

APPENDIX 1

APPROPRIATE ASSESSMENT SCREENING REPORTS ASHBOURNE LOCAL AREA PLAN

Appropriate Assessment Screening Report

of the

Draft Ashbourne Local Area Plan 2009 – 2015

Prepared in conformance with Article 6(3) of Council Directive
92/43/EEC of 21 May 1992 on the conservation of natural habitats
and of wild fauna and flora, as amended

February 2009



comhairle chontae na mí
meath county council

1.0 Introduction

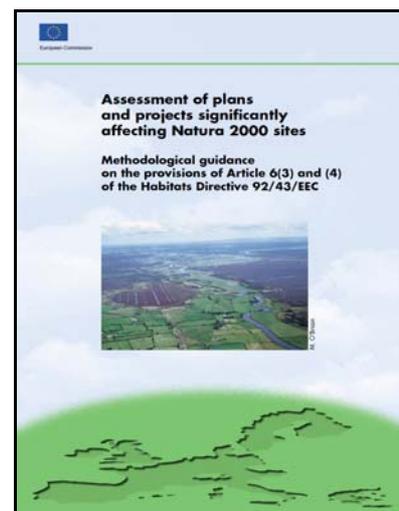
Article 6(3) of Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora, hereafter referred to as the Habitats Directive, compels competent authorities to undertake an appropriate assessment of any plan or project not directly connected with or necessary to the management of a Natura 2000 site but likely to have a significant effect thereon, either individually or in combination with other plans or projects.

The assessment examines the implications of proceeding with the plan or project in view of the site's conservation objectives. In light of the conclusions of the assessment of the implications for the site, the competent 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.

If the assessment concludes that the plan or project will have a negative impact on the site, it may only proceed and be carried out for imperative reasons of overriding public interest as outlined in the Directive and the member state concerned shall take all compensatory measures to ensure that the overall coherence of the Natura 2000 site is protected. The European Commission must be informed where this occurs.

Meath County Council are preparing a Local Area Plan for Ashbourne as required by the Meath County Development Plan 2007 – 2013, the parent policy document to the Local Area Plan.

The Draft Ashbourne Local Area Plan 2009-2015 has been screened to ascertain if the Plan should be subject to an appropriate assessment as outlined in the Habitats Directive. The screening has had regard to the European Commission's guidance document entitled "Assessment of plans and projects significantly affecting Natura 2000 sites, methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC". In line with the suggested assessment methodology put forward by the Commission, a screening matrix and a finding of no significant effects matrix have been completed.



The screening process has found that the Draft Ashbourne Local Area Plan 2009-2015 does not require an appropriate assessment as the implementation of the Plan would not be likely to have significant effects on any Natura 2000 site.

2.0 Overview of Proposed Local Area Plan

It is an objective of the current Meath County Development Plan (2007- 2013) to designate Ashbourne as a 'Moderate Growth Town' and to prepare a Local Area Plan for the settlement. It is a further objective of the Meath County Development Plan that all

Local Area Plans will be prepared within the immediate two years following the adoption of the County Plan (March 2007).

The draft Local Area Plan has been prepared in order to set out a comprehensive framework for the proper planning and sustainable development of Ashbourne over the period of 2009 to 2015.

The Planning and Development Act 2000 (as amended) sets out the requirements for the preparation of a Local Area Plan. Section 19(2)(as amended by the Planning and Development Act 2002) states that *"a local area plan shall be consistent with the objectives of the development plan."* The Local Area Plan is therefore a subsidiary document to the Meath County Development Plan 2007–2013 and compliance with the policies and objectives in the County Development Plan is required for development in Ashbourne.

The draft Local Area Plan is based on the household projections contained in the Meath County Development Plan. These envisage an additional 2,600 households in Ashbourne over the lifetime of the County Development Plan. According to the County Development Plan, Ashbourne constitutes a strategic location for additional growth on the basis of its proximity to Dublin, its economic and employment base and its location on the N2 Finglas to Ashbourne Dual Carriageway.

The Local Area Plan is comprised of a written statement which is divided into 8 chapters, namely:

1. Introduction
2. Ashbourne in Context
3. Settlement Strategy and Housing
4. Economic Development Strategy
5. Built and Natural Heritage
6. Social Strategy
7. Infrastructure
8. Implementation and Monitoring

The Plan is also accompanied by a land use zoning and objectives map.

The draft Local Area Plan contains general policies relating to the protection of natural heritage and the need for adequate proposals for infrastructure and services to support development. These include:

HER POL 5: To encourage the retention of existing natural features in development proposals.

HER POL 12: To protect and conserve the natural, built and archaeological heritage of Ashbourne, which contribute to the character of the village and its landscape setting.

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There are no policies in the draft Local Area Plan which directly relate to Natura 2000 sites as there are no such sites within or abutting the plan area. The policies of the Meath County Development Plan 2007 – 2013 in relation to such sites include:

HER POL 3: To require any planning application that proposes development within or adjacent to the area designated as a cSAC, SPA or pNHA illustrated on Map 8.3 to be accompanied by an ecological impact assessment, assessing the impact of the proposal on these areas with conservation designations. The Ecological Impact Assessment will be forwarded to the National Parks & Wildlife Section of the Department of Environment,

Heritage & Local Government for their comments prior to the making of a decision by the Planning Authority.

HER POL 8: To maintain, and where possible enhance, the conservation value of the cSACs, as identified by the Minister for the DoEHLG, and any other sites that may be proposed for designation during the lifetime of this Plan.

HER POL 9: To have regard to the views and guidance of the National Parks and Wildlife Service of the DoEHLG in respect of proposed development where there is a possibility that such development may have an impact on candidate or designated Special Areas of Conservation.

HER POL 10: To permit development on a designated SAC or those proposed to be designated over the period of this plan, only where an assessment carried out to the satisfaction of the Planning Authority and National Parks & Wildlife Service of DoEHLG, indicates that it will have no significant adverse effect (such as disturbance, pollution or deterioration of habitat quality) on the protected area.

HER POL 11: To prohibit any development that would be harmful or that would result in a significant deterioration of habitats and/or disturbance of species.

HER POL 12: To have regard to the views and guidance of the National Parks and Wildlife Service of the DoEHLG in respect of proposed developments where there is a possibility that such development may have an impact on candidate or designated Special Areas of Conservation.

HER POL 13: To permit development on a designated SPA or those proposed to be designated over the period of this plan, only where an assessment carried out to the satisfaction of the Planning Authority and National Parks & Wildlife Service of DoEHLG, indicates that it will have no significant adverse effect (such as disturbance, pollution or deterioration of habitat quality) on the protected area.

2.0 Overview of Applicable Natura 2000 Site

There are no Natura 2000 sites within the boundary of the Local Area Plan or abutting the boundary.

The closest Natura 2000 site to Ashbourne is the Broadmeadow/Swords Estuary SPA, approximately 15 kilometres away. Other sites of indirect relevance to Ashbourne include the River Boyne and River Blackwater SAC (as the Boyne provides part of the water supply to Ashbourne), the Malahide Estuary cSAC (where the Broadmeadow River, which passes through Ashbourne, enters the sea) and South Dublin Bay SAC, North Dublin Bay SAC and South Dublin Bay and River Tolka Estuary SPA (as treated wastewater from Ashbourne is ultimately discharged to Dublin Bay via the treatment plant at Ringsend). Details of these are outlined below. The full site synopses are available on the National Parks and Wildlife Service's website.

Site Name: Broadmeadow/Swords Estuary SPA

Site Code: 004025

Description: This site is situated in north Co. Dublin, between the towns of Malahide and Swords. Broadmeadow/Swords Estuary SPA is a fine example of an estuarine system, providing both feeding and roosting areas for a range of wintering waterfowl. The lagoonal nature of the inner estuary is of particular value as it increases the diversity of birds which occur. The site is of high conservation importance, with an internationally important population of Brent Goose and nationally important populations of a further 12 species. Three of the species which occur regularly (Golden Plover, Bar-tailed Godwit and Ruff) are listed on Annex I of the E.U. Birds Directive.

Site Name: River Boyne and River Blackwater SAC

Site Code: 002299

Description: This site comprises the freshwater element of the River Boyne as far as the Boyne Aqueduct, the Blackwater as far as Lough Ramor and the Boyne tributaries including the Deel, Stoneyford and Tremblestown Rivers. The site is a candidate SAC selected for alkaline fen and alluvial woodlands, both habitats listed on Annex I of the E.U. Habitats Directive. The site is also selected for the following species listed on Annex II of the same directive – Atlantic Salmon, Otter and River Lamprey.

Site Name: Malahide Estuary SAC

Site Code: 000205

Description: Malahide Estuary is situated immediately north of Malahide and east of Swords. It is the estuary of the River Broadmeadow. This site is a fine example of an estuarine system with all the main habitats represented. The site is important ornithologically, with a population of Brent Geese of international significance.

Site Name: South Dublin Bay SAC

Site Code: 000210

Description: This site lies south of the River Liffey and extends from the South Wall to the west pier at Dun Laoghaire. It is an intertidal site with extensive areas of sand and mudflats, a habitat listed on Annex I of the E.U. Habitats Directive.

Site Name: North Dublin Bay SAC

Site Code: 000206

Description: This site covers the inner part of north Dublin Bay, the seaward boundary extending from the Bull Wall lighthouse across to the Martello Tower at Howth Head.

Site Name: South Dublin Bay and River Tolka Estuary SPA

Site Code: 004024

Description: The South Dublin Bay and River Tolka Estuary SPA comprises a substantial part of Dublin Bay. It includes the intertidal area between the River Liffey and Dun Laoghaire, and the estuary of the River Tolka to the north of the River Liffey, as well as Booterstown Marsh. A portion of the shallow marine waters of the bay is also included.

Environmental Protection Agency

The Environmental Protection Agency (EPA) is an independent public body established under the Environmental Protection Agency Act, 1992. Its sponsor in Government is the

Department of the Environment, Heritage and Local Government. It is the statutory body responsible for protecting the environment in Ireland. It regulates and polices activities that might otherwise cause pollution. It also ensures that there is solid information on environmental trends to inform government policy.

The EPA manages a spatial data service called EPA ENVision. This is an internet based map viewer which gives state authorities and the public at large, access to environmental data for the whole of Ireland. The following information is available regarding the areas listed above:

Broadmeadow Water: This is classified as eutrophic. Water quality in the Broadmeadow River at Ashbourne was recorded as being of poor status.

Dublin Bay: The estuarine and coastal water quality is considered unpolluted. The Liffey Estuary is classified as intermediate.

Malahide Bay: This is classified as intermediate.

3.0 Screening Matrix

Assessment criteria

Describe the individual elements of the project (either alone or in combination with other plans or projects) likely to give rise to impacts on the Natura 2000 site.

The Ashbourne Local Area Plan 2009-2015 has been drafted to provide a framework for the proper planning and sustainable development of this area over the lifetime of the plan. The Plan provides for the orderly expansion of the town in terms of additional population, industrial, commercial development, social facilities and protection of heritage. The policies of the plan are unlikely to generate significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites (either individually or in combination with other plans or projects).

Describe any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the Natura 2000 site by virtue of:

- size and scale:

No projects which would give rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites, arising from the size or scale of the project, shall be permitted on the basis of this Local Area Plan (either individually or in combination with other plans or projects).

- land-take:

The draft Ashbourne Local Area Plan provides for residential lands to meet the household projections for the town set out in the Meath County Development Plan 2007 – 2013. The proposed LAP zones limited additional lands for employment and commercial development and community facilities. No projects giving rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites having regard to their conservation objectives, arising from land take shall be permitted

on the basis of this Local Area Plan (either individually or in combination with other plans or projects).

- distance from the Natura 2000 site or key features of the site:

The closest Natura 2000 site is approximately 15 kilometres from Ashbourne. Given the distance involved, development in the area, subject to the policies of the Plan (either individually or in combination with other plans or projects) would not give rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites having regard to their conservation objectives.

- resource requirements (water abstraction etc.):

Water is abstracted from the River Boyne to serve Ashbourne as part of the East Meath Regional Scheme. The allocation of water services to Ashbourne will be considered as part of the overall water supply requirements in the East Meath and South Louth areas. It is not proposed under this LAP to increase the rate of abstraction from the River Boyne. Any such development by the Local Authority would be subject to an appropriate assessment in the form an Environmental Impact Assessment.

- emissions (disposal to land, water or air):

No projects giving rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites having regard to their conservation objectives, arising from their emissions (disposal to land, water or air), shall be permitted on the basis of this LAP (either individually or in combination with other plans or projects).

- excavation requirements:

Soils and rock are a natural resource and an important component of local ecosystem. The policy provisions included in the Plan and the Meath County Development Plan 2007–2013 will ensure that no projects giving rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites, having regard to their conservation objectives, arising from excavation requirements shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects).

- transportation requirements:

The transportation policies of the draft Local Area Plan (either individually or in combination with other plans or projects) would not give rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites, having regard to their conservation objectives, arising from transportation requirements shall be permitted on the basis of this Plan.

- duration of construction, operation, decommissioning, etc.:

The Draft Ashbourne Local Area Plan shall be adopted in early to mid 2009 and will remain in effect until 2015. The duration of the plan is not applicable to the ongoing protection of any Natura 2000 site. No projects giving rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites, having regard to their conservation objectives, arising from duration of construction, operation, decommissioning etc., shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects).

- other:

No projects giving rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites, having regard to their conservation objectives, arising from other considerations, shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects).

Describe any likely changes to the site arising as a result of:

- reduction of habitat area:

No projects giving rise to a reduction of habitat areas in any Natura 2000 site shall be permitted on the basis of the provisions of this Plan (either individually or in combination with other plans or projects).

- disturbance to key species:

No projects giving rise to significant disturbance of key species in any Natura 2000 site shall be permitted on the basis of the provisions of this Plan (either individually or in combination with other plans or projects).

- habitat or species fragmentation:

No projects giving rise to habitat or species fragmentation in any Natura 2000 site shall be permitted on the basis of the provisions of this Plan (either individually or in combination with other plans or projects).

- reduction in species density:

No projects giving rise to a reduction in species density in any Natura 2000 site shall be permitted on the basis of the provisions of this Plan (either individually or in combination with other plans or projects).

- changes in key indicators of conservation value (water quality etc.):

No projects giving rise to significant changes in key indicators of conservation value in any Natura 2000 site shall be permitted on the basis of the provisions of this Plan (either individually or in combination with other plans or projects).

- climate change.

No projects likely to give rise to significant change in the climatological conditions experienced in any Natura 2000 site shall be permitted on the basis of the provisions of this Plan (either individually or in combination with other plans or projects).

Describe any likely impacts on the Natura 2000 site as a whole in terms of:

- interference with the key relationships that define the structure of the site:

No projects giving rise to significant interference with the key relationships that define the structure of any Natura 2000 site, having regard to their conservation objectives, shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects).

- interference with key relationships that define the function of the site.

No projects giving rise to significant interference with the key relationships that define the function of any Natura 2000 site, having regard to their conservation objectives, shall be permitted on the basis of this Plan (either individually or in combination with other plans or projects).

Provide indicators of significance as a result of the identification of effects set out above in terms of:

- *loss:*

N/A

- *fragmentation:*

N/A

- *disruption:*

N/A

- *disturbance:*

N/A

- *change to key elements of the site (e.g. water quality etc.).*

N/A

Describe from the above those elements of the project or plan, or combination of elements, where the above impacts are likely to be significant or where the scale or magnitude of impacts is not known.

N/A

4.0 Finding of No Significant Effects Report Matrix

Name of project or plan

Draft Ashbourne Local Area Plan 2009-2015

Name and location of Natura 2000 site

There are no Natura 2000 sites within the Local Area Plan boundary. The closest Natura 2000 site is Broadmeadow/Swords Estuary SPA, situated approximately 15 kilometres from Ashbourne. Other sites of indirect relevance to Ashbourne include the River Boyne and River Blackwater SAC (as the Boyne is part of the source of water supply to Ashbourne), the Malahide Estuary cSAC and (where the Broadmeadow River, which passes through Ashbourne, enters the sea) and South Dublin Bay SAC, North Dublin Bay SAC and South Dublin Bay and River Tolka Estuary SPA (as treated wastewater from Ashbourne is ultimately discharged to Dublin Bay via the treatment plant at Ringsend).

Description of the project or plan

The draft Local Area Plan has been prepared in order to set out a comprehensive framework for the proper planning and sustainable development of Ashbourne over the period of 2009 to 2015. It is an objective of the current Meath County Development Plan (2007- 2013) to designate Ashbourne as a 'moderate growth town and to prepare a

Local Area Plan for the settlement to assist it to development in a self-sufficient, sustainable manner.

Is the project or plan directly connected with or necessary to the management of the site (provide details)?

The Draft Plan is not directly connected with or necessary to the management of any Natura 2000 site but rather the future planning and development of Ashbourne. The Plan does however contain robust and thorough provisions to protect and enhance the natural heritage of Ashbourne.

Are there other projects or plans that together with the project or plan being assessed could affect the site (provide details)?

The Draft Ashbourne Local Area Plan 2009-2015 is the only land use plan directly applicable to Ashbourne town. It is a subsidiary document to the Meath County Development Plan 2007 – 2013 and is placed within a hierarchy of plans such as the Regional Planning Guidelines for the Greater Dublin Area 2004-2016 and the National Spatial Strategy 2002-2020.

The Plan has been formulated to ensure that development arising from planning permissions granted in accordance with the provisions of this Plan (either individually or in combination with other plans or projects) shall not give rise to significant adverse impacts on the integrity of any Natura 2000 site having regard to its conservation objectives.

The assessment of significance of effects

Describe how the project or plan (alone or in combination) is likely to affect the Natura 2000 site.

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Explain why these effects are not considered significant.

The Plan has been formulated to ensure that development arising from planning permissions granted in accordance with the provisions of this Plan (either individually or in combination with other plans or projects) shall not give rise to significant adverse impacts on the integrity of any Natura 2000 site having regard to its conservation objectives.

In addition, it should be noted that any developments permitted in accordance with this plan also have a legal duty to conform with the relevant statutory and regulatory provisions enacted for the prevention of environmental pollution and degradation or other effects likely to significantly and adversely affect the integrity of Natura 2000 sites having regard to their conservation objectives.

List of agencies consulted: provide contact name and telephone or e-mail address.

At the time of writing Irish legislation does not prescribe statutory consultees for the purpose of consultation on the appropriate assessment of land use development plans. However Circular Letter SEA 1/08 & NPWS 1/08 from the Department of the Environment, Heritage and Local Government states the Department should be consulted.

As part of the Strategic Environmental Assessment of the Draft Ashbourne Local Area Plan 2009 – 2015, consultation occurred with the following prescribed bodies - stating that a submission or observation in relation to the Strategic Environmental Assessment process, could be made to the Planning Authorities;

Department of the Environment, Heritage and Local Government (DEHLG), Dún Scéine, Harcourt Lane, Dublin 2. Tel: 01 833 3190

Department of Communications, Energy and Natural Resources (DCMNR), Leeson Lane, Dublin 2. Tel: 01 678 3084

Environmental Protection Agency, Regional Inspectorate, Inniscarra, County Cork. Tel: 021 487 5540

Response to consultation.

Two submissions were received from the Department of the Environment, Heritage and Local Government. The submission dated 19th September 2008 notes that the River Broadmeadow which is within the Plan area enters the Malahide Esuary cSAC and Broadmeadow/Swords Estuary SPA and therefore the Plan should be subject to appropriate assessment of its implications. The submission also raised the issue of architectural heritage and its treatment in the Local Area Plan. The submission dated 1st September 2008 relates to archaeological recommendations. A number of factors are listed which the assessment of impacts on archaeological impacts should have regard to.

The response from the Environmental Protection Agency included an SEA pact to assist in the carrying out of the Strategic Environmental Assessment. The EPA's web based geographical information system, ENVision, was also highlighted as a source of information. The submission advised of other statutory bodies to be consulted.

The submission from the Department of Communications, Marine and Natural Resources advised that development in the area should not have a deleterious effect on aquatic life in the Broadmeadow River and associated surface water channels. It highlighted that the Broadmeadow River is currently of unsatisfactory biological and physico-chemical quality with macro invertebrate diversity being significantly reduced. The submission lists a number of issues which should be taken into consideration when assessing potential significant impacts of the LAP. The impact of development on watercourses should be handled with sensitivity to the relevant aquatic and riparian habitats and preparation of the LAP should facilitate the utmost priority for protection and conservation of salmonid systems in the area. The submission notes that the protection of habitats outside designated areas and a Council commitment to reject proposals that would interfere with natural floodplains would greatly benefit aquatic and riparian features in Ashbourne and its surrounds. Policies and recommendations made under the Greater Dublin

Strategic Drainage Study should be applied in development of a drainage strategy for the LAP.

Data collected to carry out the assessment

Who carried out the assessment?

Meath County Council.

Sources of data

Existing records and information published by the NPWS and EPA.

Level of assessment completed

A desktop study was completed utilizing existing information from the relevant state authorities.

Where can the full results of the assessment be accessed and viewed?

The full results of the assessment can be accessed and viewed in this document which is available for public inspection at the offices of Meath County Council's Planning Department, Abbey Road, Navan, Co. Meath.

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Proposed Amendments

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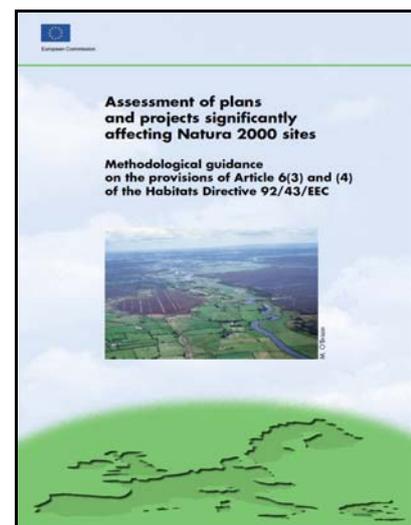
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The Plan is also accompanied by a land use zoning and objectives map.

The draft plan was placed on public display from the 23rd of February to the 6th of April 2009 and a manager's report was prepared on the submissions received. The draft plan and manager's report were considered by the members of Meath County Council at a Council meeting on the 8th of June 2009. As a result of this, a number of material amendments have been proposed to the draft plan on foot of this. These include the zoning of additional lands for employment generating and residential uses.

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There are no policies in the draft Local Area Plan which directly relate to Natura 2000 sites as there are no such sites within or abutting the plan area. The policies of the Meath County Development Plan 2007 – 2013 in relation to such sites include:

HER POL 3: To require any planning application that proposes development within or adjacent to the area designated as a cSAC, SPA or pNHA illustrated on Map 8.3 to be accompanied by an ecological impact assessment, assessing the impact of the proposal on these areas with conservation designations. The Ecological Impact Assessment will be forwarded to the National Parks & Wildlife Section of the Department of Environment, Heritage & Local Government for their comments prior to the making of a decision by the Planning Authority.

HER POL 8: To maintain, and where possible enhance, the conservation value of the cSACs, as identified by the Minister for the DoEHLG, and any other sites that may be proposed for designation during the lifetime of this Plan.

HER POL 9: To have regard to the views and guidance of the National Parks and Wildlife Service of the DoEHLG in respect of proposed development where there is a possibility that such development may have an impact on candidate or designated Special Areas of Conservation.

HER POL 10: To permit development on a designated SAC or those proposed to be designated over the period of this plan, only where an assessment carried out to the satisfaction of the Planning Authority and National Parks & Wildlife Service of DoEHLG, indicates that it will have no significant adverse effect (such as disturbance, pollution or deterioration of habitat quality) on the protected area.

HER POL 11: To prohibit any development that would be harmful or that would result in a significant deterioration of habitats and/or disturbance of species.

HER POL 12: To have regard to the views and guidance of the National Parks and Wildlife Service of the DoEHLG in respect of proposed developments where there is a possibility that such development may have an impact on candidate or designated Special Areas of Conservation.

HER POL 13: To permit development on a designated SPA or those proposed to be designated over the period of this plan, only where an assessment carried out to the satisfaction of the Planning Authority and National Parks & Wildlife Service of DoEHLG, indicates that it will have no significant adverse effect (such as disturbance, pollution or deterioration of habitat quality) on the protected area.

2.0 Overview of Applicable Natura 2000 Site

There are no Natura 2000 sites within the boundary of the Local Area Plan or abutting the boundary.

The closest Natura 2000 site to Ashbourne is the Broadmeadow/Swords Estuary SPA, approximately 15 kilometers away. Other sites of indirect relevance to Ashbourne include the River Boyne and River Blackwater SAC (as the Boyne provides part of the water supply to Ashbourne), the Malahide Estuary cSAC (where the Broadmeadow River, which passes through Ashbourne, enters the sea) and South Dublin Bay SAC, North Dublin Bay SAC and South Dublin Bay and River Tolka Estuary SPA (as treated wastewater from Ashbourne is ultimately discharged to Dublin Bay via the treatment plant at Ringsend). Details of these are outlined below. The full site synopses are available on the National Parks and Wildlife Service's website.

Site Name: Broadmeadow/Swords Estuary SPA

Site Code: 004025

Description: This site is situated in north Co. Dublin, between the towns of Malahide and Swords. Broadmeadow/Swords Estuary SPA is a fine example of an estuarine system, providing both feeding and roosting areas for a range of wintering waterfowl. The lagoonal nature of the inner estuary is of particular value as it increases the diversity of birds which occur. The site is of high conservation importance, with an internationally important population of Brent Goose and nationally important populations of a further 12 species.

Three of the species which occur regularly (Golden Plover, Bar-tailed Godwit and Ruff) are listed on Annex I of the E.U. Birds Directive.

Site Name: River Boyne and River Blackwater SAC

Site Code: 002299

Description: This site comprises the freshwater element of the River Boyne as far as the Boyne Aqueduct, the Blackwater as far as Lough Ramor and the Boyne tributaries including the Deel, Stoneyford and Tremblestown Rivers. The site is a candidate SAC selected for alkaline fen and alluvial woodlands, both habitats listed on Annex I of the E.U. Habitats Directive. The site is also selected for the following species listed on Annex II of the same directive – Atlantic Salmon, Otter and River Lamprey.

Site Name: Malahide Estuary SAC

Site Code: 000205

Description: Malahide Estuary is situated immediately north of Malahide and east of Swords. It is the estuary of the River Broadmeadow. This site is a fine example of an estuarine system with all the main habitats represented. The site is important ornithologically, with a population of Brent Geese of international significance.

Site Name: South Dublin Bay SAC

Site Code: 000210

Description: This site lies south of the River Liffey and extends from the South Wall to the west pier at Dun Laoghaire. It is an intertidal site with extensive areas of sand and mudflats, a habitat listed on Annex I of the E.U. Habitats Directive.

Site Name: North Dublin Bay SAC

Site Code: 000206

Description: This site covers the inner part of north Dublin Bay, the seaward boundary extending from the Bull Wall lighthouse across to the Martello Tower at Howth Head.

Site Name: South Dublin Bay and River Tolka Estuary SPA

Site Code: 004024

Description: The South Dublin Bay and River Tolka Estuary SPA comprises a substantial part of Dublin Bay. It includes the intertidal area between the River Liffey and Dun Laoghaire, and the estuary of the River Tolka to the north of the River Liffey, as well as Booterstown Marsh. A portion of the shallow marine waters of the bay is also included.

Environmental Protection Agency

The Environmental Protection Agency (EPA) is an independent public body established under the Environmental Protection Agency Act, 1992. Its sponsor in Government is the Department of the Environment, Heritage and Local Government. It is the statutory body responsible for protecting the environment in Ireland. It regulates and polices activities that might otherwise cause pollution. It also ensures that there is solid information on environmental trends to inform government policy.

The EPA manages a spatial data service called EPA ENVision. This is an internet based map viewer which gives state authorities and the public at large, access to environmental data for the whole of Ireland. The following information is available regarding the areas listed above:

Broadmeadow Water: This is classified as eutrophic. Water quality in the Broadmeadow River at Ashbourne was recorded as being of poor status.

Dublin Bay: The estuarine and coastal water quality is considered unpolluted. The Liffey Estuary is classified as intermediate.

Malahide Bay: This is classified as intermediate.

3.0 Screening Matrix

Assessment criteria

Describe the individual elements of the project (either alone or in combination with other plans or projects) likely to give rise to impacts on the Natura 2000 site.

The Draft Ashbourne Local Area Plan 2009-2015 and proposed amendments has been drafted to provide a framework for the proper planning and sustainable development of this area over the lifetime of the plan. The Draft Plan with the proposed amendments provides for the future development of the town in terms of additional population, industrial, commercial development, social facilities and protection of heritage. The plan does not concern the management of any Natura 2000 sites and the plan area does not abut or contain any Natura 2000 sites. The policies of the Draft Plan with the proposed amendments are unlikely to generate significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites (either individually or in combination with other plans or projects). In this regard, please also refer to the relevant policies contained in the Meath County Development Plan 2007-2013 namely HER POL 3, HER POL 8, HER POL 9, HER POL 10, HER POL 11, HER POL 12 & HER POL 13 as detailed below:

HER POL 3: To require any planning application that proposes development within or adjacent to the area designated as a cSAC, SPA or NHA, pNHA illustrated on Map 8.3 to be accompanied by an ecological impact assessment, assessing the impact of the proposal on these areas with conservation designations. The Ecological Impact Assessment will be forwarded to the National Parks & Wildlife Section of the Department of the Environment, Heritage & Local Government for their comments prior to the making of a decision by the Planning Authority.

HER POL 8: To maintain, and where possible enhance, the conservation value of the cSACs, as identified by the Minister for the Environment, Heritage and Local Government, and any other sites that may be proposed for designation during the lifetime of this Plan.

HER POL 9: To have regard to the views and guidance of the National Parks and Wildlife Service of the DoEHLG in respect of proposed development where there is a possibility that such development may have an impact on candidate or designated Special Areas of Conservation.

HER POL 10: To permit development on a designated SAC or those proposed to be designated over the period of this plan, only where an assessment carried out to the satisfaction of the Planning Authority and National Parks & Wildlife Service of DoEHLG, indicates that it will have no significant adverse effect (such as disturbance, pollution or deterioration of habitat quality) on the protected area.

HER POL 11: To prohibit any development that would be harmful or that would result in a significant deterioration of habitats and / or disturbance of species.

HER POL 12: To have regard to the views and guidance of the National Parks and Wildlife Service of the DoEHLG in respect of proposed developments where there is a possibility that such development may have an impact on candidate or designated Special Areas of Conservation.

HER POL 13: To permit development on a designated SPA or those proposed to be designated over the period of this plan, only where an assessment carried out to the satisfaction of the Planning Authority and National Parks & Wildlife Service of DoEHLG, indicates that it will have no significant adverse effect (such as disturbance, pollution or deterioration of habitat quality) on the protected area.

Describe any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the Natura 2000 site by virtue of:

- size and scale:

No projects which would give rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites, arising from the size or scale of the project, shall be permitted on the basis of this Local Area Plan (either individually or in combination with other plans or projects). In this regard, please refer to the previously stated policies contained in the Meath County Development Plan 2007-2013.

- land-take:

The draft Ashbourne Local Area Plan with proposed amendments provides for residential lands to meet the household projections for the town set out in the Meath County Development Plan 2007 – 2013. With the exception of the proposed amendment to the west of the N2 (proposed amendment no. 6 refers), the plan with amendments generally represents a restrained extension to the existing development boundary of the town. No projects giving rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites having regard to their conservation objectives, arising from land take shall be permitted on the basis of this Local Area Plan or the proposed amendments (either individually or in combination with other plans or projects). In this regard, please refer to the previously stated policies contained in the Meath County Development Plan 2007-2013.

- distance from the Natura 2000 site or key features of the site:

The closest Natura 2000 site is approximately 15 kilometres from Ashbourne. Given the distance involved, development in the area, subject to the policies of the Plan with the proposed amendments (either individually or in combination with other plans or projects) would not give rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites having regard to their conservation objectives. In this regard, please refer to the previously stated policies contained in the Meath County Development Plan 2007-2013.

- resource requirements (water abstraction etc.):

Water is abstracted from the River Boyne to serve Ashbourne as part of the East Meath Regional Scheme. The allocation of water services to Ashbourne will be considered as part of the overall water supply requirements in the East Meath and South Louth areas. It is not proposed under the Draft LAP or amendments to the Draft LAP to increase the rate of abstraction from the River Boyne. Any such development by the Local Authority would be

subject to an appropriate assessment in the form an Environmental Impact Assessment. In this regard, please also refer to the following policies and objectives contained in the LAP:

INF POL 20: 'To continue the development and upgrading of the water supply system so as to ensure that an adequate, sustainable and economic supply of piped water of suitable quality is available for domestic, commercial, industrial, fire safety and other uses for the sustainable development of the town in accordance with the sustainable structure identified in this Plan and as finances permit',

INF POL 21: 'To promote public awareness and involvement in water conservation measures by households, businesses and industries',

INF POL 22: 'To implement the Water Conservation Programme, in order to conserve valuable resources by reducing wastage',

INF POL 23: 'To utilise the existing water supply in an efficient and fair manner and in the best interests of the proper planning and sustainable development of the area,

INF POL 24: 'To ensure that all drinking water complies with the European Union Drinking Water Directive 98/83/EC as given effect in Irish law by the European Communities (Drinking Water) (No. 2) Regulations 2007, as may be amended,

INF OBJ 14: 'To implement the Water Services Investment Programme 2007-2009',

INF POL 25: 'To continue the development and upgrading of the waste water system servicing Ashbourne to ensure that an adequate treatment capacity is available for the sustainable development of Ashbourne as finances permit',

INF POL 26: 'To ensure that all new developments have and are provided with satisfactory drainage systems in the interest of public health and to avoid the pollution of ground and surface waters,

INF OBJ 15: 'To require all large scale developments to provide "Sustainable Urban Drainage Systems" (SuDS) as part of their development proposals',

INF OBJ 16: 'To ensure that development on newly zoned land is kept at an appropriate distance from stream and river banks and adequate protection measures put in place to protect the ecological value and water quality of watercourses'.

- emissions (disposal to land, water or air):

No projects giving rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites having regard to their conservation objectives, arising from their emissions (disposal to land, water or air), shall be permitted on the basis of this Draft Plan or amendments to the Draft Plan (either individually or in combination with other plans or projects). In this regard, please refer to the following policies and objectives contained in the LAP:

INF POL 34: 'To promote education and awareness on all issues associated with waste management, both at industry and community level. This will include the promotion of waste reduction by encouraging the minimization, re-use, recycling and recovery of waste within the county',

INF POL 35: 'To implement the policies and objectives of the Waste Management Plan for the North East Region',

INF POL 36: 'To promote and encourage the recycling of construction and demolition waste in accordance with approved construction and demolition waste management plan,

INF POL 37: 'To have regard to the Dublin Waste Management Plan 2005-2010 (and subsequent plans) and its objectives of preventing and minimising waste, maximising recovery through recycling and ensuring that such waste that cannot be prevented is disposed of without causing environmental pollution',

INF POL 38: 'To support the provision of a civic amenity site to serve Ashbourne',

INF OBJ 19: 'To investigate and identify over the lifetime of the Local Area Plan an appropriate location for a civic amenity site to service both Ratoath and Ashbourne',

INF OBJ 20: 'To require the provision of bring banks, bottle banks or other appropriate recycling facilities as part of the overall development in the case of new and extended shopping centre developments and commercial neighbourhood centres, educational, sports, and recreational facilities. The sites shall be made available to the Local Authority at the developer's own expense and will be maintained by the local authority or its agents.

Please refer to the following policies contained in the Meath County Development Plan: Please note the following policies contained in the Meath County Development Plan 2007-2013:

INF POL 84: 'To support national and international initiatives for limiting emissions of greenhouse gases through energy efficiency and the development of renewable energy sources which makes use of the natural resources of the county in an environmentally acceptable manner, where it is consistent with proper planning and sustainable development of the area',

INF POL 86: 'To support the National Climate Change Strategy and, in general to facilitate measures which seek to reduce emissions of greenhouse gases.

- excavation requirements:

Soils and rock are a natural resource and an important component of local ecosystem. The policy provisions included in the Plan and the Meath County Development Plan 2007–2013 will ensure that no projects giving rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites, having regard to their conservation objectives, arising from excavation requirements shall be permitted on the basis of the Draft Plan or amendments to the Draft Plan (either individually or in combination with other plans or projects). Please refer to the previously stated policies contained in the Meath County Development Plan 2007-2013.

- transportation requirements:

The transportation policies of the draft Local Area Plan (either individually or in combination with other plans or projects) would not give rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites, having regard to their conservation objectives, arising from transportation requirements shall be permitted on the basis of the basis of the Draft Plan or the proposed amendments to the Draft Plan. Please note that the LAP seeks to promote sustainable modes of transport such as walking and cycling:

INF POL 11: 'To promote and facilitate the development of cycling and walking facilities in Ashbourne',

INF POL 12: 'To require that all new significant developments provide pedestrian and cycle facilities including secure parking for cycles',

INF POL 13: 'To provide cycle ways, where appropriate, as part of all road improvement/redesign schemes',

INF POL 14: 'To prioritise the movement of pedestrian and cyclists in proximity to public transport nodes',

INF OBJ 11: 'To ensure the development and link up of cycling and walking facilities throughout the town'.

- duration of construction, operation, decommissioning, etc.:

The Ashbourne Local Area Plan shall be adopted in mid/late 2009 and will remain in effect until 2015. The duration of the plan is not applicable to the ongoing protection of any Natura 2000 site. No projects giving rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites, having regard to their conservation objectives, arising from duration of construction, operation, decommissioning etc., shall be

permitted on the basis of the Draft Plan or the proposed amendments to the Draft Plan (either individually or in combination with other plans or projects). Please refer to the previously stated policies contained in the Meath County Development Plan 2007-2013.

- other:

No projects giving rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites, having regard to their conservation objectives, arising from other considerations, shall be permitted on the basis of this Plan or the proposed amendments to the draft plan (either individually or in combination with other plans or projects). Please refer to the previously stated policies contained in the Meath County Development Plan 2007-2013.

Describe any likely changes to the site arising as a result of:

- reduction of habitat area:

No projects giving rise to a reduction of habitat areas in any Natura 2000 site shall be permitted on the basis of the provisions of the Draft Plan or the proposed amendments to the Draft Plan (either individually or in combination with other plans or projects). Please refer to the previously stated policies contained in the Meath County Development Plan 2007-2013.

- disturbance to key species:

No projects giving rise to significant disturbance of key species in any Natura 2000 site shall be permitted on the basis of the provisions of the Draft Plan or the proposed amendments to the Draft Plan (either individually or in combination with other plans or projects). Please refer to the previously stated policies contained in the Meath County Development Plan 2007-2013.

- habitat or species fragmentation:

No projects giving rise to habitat or species fragmentation in any Natura 2000 site shall be permitted on the basis of the provisions of the Draft Plan or the proposed amendments to the Draft Plan (either individually or in combination with other plans or projects). Please refer to the previously stated policies contained in the Meath County Development Plan 2007-2013.

- reduction in species density:

No projects giving rise to a reduction in species density in any Natura 2000 site shall be permitted on the basis of the provisions of the Draft Plan or amendments to the Draft Plan (either individually or in combination with other plans or projects). Please refer to the previously stated policies contained in the Meath County Development Plan 2007-2013.

- changes in key indicators of conservation value (water quality etc.):

No projects giving rise to significant changes in key indicators of conservation value in any Natura 2000 site shall be permitted on the basis of the provisions of the Draft Plan or amendments to the Draft Plan (either individually or in combination with other plans or projects). Please refer to the previously stated policies contained in the Meath County Development Plan 2007-2013.

- climate change.

No projects likely to give rise to significant change in the climatological conditions experienced in any Natura 2000 site shall be permitted on the basis of the provisions of the Draft Plan or amendments to the Draft Plan (either individually or in combination with other

plans or projects). Please refer to the previously stated policies contained in the Meath County Development Plan 2007-2013.

Describe any likely impacts on the Natura 2000 site as a whole in terms of:

- interference with the key relationships that define the structure of the site:

No projects giving rise to significant interference with the key relationships that define the structure of any Natura 2000 site, having regard to their conservation objectives, shall be permitted on the basis of the Draft LAP or the proposed amendments to the Draft LAP (either individually or in combination with other plans or projects). Please refer to the previously stated policies contained in the Meath County Development Plan 2007-2013.

- interference with key relationships that define the function of the site.

No projects giving rise to significant interference with the key relationships that define the function of any Natura 2000 site, having regard to their conservation objectives, shall be permitted on the basis of this Plan or the proposed amendments to the Draft LAP (either individually or in combination with other plans or projects). Please refer to the previously stated policies contained in the Meath County Development Plan 2007-2013.

Provide indicators of significance as a result of the identification of effects set out above in terms of:

- loss:

N/A

- fragmentation:

N/A

- disruption:

N/A

- disturbance:

N/A

- change to key elements of the site (e.g. water quality etc.).

N/A

Describe from the above those elements of the project or plan, or combination of elements, where the above impacts are likely to be significant or where the scale or magnitude of impacts is not known.

N/A

4.0 Finding of No Significant Effects Report Matrix

Name of project or plan

Draft Ashbourne Local Area Plan 2009-2015 with proposed amendments.

Name and location of Natura 2000 site

There are no Natura 2000 sites within the Draft LAP boundary or the lands which are the subject of the proposed amendments. The closest Natura 2000 site is Broadmeadow/Swords Estuary SPA, situated approximately 15 kilometres from Ashbourne. Other sites of indirect

relevance to Ashbourne include the River Boyne and River Blackwater SAC (as the Boyne is part of the source of water supply to Ashbourne), the Malahide Estuary cSAC and (where the Broadmeadow River, which passes through Ashbourne, enters the sea) and South Dublin Bay SAC, North Dublin Bay SAC and South Dublin Bay and River Tolka Estuary SPA (as treated wastewater from Ashbourne is ultimately discharged to Dublin Bay via the treatment plant at Ringsend).

Description of the project or plan

The draft Local Area Plan and proposed amendments has been prepared in order to set out a comprehensive framework for the proper planning and sustainable development of Ashbourne over the period of 2009 to 2015. It is an objective of the current Meath County Development Plan (2007- 2013) to designate Ashbourne as a 'moderate growth town and to prepare a Local Area Plan for the settlement to assist it to development in a self-sufficient, sustainable manner. Amendments have been proposed to the draft LAP which was prepared; the most significant of which include proposed new industrial and residential zoning.

Is the project or plan directly connected with or necessary to the management of the site (provide details)?

The Draft Plan with proposed amendments is not directly connected with or necessary to the management of any Natura 2000 site but rather the future planning and development of Ashbourne. The Plan does however contain robust and thorough provisions to protect and enhance the natural heritage of Ashbourne.

Are there other projects or plans that together with the project or plan being assessed could affect the site (provide details)?

The Draft Ashbourne Local Area Plan 2009-2015 with proposed amendments is the only land use plan directly applicable to Ashbourne town. It is a subsidiary document to the Meath County Development Plan 2007 – 2013 and is placed within a hierarchy of plans such as the Regional Planning Guidelines for the Greater Dublin Area 2004-2016 and the National Spatial Strategy 2002-2020.

The Plan has been formulated to ensure that development arising from planning permissions granted in accordance with the provisions of this Plan (either individually or in combination with other plans or projects) shall not give rise to significant adverse impacts on the integrity of any Natura 2000 site having regard to its conservation objectives.

The assessment of significance of effects

Describe how the project or plan (alone or in combination) is likely to affect the Natura 2000 site.

The Draft Plan with proposed amendments has been formulated to ensure that development arising from planning permissions granted in accordance with the provisions of this Plan (either individually or in combination with other plans or projects) shall not give rise to significant adverse impacts on the integrity of any Natura 2000 site having regard to its conservation objectives.

Explain why these effects are not considered significant.

The Draft Plan with proposed amendments has been formulated to ensure that development arising from planning permissions granted in accordance with the provisions of this Plan (either individually or in combination with other plans or projects) shall not give rise to

significant adverse impacts on the integrity of any Natura 2000 site having regard to its conservation objectives.

In addition, it should be noted that any developments permitted in accordance with this plan also have a legal duty to conform with the relevant statutory and regulatory provisions enacted for the prevention of environmental pollution and degradation or other effects likely to significantly and adversely affect the integrity of Natura 2000 sites having regard to their conservation objectives.

List of agencies consulted: provide contact name and telephone or e-mail address.

At the time of writing Irish legislation does not prescribe statutory consultees for the purpose of consultation on the appropriate assessment of land use development plans. However Circular Letter SEA 1/08 & NPWS 1/08 from the Department of the Environment, Heritage and Local Government states the Department should be consulted.

As part of the Strategic Environmental Assessment of the Draft Ashbourne Local Area Plan 2009 – 2015, consultation occurred with the following prescribed bodies - stating that a submission or observation in relation to the Strategic Environmental Assessment process, could be made to the Planning Authorities;

Department of the Environment, Heritage and Local Government (DEHLG), Dún Scéine, Harcourt Lane, Dublin 2. Tel: 01 833 3190

Department of Communications, Energy and Natural Resources (DCMNR), Leeson Lane, Dublin 2. Tel: 01 678 3084

Environmental Protection Agency, Regional Inspectorate, Inniscarra, County Cork.
Tel: 021 487 5540

Response to consultation.

Two initial submissions were received from the Department of the Environment, Heritage and Local Government. The submission dated 19th September 2008 notes that the River Broadmeadow which is within the Plan area enters the Malahide Estuary cSAC and Broadmeadow/Swords Estuary SPA and therefore the Plan should be subject to appropriate assessment of its implications. The submission also raised the issue of architectural heritage and its treatment in the Local Area Plan. The submission dated 1st September 2008 relates to archaeological recommendations. A number of factors are listed which the assessment of impacts on archaeological impacts should have regard to.

The response from the Environmental Protection Agency included an SEA pact to assist in the carrying out of the Strategic Environmental Assessment. The EPA's web based geographical information system, ENVision, was also highlighted as a source of information. The submission advised of other statutory bodies to be consulted.

A submission was also received from the Department of Communications, Marine and Natural Resources advised that development in the area should not have a deleterious effect on aquatic life in the Broadmeadow River and associated surface water channels. It highlighted that the Broadmeadow River is currently of unsatisfactory biological and physico-chemical quality with macro invertebrate diversity being significantly reduced. The submission lists a number of issues which should be taken into consideration when assessing potential significant impacts of the LAP. The impact of development on watercourses should be handled with sensitivity to the relevant aquatic and riparian habitats

and preparation of the LAP should facilitate the utmost priority for protection and conservation of salmonid systems in the area. The submission notes that the protection of habitats outside designated areas and a Council commitment to reject proposals that would interfere with natural floodplains would greatly benefit aquatic and riparian features in Ashbourne and its surrounds. Policies and recommendations made under the Greater Dublin Strategic Drainage Study should be applied in development of a drainage strategy for the LAP.

Following the publication of the Draft Plan two further submission was made by the Department of Environment Heritage and Local Government (dated 6th & 7th of April 2009) and one by the Department of Communications Energy and Natural Resources (dated 3rd of April, 2009).

The submission from the Spatial Policy Unit of the Department of Environment, Heritage and Local Government questions if Appropriate Assessment screening was carried out for the LAP. The section submission from the Department of Environment Heritage and Local Government is from the Architectural Heritage Section of the Spatial Policy Unit and refers to HER POL 3.

A second submission was also received from the Department of Communications and Science (Engineering Division) following the publication of the Draft Plan. The submission advises that in terms of the protection of water quality and fishery status of the receiving water, the status objectives set out in the Water Framework Directive should not be comprised as a result of the LAP. It is also stated that any future development proposed on foot of the LAP should be considered premature until suitable sanitary services are in place. The submission notes that the Ashbourne waste water treatment plan is operating at capacity and expresses support for the views of the Eastern Regional Fisheries Board.

Who carried out the assessment?

Meath County Council.

Sources of data

Existing records and information published by the NPWS and EPA.

Level of assessment completed

A desktop study was completed utilizing existing information from the relevant state authorities.

Where can the full results of the assessment be accessed and viewed?

The full results of the assessment can be accessed and viewed in this document which is available for public inspection at the offices of Meath County Council's Planning Department, Abbey Road, Navan, Co. Meath.