

Kildare County Council

**Variation to Kildare County
Development Plan**

**Appropriate Assessment Screening
Report**

Issue | 6 July 2020

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.

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Contents

	Page	
1	Introduction	1
1.1	Layout of the Report	1
1.2	Guidance and Data Sources	1
1.3	Legislative Background	3
1.4	Requirements for AA Screening	4
1.5	Determination of Connectivity to, or Necessity for the Management of, Natura 2000 Sites	5
2	Description of the Proposed Variation to the Kildare County Development Plan 2017-2023	6
2.1	Introduction	6
2.2	Development Plan in the context of national and regional strategies	6
2.3	Proposed Amendments to the Development Plan	7
3	Ecological Overview	10
3.1	Introduction	10
3.2	Rivers and Canals	10
3.3	Peatland	10
3.4	Wetlands	11
3.5	Woodland and Hedgerow	11
3.6	Thermal Springs	11
3.7	Grassland	11
4	Natura 2000 Sites and Zone of Influence of Amendments to the Development Plan	13
4.1	Zone of Influence	13
4.2	Natura 2000 Sites within the Zone of Influence	14
4.3	Other Designated Sites	19
5	Assessment of Potential for Significant Effects on Natura 2000 Sites	20
5.1	Introduction	20
6	Conclusions in Screening Statement	29

1 Introduction

Kildare County Council (KCC), as the competent authority, is currently preparing a Variation of the Kildare County Development Plan (CDP) to reflect the adoption of the National Planning Framework (NPF) and the Eastern and Midlands Regional Spatial and Economic Strategy 2019-2031 (RSES) (hereafter referred to as 'the proposed Variation'). The proposed Variation of the CDP will amend the Kildare CDP 2017-2023.

This report for the purposes of screening for Appropriate Assessment (hereafter referred to as 'AA Screening Report') contains information required for KCC as the competent authority, to undertake screening for AA for the Variation to the Kildare County Development Plan 2017-2023.

The findings of this AA Screening Report will assist KCC in making a determination as to whether the proposed Variation to the County Development Plan is likely to give rise to significant effects on any Natura 2000 sites. Thus, the aims of this AA Screening Report are to:

- Provide information on and assess the potential for the Variation to significantly affect Natura 2000 sites; and
- Determine whether the Variation, alone or in combination with other projects, is likely to have significant effects on Natura 2000 sites in view of their conservation objectives.

1.1 Layout of the Report

The screening information presented in this report is as follows:

- Overview of the proposed Variation and the receiving environment, refer to **Section 2**;
- Ecological Overview (refer to **Section 3**) and identification of relevant Natura 2000 sites (European sites) within the zone of influence of the proposed Variation refer to **Section 4**;
- Assessment of likely significant effects on Natura 2000 Sites, refer to **Section 5**; and
- Conclusions and Screening Statement, refer to **Section 6**.

1.2 Guidance and Data Sources

This report has been prepared with regard to the following guidance documents, where relevant:

- *"Managing Natura 2000 sites- The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC"* (EC Environment Directorate-General, 2018);

- *Assessment of Plans and Projects Significantly Affecting Natura 2000 sites: Methodical Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC* (European Commission Environment Directorate-General, 2001);
- *Guidance Document on Article 6(4) of the Habitats Directive 92/43/EEC.* (European Commission, 2007);
- *Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities* (Department of Environment, Heritage and Local Government, 2010 revision);
- *Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities. Circular NPW 1/10 and PSSP 2/10;*
- *Guidelines for Good Practice Appropriate Assessment of Plans under Article 6(3) Habitats Directive* (International Workshop on Assessment of Plans under the Habitats Directive, 2011); and
- *Guidelines for Ecological Impact Assessment in the UK and Ireland, Terrestrial, Freshwater, Coastal and Marine* (Institute of Ecology and Environmental Assessment, September 2018).

Sources of information that were used to collect data on the Natura 2000 network of sites and on the existing ecological environment are listed below:

- Google aerial photography (viewed in January 2020);
- National Parks and Wildlife Service online data on European Sites and (www.npws.ie) (viewed in January 2020);
- National Parks and Wildlife Service online data on protected flora and fauna (viewed in January 2020);
- Information on environmental quality data available from www.epa.ie (EPA Online Environmental Map Viewer) (viewed in January 2020);
- Information on environmental water quality data available from (EPA, www.catchments.ie);
- Eastern and Midlands Regional Spatial and Economic Strategy 2019 – 2031;
- National Adaptation Framework 2018;
- Climate Resilient Kildare – Kildare County Council Adaptation Strategy 2019 – 2024;
- River Basin Management Plan for Ireland (2018-2021);
- Kildare County Development Plan 2017 -2023;
- Natura Impact Report Kildare County Development Plan 2017 -2023; and
- County Kildare Biodiversity Action Plan 2009 -2014.

1.3 Legislative Background

According to the EU Habitats Directive (92/43/EEC) and the EU Birds Directive (79/409/EEC), Member States are required to establish a Natura 2000 network of sites of highest biodiversity importance for rare and threatened habitats and species across the EU.

In Ireland, the Natura 2000 network of European sites includes Special Areas of Conservation (SACs) and Special Protection Areas (SPAs).

SACs are selected for the conservation of Annex I habitats (including priority types which are in danger of disappearance) and Annex II species (other than birds). SPAs are selected for the conservation of Annex I birds and all migratory birds and their habitats. The Annex habitats and species, for which each site is selected, are the *qualifying interests* (QI) of the site. *Conservation objectives* for the site are defined for these qualifying interests.

A key requirement of the Directives is that the effects of any plan or project, alone, or in combination with, other plans or projects, on the Natura 2000 site network, should be assessed before any decision is made to allow that plan or project to proceed. This process is known as Appropriate Assessment (AA). The obligation to undertake an Appropriate Assessment derives from Article 6(3) and 6(4) of the Habitats Directive (92/43/EEC), and both involve a number of steps and tests that need to be applied in sequential order.

Article 6(3) is concerned with the strict protection of sites, while Article 6(4) is the procedure for allowing derogation from this strict protection in certain restricted circumstances.

Article 6(3) of the Habitats Directive states:

“Any plan or project not directly connected with, or necessary to, the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site’s conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public”.

Article 6(4) states:

“If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of social or economic nature, the Member State shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted.
Where the site concerned hosts a priority natural habitat type and/or a priority species, the only considerations which may be raised are those relating to human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest.”

The competent authority is required to carry out Appropriate Assessment, as required by Article 6(3) and 6(4) of the Habitats Directive, as follows:

- **Stage 1 – Screening for Appropriate Assessment** – to assess, in view of best scientific knowledge, if the plan or project individually or in combination with another plan or project is likely to have a significant effect on the Natura 2000 site.
- **Stage 2 – Appropriate Assessment** – This is required if it cannot be excluded, on the basis of objective information, that the plan or project, individually or in combination with other plans or projects, will have a significant effect on a Natura 2000 site. The appropriate assessment must include a final determination by the competent authority as to whether or not a proposed development would adversely affect the integrity of a Natura 2000 site. In order to reach a final determination, the competent authority must undertake examination, analysis and evaluation, followed by findings, conclusions and a final determination. The appropriate assessment must contain complete, precise and definitive findings and conclusions, and may not have lacunae or gaps.
- **Stage 3 – Assessment of alternative solutions** – The process which examines alternative ways of achieving the objectives of the project or plan that avoid significant effects on the integrity of the Natura 2000 site.
- **Stage 4 – Assessment where no alternative solutions exist and where significant effects remain** – an assessment of compensatory measures where, in the light of an assessment of imperative reasons of overriding public interest (IROPI), it is deemed that the project or plan should proceed.

1.4 Requirements for AA Screening

Prior to the commencement of the AA Screening process, it is first necessary to determine whether the proposed Variation constitutes a ‘plan’ or ‘project’ within the meaning of the Habitats Regulations (S.I. No. 477 of 2011).

Section 3.4.2 of the European Commission document on managing Natura 2000 sites, *The Provisions of Article 6 of the ‘Habitats’ Directive 92/43/EEC* states the following, with regards to the interpretation of the term ‘plan’ under Article 6(3) of the Habitats Directive:

“...a distinction needs to be made with ‘plans’ which are in the nature of policy statements, i.e. policy documents which show the general political will or intention of a ministry or lower authority. An example might be a general plan for sustainable development across a Member State’s territory or region. It does not seem appropriate to treat these as ‘plans’ for the purpose of Article 6(3), particularly if any initiatives deriving from such policy statements must pass through the intermediary of a land-use or sectoral plan (C 179/06, paragraph 41). However, where the link between the content of such an initiative and likely significant effects on a Natura 2000 site is clear and direct, Article 6(3) should be applied.”

As indicated above, the purpose of the CDP is to set out a policy framework to be pursued in relation to development in Kildare. It does not identify specific locations, be they Natura 2000 sites or otherwise, nor does it propose specific projects in respect of those sites. Any variations to this plan, which relate to the development of County Kildare must also be subject to an AA Screening.

Section 6 of this AA Screening Report details the outcome of this screening assessment.

1.5 Determination of Connectivity to, or Necessity for the Management of, Natura 2000 Sites

Under the Habitats Directive, plans that are directly connected with, or necessary to the management of a European site do not require AA. For this exception to apply, management is required to be interpreted narrowly as nature conservation management in the sense of Article 6(1) of the Habitats Directive. This refers to specific measures to address the ecological requirements of annexed habitats and species (and their habitats) present on a site(s). The relationship should be shown to be direct and not a by-product of the plan, even if this might result in positive or beneficial effects for a site(s).

The primary purpose of the proposed Variation is not the nature conservation management of the sites. Thus, it is not considered to be directly connected with, or necessary to the management of European designated sites and is subject to the AA screening process.

2 Description of the Proposed Variation to the Kildare County Development Plan 2017-2023

2.1 Introduction

The Kildare CDP is being varied in light of the changes in national and regional policy as a result of the adoption of the NPF and RSES, which requires the integration of the policy changes into the Kildare CDP along with the integration of the Transitional Population Projections into the Core Strategy and revision of the overall county Settlement Hierarchy. The Core Strategy can be found in Section 2 of the Kildare CDP and aims to “*articulate a medium-to-longer term quantitatively based strategy for the spatial development of the area*”.

The formal notice of the amendments will be issued in January 2020. The amendments, from the date of publication of the notice to adoption of this amendment, will take between four and eight months to complete (the longer timeframe would be required if Material Alterations to the published draft are sought). The current Kildare CDP 2017-2023 was subject to SEA, AA and SFRA. A copy of the current Kildare County Development Plan, Environmental Report, Appropriate Assessment Report and Strategic Flood Risk Assessment is available at www.kildare.ie/countycouncil.

2.2 Development Plan in the context of national and regional strategies

The NPF is a long-term strategy and sets out broad national, regional and city-specific population targets to secure more effective regional development. The strategy itself acknowledges that achieving these targets will take time and their implementation will need to be adaptive to the inevitable changes in circumstances and unforeseen events inherent in a long-run framework approach. Therefore, in order to facilitate monitoring and review, phased regional population targets to 2026 and 2031 are set out in Table 10.1 of the NPF and more specific (per County) in Appendix 1 of the Implementation Roadmap for the NPF and subsequently in Appendix B of the RSES. The Roadmap highlights the differences between projections from many county development plans and likely outcomes on the ground, based on more realistic and deliverable NPF/NDP projections.

In order to assist Regional and Local Authorities in addressing this gap, the Roadmap provides a transitional set of population projections to inform City and County Development Plans for the periods to 2026 and 2031. These projections provide for a transitional approach to delivering better alignment between the plans at the different levels. This allows for improved consistency across all plan levels to providing for future development requirements in terms of housing, employment, schools, water services and public transport provision.

These transitional population projections plot a growth trajectory set approximately mid-way between what is currently being planned for in statutory Development Plans (if projected forward to 2031), and the nationally coherent projected scenario to 2031 and 2040. These ‘adjusted’ transitional figures will apply to 2026 and will inform the period to 2031.

These adjusted figures have been replicated in the RSES and the Act requires local authorities to now amend their CDPs to incorporate the NPF and RSES. The Roadmap states that the transitional level of growth to 2026 will provide sufficient scope to enable City and County Development Plans to be reviewed, land zonings to be prioritised and Local Area Plans and planning permissions to be worked through.

2.3 Proposed Amendments to the Development Plan

The proposed Variation will vary the CDP to align with the revised figures set out in the NPF and RSES. It is of importance to note that the population projection is significantly less than what the current plan provides for and adjustments will be required accordingly. The development plan population target is 253,552 persons to 2023, whereas the NPF and RSES ‘high-end’ population target is set at 254,000 to 2026. This will have consequential reductions to population and housing targets for all towns, villages and settlements across the county.

Whilst it is acknowledged that the RSES does state that neither the NPF or Roadmap seek down zoning of land, they do however require the application of development land prioritisation measures (rather than de-zoning) where a surplus of lands is identified in existing plans with regard to the NPF Roadmap up to 2031. It is of relevance to note that the current Kildare County Development Plan in Volume 2 provides explicit objectives in relation to the phased development of lands within these villages (VSR 2 and VSR6) and it is therefore not necessary to address these issues in the draft Variation. The issue of integrating development land prioritisation measures to land-use zonings will be addressed primarily through the preparation of mandatory Local Area Plans for the 12 towns of Naas, Maynooth, Athy, Kildare Town, Kilcullen, Newbridge, Sallins, Leixlip, Kilcock, Monasterevin, Celbridge and Clane.

The proposed Variation will fundamentally address a number of changes to text (Table 1) in the Settlement Strategy of the current development plan and will, as stated, reduce proportionally (in accordance with the previously adopted percentage allocation) each of the town’s population and housing targets.

In addition, a number of new National and Regional Policy Objectives relate to settlement designations, climate change and strategic employment development areas.

The Variation to the Kildare County Development Plan 2017-2023 can be summarised into the 17 proposed amendments outlined in the **Table 1** below.

Table 1: Summary Table: Variation to the Kildare County Development Plan 2017-2023

Proposed Amendments	Chapter	Section	Description
1	1	1.1	<ul style="list-style-type: none"> Update map of municipal district areas
2	1	1.4.1(i)	<ul style="list-style-type: none"> Delete Section 1.4.1(i) and replace with new text of NPF Create new section 1.4.1(i)(a) in relation to the Implementation Roadmap for the NPF
3	1	1.4.2(i) &(ii)	<ul style="list-style-type: none"> Delete Section 1.4.2 (i) Regional Planning Guidelines and replace with text in relation to Regional Spatial and Economic Strategy. Delete Section 1.4.2(ii) concerning the Retail Strategy for the GDA.
4	1	1.4.3	<ul style="list-style-type: none"> Create new section 1.4.3 (iii) Climate Resilient Kildare: Kildare County Council Climate Change Adaption Strategy 2019 – 2024 Alter subsequent numbering.
5	2	2.1 and 2.2 Figure 2.1	<ul style="list-style-type: none"> Amend text in section 2.1 and 2.2 Insert Figure 4.2 of RSES
6	2	2.4, 2.5, 2.5.1 Map 2.5 Table 2.2	<ul style="list-style-type: none"> Delete and replace text at Section, 2.4, 2.5 and 2.5.1; Delete and replace Map 2.5; Delete and replace Table 2.2.
7	2	2.7	<ul style="list-style-type: none"> Amend text under section 2.7
8	2	2.8, 2.9, Table 2.3 and 2.4 Figure 2.3 and 2.9	<ul style="list-style-type: none"> Deletion of Section 2.8; Deletion of Table 2.3 and Table 2.4; Deletion of Figure 2.3 and Figure 2.4 New text under Section 2.8; Insertion of new Table 2.3: Population Projections to 2031; Insertion of new Table 2.4: Population and Housing Targets; Deletion of Section 2.9; New text under to Section 2.9.
9	2	2.11, 2.11.1,2.11.5	<ul style="list-style-type: none"> Amendments to Section 2.11; Text amendments to Section 2.11.1 – 2.11.6 with additional sub-section to increase to 2.11.8
10	2	2.15, 2.16.1, 2.16.2 and 2.14.5	<ul style="list-style-type: none"> Amendments to text under Section 2.15 to 2.14.5

Proposed Amendments	Chapter	Section	Description
11	2	2.16	<ul style="list-style-type: none"> Delete Map 2.6 Core Strategy Map and replace with a revised map
12	3	3.1, 3.2, 3.3, 3.4 Table 3.1, Map 3.1	<ul style="list-style-type: none"> Amend text under Section 3.1, Section 3.2 and Section 3.3; Replace Table 3.1 County Kildare Settlement Hierarchy 2011 -2017, Delete and replace Map 3.1 Settlement Hierarchy map; Replace text under Section 3.4; Deletion of Section 3.4.1 – 3.4.4.
13	3	3.5 Table 3.2, 3.3	<ul style="list-style-type: none"> Amend Section 3.5; Delete Table 3.2 Housing Allocation 2016-2023; Delete and replace Table 3.3 Population and Housing Allocation.
14	3	3.6 Table 3.4	<ul style="list-style-type: none"> Amend text under section 3.6 Development Capacity; Delete Table 3.4 Development Capacity in Kildare.
15	3	3.8 and 3.9	<ul style="list-style-type: none"> Amend text under Section 3.8 and Section 3.9.
16	5	Table 5.2	<ul style="list-style-type: none"> Delete and Replace Table 5.2.
17	9	Table 9.2	<ul style="list-style-type: none"> Delete and replace Table 9.2 County Retail Hierarchy

3 Ecological Overview

3.1 Introduction

The Kildare County Development Plan looks at all aspects of development across the county, including its impact on the ecology of the area. The county is divided into five municipal districts, namely Athy, Naas, Celbridge-Leixlip, Maynooth and Kildare – Newbridge. As described in the County Kildare Biodiversity Action Plan 2009 -2014, Kildare has a wide variety of wildlife habitats including peatland, grassland, woodland, hedgerows, rivers and canals and these are described in further detail below.

3.2 Rivers and Canals

There are three main rivers that flow through Kildare, the Barrow, the Liffey and the Boyne. A deterioration in the water quality of these rivers and has led to a decline in salmon (*Salmo salar*) populations, however, they are still useful for coarse and trout fishing.

The River Barrow is internationally designated as the River Barrow and River Noir SAC based on the diverse range of habitats and species that occur within and around the river. These include petrifying springs, wet woodland and several protected species such as otters (*Lutra lutra*), white-clawed crayfish (*Austroptamobius pallipes*) and salmon. Much of the riparian zone around the River Barrow and River Liffey is wooded which contributes to the site's favourable condition.

The Royal and Grand Canals also flow through the county and are designated as proposed Natural Heritage Sites (pNHAs). These canals are associated with a wide variety of habitats including fringing wetlands and hedgerows which in turn support a variety of wildlife.

3.3 Peatland

Kildare contains large tracts of peatland with raised bogs and fens being the main types.

The acidic nature and wet conditions of raised bogs results in a habitat which is characterised by a unique range of flora species, including sphagnum moss (*Sphagnum* spp.). Raised bogs are a priority habitat in Annex 1 of the EU Habitats Directive. Large scale peat extraction has occurred in many of Kildare's raised bogs, however, some remain intact and have been designated as sites of international importance due to their rarity. Examples include Red Bog and Mouds Bog which are both designated as SACs.

Fens are among the best habitat in Ireland for dragonflies, damselflies and butterflies including the marsh fritillary (*Euphydryas aurinia*) butterfly which is listed on Annex II of the Habitats Directive. Fens are also important for species of breeding and wintering birds and are associated with a collection of habitats such as carr woodland, reed swamp and raised bogs.

They are generally more nutrient rich than raised bogs because they are fed by groundwater and have a higher pH. One example is Pollardstown Fen which is the largest spring-fed fen in Ireland and a site of international significance. The site supports rare vegetation and invertebrate species including all three species of whorl snails (*Vertigo* spp.). Pollardstown Fen is also important for breeding and wintering bird species such as little grebe (*Tachybaptus ruficollis*) and moorhen. The site is designated as a SAC and is discussed further in Section 4.

Bord na Móna owns much of Kildare's peatland resource and has identified some areas of recolonised cutaway bog to be of high nature conservation value. These areas have potential to become natural reserves if they are managed properly for biodiversity.

3.4 Wetlands

Wetlands such as marsh and riparian zones are important habitat for wildlife and for maintaining water quality. These habitats are found near the various rivers and canals that flow through County Kildare.

3.5 Woodland and Hedgerow

There are a number of woodlands present throughout County Kildare, both native and non-native. Native woodlands are biodiversity hotspots due to the range of plants and animals they support. Kilteel Wood and Derryvullagh Wood are examples of native woodlands in Kildare. Woodlands are important habitats for a number of mammal species including badger (*Meles meles*), pine marten (*Martes martes*), deer (*Cervus elaphus*), fox (*Vulpes vulpes*) and red squirrel (*Sciurus vulgaris*), along with a variety of bird species. There has been a recent increase in red squirrel populations in the north-west of the county which is a very positive development as the species is slowly recovering from historic declines throughout Ireland.

The County Kildare Hedgerow Survey carried out in 2006 found that Kildare has a rich hedgerow resource which has many benefits for wildlife by providing wildlife corridors for foraging and protection.

3.6 Thermal Springs

There are a number of thermal springs in County Kildare which have their own distinctive species that are adapted to the environmental conditions present: warm water temperature, low light conditions. Calcareous springs with tufa formation are recognised as a priority Annex I Habitat under the EU Habitats Directive. Louisa Bridge near Leixlip is an example of a thermal spring in Kildare.

3.7 Grassland

Semi-natural grasslands support a diversity of native plants invertebrates. These habitats are becoming increasingly rare in Ireland and exist mainly in areas that are unsuitable for cultivation.

The Curragh is the most extensive area of semi-natural grassland in Ireland. As a lowland acidic grassland, it supports important populations of rare fungi and is of national importance as a proposed Natural Heritage Area (pNHA) for wintering bird species such as lapwing (*Vanellus vanellus*) and golden plover (*Pluvialis apricana*).

4 Natura 2000 Sites and Zone of Influence of Amendments to the Development Plan

4.1 Zone of Influence

4.1.1 Overview

The Zone of Influence (ZoI) comprises the area within which the proposed Variation to the Kildare County Development Plan 2017-2023 may potentially affect the conservation objectives or qualifying interests (QI) of a Natura 2000 site. There is no recommended ZoI and guidance from the NPWS recommends that the distance should be evaluated on a case-by-case basis. The appropriate assessment process should include the following Natura 2000 sites:

1. Any Natura 2000 sites within or adjacent to the plan or project area;
2. Any Natura 2000 sites within the likely zone of impact of the plan or project. A distance of 15km is currently recommended in the case of plans, and derives from UK guidance (Scott Wilson et al., 2006). For some plans or projects, the distance could be much less than 15km, and in some cases less than 100m, but this must be evaluated on a case-by-case basis with reference to the nature, size and location of the plan or project, the sensitivities of the ecological receptors, and the potential for in-combination effects; and
3. Natura 2000 sites that are more than 15km from the plan or project area depending on the likely impacts of the plan or project, and the sensitivities of the ecological receptors, bearing in mind the precautionary principle.

Natura 2000 sites (also referred to as European sites) are only at risk from significant effects where a source-pathway-receptor link exists between a project/plan and a Natura 2000 site(s). This can take the form of a direct effect (e.g. where the project/plan and/or associated construction works are located within the boundary of the Natura 2000 site(s)) or an indirect effect where impacts outside of the Natura 2000 site(s) affect ecological receptors within (e.g. impacts to water quality which can affect riparian habitats or indeed marine habitats at a distance from the impact source). Consideration is therefore given to the source-pathway-receptor linkage and associated risks between the Amendments to the Development Plan and Natura 2000 sites.

4.1.2 Zone of Influence of Amendments to the Development Plan

As outlined in **Section 2.3**, the amendments will vary the development plan to align with revised figures set out in the NPF.

The amendments focus on objectives and guidelines for the future development of County Kildare and does not define specific projects relating to these actions.

The ZoI of the amendments listed in **Table 1** is therefore difficult to define at this high-level stage. The influencing potential of this variation will likely be dependent on the emerging projects of the amended development plan, the likely significant effects of individual projects and the sensitivities of the ecological receptors.

For the purposes of this assessment, all those Natura 2000 sites within County Kildare, as well as those within a 15km distance of the County Boundary will be considered to be within the ZoI, having regards to the precautionary principle.

It should be noted that this assessment was carried out on the understanding that any works proposed under the CDP objectives (which could be considered to constitute a ‘project’ within the definition of the Habitats Regulations) would be subject to AA at project level, as required. Similarly, where objectives give rise to other plans or programmes (which could be considered to constitute the definition of the same under the Habitats Regulations) the plan or programme should similarly be subject to AA prior to adoption, as required. The Zone of Influence of relevance to specific projects or plans would be determined at that lower-level stage.

4.2 Natura 2000 Sites within the Zone of Influence

There are eight SPAs and SACs within the County Kildare boundary, with their spatial distribution shown on **Figure 1**.

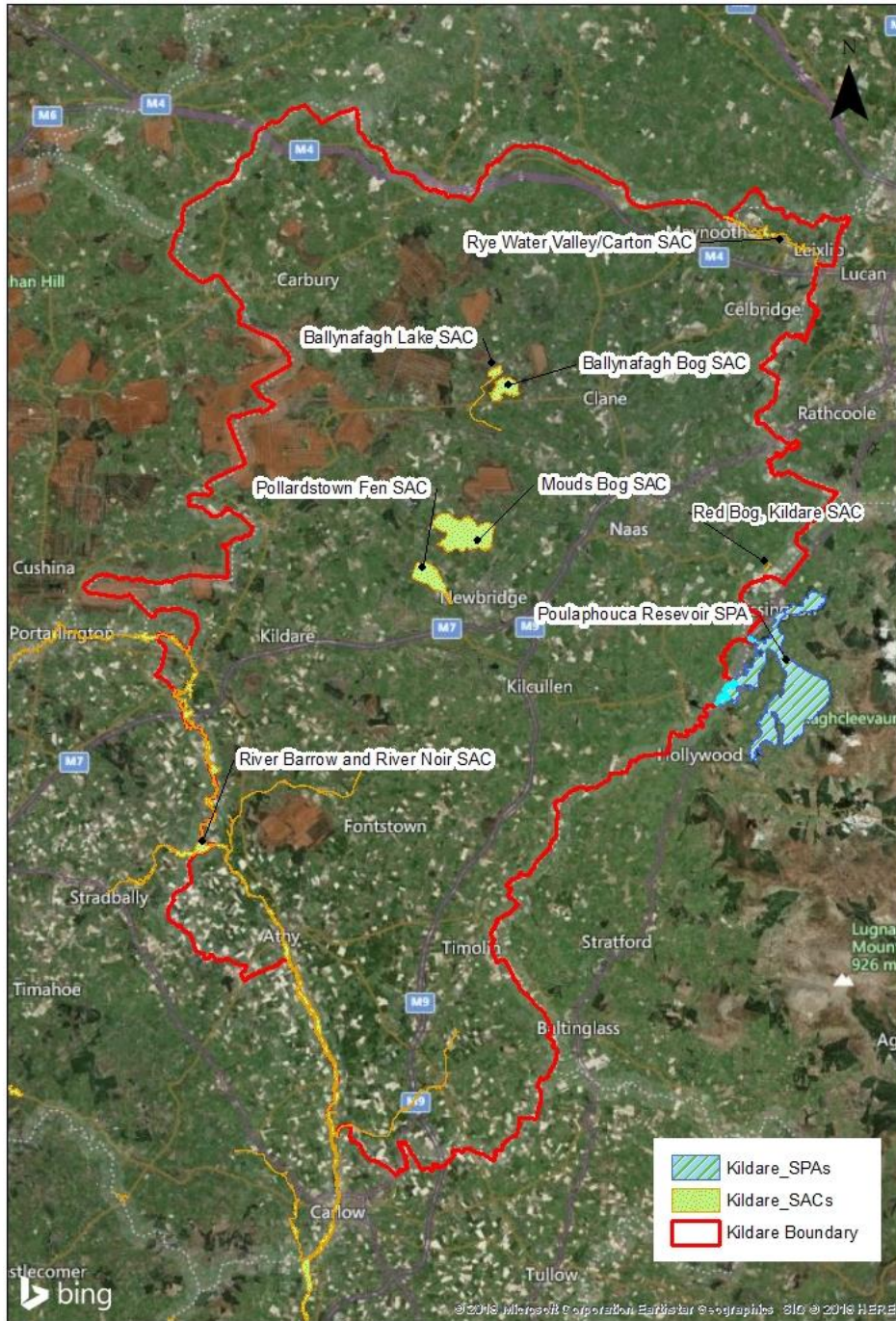


Figure 1: Natura 2000 Sites within the Co. Kildare Boundary |Source: ArcGIS | Not to Scale.

The ZoI extends to 15km outside the Kildare County boundary and there are 11 additional Natura 2000 sites included within this buffer. **Tables 2 and 3** list the Qualifying Interests of each designated site within the Kildare boundary and within the 15km buffer.

Table 2: European sites within the Kildare Boundary and their Qualifying Interests

Site Code	Site Name	Qualifying Interests (QIs)
391	Ballynafagh Bog SAC	<ul style="list-style-type: none"> Active raised bogs Degraded raised bogs still capable of natural regeneration Depressions on peat substrates of the <i>Rhynchosporion</i>
396	Pollardstown Fen SAC	<ul style="list-style-type: none"> Calcareous fens with <i>Cladium mariscus</i> and species of the <i>Caricion davallianae</i> Petrifying springs with tufa formation (<i>Cratoneurion</i>) Alkaline fens <i>Vertigo geyeri</i> <i>Vertigo angustior</i> <i>Vertigo moulinsiana</i>
397	Red Bog, Kildare SAC	<ul style="list-style-type: none"> Transition mires and quaking bogs Natural eutrophic lakes with Magnopotamion or Hydrocharition-type vegetation Active raised bogs
1387	Ballynafagh Lake SAC	<ul style="list-style-type: none"> Alkaline fens Transition mires and quaking bogs <i>Vertigo moulinsiana</i> <i>Euphydryas aurinia</i>
2162	River Barrow and River Nore SAC	<ul style="list-style-type: none"> Estuaries Mudflats and sandflats not covered by seawater at low tide Salicornia and other annuals colonising mud and sand Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>) Mediterranean salt meadows (<i>Juncetalia maritimi</i>) Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation European dry heaths Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels Petrifying springs with tufa formation (<i>Cratoneurion</i>) Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>) Spartina swards (<i>Spartinion maritima</i>) Allis shad (<i>Alosa alosa</i>) Atlantic salmon (<i>Salmo salar</i>) Brook lamprey (<i>Lampetra planeri</i>) Desmoulin's whorl snail (<i>Vertigo moulinsiana</i>) Freshwater Pearl Mussel (<i>Margaritifera margaritifera</i>) Killarney Fern (<i>Trichomanes speciosum</i>) Freshwater Pearl Mussel (<i>Margaritifera durrovensis</i>) Otter (<i>Lutra lutra</i>) European river lamprey (<i>Lampetra fluviatilis</i>)

Site Code	Site Name	Qualifying Interests (QIs)
		<ul style="list-style-type: none"> • Twait shad (<i>Alosa fallax</i>) • White clawed crayfish (<i>Austropotamobius pallipes</i>)
2331	Mouds Bog SAC	<ul style="list-style-type: none"> • Active raised bogs • Degraded raised bogs still capable of natural regeneration • Depressions on peat substrates of the <i>Rhynchosporion</i>
4063	Poulaphouca Reservoir SPA	<ul style="list-style-type: none"> • Greylag Goose (<i>Anser anser</i>) • Lesser Black-backed Gull (<i>Larus fuscus</i>)
1398	Rye Water Valley/ Carton SAC	<ul style="list-style-type: none"> • Petrifying springs with tufa formation (<i>Cratoneurion</i>) • <i>Vertigo angustior</i> (Narrow-mouthed Whorl Snail) • <i>Vertigo moulinsiana</i> (Desmoulin's Whorl Snail)

Table 3: European Sites within 15km of the Kildare County Boundary and their Qualifying Interests

Site Code	Site Name	Distance from County Boundary (m)	Qualifying Interests (QIs)
4232	River Boyne and River Blackwater SPA	370	<ul style="list-style-type: none"> • Kingfisher (<i>Alcedo atthis</i>)
2299	River Boyne and River Blackwater SAC	390	<ul style="list-style-type: none"> • Alkaline fens • Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>) • <i>Lampetra fluviatilis</i> • <i>Salmo salar</i> • <i>Lutra</i>
925	The Long Derries, Edenderry SAC	610	<ul style="list-style-type: none"> • Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco Brometalia</i>)(*important orchid sites)
781	Slaney River Valley SAC	1640	<ul style="list-style-type: none"> • Estuaries; • Floating river vegetation; • Old oak woodlands; • Residual alluvial forests*; • Tidal mudflats; • Atlantic Salmon (<i>Salmo salar</i>); • Brook Lamprey (<i>Lampetra planeri</i>); • Common Seal (<i>Phoca vitulina</i>); • Freshwater Pearl Mussel (<i>Margaritifera margaritifera</i>); • Otter (<i>Lutra lutra</i>); • River Lamprey (<i>Lampetra fluviatilis</i>); • Sea Lamprey (<i>Petromyzon marinus</i>); • Twaite Shad (<i>Alosa fallax</i>)

Site Code	Site Name	Distance from County Boundary (m)	Qualifying Interests (QIs)
2256	Ballyprior Grassland SAC	2790	<ul style="list-style-type: none"> Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco Brometalia</i>) (*important orchid sites)
1757	Holdenstown Bog SAC	3040	<ul style="list-style-type: none"> Transition mires and quaking bogs
2122	Wicklow Mountains SAC	3320	<ul style="list-style-type: none"> Oligotrophic to mesotrophic standing waters with vegetation of the <i>Littorelletea uniflorae</i> and/or <i>Isoeto-Nanojuncetea</i> Natural dystrophic lakes and ponds Northern Atlantic wet heaths with <i>Erica tetralix</i> European dry heaths Alpine and Boreal heaths Species-rich <i>Nardus</i> grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe) Blanket bogs (* if active bog) Siliceous scree of the montane to snow levels (<i>Androsacetalia alpinae</i> and <i>Galeopsetalia ladani</i>) Calcareous rocky slopes with chasmophytic vegetation Siliceous rocky slopes with chasmophytic vegetation Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles <i>Lutra</i>
2342	Mount Hevey Bog SAC	4130	<ul style="list-style-type: none"> Active raised bogs Degraded raised bogs still capable of natural regeneration Depressions on peat substrates of the Rhynchosporion
4040	Wicklow Mountains SPA	5720	<ul style="list-style-type: none"> Merlin <i>Falco columbarius</i> Peregrine <i>Falco peregrinus</i>
1209	Glenasmole Valley SAC	6480	<ul style="list-style-type: none"> Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco Brometalia</i>)(*important orchid sites) Molinia meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinion caeruleae</i>) Petrifying springs with tufa formation (<i>Cratoneurion</i>)
2141	Mountmellick SAC	8730	<ul style="list-style-type: none"> <i>Vertigo moulinsiana</i>

4.3 Other Designated Sites

There are a total of 67 pNHAs and seven NHAs within 15km of the Kildare County boundary. Of these, 23 pNHAs and two NHAs are found within the Kildare County boundary and these are listed in **Table 4**. These sites can form an important part of the network of designated sites throughout the county and region.

Table 4: pNHAs and NHAs within the Co. Kildare Boundary

NHAs	
Site Name	Site Code
Carbury Bog NHA	1388
Hodgestown Bog NHA	1393
pNHAs	
Site Name	Site Code
Liffey Valley	128
Ballina Bog	390
Ballynafagh Bog	391
Curragh (Kildare)	392
Liffey Valley Meander Belt	393
Mouds Bog	395
Pollardstown Fen	396
Red Bog, Kildare	397
Poulaphouca Reservoir	731
Oakpark	810
Barrow Valley At Tankardstown Bridge	858
Ballynafagh Lake	1387
Corballis Hill	1389
Derryvullagh Island	1390
Donadea Wood	1391
Kilteel Wood	1394
Liffey At Osberstown	1395
Liffey Bank Above Athgarvan	1396
Rye Water Valley/Carton	1398
Newtown Marshes	1759
Dunlavin Marshes	1772
Royal Canal	2103
Grand Canal	2104

5 Assessment of Potential for Significant Effects on Natura 2000 Sites

5.1 Introduction

As outlined in **Section 1** the findings of this AA Screening Report will assist KCC in making a determination as to whether the Variation to the Development Plan is likely to give rise to any significant adverse effects on any Natura 2000 sites.

Thus, the aims of this AA Screening Report are to:

- Provide information on and assess the potential for the Variation to significantly affect Natura 2000 sites (Refer to **Section 5.1.1**);
- Determine whether the Variation, alone or in combination with other projects, is likely to have significant effects on Natura 2000 sites in view of their conservation objectives (Refer to **Section 5.1.2**).

This section provides an overview of the assessment of the Variation to the Kildare County Development Plan 2017-2023 and the amendments contained therein.

5.1.1 Potential for Significant Effects on Natura 2000 Sites

As outlined in **Section 4.2**, there are 19 Natura 2000 sites located within the Kildare Boundary and within 15km ZoI of the County Boundary.

The DoEHLG (2009) have advised that policies and objectives found at Stage 1 AA screening to have no significant effect can include objectives that:

- Will not lead to development;
- Are intended to protect the natural environment, including biodiversity (see Article 10 of Directive);
- Are intended to conserve or enhance the natural, built or historic environment and are unlikely to have an effect on a Natura 2000 site;
- Positively steer development away from Natura 2000 sites and associated sensitive areas;
- Positively make provision to ensure that the policy/objective implementation will not have a significant effect or adverse effect on the integrity of a Natura 2000 site; or,
- Policies and objectives that can be dealt with by using a caveat or conditional approach requiring, where necessary, a case by case AA.

Thus, in order to adequately assess the provisions of the Variation to the Kildare County Development Plan 2017-2023 each of the amendments that make up the proposed Variation was considered with regards potential for significant effects on the Natura 2000 sites identified within the ZoI (and beyond, where considered appropriate having regard to the precautionary principle).

As outlined in the 2018 EC report ‘*Managing Natura 2000 sites: The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC, “where one or more specific projects are included in a plan in a general way but not in terms of project details, the assessment made at plan level does not exempt the specific projects from the assessment requirements of Article 6(3) at a later stage, when much more details about them are known.”*

The purpose of the Variation is to vary the objectives of the Kildare CDP to align with revised population figures for Kildare County published in the NPF.

The potential for significant effects of each of the amendments that make-up the proposed Variation is assessed in Table 5.

Table 5: Assessment of Variation to Kildare CDP (Description of each amendment can be found in Table 1)

Amendment	Significance of Effect
1	No effect: This amendment involves updating a map of municipal districts in Kildare and will have no impact on Natura 2000 sites.
2	No effect: Updating text in Section 1.4.1 to include information on NPF and Roadmap will have no impact on Natura 2000 Sites
3	No effect: Updating text in Section 1.4.2 to include information on the RSES will have no impact on Natura 2000 sites
4	No effect: Including text on Climate Resilient Kildare: Kildare County Council Climate Change Adaptation Strategy in Section 1.4.3 will have no impact on Natura 2000 sites.
5	No effect: Updating text in Section 2.1 and 2.2 to reference NPF, Implementation Roadmap, and RSES instead of NSS and RPG and insertion of Figure 2.1 will have no impact on Natura 2000 sites.
6	No effect: deleting and replacing text and map on up to date Settlement Hierarchy of the RSES in Section 2.4 and 2.5 will have no impact on Natura 2000 sites.
7	No effect: Amending text to Section 2.7 to update Key Towns and updating relevant plan names (i.e. RSES) will have no impact on Natura 2000 sites.
8	No effect: amending text to Section 2.8 Population and Housing Growth. Reduction in population projections and housing requirements will bring about a reduction in demand for development and so this amendment will have no impact on Natura 2000 sites.

Amendment	Significance of Effect
9	No effect: Changes to text in Section 2.11 to include updated Key Towns, Small Towns, Rural Towns and Villages and update text to include information on the Metropolitan Area Strategic Plan (MASP).
10	No effect: update text in section 2.14, 2.15 and 2.16 to include relevant information on the Climate Change Adaptation Strategy
11	No effect: Delete map 2.6 Core strategy Map and replace with relevant core strategy map. This will have no impact on Natura 2000 sites.
12	No effect: Amend Text in section 3.1, 3.2 and 3.3 on the Settlement Hierarchy, replace table and insert relevant table regarding settlement hierarchy, replace settlement hierarchy map, delete irrelevant text on settlement strategy and replace with relevant text on settlement category.
13	No effect: update text in Section 3.5 Housing and population allocation, amend figures to reflect new RSES and NPF projection figures, delete table 3.2 on housing allocation, update table 3.3 on Population and Housing Allocation to reflect new reduced figures. This Variation will have no impact on Natura 2000 sites. It indicates a reduction in the population and housing projections.
14	No effect: Amend text under Section 3.6 Development Capacity in relation to zoning of land, delete Table 3.4 Development Capacity in Kildare. The amendment will have no impact on Natura 2000 sites.
15	No effect: Amend text under Section 3.8 and 3.9 policies: Settlement Strategy. And Objectives: settlement strategy. This amendment will have no impact on Natura 2000 sites.
16	No effect: Delete and update Table 5.2 Economic Development Hierarchy. To include information on development in Key Towns, Strategic Development Areas in the MASP, Self-Sustaining Growth Towns and Small/rural Towns This amendment will have no impact on Natura 2000 Sites.
17	No effect: Delete and replace Table 9.2 to reflect updated information in Country Retail Hierarchy. This amendment will have no impact on Natura 2000 sites.

Thus, in considering the overall nature of the Variation, and in the understanding that this assessment does not exempt the specific projects from the assessment requirements of Article 6(3) at a later stage, no potential for significant effects on Natura 2000 sites was identified in the assessment of the proposed Variation to the Development Plan.

5.1.2 Potential for In-combination/Cumulative Effects on Natura 2000 Sites

Other plans and programmes that have the potential to result in any in-combination or cumulative effects with the Variation to the Development Plan are considered in this Section.

A full list of plans and programmes considered for the Kildare County Development Plan NIS are found in **Table 6**. As the CDP is a plan in itself a large number of plans and projects were considered for cumulative impacts.

Table 6: Plans and Projects considered in the CDP NIS

Directive	Purpose
EU Water Framework Directive (2000/60/EC)	Objectives seek to maintain and enhance the quality of all surface waters in the EU.
EU Freshwater Fish Directive (78/659/EEC)	Objectives seek to protect those fresh water bodies identified by Member States as waters suitable for sustaining fish populations. For those waters it sets physical and chemical water quality objectives for salmonid waters and cyprinid waters.
EU Groundwater Directive (2006/118/EC)	This directive establishes a regime, which sets underground water quality standards and introduces measures to prevent or limit inputs of pollutants into groundwater.
EU Floods Directive (2007/60/EC)	The Floods Directive applies to river basins and coastal areas at risk of flooding. With trends such as climate change and increased domestic and economic development in flood risk zones, this poses a threat of flooding in coastal and river basin areas.
Nitrates Directive (91/676/EEC)	This Directive has the objective of reducing water pollution caused or induced by nitrates from agricultural sources and preventing further pollution.
The Urban Wastewater Treatment Directive (91/271/EEC)	The primary objective is to protect the environment from the adverse effects of discharges of urban wastewater, by the provision of urban wastewater collecting systems (sewerage) and treatment plants for urban centres. The Directive also provides general rules for the sustainable disposal of sludge arising from wastewater treatment.
Sewage Sludge Directive (86/278/EEC)	Objective is to encourage the appropriate use of sewage sludge in agriculture and to regulate its use in such a way as to prevent harmful effects on soil, vegetation, animals and man. To this end, it prohibits the use of untreated sludge on agricultural land unless it is injected or incorporated into the soil.
The Integrated Pollution Prevention Control Directive (96/61/EC)	Objective is to achieve a high level of protection of the environment through measures to prevent or, where that is not practicable, to reduce emissions to air, water and land from industrial sources.

Directive	Purpose	Interactions resulting in Cumulative Impacts
National Spatial Strategy 2002-2020	Objectives of the NSS are to achieve a better balance of social, economic and physical development across Ireland, supported by more effective planning. Objectives in relation to the CDP are discussed above.	Potential in-combination impacts may arise where there is a requirement to provide for new infrastructure. Provision of infrastructure may result in: Habitat loss Alteration of hydrology Deterioration in water quality Disturbance during construction / operation.
Grid 25	Grid25 is a high-level strategy outlining how EirGrid intends to undertake the development of the electricity transmission grid in the short, medium and longer terms, to support a long-term sustainable and reliable electricity supply. The Grid25 strategy thereby seeks to implement the provisions of the 2007 Government White Paper on Energy - “Delivering a Sustainable Energy Future for Ireland” in terms of development of electricity transmission infrastructure. The Grid25 Implementation Programme (IP) is a practical strategic overview of how the early stages of Grid25 are intended to be implemented.	Potential in-combination impacts may arise where there is a requirement to provide for new electrical infrastructure. Provision of infrastructure may result in: Habitat loss Alteration of hydrology Deterioration in water quality Disturbance during construction / operation.
Energy Policy framework 2007-2020, Governments White Paper	This policy states that the Government is committed to delivering a significant growth in renewable energy as a contribution to fuel diversity in power generation with a 2020 target of 33% electricity consumption	Potential in-combination impacts may arise where there is a requirement to provide for new wind energy infrastructure. Provision of infrastructure may result in: Habitat loss Alteration of hydrology Deterioration in water quality Disturbance during construction / operation

Directive	Purpose	Interactions resulting in Cumulative Impacts
<p>Irish Water's Water Services Strategic Plan 2015 and associated Proposed Capital Investment Plan 2014-2016</p>	<p>This Water Services Strategic Plan sets out strategic objectives for the delivery of water services over the next 25 years up to 2040. It details current and future challenges which affect the provision of water services and identifies the priorities to be tackled in the short and medium term.</p>	<p>Potential in-combination impacts may arise where there is a requirement to provide for new water and waste water infrastructure and capacity.</p> <p>Meeting additional potable water demands and waste water treatment demands arising from the proposed increase in population has the potential to adversely affect, in the case of abstractions from and effluent discharges to surface waters, the ecological status of surface waters and, in the case of groundwater abstractions, the quantitative status of groundwaters. Such demands would occur in-combination with those in adjoining counties. Adverse effects on the ecological status of surface waters and on the quantitative status of groundwaters would have the potential to impact upon protected species and habitats.</p> <p>Provision of infrastructure and increases in capacity may result in:</p> <ul style="list-style-type: none"> Habitat loss Alteration of hydrology Deterioration in water quality Disturbance during construction / operation

Regional		
Directive	Purpose	
Eastern and Midlands Regional Spatial and Economic Strategy 2019 – 2031	Policy document which aims to direct the future growth of the Greater Dublin Region over the medium to long term and works to implement the strategic planning framework set out in the National Spatial Strategy (NSS)	
Transport Strategy for the Greater Dublin Area 2016-2035	The Strategy outlines transport development objectives for the Greater Dublin Area over a twenty year period.	
Ireland's First National Cycle Policy Framework (2009)	<ul style="list-style-type: none"> • Outlines objectives and actions aimed at developing a strong cycle network in Ireland • Sets out 19 specific objectives, and details the 109 actions, aimed at ensuring that a cycling culture is developed 	
Greater Dublin Area Cycle Network Plan	<ul style="list-style-type: none"> • Sets out a ten year cycling strategy for Counties Dublin, Kildare, Meath and Wicklow • Plan to increase regions cycle network dramatically 	
Local		
South County Dublin Development Plan 2016 – 2022 Fingal County Development Plan 2017-2023 Dublin City Development Plan 2016 - 2022 Meath County Development Plan 2013-2019 Offaly County Development Plan 2015-2021 Laois County Development Plan 2011-2017 Carlow County Development Plan 2015-2021 Wicklow County Development Plan 2010-2016 (2016-2022)	Overall strategies for the proper planning and sustainable development of the administrative area of the relevant Local Authorities.	

Regional		
Directive	Purpose	
Athy Town Development Plan 2012 Naas Town Development Plan 2011 Local land use plans including Sallins Local Area Plan 2016, Monasterevin Local Area Plan 2015, Kilcock Local Area Plan 2015, Kilcullen LAP 2014, Kildare LAP 2012, Newbridge LAP 2013, Maynooth LAP 2013, Collinstown LAP, Kilcock LAP 2009, Clane Local Area Plan 2009, Celbridge LAP 2010, Leixlip LAP 2010, Monasterevin LAP 2009, Sallins LAP 2009, Naas Northwest Quadrant Masterplan 2007 and Edenderry LAP 2011	Strategies for development in towns and villages.	

As this AA screening is considering a Variation to the plan, not all of the plans and projects in the table above are considered, however, those most relevant are discussed in further detail below.

National Planning Framework 2018

The National Planning Framework was finalised and approved in February 2018 and is a successor to the National Spatial Strategy.

“The National Planning Framework is the Government’s high-level strategic plan for shaping the future growth and development of our country out to the year 2040”.

The NPF provides a framework for the new RSES’s by the three new Regional Assemblies.

As part of the preparation of the NPF a number of environmental reports were carried out including an AA and SEA. A Natura Impact Statement (NIS) has been prepared in support of the AA process having regard for the legislative requirements of EU and national law.

The NIS concluded that *“subject to the appropriate mitigation being incorporated, there will be no adverse effects on the integrity of any European Sites as a result of implementation of the NPF”.*

It can be assumed from this conclusion that there is unlikely to be any in-combination effects between the NPF and the Variation to the Kildare CDP. All plans or projects carried out as a result of the NPF will be subject to their own independent AA process where there is potential for impacts to any European Sites.

Regional Spatial and Economic Strategy (RSES) for Eastern and Midlands

The RSES for Eastern and Midlands Regional Assembly was adopted in June 2019. The purpose of the RSES is to support the NPF – Project Ireland 2040 and is the successor to the

“It is a strategic plan which identifies regional, assets, opportunities and pressures and will provide appropriate policy, objective and target responses at a regional level”.

An NIR was prepared as part of the AA process carried out regarding this RSES.

The NIR concludes that *“this RSES is a strategic policy framework, to inform the preparation of land use plans such as city and county development plans and local area plans. These lower tier plans will include additional necessary detail on the expression of regional policy objective”* and may be subject to the AA process where there is potential for impacts on Natura 2000 sites.

Having regard to this and a number of other reasons outlined in the NIR, it was concluded that the RSES would not affect the integrity of a European site, individually or in combination with other plans or projects and therefore it is unlikely to result in any cumulative effects on sites with this Variation to the Kildare CDP.

Several additional plans are listed in the NIR for the Kildare CDP and these should also be considered in this AA screening report. These plans are shown in the **Table 6**.

Mitigation measures have already been put in place to avoid any cumulative impacts between the plans listed in the table above and the Kildare CDP. As a result, it is considered extremely unlikely that significant in-combination or cumulative effects arising from interaction with other plans or programmes could arise, as none of the amendments that make-up the Variation listed above are likely to have any significant impact on Natura 2000 sites (**Table 5**).

Each Stage 2 AA or Stage 1 AA Screening on the relevant plans or projects concluded that significant effects on Natura 2000 sites arising from the plan or project in question were considered extremely unlikely.

6 Conclusions in Screening Statement

It has been objectively concluded that:

- The Variation to the Development Plan, taken either alone or in combination with other plans or programmes, is not likely to have significant effects on Natura 2000 sites in view of their conservation objectives.

It can therefore be concluded, on the basis of objective information and beyond reasonable scientific doubt, that the Variation to the Development Plan will have no significant effects on these sites. It is the view of Arup that it is not necessary to undertake any further stage of the Appropriate Assessment process for the Variation to the Development Plan.