectives relevant to European sites in the CDP

Chapter 13 - Landscape and Visual Amenity	<p>Ensure that any runoff from developed areas does not result in any deterioration of downstream watercourses or habitats and require that pollution generated by a development is treated within the development area prior to discharge to local watercourses.</p>
	<p><b>BI O47</b></p> <p>Ensure the protection, improvement or restoration of riverine floodplains and to promote strategic measures to accommodate flooding at appropriate locations including nature-based solutions, in order to protect ground and surface water quality and build resilience to climate change.</p>
	<p><b>BI O48</b></p> <p>Avoid developing walking/cycling trails through sensitive ecological habitats. A multi-disciplinary team including an ecologist and flood risk expert shall review all riverine sites to determine the appropriate zonation (ref Table 12.4 of CDP) and permissible uses.</p>
	<p><b>BI P8</b></p> <p>Ensure that Kildare's wetlands and watercourses are retained for their biodiversity, climate change mitigation properties and flood protection values and at a minimum to achieve and maintain at least good ecological status for all wetlands and watercourses in the county by, at the latest, 2027 in line with the Water Framework Directive and Ramsar Convention.</p>
	<p><b>BI O49</b></p> <p>Protect wetland sites that have been rated A (International), B (National) C+ (County) and C (Local) importance as identified in the County Kildare Wetlands Survey 2012-2014, (See Tables 12.5 &amp; 12.6 of CDP).</p>
	<p><b>BI O58</b></p> <p>Require all development proposals to address the presence or absence of invasive alien species on proposed development sites and (if necessary) require applicants to prepare and submit an Invasive Species Management Plan where such species exist, in order to comply with the provisions of the European Communities (Birds and Natural Habitats) Regulations 2011-2015.</p>
	<p><b>BI A27</b></p> <p>Determine, as a priority, whether there is a potential threat of invasive species to the protected sites within the County, and to begin a dedicated programme of eradication, beginning with the Natura 2000 sites.</p>
	<p><b>BI O74</b></p> <p>Strengthen ecological networks between urban areas to create greater linkages to Natura 2000 sites, proposed Natural Heritage Areas, parks and open spaces and the wider regional Green Infrastructure network.</p>
	<p><b>LR O43</b></p> <p>Normally only permit development proposals associated with water sports adjacent to waterways (including lakes) where the proposed facilities are compatible with the existing use of water including nonrecreational uses, which will not result in damage to important features of archaeological heritage or Natura 2000 sites and where they can be satisfactorily integrated into the landscape so that they will not have an unacceptable impact on visual or environmental amenities especially in areas of high amenity or scenic importance.</p>
	<p><b>LR O45</b></p> <p>Support the proposed Umeras Peatlands Park development of Umeras Community Development and explore links between the bog and nearby blueways and greenways, whilst ensuring nearby properties would not be negatively affected, in consultation with Offaly County Council, Waterways Ireland and all other relevant stakeholders. The proposed development shall be subject to an AA Screening Report, and where applicable, Stage 2 AA. They shall have regard for any hydrological connection shared with a European Site and their qualifying interest species. The project shall account for any potential likely significant effects and provide mitigation and monitoring where appropriate.</p>
<p><b>LR O46</b></p> <p>Lead and support the extension and interconnection of Greenways, Blueways, Peatways and trails within and outside County Kildare in consultation with Coillte, Bord na Móna and all other relevant stakeholders, subject to AA screening and where applicable, Stage 2 AA so as to ensure and protect the favourable status of European sites and their hydrological connections. Such developments will have regard for protected species and provide mitigation where applicable.</p>	
<p><b>LR O51</b></p> <p>Facilitate the development of a walking route between Ballymore Eustace, Golden Falls, Poulaphouca/Blessington Greenway, Russborough and Barrettstown, in cooperation with landowners and government agencies, subject to AA screening and where applicable, Stage 2 AA so as to ensure and protect the favourable status of European sites and their hydrological connections. Such developments will have regard for protected species and provide mitigation where applicable.</p>	

## Embedded protective policies and objectives relevant to European sites in the CDP

### LR O69

Preserve, protect, promote and improve for the common good, existing rights of way which contribute to general amenity, particularly those which provide access to archaeological sites and National Monuments and amenities, including upland areas and water corridors, and to create new ones or extend existing ones where appropriate either by agreement with landowners or through the use of compulsory powers, without adversely affecting landscape conservation interests, subject to AA screening and where applicable, Stage 2 AA so as to ensure and protect the favourable status of European sites and their hydrological connections. Such developments will have regard for protected species and provide mitigation where applicable

## A.4 Source-Pathway-Receptor Assessment

Proposed Variation No. 4 to the Kildare CDP 2023-2029	Potential Source of Impacts	Pathway	Receptor	Potential for LSE
<p>LR 02-<del>Require a Landscape/Visual Impact Assessment to accompany proposals that are likely to significantly affect:</del></p> <ul style="list-style-type: none"> <li>● <del>Landscape Sensitivity Factors;</del></li> <li>● <del>A Class 4 or 5 Sensitivity Landscape (i.e. within 500m of the boundary);</del></li> <li>● <del>A route or view identified in Map V1-13.3 (i.e. within 500m of the site boundary).</del></li> <li>● <del>All Wind Farm development applications irrespective of location, shall be required to be accompanied by a detailed Landscape/Visual Impact Assessment including a series of photomontages at locations to be agreed with the Planning Authority, including from scenic routes and views identified in Chapter 13.</del></li> </ul> <p><i>Require a Landscape and Visual Impact Assessment (LVIA) to accompany significant development proposals in areas of High landscape character sensitivity. A LVIA should also accompany applications for:</i></p> <p><i>- significant development proposals in other parts of the county, on a case-by-case basis (e.g., housing development, wind turbine and solar array developments, extractive industry, telecommunications infrastructure, afforestation and replanting of commercial forestry proposals); and</i></p> <p><i>- smaller scale developments taking account of the landscape sensitivity of an area and/or concerns regarding potential negative landscape or visual impacts.</i></p>	No potential source of impacts anticipated arising from this objective.	N/A	N/A	Potential for LSE does not exist as no potential source of impacts are anticipated to arise from this objective.
<p>LR 06-<del>Investigate the feasibility of preparing a Landscape Conservation Area Assessment within the county to identify any area(s) or place(s) within the county as a Landscape Conservation Area, in accordance with the Planning and Development Act 2000 (as amended).</del></p> <p><i>Kildare County Council will have regard to the landscape character of adjoining counties, and any relevant regional strategies, when considering projects which may have a material impact on the landscape character of the adjoining counties.</i></p>	No potential source of impacts anticipated arising from this objective.	N/A	N/A	Potential for LSE does not exist as no potential source of impacts are anticipated to arise from this objective.
<p>LR 07 Restrict the quarrying of sensitive sites within the Landscape Character Areas <del>in line with Table 13.3 and Table 13.4 above in line with the LCA Sensitivity Map V1-13.2A and Table 13.4 above and to protect and conserve the ecological, archaeological, biodiversity and visual amenity surrounding quarry sites, in identifying sites for restriction.</del></p>	No potential source of impacts anticipated arising from this objective.	N/A	N/A	Potential for LSE does not exist as no potential source of impacts are anticipated to arise from this objective.

Proposed Variation No. 4 to the Kildare CDP 2023-2029	Potential Source of Impacts	Pathway	Receptor	Potential for LSE
LR011 Support collaboration between Kildare County Council, the Midlands Regional Transition Team and all other relevant stakeholders and the development of partnership approaches to integrated peatland management for a just transition that incorporates the management, rehabilitation and restoration/re-wetting of significant tracts of peatlands in conjunction with appropriate development after uses, in accordance with the <i>guidance and recommendations for peatlands contained in Appendix 13 Landscape Character Assessment (2025) for the county</i> .	No potential source of impacts anticipated arising from this objective.	N/A	N/A	Potential for LSE does not exist as no potential source of impacts are anticipated to arise from this objective.
LR 012 Recognise that boglands, including cutaway and cut-over bogs, are critical natural resources for ecological and environmental reasons, particularly for climate mitigation and adaptation. <i>Have regard to relevant peatland landscape character areas (LCAs) and sensitivity classes in evaluating all project proposals.</i> Development proposals for boglands that reduce biodiversity and increase greenhouse gas <i>emissions</i> will not be considered. Appropriate environmental assessment should be carried out for any development proposals which impact on boglands.	No potential source of impacts anticipated arising from this objective.	N/A	N/A	Potential for LSE does not exist as no potential source of impacts are anticipated to arise from this objective.
LR013 Recognise that some cutaway and cut-over boglands may represent degraded landscapes and/or brownfield sites and thus are potentially fit to absorb a variety of development provided that the development proposals <i>does</i> do not increase greenhouse gas emissions or damage protected habitats or species. <i>Refer to peatland landscape character areas (LCAs) and sensitivity classes in evaluating all project proposals.</i> Projects or developments which would result in increased ammonia emissions to watercourses shall not be considered.	No potential source of impacts anticipated arising from this objective.	N/A	N/A	Potential for LSE does not exist as no potential source of impacts are anticipated to arise from this objective.
LR014 Maintain the visual integrity of <i>Eastern Transition lands the Naas and Liffey Foothills and the South Eastern Kildare Hills landscape character areas, Transition lands</i> which have retained an upland character.	No potential source of impacts anticipated arising from this objective.	N/A	N/A	Potential for LSE does not exist as no potential source of impacts are anticipated to arise from this objective.
LR015 Continue to facilitate appropriate development in the <i>Eastern Transition Lands Naas and Liffey Foothills and South Eastern Kildare Hills</i> landscape character areas, in an incremental and clustered manner, where feasible, that respects the scale, character and sensitivities of the local landscape, recognizing the need for sustainable settlement patterns and economic activity within the county.	No potential source of impacts anticipated arising from this objective.	N/A	N/A	Potential for LSE does not exist as no potential impacts are anticipated to arise from this objective.
LR P2 Protect High Amenity Areas/ <i>Areas Protected under International, European and National legislation</i> identified in Section 13.4 of this Plan from inappropriate development and reinforce their character, distinctiveness and sense of place.	No potential source of impacts anticipated arising from this objective.	N/A	N/A	Potential for LSE does not exist as no potential impacts are anticipated to arise from this objective.

Proposed Variation No. 4 to the Kildare CDP 2023-2029	Potential Source of Impacts	Pathway	Receptor	Potential for LSE
LR O17 (a) Control development that will adversely affect the visual integrity of Areas of High Amenity/ <i>Areas Protected under International, European and National legislation</i> by restricting the development of incongruous structures that are out of scale with the landscape within these Areas including advertising signs, hoardings, fencing, etc., which creates visual clutter and disrupt the open nature of these areas.  (b) <i>Require development in Areas of High Amenity/Areas Protected under International, European and National legislation to employ high standards of design and creativity in mitigating impact on the environment.</i>	No potential source of impacts anticipated arising from this objective.	N/A	N/A	Potential for LSE does not exist as no potential impacts are anticipated to arise from this objective.
LR O18 Facilitate appropriate development in Areas of High Amenity/ <i>Areas Protected under International, European and National legislation</i> that can utilise existing structures, settlement areas and infrastructure, taking account of the visual absorption opportunities provided by existing topography and vegetation.	No potential source of impacts anticipated arising from this objective.	N/A	N/A	Potential for LSE does not exist as no potential impacts are anticipated to arise from this objective.
LR O30 Sensitively consider development in the <b>Upland Character Areas</b> including <i>East Kildare Uplands the Naas &amp; Liffey Foothills and the South Eastern Kildare Hills Landscape Character Areas (LCAs)</i> that have a functional and locational requirement to be situated on steep or elevated sites (e.g. reservoirs, telecommunication masts or wind energy structures) where it can be explicitly demonstrated that residual adverse visual impacts are minimised and mitigated.	No potential source of impacts anticipated arising from this objective.	N/A	N/A	Potential for LSE does not exist as no potential impacts are anticipated to arise from this objective.
LR O31 Have regard to the potential for screening vegetation when evaluating proposals for development within the Upland Character Areas including East Kildare Uplands <i>Naas &amp; Liffey Foothills and the South Eastern Kildare Hills</i> .	No potential source of impacts anticipated arising from this objective.	N/A	N/A	Potential for LSE does not exist as no potential impacts are anticipated to arise from this objective.
LR 038 <del>Ensure unenclosed land which has not been fenced in the last 10 years remains not fenced as per the Planning and Development Regulations 2001, Art 9 (1)(a)(x) – Restrictions on exemption:</del>  a. <i>To protect designated views of special amenity value identified in the Plan [see Tables 13.5 / Scenic Routes, Table 13.6: Hilltop Views, Views from Bridges / Table 13.7 Views from Bridges or other land use plans and ensure that development proposals do not have an undue detrimental impact on these views.</i>	No potential source of impacts anticipated arising from this objective.	N/A	N/A	Potential for LSE does not exist as no potential source of impacts are anticipated to arise from this objective.

Proposed Variation No. 4 to the Kildare CDP 2023-2029	Potential Source of Impacts	Pathway	Receptor	Potential for LSE
<p><i>b. Development proposals will be assessed against their impact on the designated view if it falls within the foreground, middle ground or background of that view. New development should not harm, and where possible, should make a positive contribution to, the characteristics and composition of the designated views and their landmark elements.</i></p> <p><i>c. Development proposals that could affect a designated view should be accompanied by an assessment that explains, evaluates and justifies any visual impact on the view affected. The scoping process for determining whether a development proposal is likely to affect a designated view should be completed in consultation with Kildare County Council. The assessment should demonstrate that the proposal is consistent with the relevant objectives of this Plan. The assessment should form part of a landscape and visual impact assessment, design statement or townscape and visual impact assessment submitted with a planning application.</i></p> <p><i>d. Development in the foreground and middle ground of a designated view should not be overly intrusive, unsightly or prominent to the detriment of the view. Most designated views are seen in a 120-degree field of view. It is not expected that the view outside of this field of vision should be assessed unless specified by Kildare County Council.</i></p> <p><i>Designated views of special amenity value and views of local landmark buildings / other local views of significance will need to be considered in the scoping of views to identify the potential impacts of development proposals.</i></p>				



## **Proposed Variation No. 4 of the Kildare County Development Plan 2023-2029 (as varied) to give effect to an updated Landscape Character Assessment (2025) to replace the Landscape Character Assessment (2004)**

**Appropriate Assessment (AA) Screening Determination in accordance with the EU's Habitats Directive Article 6(3) and Section 202 of the Planning and Development Act 2024.**

An Appropriate Assessment (AA) Screening determination has been made by Kildare County Council regarding the Proposed Variation No.4 of the Kildare County Development Plan 2023 – 2029 (as varied).

Having regard to the contents of the Variation No.4 to the Kildare County Development Plan 2023 – 2029 (as varied), following an examination, analysis and evaluation of the best available information, and applying the precautionary principle, it can be concluded that the possibility of any significant effects on any European sites, whether arising from the Variation No.4 to the Kildare County Development Plan 2023 – 2029 (as varied) alone or in combination with other plans and projects, can be excluded. In reaching this conclusion, the nature of Variation No. 4 and its potential relationship with all European sites within the Zone of Influence (ZoI), and their Conservation Objectives, have been fully considered.

This decision has been informed by analysis prepared by Arup, in addition to the Variation No.4 to the Kildare County Development Plan 2023 – 2029 (as varied) report provided by Kildare County Council and other material pertinent to the European Sites held by the Council.

In conclusion, in accordance with Article 6(3) of the Habitats Directive and Section 202 of the Planning and Development Act 2024, taking into account all matters relevant, it has been determined that Variation No.4 to the Kildare County Development Plan 2023 – 2029 (as varied) individually or in combination with other plans or projects, will not have likely significant effects on a European site and an appropriate assessment is not required.

**Signed:**

*Alan Dunney*

**Signatory (Approved Officer):**

**Date**