

Appropriate Assessment Screening Report



**Proposed Variation No. 4 of the Monaghan County Development Plan
2013 - 2019 (incorporating the development plans for Monaghan,
Carrickmacross, Castleblayney, Clones and Ballybay)**

**(Vacant Sites
Urban Regeneration and Housing Act 2015)**

July 2017

1. Introduction

This is an Appropriate Assessment Screening Report of Proposed Variation No. 4 of the Monaghan County Development Plan (incorporating the Development Plans for the Towns of Monaghan, Carrickmacross, Castleblayney, Clones and Ballybay) 2013-2019, relating to the introduction of the vacant sites levy under the Urban Regeneration and Housing Act 2015, which is undertaken in accordance with Section 177U of the Planning and Development Act 2000 (as amended) and in line with the requirements of Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC).

Article 6 (3) 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. Special Areas of Conservation and Special Protection Areas are Natura 2000 sites.

The statutory requirement for an Appropriate Assessment of all land use plans was emphasised in February 2008, by a Department of the Environment, Heritage and Local Government Circular Letter (SEA 1/08 & NPWS 1/08), which was issued to all County and City Managers, Directors of Services for Planning and Town Clerks. The Circular Letter entitled '*Appropriate Assessment of Land Use Plans*' emphasised the fact that an appropriate assessment of the ecological implications of any plan or project is required, whether it is within or outside a designated site, if it may impact upon the conservation objectives of that site. In May 2008, the Environmental Protection Agency circulated this letter as part of their guidance on the process to employed in Strategic Environmental Assessment as part of "SEA Pack Vol. II 16 05 08".

The insertion of Section 177U into the Planning and Development Act 2000 (as amended) requires the planning authority to assess, in view of best scientific knowledge, if a proposed variation of a development plan, individually or in combination with another plan or project, is likely to have a significant effect on any European site.

Where the Planning Authority is uncertain that there is a case for an appropriate assessment, the proposed variation must be screened to determine whether or not the objectives and policies of the proposed variation are likely to negatively affect the conservation objectives of any Natura 2000 site. This is done by examining the proposed variation and the conservation objectives of any Natura 2000 site that might potentially be affected.

2. Detail of the Proposed Variation

To include in the County Development Plan (incorporating the development plans of Monaghan, Carrickmacross, Castleblayney, Clones and Ballybay) in Chapter 3 Settlement Strategy/Core Strategy after 3.4.6:

3.4.6.1 Urban Regeneration

The Urban Regeneration and Housing Act 2015 introduced a vacant site levy in order to incentivise the development of vacant sites in urban areas for housing and regeneration purposes. The application of the levy is intended to bring underutilised and vacant sites and buildings in urban areas into beneficial use.

Monaghan County Council will examine lands within urban areas, as appropriate, for the purposes as set out in the Urban Regeneration and Housing Act 2015, in relation to the vacant site levy.

It is an objective of this Plan to promote the appropriate development and renewal of urban sites and areas, identified having regard to the core strategy, that are in need of regeneration, in order to ensure there is no:

- (i) adverse effects on existing amenities in such areas, in particular as a result of the ruinous or neglected condition of any land,
- (ii) urban blight and decay,
- (iii) anti-social behaviour, or
- (iv) shortage of habitable houses or of land suitable for residential use or a mixture of residential and other uses.

3. Natura 2000 sites

Natura 2000 sites are normally referred to as Special Areas of Conservation (SACs) or Special Protection Areas (SPAs).

Special Areas of Conservation (SAC)

The legal basis which surrounds the selection and designation of Special Areas of Conservation is the EU Habitats Directive and this Directive was transposed into Irish law in the European Union (Natural Habitats) Regulations 1997 as amended in 1998 and 2005. Special Areas of Conservation are designated by the Department of Arts, Heritage and the Gaeltacht and are prime wildlife conservation areas in the county which are considered to be important on a European level as well as on an Irish level.

Special Protection Areas (SPAs)

The EU Birds Directive (79/409/EEC) as amended by the EU Birds Directive (2009/147/EC) requires the designation of Special Protection Areas for wild birds. These sites are areas of importance for wild birds and relate to their breeding, feeding, roosting and wintering areas. Special Protection Areas are designated by the National Parks and Wildlife Service within the Department of Arts, Heritage and the Gaeltacht.

The following Natura 2000 sites are located within County Monaghan:

- ***Slieve Beagh Special Protection Area.***

- **Kilroosky Lough Cluster Special Area of Conservation.**

Maps of the above Natura 2000 sites can be found on the National Parks and Wildlife Service website at www.npws.ie

Kilroosky Lough Cluster Special Area of Conservation - 001786

Kilroosky Lough Cluster straddles the border with Northern Ireland, and is located approximately 2 km north-west of Clones, Co. Monaghan. The site consists of three separate areas which contain several calcium-rich, clean water (oligo-mesotrophic) lakes and their marginal fen vegetation.

The lough cluster includes Kilroosky, Burdautien, Summerhill and Dummy's Loughs, which are of interest for their classic marl lake water chemistry and extensive calcicole plant communities - marl lakes are relatively low in nutrients, high in calcium and have good water quality. These types of lakes are rare due to their sensitivity to pollution, and have been recognised by the European Union as being of international importance; they are listed on Annex I of the Habitats Directive. Such hard water lakes are characteristically rich in stoneworts. Stonewort species recorded from Kilroosky include *Chara hispida*, *C. pedunculata*, *Nitella flexilis* and the regionally rare *Chara rudis*.

Kilroosky Lough is a marl lake surrounded by fen and species-rich, freshwater marsh. Of particular note is the occurrence of a fringe of Great Fen-Sedge (*Cladium mariscus*). Plant species of regional or local importance recorded here include Cowbane (*Cicuta virosa*), Fen Bedstraw (*Galium uliginosum*), Fen Pondweed (*Potamogeton coloratus*), Fenflowered Spike-rush (*Eleocharis quinqueflora*), Tufted-sedge (*Carex elata*) and Grass-of-parnassus (*Parnassia palustris*); eight species of orchid, including Marsh Helleborine (*Epipactis palustris*), have also been recorded.

In a small area of Downy Birch (*Betula pubescens*) and Goat Willow (*Salix caprea*) wet woodland on the western shore, Round-leaved Wintergreen (*Pyrola rotundifolia*) has been recorded amongst the wetland ground flora. This is a rare species in Ireland and one that is listed in the Red Data Book.

Kilroosky Lough also contains a population of White-clawed Crayfish (*Austropotamobius pallipes*), a species that is indicative of clean unpolluted water and one which is becoming increasingly rare throughout its geographical range. It is now protected under the Wildlife Act (1976) and is listed on Annex II of the EU Habitats Directive.

Burdautien Lough, just to the north of Kilroosky, is a more enriched lake with a fringe of reedswamp and fen dominated by Common Reed (*Phragmites australis*), with sedges (*Carex diandra*, *C. paniculata*, *C. flacca* and *C. disticha*), Cowbane, Bog Cotton (*Eriophorum* spp.) and Quaking Grass (*Briza media*). The fen vegetation includes a fringe of Saw Sedge.

Dummy's Lough is another marl lake which lies just to the west of Kilroosky and is surrounded by marsh and wet woodland. The lake supports a thick band of Lesser Bulrush (*Typha angustifolia*), a regionally rare species, and is fringed by fen communities comprised of Great Fen-Sedge, Common Reed, Bottle Sedge (*Carex rostrata*), Bogbean (*Menyanthes trifoliata*), Marsh Cinquefoil (*Potentilla palustris*), and occasional small sedge-rich areas.

A section of Summerhill Lough is included within the site. A large sedge-dominated fen occurs on the north-eastern side of this lake and includes such species as Marsh Arrowgrass (*Triglochin palustris*) and an abundance of stoneworts (*Chara* spp.). A zone of Great Fen-Sedge also occurs at this lake. Behind the fen is a zone of wet grassland and scrub comprised of Alder (*Alnus glutinosa*) and Gorse (*Ulex europaeus*).

Ramages Lough, to the south-east of Kilroosky supports a good example of a freshwater swamp. Over half of this lake is colonised by Bulrush (*Typha latifolia*) and Common Reed, with frequent Bottle Sedge, Water Horsetail (*Equisetum fluviatile*) and scattered willows (*Salix* spp.).

Kilroosky Lough Cluster is of ecological interest for its diversity of habitats and species. It is of particular conservation significance for its hard water lakes, areas of alkaline fen and of *Cladium mariscus* fen, all habitats that are listed on Annex I of the E.U. Habitats Directive, the last-named with priority status. Furthermore, the site supports a population of Whiteclawed Crayfish, a species that is listed on Annex II of this directive.

Slieve Beagh Special Protection Area - 004167

The Slieve Beagh SPA comprises much of the eastern and south-eastern sectors of the Slieve Beagh upland area that extends from County Monaghan into Northern Ireland.

Mountain blanket bog is well developed at the higher altitudes and especially at Eshbrack (peak of 365 m). Elsewhere the bog is mostly cutover and there are also wet and dry heaths present. In total, bog and heath occupies 43% of the site. The mid-slopes are afforested (40% of site), with plantations of various ages (open canopy, closed canopy, clear-fell). The remainder of the site is rough or marginal grassland (16%). Several small dystrophic lakes are present within the site.

This SPA is one of the strongholds for Hen Harrier in the country and is also designated a (SPA) under the E.U. Birds Directive, of special conservation interest for Hen Harrier. The site also supports breeding Merlin, a species that is also listed on Annex I of the E.U. Birds Directive. Red Grouse is found in unplanted areas of bog and heath – this is a species that has declined in Ireland and is now listed. Red Peregrine, another E.U. Birds Directive Annex I species, nests in the Northern Ireland sector of Slieve Beagh and can be seen over the site at times.

Overall, the site provides excellent nesting and foraging habitat for breeding Hen Harrier and is one of the top sites in the country for the species. It may also be of national importance for breeding Merlin.

Screening also requires a review of all Natura 2000 sites that could potentially be subject to the impacts that have been identified. Clearly a key variable that will determine whether or not a particular Natura 2000 site is likely to be negatively affected by the proposed variation is its physical distance from the project or plan area, and it will generally, but not necessarily, be the case that the greater the distance the lower the possibility of impacts.

It is not considered that any the proposed variation will have the potential to impact negatively upon any Natura 2000 sites more than 15km from the county boundary. A total of nine Natura 2000 sites are located within 15km of the county boundary and are listed in the table below.

Table 1: Natura 2000 Sites within 15km of Monaghan County Boundary

Site Name	Site Type	Site Code
Dundalk Bay	SPA	004026
Stabannan/Braganstown	SPA	004091
Dundalk Bay	cSAC (candidate)	000455
Lough Oughter	SPA	004049
Lough Oughter	cSAC (candidate)	000007

Slieve Gullion	SAC	UK0030277
Slieve Beagh	SAC	UK0016622
Moninea Bog	SAC	UK0030212
Magheraveely Marl Lough	SAC	UK0016621

Each site listed above is further examined within the screening matrix which is contained within Section 4.

4. Screening Matrix

The matrix overleaf assess the potential impacts of the proposed variation on the conservation features of all Natura 2000 sites within County Monaghan and within 15km of County Monaghan. The matrix identifies the key features for which the SACs and SPAs are designated, the environmental factors on which those features depend, the potential impacts of the proposed variation on the designated sites, avoidance and mitigation measures required and subsequent actions required.

Qualifying Features	Conditions that support the qualifying features (Conservation Objectives) which might be potentially affected by the Variation	Possible impacts of the proposed variation	Possible 'in combination' impacts from other Plans and Projects	Is the proposed variation likely to have significant impacts on the Natura 2000 Sites?	Avoidance and mitigation measures required	Actions required
<p>Slieve Beagh SPA – 004167 and UK0016622</p> <p><i>(Slieve Beagh SPA extends from County Monaghan into Northern Ireland where it is a designated SAC)</i></p> <ul style="list-style-type: none"> • Hen Harrier habitat • Supports Merlin breeding • Red Grouse habitat • Mountain Blanket Bog 	<ul style="list-style-type: none"> • Mountain Blanket Bog • Excellent nesting and foraging habitat for breeding • Several dystrophic lakes within the site 	<ul style="list-style-type: none"> • Loss of habitat. • Loss of species • Visual impact on the landscape • Loss of agricultural land • Traffic generation • Demand on water supply • Sewerage generation • Waste generation • Surface water generation • Impact upon ground water • Impact upon natural and cultural heritage • Light pollution 	<p>None – It is considered that the proposed variation will not diminish the protection of this Natura 2000 Site and water quality by virtue of objectives AAO1, BDO1, BDO3, BDO4, BDO7, WPO1, and WPO4, and policies AAP1-AAP5, BDP1, DSP1, DSP2, WPP1, WPP3, WPP5, and WPP10 in the Monaghan County Development Plan 2013-2019.</p>	<p>No - It is considered that the adoption of this proposed variation will not affect this Natura 2000 Site. The proposed variation will not diminish the effect of existing objectives AAO1, BDO1, BDO3, BDO4, BDO7, WPO1, and WPO4, and policies AAP1-AAP5, BDP1, DSP1, DSP2, WPP1, WPP3, WPP5, and WPP10 in the Monaghan County Development Plan 2013-2019 which provide protection for water quality and for Designated Sites including SACs & SPAs from development that would detrimentally impact</p>	<p>N/A – Objectives AAO1, BDO1, BDO3, BDO4, BDO7, WPO1, and WPO4, and policies AAP1-AAP5, BDP1, DSP1, DSP2, WPP1, WPP3, WPP5, and WPP10 in the Monaghan County Development Plan 2013-2019 provide protection for water quality and for Designated Sites including SAC's & SPA's from development that would detrimentally impact upon their conservation status.</p>	<p>N/A</p>

				upon their conservation status.		
Qualifying Features	Conditions that support the qualifying features (Conservation Objectives) which might be potentially affected by the Variation	Possible impacts of the proposed variation	Possible ‘in combination’ impacts from other Plans and Projects	Is the proposed variation likely to have significant impacts on the Natura 2000 Sites?	Avoidance and Mitigation measures required	Actions required
<p>Kilroosky Lough Cluster SAC -001786</p> <p><i>(Kilroosky Lough Cluster SAC extends from County Monaghan into Northern Ireland where it becomes Magheraveely Marl Loughs SAC)</i></p> <ul style="list-style-type: none"> • Hard oligo-mesotrophic waters and chara species • Alkaline fen vegetation • Calcareous fens with cladium 	<ul style="list-style-type: none"> • Classic Marl Lake water chemistry • Extensive calcicole plant communities • Good water quality • Calcium rich habitats • Sensitivity to pollution • Fen habitats and species rich • Maintained hydrological regime • Not influenced by nutrient enrichment 	<ul style="list-style-type: none"> • Loss of habitat. • Loss of species • Visual impact on the landscape • Loss of agricultural land • Traffic generation • Demand on water supply • Sewerage generation • Waste generation • Surface water generation • Impact upon ground water • Impact upon natural and cultural heritage 	<p>None – It is considered that the proposed variation will not diminish the protection of this Natura 2000 Site and water quality by virtue of objectives AAO1, BDO1, BDO3, BDO4, BDO7,WPO1, and WPO4, and policies AAP1-AAP5, BDP1, DSP1, DSP2, WPP1, WPP3, WPP5, and WPP10 in the Monaghan County Development Plan 2013-2019.</p>	<p>No - It is considered that the adoption of this proposed variation will not affect this Natura 2000 Site. The proposed variation will not diminish the effect of existing objectives AAO1, BDO1, BDO3, BDO4, BDO7,WPO1, and WPO4, and policies AAP1-AAP5, BDP1, DSP1, DSP2, WPP1, WPP3, WPP5, and WPP10 in the Monaghan County Development Plan 2013-2019 which provide protection for water quality and for Designated Sites including SACs & SPAs from development that</p>	<p>N/A – Objectives AAO1, BDO1, BDO3, BDO4, BDO7,WPO1, and WPO4, and policies AAP1-AAP5, BDP1, DSP1, DSP2, WPP1, WPP3, WPP5, and WPP10 in the Monaghan County Development Plan 2013-2019 provide protection for water quality and for Designated Sites including SAC’s & SPA’s from development that would detrimentally impact upon their conservation status.</p>	<p>N/A</p>

<p>mariscus and Carcicion davalliance</p> <ul style="list-style-type: none"> • Populations of white clawed crayfish 	<ul style="list-style-type: none"> • High lime content. • Inter drumlin marl lakes fed by lime rich water 	<ul style="list-style-type: none"> • Light pollution 		<p>would detrimentally impact upon their conservation status.</p>		
Qualifying Features	Conditions that support the qualifying features (Conservation Objectives) which might be potentially affected by the Variation	Possible impacts of the proposed variation.	Possible 'in combination' impacts from other Plans and Projects.	Is the proposed variation likely to have significant impacts on the Natura 2000 Sites?	Avoidance and Mitigation measures required.	Actions required.
<p>Magheraveely Marl Loughs SAC – UK0016621</p> <p><i>(Magheraveely Marl Loughs SAC extends from Northern Ireland into County Monaghan where it becomes Kilroosky Lough Cluster SAC)</i></p> <ul style="list-style-type: none"> • Hard oligo mesotrophic waters and chara 	<ul style="list-style-type: none"> • Classic Marl Lake water chemistry • Extensive calcicole plant communities • Good water quality. • Calcium rich habitats • Sensitivity to pollution • Fen habitats and species rich 	<ul style="list-style-type: none"> • Loss of habitat. • Loss of species • Visual impact on the landscape • Loss of agricultural land • Traffic generation • Demand on water supply • Sewerage generation • Waste generation. • Surface water 	<p>None - This Natura 2000 site lies adjacent to the Plan area. It is considered that the proposed variation will not diminish the protection of this Natura 2000 Site and water quality by virtue of objectives AAO1, BDO1, BDO3, BDO4, BDO7,WPO1, and</p>	<p>No - It is considered that the adoption of this proposed variation will not affect this Natura 2000 Site. The proposed variation will not diminish the effect of existing objectives AAO1, BDO1, BDO3, BDO4, BDO7,WPO1, and WPO4, and policies AAP1-AAP5, BDP1, DSP1, DSP2, WPP1, WPP3, WPP5, and WPP10 in the Monaghan County Development Plan 2013-</p>	<p>N/A – Objectives AAO1, BDO1, BDO3, BDO4, BDO7,WPO1, and WPO4, and policies AAP1-AAP5, BDP1, DSP1, DSP2, WPP1, WPP3, WPP5, and WPP10 in the Monaghan County Development Plan 2013-2019 provide protection for water quality and for Designated Sites including SAC's &</p>	<p>N/A</p>

<p>species</p> <ul style="list-style-type: none"> • Alkaline fen vegetation • Calcareous fens with cladium mariscus • Populations of white Clawed crayfish 	<ul style="list-style-type: none"> • Maintained hydrological regime • Not influenced by nutrient enrichment • High lime content • Inter drumlin marl lakes fed by lime rich water 	<p>generation</p> <ul style="list-style-type: none"> • Impact upon ground water • Impact upon natural and cultural heritage • Light pollution 	<p>WPO4, and policies AAP1-AAP5, BDP1, DSP1, DSP2, WPP1, WPP3, WPP5, and WPP10 in the Monaghan County Development Plan 2013-2019.</p>	<p>2019 which provide protection for water quality and for Designated Sites including SACs & SPAs from development that would detrimentally impact upon their conservation status.</p>	<p>SPA's from development that would detrimentally impact upon their conservation status.</p>	
Qualifying Features	Conditions that support the qualifying features (Conservation Objectives) which might be potentially affected by the Variation	Possible impacts of the proposed variation	Possible 'in combination' impacts from other Plans and Projects	Is the proposed variation likely to have significant impacts on the Natura 2000 Sites?	Avoidance and Mitigation measures required	Actions required
<p>Slieve Gullion SAC – UK0016622</p> <ul style="list-style-type: none"> • Large expanse of European Dry Heath • Contains a number of dry heath communities 	<ul style="list-style-type: none"> • Geology • Maintenance of suitable grazing regime • Soil type 	<ul style="list-style-type: none"> • Loss of habitat • Loss of species • Visual impact on the landscape • Loss of agricultural land • Traffic generation • Demand on water 	<p>None. This Natura 2000 site lies outside the Plan area and is sufficiently removed from the Plan area so as not to be adversely affected.</p>	<p>No - It is considered that the adoption of this proposed variation will not affect the protection of this Natura 2000 Site given that the site lies outside the Plan area and is sufficiently removed from the Plan area so as not to be</p>	<p>N/A</p>	<p>N/A</p>

<ul style="list-style-type: none"> • A number of plants that are scarce in Northern Ireland have been recorded on the site. 		<ul style="list-style-type: none"> supply • Sewerage generation • Waste generation • Surface water generation • Impact upon ground water • Impact upon natural and cultural heritage • Light pollution 		adversely affected.		
Qualifying Features	Conditions that support the qualifying features (Conservation Objectives) which might be potentially affected by the Variation	Possible impacts of the proposed variation	Possible 'in combination' impacts from other Plans and Projects	Is the proposed variation likely to have significant impacts on the Natura 2000 Sites?	Avoidance and Mitigation measures required	Actions required
Moninea Bog SAC – UK0030212 <ul style="list-style-type: none"> • Active raised bog. • Broad leaved deciduous woodland • Three types of 	<ul style="list-style-type: none"> • Hydrology • Soil type 	<ul style="list-style-type: none"> • Loss of habitat • Loss of species • Visual impact on the landscape • Loss of agricultural land • Traffic generation • Demand on water 	None. This Natura 2000 site lies outside the Plan area and is sufficiently removed from the Plan area so as not to be adversely affected.	No - It is considered that the adoption of this proposed variation will not affect the protection of this Natura 2000 Site given that the site lies outside the Plan area and is sufficiently removed from the Plan area so as not to be	N/A	N/A

<p>sphagnum mosses are present including some rare species</p> <ul style="list-style-type: none"> • All three native sundew species are present on the site • One of the best examples of raised bog in UK 		<p>supply</p> <ul style="list-style-type: none"> • Sewerage generation • Waste generation • Surface water generation • Impact upon ground water • Impact upon natural and cultural heritage • Light pollution 		<p>adversely affected.</p>		
Qualifying Features	Conditions that support the qualifying features (Conservation Objectives) which might be potentially affected by the Variation	Possible impacts of the proposed variation.	Possible ‘in combination’ impacts from other Plans and Projects.	Is the proposed variation likely to have significant impacts on the Natura 2000 Sites?	Avoidance and Mitigation measures required	Actions required
<p>Dundalk Bay SPA - 004026</p> <ul style="list-style-type: none"> • Internationally important to the wintering population of Greylag Goose. 	<ul style="list-style-type: none"> • Tidal regime • Abstraction/ water take levels • Site supports a large number of gulls during winter 	<ul style="list-style-type: none"> • Loss of habitat • Loss of species • Visual impact on the landscape • Loss of agricultural land • Traffic generation • Demand on water 	<p>None - This Natura 2000 site lies outside the Plan area. It is considered that the proposed variation will not diminish the protection of this Natura 2000</p>	<p>No - It is considered that the adoption of this proposed variation will not affect this Natura 2000 Site. The proposed variation will not diminish the effect of existing objectives AAO1, BDO1, BDO3, BDO4, BDO7,WPO1,</p>	<p>N/A – Objectives AAO1, BDO1, BDO3, BDO4, BDO7,WPO1, and WPO4, and policies AAP1-AAP5, BDP1, DSP1, DSP2, WPP1, WPP3, WPP5, and WPP10 in the Monaghan County</p>	<p>N/A.</p>

<ul style="list-style-type: none"> • Designated as a Ramsar Site • Supports 3 species of International Importance and 15 of National Importance • Large open shallow sea bay with salt marshes and intertidal sand/mudflats • Contains 5 habitats listed under the EU Habitats Directive: <ul style="list-style-type: none"> -stony banks -tidal mudflats -salt marshes -salicornia mudflats -estuaries 	<ul style="list-style-type: none"> • In Spring and Autumn the site attracts a range of passing migrants • Site has a rich fauna of bivalves, molluscs, marine worms and crustaceans 	<ul style="list-style-type: none"> supply • Sewerage generation • Waste generation • Surface water generation • Impact upon ground water • Impact upon natural and cultural heritage • Light pollution 	<p>Site and water quality by virtue of objectives AAO1, BDO1, BDO3, BDO4, BDO7,WPO1, and WPO4, and policies AAP1-AAP5, BDP1, DSP1, DSP2, WPP1, WPP3, WPP5, and WPP10 in the Monaghan County Development Plan 2013-2019.</p>	<p>and WPO4, and policies AAP1-AAP5, BDP1, DSP1, DSP2, WPP1, WPP3, WPP5, and WPP10 in the Monaghan County Development Plan 2013-2019 which provide protection for water quality and for Designated Sites including SACs & SPAs from development that would detrimentally impact upon their conservation status.</p>	<p>Development Plan 2013-2019 provide protection for water quality and for Designated Sites including SAC's & SPA's from development that would detrimentally impact upon their conservation status.</p>	
<p>Qualifying Features</p>	<p>Conditions that support the qualifying features (Conservation Objectives) which might be potentially affected by the</p>	<p>Possible impacts of the proposed variation</p>	<p>Possible 'in combination' impacts from other Plans and Projects</p>	<p>Is the proposed variation likely to have significant impacts on the Natura 2000 Sites?</p>	<p>Avoidance and Mitigation measures required</p>	<p>Actions required</p>

	Variation					
<p>Dundalk Bay SAC - 000455</p> <ul style="list-style-type: none"> • Large open shallow sea bay • Contains Annex I habitats including: <ul style="list-style-type: none"> -Estuaries -Mudflats -Sandflats not covered by seaweed at low tide -Perennial vegetation of mudflats -Salicornia Atlantic salt meadows -Mediterranean salt meadows 	<ul style="list-style-type: none"> • Tidal regime • Coastal morphology • Topography 	<ul style="list-style-type: none"> • Loss of habitat • Loss of species • Visual impact on the landscape • Loss of agricultural land • Traffic generation • Demand on water supply • Sewerage generation • Waste generation • Surface water generation • Impact upon ground water • Impact upon natural and cultural heritage • Light pollution 	<p>None - This Natura 2000 site lies outside the Plan area. It is considered that the proposed variation will not diminish the protection of this Natura 2000 Site and water quality by virtue of objectives AAO1, BDO1, BDO3, BDO4, BDO7,WPO1, and WPO4, and policies AAP1-AAP5, BDP1, DSP1, DSP2, WPP1, WPP3, WPP5, and WPP10 in the Monaghan County Development Plan 2013-2019.</p>	<p>No - It is considered that the adoption of this proposed variation will not affect this Natura 2000 Site. The proposed variation will not diminish the effect of existing objectives AAO1, BDO1, BDO3, BDO4, BDO7,WPO1, and WPO4, and policies AAP1-AAP5, BDP1, DSP1, DSP2, WPP1, WPP3, WPP5, and WPP10 in the Monaghan County Development Plan 2013-2019 which provide protection for water quality and for Designated Sites including SACs & SPAs from development that would detrimentally impact upon their conservation status.</p>	<p>N/A – Objectives AAO1, BDO1, BDO3, BDO4, BDO7,WPO1, and WPO4, and policies AAP1-AAP5, BDP1, DSP1, DSP2, WPP1, WPP3, WPP5, and WPP10 in the Monaghan County Development Plan 2013-2019 provide protection for water quality and for Designated Sites including SAC’s & SPA’s from development that would detrimentally impact upon their conservation status.</p>	<p>N/A</p>
Qualifying Features	Conditions that support the qualifying features (Conservation Objectives) which might be	Possible impacts of the proposed variation.	Possible ‘in combination’ impacts from other Plans and Projects.	Is the proposed variation likely to have significant impacts on the Natura 2000 Sites?	Avoidance and Mitigation measures required.	Actions required

	potentially affected by the Variation					
<p>Lough Oughter SAC-000007</p> <ul style="list-style-type: none"> • Eutrophic lakes with Magnopotamion or Hydrocharition type vegetation • Bog woodland • Presence of the Otter (Annex II species) • Variety of specialist plant species • Varied aquatic flora 	<ul style="list-style-type: none"> • The site is a maze of waterways, islands, small lakes and peninsulas including some 90 inter-drumlin lakes and 14 basins in the course of the River Erne • The area lies on Silurian and Ordovician Strada with Carboniferous limestone immediately surrounding • Lakes and basins are well mixed and nutrient rich, well developed swamp and 	<ul style="list-style-type: none"> • Loss of habitat • Loss of species • Visual impact on the landscape • Loss of agricultural land • Traffic generation • Demand on water supply • Sewerage generation • Waste generation • Surface water generation • Impact upon ground water • Impact upon natural and cultural heritage • Light pollution 	<p>None - This Natura 2000 site lies outside the Plan area. It is considered that the proposed variation will not diminish the protection of this Natura 2000 Site and water quality by virtue of objectives AAO1, BDO1, BDO3, BDO4, BDO7,WPO1, and WPO4, and policies AAP1-AAP5, BDP1, DSP1, DSP2, WPP1, WPP3, WPP5, and WPP10 in the Monaghan County Development Plan 2013-2019.</p>	<p>No - It is considered that the adoption of this proposed variation will not affect this Natura 2000 Site. The proposed variation will not diminish the effect of existing objectives AAO1, BDO1, BDO3, BDO4, BDO7,WPO1, and WPO4, and policies AAP1-AAP5, BDP1, DSP1, DSP2, WPP1, WPP3, WPP5, and WPP10 in the Monaghan County Development Plan 2013-2019 which provide protection for water quality and for Designated Sites including SACs & SPAs from development that would detrimentally impact upon their conservation status.</p>	<p>N/A – Objectives AAO1, BDO1, BDO3, BDO4, BDO7,WPO1, and WPO4, and policies AAP1-AAP5, BDP1, DSP1, DSP2, WPP1, WPP3, WPP5, and WPP10 in the Monaghan County Development Plan 2013-2019 provide protection for water quality and for Designated Sites including SAC’s & SPA’s from development that would detrimentally impact upon their conservation status.</p>	<p>N/A.</p>

	marsh communities <ul style="list-style-type: none"> Hydrological regime and ephemeral flooding 					
Qualifying Features	Conditions that support the qualifying features (Conservation Objectives) which might be potentially affected by the Variation.	Possible impacts of the proposed variation.	Possible 'in combination' impacts from other Plans and Projects.	Is the proposed variation likely to have significant impacts on the Natura 2000 Sites?	Avoidance and Mitigation measures required.	Actions required
Lough Oughter SPA-004049 <ul style="list-style-type: none"> Important to wintering waterfowl Important sites for Annex 1 species of the Birds Directive: <ul style="list-style-type: none"> Whooper Swan. Greenland white tailed goose Great crested Grebe 	<ul style="list-style-type: none"> Well developed aquatic flora with a range of pondweeds Shallow lake and is considered to be a naturally eutrophic system Hypertrophic Nutrient rich lake Important for 	<ul style="list-style-type: none"> Loss of habitat. Loss of species Visual impact on the landscape Loss of agricultural land Traffic generation Demand on water supply Sewerage generation Waste generation Surface water 	None - This Natura 2000 site lies outside the Plan area. It is considered that the proposed variation will not diminish the protection of this Natura 2000 Site and water quality by virtue of objectives AAO1, BDO1, BDO3, BDO4,	No - It is considered that the adoption of this proposed variation will not affect this Natura 2000 Site. The proposed variation will not diminish the effect of existing objectives AAO1, BDO1, BDO3, BDO4, BDO7,WPO1, and WPO4, and policies AAP1-AAP5, BDP1, DSP1, DSP2, WPP1, WPP3, WPP5, and WPP10 in the Monaghan County	N/A – Objectives AAO1, BDO1, BDO3, BDO4, BDO7,WPO1, and WPO4, and policies AAP1-AAP5, BDP1, DSP1, DSP2, WPP1, WPP3, WPP5, and WPP10 in the Monaghan County Development Plan 2013-2019 provide protection for water quality and for Designated Sites	N/A.

- Common tern	<p>both wintering and breeding birds</p> <ul style="list-style-type: none"> Position of the lake in the lake system and the larger catchment and SAC Complexes 	<p>generation</p> <ul style="list-style-type: none"> Impact upon ground water Impact upon natural and cultural heritage Light pollution 	BDO7,WPO1, and WPO4, and policies AAP1-AAP5, BDP1, DSP1, DSP2, WPP1, WPP3, WPP5, and WPP10 in the Monaghan County Development Plan 2013-2019.	Development Plan 2013-2019 which provide protection for water quality and for Designated Sites including SACs & SPAs from development that would detrimentally impact upon their conservation status.	including SAC's & SPA's from development that would detrimentally impact upon their conservation status.	
Qualifying Features	Conditions that support the qualifying features (Conservation Objectives) which might be potentially affected by the Variation.	Possible impacts of the proposed variation.	Possible 'in combination' impacts from other Plans and Projects.	Is the proposed variation likely to have significant impacts on the Natura 2000 Sites?	Avoidance and Mitigation measures required.	Actions required
<p>Stabannan-Braganstown SPA - 004091</p> <ul style="list-style-type: none"> High ornithological importance as a feeding area for wintering Waterfowl Internationally 	<ul style="list-style-type: none"> Small, very flat alluvial plain Supporting site for Dundalk Bay SPA and the River Glyde 	<ul style="list-style-type: none"> Loss of habitat Loss of species Visual impact on the landscape Loss of agricultural land. Traffic generation. Demand on water supply Sewerage 	None - This Natura 2000 site lies outside the Plan area. It is considered that the proposed variation will not diminish the protection of this Natura 2000 Site and water quality by virtue of	No - It is considered that the adoption of this proposed variation will not affect this Natura 2000 Site. The proposed variation will not diminish the effect of existing objectives AA01, BDO1, BDO3, BDO4, BDO7,WPO1, and WPO4, and policies AAP1-AAP5, BDP1, DSP1,	N/A	N/A.

<p>important wintering population (1,391) of Greylag Goose</p> <ul style="list-style-type: none"> • Supports 3 species which are listed on the E.U. Birds Directive: <ul style="list-style-type: none"> - Greenland White fronted Goose - Whooper Swan - Golden Plover 		<p>generation</p> <ul style="list-style-type: none"> • Waste generation • Surface water generation • Impact upon ground water • Impact upon natural and cultural heritage • Light pollution 	<p>objectives AAO1, BDO1, BDO3, BDO4, BDO7, WPO1, and WPO4, and policies AAP1-AAP5, BDP1, DSP1, DSP2, WPP1, WPP3, WPP5, and WPP10 in the Monaghan County Development Plan 2013-2019.</p>	<p>DSP2, WPP1, WPP3, WPP5, and WPP10 in the Monaghan County Development Plan 2013-2019 which provide protection for water quality and for Designated Sites including SACs & SPAs from development that would detrimentally impact upon their conservation status.</p>		
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5. Conclusion

Proposed Variation No. 4 of the Monaghan County Development Plan 2013-2019 has been evaluated to see if it needs to be subject to an appropriate assessment in accordance with the Methodological Guidance on the provision of Article 6(3) and (4) of the Habitats Directive 92/43/EEC.

The proposed variation provides for the promotion of appropriate development and renewal of urban sites and areas, to comply with the requirements of the Urban Regeneration and Housing Act 2015.

Having undertaken this screening exercise, It is considered that given the nature of the proposed variation which provides for closer alignment of government policy as set out in the Urban Regeneration and Housing Act 2015 will not have a significant effect on the conservation objectives or integrity of any Natura 2000 site located within the County or Sites which are located within 15kms of the County.

Furthermore it is considered that the Monaghan County Development Plan 2013-2019 includes several additional policies and objectives which seek to protect, conserve and manage designated sites including cSACs and SPAs. The following policies in particular seek to ensure the conservation of these sites is maintained and will only permit development in these areas where their integrity is not threatened:

- BDO 1** To protect, enhance and promote for current and future generations the rich biodiversity of County Monaghan.
- BDO 3** Protect and enhance, plant and animal species and their habitats, which have been identified under the EU Habitats Directive, EU Birds Directive, the Wildlife Act and the Flora Protection Order.
- BDO 7** Ensure that the Council, in the performance of its functions, takes account of the Ramsar Convention principle of conservation and wise use of wetlands as a contribution towards achieving sustainable development.
- BDP 1** The Council will resist any development that may have a negative impact upon Biodiversity and Natural Heritage.
- DSP 1** Strictly protect areas designated or proposed to be designated as Natura 2000 sites (listed in Appendix 4). Development within or adjacent to these areas will only be permitted where it has been clearly demonstrated to the satisfaction of the planning authority that such development will have no significant adverse effects on the conservation objectives or integrity of these sites in accordance with the Habitats Directive.
- DSP 2** Protect the NHA and pNHAs, listed in Appendix 4 by resisting development which would detrimentally impact on the conservation status or integrity of those sites. Development in these areas will only be permitted where it has been clearly demonstrated to the satisfaction of the Planning Authority that any such development will have no significant adverse effects on the integrity of these sites.

- AAO 1** Ensure that the Council in the performance of its functions takes account of the Habitats and Birds Directives.
- AAP 1** Ensure that all plans and projects in the County, not directly connected with or necessary to the management of a Natura 2000 site, but likely to have a significant effect, either directly or indirectly, on a Natura 2000 site, either alone or in combination with other plans or projects, are subject to Appropriate Assessment Screening in accordance with Article 6 of the Habitats Directive.
- AAP 2** The Planning Authority shall fully implement the DEHLG guidance Appropriate Assessment of Plans and Projects in Ireland (2009) and any subsequent versions, when assessing plans and projects likely to have significant effects on a Natura 2000 site.
- AAP 3** All planning applications for development within, adjacent to, or with the potential to affect a Natura 2000 site must be accompanied with a Natura Impact Statement in accordance with the Habitats Directive. Natura Impact Statements submitted in support of proposals for development must be carried out by appropriately qualified professionals with any necessary survey work taking place in appropriate seasons.
- AAP 4** Consult the National Parks and Wildlife Service (NPWS), the Department of the Arts, Heritage and the Gaeltacht (DAHG), the Heritage Council and An Taisce when considering plans or projects which are likely to affect Natura 2000 sites.
- AAP 5** All plans within, adjacent to, or with the potential to affect a Natura 2000 site must be accompanied with a Natura Impact Report in accordance with the Habitats Directive.
- WPO 1** Protect and improve County Monaghan's water resources.
- WPO 4** Protect rivers, streams and other water courses and maintain them in a state capable of providing and sustaining suitable habitats for flora and fauna, and where necessary designate riparian zone protection areas.
- WPP 1** In assessing applications for developments the Council will consider the impact on the quality of surface waters and will have regard to targets and measures set out in the Neagh Bann and North Western International River Basin Management Plans and where appropriate the Blackwater, Glyde, Fane, Woodford and Erne East Water Management Unit Action Plans.
- WPP 3** Protect known and potential groundwater reserves in the county. In assessing applications for developments the planning authority will consider the impact on the quality of water reserves and will have regard to the recommended approach in the Groundwater Protection Scheme for County Monaghan. The employment of the methodology identified in the *Groundwater Protection Scheme for County Monaghan* (available at www.gsi.ie) and *Guidance on the Authorisation of Discharges to Groundwater* (available at www.epa.ie) will be required where appropriate.

- WPP 5** Require submission of a water protection plan and detailed site drainage plans with all planning applications. Maps of sensitive areas and waters and a Water Protection Plan Checklist (Appendix 13) will assist in the preparation of plans at application stage.
- WPP 10** Development within the vicinity of groundwater or surface water dependant Natura 2000 sites (Kilroosky Lough Cluster SAC) will not be permitted where there is potential for a likely significant impact upon the groundwater or surface water supply to the Natura 2000 site. Where appropriate, the applicant to demonstrate with hydrogeological evidence, that the proposed development will not adversely affect the quality or quantity of groundwater or surface water supply to the Natura 2000 sites.
- RTO 1** Ensure all plans and projects relating to retail development are subject to policies AAP1 – AAP5 contained within Chapter 4, Environment and Heritage, of the Monaghan County Development Plan 2013 - 2019

