



# Athenry Local Area Plan

Natura Impact Report

Stage 1: Screening Assessment

**27<sup>th</sup> July, 2012**

## Summary

In December 2011 Galway County Council published a draft Athenry Local Area Plan (LAP). The purpose of this Plan is to provide direction for the future growth, development and land use of the town of Athenry from 2012 to 2018. The draft Plan included land use zonings that aim to direct appropriate development to relevant zonings within the lifetime of the Plan.

While no Natura 2000 Sites occur in the immediate vicinity of Athenry, the River Clarin forms a hydrological link between the Plan area and Galway Bay where two Natura 2000 Sites are located. The two sites at Galway Bay include the Inner Galway Bay SPA and Galway Bay Complex cSAC. No other Natura 2000 Site is linked to the Plan area. Due to the establishment of a hydrological link between the Plan area and the Galway Bay Natura 2000 Sites it was considered that, without an appropriate approach to the future land use of Athenry, potentially negative impacts to these Natura 2000 Sites could arise.

A Stage 1 Screening Assessment of the draft Plan was undertaken during November and December, 2011. This Screening Assessment identified a number of Policies and Objectives that had the potential to adversely affect the water quality of the River Clarin with associated risks to the Galway Bay Natura 2000 Sites downstream. These Policies and Objectives are referred to as “potentially negative” Policies and Objectives in the Natura Impact Report.

However, the Plan also contained a range of Policies and Objectives that aim to protect likely significant to the environment and Natura 2000 Sites in particular. These Policies and Objectives, referred to as mitigatory Policies and Objectives, underpinned the approach to land use development within the draft Plan with respect to ensuring that likely significant effects to the environment were avoided from the outset.

During the Screening Assessment process gaps were identified in the Plan where insufficient environmental safeguards were included to avoid the potential adverse impacts from certain potentially negative Policies and Objectives. Once identified the additional mitigatory Policies and Objectives were recommended for inclusion within the Plan or existing Policies and Objectives were strengthened to ensure potential adverse impacts would not occur as a result of the draft Plan.

Upon completion of the draft Plan and supporting environmental assessments the Plan was put on public display between the 19<sup>th</sup> December 2011 and the 10<sup>th</sup> February 2012, a four week period that includes the Christmas period. Following the period of public display, 28 submissions were received from statutory consultees, private organisations and the general public. Following the review of submissions and the completion of the Manager’s Report, Material Alterations to the draft Plan were proposed by elected members on 23<sup>rd</sup> April 2012. These Material Alterations were screened for likely significant effects to the conservation status of Natura 2000 Sites. The Screening Assessment of the Material Alterations is provided in Appendix 3 of this report.

A second display period on the proposed material alterations took place between 3<sup>rd</sup> to 30<sup>th</sup> May 2012 and 6 submissions were received on these. At the 25<sup>th</sup> June Galway County Council meeting these were reviewed by elected members. Material Alterations numbers 1, 13, 28, 15a and 12 were accepted on the

recommendations of the Manager's Report; Material Alterations numbers 15B and 28 were not recommended by the Manager's Report ;these were proposed and seconded by elected members. The LAP was adopted on 25<sup>th</sup> June 2012 and came into effect on 25<sup>th</sup> July 2012.

The results of the Habitats Directive Assessment of the Material Alterations and the final Athenry LAP concluded that the Plan will not result in likely significant effects to the conservation status of Natura 2000 Sites. Galway County Council approach to land use in the Plan area, which is underpinned by a commitment to the Habitats Directive and avoidance of likely significant effects to the environment will be sufficient to prevent inappropriate development within the Plan area. This approach is outlined by the numerous mitigatory Policies and Objectives of the Plan which aim to safeguard Natura 2000 Sites and the environment in general.

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# 1 Introduction

Minogue & Associates & Doherty Environmental have been appointed by Galway County Council to undertake a Habitats Directive Assessment of the Athenry Local Area Plan (LAP). This Habitats Directive Assessment (HDA) has been undertaken in conjunction with a Strategic Environmental Assessment (SEA) of the LAP and should be read in combination with the LAP and the associated Strategic Environmental Assessment.

The purpose of this Habitats Directive Assessment is to assess whether the LAP has the potential to result in likely significant effects to the integrity and conservation status of European Sites.

## 1.1 Habitats Directive Assessment

The Habitats Directive Assessment is an assessment of the potential effects of a development plan or project on one or more Natura 2000 sites. It is noted that a Habitats Directive Assessment is commonly referred to as an “Appropriate Assessment” (Dodd *et al*, 2007). However “Appropriate Assessment” forms only one stage of the HDA process (all stages making up the assessment process are outlined in detail below). The EU Habitats Directive provides the legislative framework for the protection of habitats and species throughout Europe through the establishment of a network of designated conservation areas known as the Natura 2000 (N2K) network. The N2K network includes sites designated as Special Areas of Conservation (SACs), under the EU Habitats Directive and Special Protection Areas (SPAs) designated under the EU Birds Directive. SACs are designated in areas that support habitats listed on Annex I and/or species listed on Annex II of the Habitats Directive. SPAs are designated in areas that support: 1% or more of the all-Ireland population of bird species listed on Annex I of the EU Birds Directive; 1% or more of the population of a migratory species; and more than 20,000 waterfowl. Throughout this NIR SACs, SPAs and cSACs are referred to as Natura 2000 Sites. The term Natura 2000 Site corresponds to the term European Site as defined in the European Communities (Birds and Natural Habitats) Regulations, 2011 (SI No. 477 of 2011).

Articles 6(1) & (2) of the Habitats Directive set out provisions for the conservation management of Natura 2000 sites. Articles 6(3) and 6(4) of this Directive set out a series of procedural steps that test whether or not a plan or project is likely to affect a Natura 2000 site. Article 6(3) also establishes the requirement for a HDA:

*“any plan or project not directly connected with or necessary to the management of the (Natura 2000) site but likely to have a significant effect thereon, either individually or in combination with other plans and projects, shall be subjected to appropriate assessment of its implications for the site in view of the site’s conservation objectives. In light of the conclusions of the assessment of the implication for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public”.*

Therefore, the objective of this HDA is to conclude whether or not the LAP will adversely affect the integrity of a Natura 2000 site. Such a conclusion will be arrived at by assessing the implications of the LAP for each Natura 2000 site's "qualifying interests" (i.e. those Annex I habitats, Annex II species, and Annex I bird species and populations for which the site has been designated).

The HDA is underpinned by the precautionary principle. Therefore, if the risk of adverse impacts to the conservation objectives of a Natura 2000 site cannot be ruled out it is assumed that an adverse impact may exist. Where such uncertainties are identified during the assessment, measures will be proposed to avoid or mitigate the risk of adverse impacts occurring.

The HDA was undertaken with reference to the following guidance documents on Habitats Directive Assessments:

- Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities (2009). DEHLG.
- Managing Natura 2000 Sites – The provisions of Article 6 of the Habitats directive 92/43/EEC. Natura 2000 commission (2000). (To be referred to as MN 2000).
- Assessment of Plans and Projects Significantly Affecting Natura 2000 sites – Methodological Guidance of the Provisions of Article 6(3) and (4) of the Habitats directive 92/43/EEC. European Commission (2001). (To be referred to as the APP Guidelines).
- Guidance on Article 6(4) of the Habitats Directive 92/43/EEC – Clarification of the Concepts of: Alternative Solutions, Imperative reasons of Overriding Public Interest, Compensatory Measures, Overall coherence, Opinion of the Commission. European Commission (2007).
- Appropriate Assessment of Plans. Scott Wilson, Levett-Therivel sustainability Consultants, Treweek Environmental Consultants and Land Use Consultants (2006).
- Department of the Environment Heritage and Local Government (DEHGL) Circular letter SEA 1/08 & NPWS 1/08 dated 15 February, 2008.

## **1.2 Stages of the Habitats Directive Assessment**

European Guidance<sup>1</sup> has outlined a staged process for the completion of a HDA.

- Stage 1 – Screening: This stage defines the proposed plan, establishes whether the proposed plan is necessary for the conservation management of the Natura 2000 site and assesses the likelihood of the plan to have a significant effect, alone or in combination with other plans or projects, upon a Natura 2000 site.
- Stage 2 – Appropriate Assessment: If a plan or project is likely to have a significant effect an Appropriate Assessment must be undertaken. In this stage the impact of the plan or project to the Conservation Objectives of the Natura 2000 site is assessed. The outcome of this assessment

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<sup>1</sup> European Commission Environment DG 2001: Assessment of plans and projects significantly affecting Natura 2000 sites

will establish whether the plan will have an adverse effect upon the integrity of the Natura 2000 site.

- Stage 3 – Assessment of Alternative Solutions: If it is concluded that, subsequent to the implementation of mitigation measures, a plan has an adverse impact upon the integrity of a Natura 2000 site it must be objectively concluded that no alternative solutions exist before the plan can proceed.
- Stage 4 – Where no alternative solutions exist and where adverse impacts remain but imperative reasons of overriding public interest (IROPI) exist for the implementation of a plan or project an assessment of compensatory measures that will effectively offset the damage to the Natura site 2000 will be necessary.

The remainder of this document sets out the Methodology and Results of the Stage 1 Screening Assessment of the Plan. It is structured as follows:

- Chapter 2: Approach to the Habitats Directive Assessment Screening Process;
- Chapter 3: Athenry LAP & Natura 2000 Site Baseline;
- Chapter 4: Interaction between LAP Policies and Objectives and Natura 2000 Sites; and
- Chapter 5: Screening Assessment.

## **2 Screening Methodology**

### **2.1 Introduction**

The function of the Screening Assessment is to identify whether or not policies associated with the LAP will have a likely significant effect on Natura 2000 sites. In this context “likely” means any effect that may be reasonably predicted and “significant” means not trivial or inconsequential but an effect that is potentially relevant to the site’s conservation objectives<sup>2</sup>. Any effect that would compromise the functioning and viability of a site and interfere with achieving the conservation objectives of the site would constitute a significant effect.

The nature of the likely interactions between the LAP and the integrity of Natura 2000 sites will depend upon the sensitivity of the site’s qualifying features to potential impacts associated with LAP policies; the current conservation status of the site; and the likely changes that will result from the implementation of the LAP, in combination with other plans and projects.

The APP Guidelines (2001) outline the stages involved in undertaking a Screening assessment of a plan or project that has the potential to have likely significant effects on Natura 2000 sites. The methodology adopted for the Screening assessment of this LAP is informed by these guidelines and was undertaken in the following stages:

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<sup>2</sup> See English Nature’s Habitat Regulations Guidance Note No. 3, 1999.

1. Define the LAP and determine whether it is necessary for the conservation management of the Natura 2000 sites;
2. Identification of Natura 2000 sites occurring within the sphere of influence of the LAP;
3. Review the policies and objectives within the LAP to determine which have the potential to affect Natura 2000 sites and determine whether the Natura 2000 sites are vulnerable to the effects; and
4. Identification of other plans or projects that, in combination with the policies and proposals of the LAP, have the potential to affect Natura 2000 sites;

## **2.2 Consultation & Review**

Initial scoping consultation was undertaken with the Department of the Arts, Heritage & Local Government, the Environmental Protection Agency and the Department of Communications, Marine and Natural Resources during the development of the Draft Athenry LAP and the SEA and HDA of the draft LAP.

The Athenry Plan process is an iterative process, and similarly, the Habitats Directive Assessment is an iterative process, and assesses the Plan at pre-draft, draft and final stages. The Department of the Environment, Community & Local Government, the Environmental Protection Agency and the Department of Communications, Marine and Natural Resources reviewed the draft Plan and provided a submission on the draft Plan and the findings of the Natura Impact Report of the draft Plan.

The issues raised in the Department's submission to the draft Plan and the subsequent consideration of these issues in terms of the proposed material alterations and Habitats Directive Assessment are outlined in Appendix 3 of this NIR.

## **3 Athenry LAP & Natura 2000 Baseline**

### **3.1 Summary Description of Athenry LAP**

The Athenry LAP aims to provide a statutory framework for the future growth, development and improvement of Athenry that is consistent with the policies and objectives contained in *the Galway County Development Plan (GCDP) 2009-2015* including its *Core Strategy/Settlement Strategy* and which addresses the needs and requirements of the local community, service providers and other stakeholders.

The purpose of the Local Area Plan is to guide future development within the town of Athenry, in a sustainable and equitable manner and to inform members of the public, the local community, stakeholders, developers and the Planning Authority regarding policies and objectives for the development of the town, including provisions in relation to land use management, community facilities and amenities, transport and infrastructure, urban design, heritage and the environment.

The overall strategic vision for Athenry as set out in the LAP aims to establish Athenry as "A Key Town" that will enhance its attractive medieval character while becoming an innovative growth centre within



the Strategic Economic Corridor, supporting an educated workforce, providing a range of services/amenities and with a high quality of life for the local community. This will be delivered through a managed and phased development strategy on appropriately zoned and serviced lands in a manner that is balanced and sustainable for Athenry and the environs that it serves”.

### **3.2 Athenry LAP and Nature Conservation Management**

The Plan sets out an overall strategy for the proper planning and sustainable development of Athenry. It is clear from this definition of the Plan that it is not necessary for the management of any Natura 2000 site for nature conservation purposes. Therefore consideration was given to the Plan and whether it was likely to have a significant effect and if so what the implications would be to the Conservation Objectives for any Natura 2000 site.

### **3.3 Natura 2000 Sites occurring within a 15km Buffer of the Athenry LAP**

In order to identify the Natura 2000 sites that could be significantly affected by the implementation of the Athenry LAP an initial long-list of sites occurring within 15km of the LAP area (to be referred to as the study area) has been compiled. The establishment of a 15km buffer area surrounding the LAP area is in line with recommended procedures for identifying sites, as outlined in Scott Wilson *et al.* (2006).

A total number of 9 SACs and 5 SPAs were identified within the 15km buffer area surrounding the LAP boundary (see *Figure 3.1*). *Table 3.1* lists these Natura 2000 sites and determines which of these sites occur within the sphere of influence of the Athenry LAP.

As no Natura 2000 Sites occur within or immediately adjacent to the Athenry LAP boundary the policies and objectives of the LAP will not have the potential to directly influence or impact Natura 2000 Sites.

The potential for Athenry LAP to indirectly influence or impact Natura 2000 Sites will depend on whether there are linkages between impact sources (i.e. the policy/objective and its associated aims) and the receiver i.e. Natura 2000 sites. For the purposes of the Screening Assessment the linkages or pathways between impact sources and receivers will include:

- Hydrological impacts such as perturbations to the quality and ecological status of watercourses or groundwater;
- Aerial impacts such as nutrient deposition or dust deposition. It is noted that the policies associated with the Athenry LAP will not result in changes to baseline emissions, such as NO<sub>x</sub> or SO<sub>x</sub>, levels that will have the potential to effect Natura 2000 sites within the surrounding countryside. Aerial impacts will be restricted to dust emissions during the construction stage of developments associated with specific LAP policies/objectives; and
- Disturbance impacts to Qualifying species arising from noise, vibration, increased human presence.

Where no such impact pathways link policies/objectives and Natura 2000 sites then it is concluded that the Natura 2000 Sites does not occur within the sphere of influence of the Athenry LAP and is not considered further.

### 3-1: Natura 2000 Sites within 15km of the Athenry LAP Boundary

Natura 2000 Site	Distance from Athenry LAP	Hydrological Impacts	Aerial Impacts	Disturbance	Potential for Likely Significant Effect exists?
000242 - Castletaylor Complex	11.2km	No Impacts. There are no hydrological linkages between this SAC and the LAP boundary.	No Impacts. This site is located at a remote distance from the LAP area where such impacts will not result in LSEs.	No Impacts. This site is located at a remote distance from the LAP area where such impacts will not result in LSEs to qualifying species.	No
000268 - Galway Bay Complex	8.3km	Yes. The LAP Boundary is directly linked to this SAC via the River Clarin.	No Impacts. This site is located at a remote distance from the LAP area where such impacts will not result in LSEs.	No Impacts. This site is located at a remote distance from the LAP area where such impacts will not result in LSEs to qualifying species.	Yes
000297 - Lough Corrib	6km	No Impacts. There are no hydrological linkages between this SAC and the LAP boundary.	No Impacts. This site is located at a remote distance from the LAP area where such impacts will not result in LSEs	No Impacts. This site is located at a remote distance from the LAP area where such impacts will not result in LSEs to qualifying species.	No
000304 - Lough Rea	14.4km	No Impacts. There are no hydrological linkages between this SAC and the LAP	No Impacts. This site is located at a remote distance from the LAP area where such	No Impacts. This site is located at a remote distance from the LAP area where such	No

		boundary.	impacts will not result in LSEs	impacts will not result in LSEs to qualifying species.	
000322 - Rahasane Turlough	6.4km	No Impacts. There are no hydrological linkages between this SAC and the LAP boundary.	No Impacts. This site is located at a remote distance from the LAP area where such impacts will not result in LSEs	No Impacts. This site is located at a remote distance from the LAP area where such impacts will not result in LSEs to qualifying species.	No
000606 - Lough Fingall Complex	12.5km	No Impacts. There are no hydrological linkages between this SAC and the LAP boundary.	No Impacts. This site is located at a remote distance from the LAP area where such impacts will not result in LSEs	No Impacts. This site is located at a remote distance from the LAP area where such impacts will not result in LSEs to qualifying species.	No
001285 - Kiltiernan Turlough	13.1km	No Impacts. There are no hydrological linkages between this SAC and the LAP boundary.	No Impacts. This site is located at a remote distance from the LAP area where such impacts will not result in LSEs	No Impacts. This site is located at a remote distance from the LAP area where such impacts will not result in LSEs to qualifying species.	No
002244 - Ardrahan Grassland	13.5	No Impacts. There are no hydrological linkages between this SAC and the LAP boundary.	No Impacts. This site is located at a remote distance from the LAP area where such impacts will not result in LSEs	No Impacts. This site is located at a remote distance from the LAP area where such impacts will not result in LSEs to qualifying	No

				species.	
002352 - Monivea Bog	5.2km	No Impacts. This SAC occurs 5.2km upstream of the LAP boundary.	No Impacts. This site is located at a remote distance from the LAP area where such impacts will not result in LSEs.	No Impacts. This site is located at a remote distance from the LAP area where such impacts will not result in LSEs to qualifying species.	No
004031 - Inner Galway Bay SPA	8.3km	Yes. The LAP Boundary is directly linked to this SAC via the River Clarin.	No Impacts. This site is located at a remote distance from the LAP area where such impacts will not result in LSEs.	No Impacts. This site is located at a remote distance from the LAP area where such impacts will not result in LSEs to qualifying species.	Yes
004089 – Rahasane Turlough SPA	6.4km	No Impacts. There are no hydrological linkages between this SAC and the LAP boundary.	No Impacts. This site is located at a remote distance from the LAP area where such impacts will not result in LSEs	No Impacts. This site is located at a remote distance from the LAP area where such impacts will not result in LSEs to qualifying species.	No
004134 – Lough Rea SPA	14.4km	No Impacts. There are no hydrological linkages between this SAC and the LAP boundary.	No Impacts. This site is located at a remote distance from the LAP area where such impacts will not result in LSEs	No Impacts. This site is located at a remote distance from the LAP area where such impacts will not result in LSEs to qualifying species.	No
004142 – Cregganna Marsh	9.7km	No Impacts. There are no	No Impacts. This site is located at	No Impacts. This site is located at	No

SPA		hydrological linkages between this SAC and the LAP boundary.	a remote distance from the LAP area where such impacts will not result in LSEs	a remote distance from the LAP area where such impacts will not result in LSEs to qualifying species.	
004168 – Slieve Aughty Mountains SPA	14.4km	No Impacts. There are no hydrological linkages between this SAC and the LAP boundary.	No Impacts. This site is located at a remote distance from the LAP area where such impacts will not result in LSEs	No Impacts. This site is located at a remote distance from the LAP area where such impacts will not result in LSEs to qualifying species.	No

The Galway Bay Complex SAC and the Inner Galway Bay SPA (to be referred to as the Galway Bay Natura 2000 Sites) represent the only Natura 2000 Sites that can potentially be influenced or impacted by the Athenry LAP.

It is noted that the water supply for the Athenry Plan area is derived from Lough Corrib. However a recent Habitats Directive Assessment of the Tuam Local Area Plan concluded that the Tuam Regional Water Supply Scheme which supplies Athenry is operating at sustainable water abstraction yields and future abstractions will not negatively affect the Lough Corrib SAC.

Therefore the remainder of this Screening Assessment will focus on the potential of LAP policies and objectives to result in likely significant effects to the Galway Bay Natura 2000 Sites. Prior to this Section 3.5 will provide further details on both these Natura 2000 Sites.

### 3.4 Detailed Description of Natura 2000 within the Sphere of Influence of the Athenry LAP

Table 3.2 provides a description of the above two Natura 2000 sites assessed as part of the screening process. This table provides information on the following elements:

- Qualifying interests;
- Site sensitivity/vulnerability;
- Current Conservation Status; and
- Threats.

The qualifying interests are the features for which the site has been designated as an Natura 2000 site under the Habitats Directive and Birds Directive.

Site sensitivity/vulnerability is based on the sensitivities of the qualifying interests for which the site is designated. For instance Galway Bay Complex SAC has been designated for the presence of saltmarshes, among other habitats. This habitat is dependent on saltwater influences and appropriate grazing regimes and is highly sensitive to changes in the concentration of freshwater/saltwater or changes in livestock grazing regimes.

#### 3.4.1 **Conservation Objectives**

At the time this assessment was undertaken, specific Conservation Management Plans were unavailable for all Natura 2000 sites occurring within the HDA area. For sites lacking a published Plan, a list of generic conservation management objectives (CMOs) have been provided by the NPWS. These are:

*For SACs*

- To maintain the Annex I habitats for which the SAC has been selected at favourable conservation status;
- To maintain the Annex II species for which the SAC has been selected at favourable conservation status;
- To maintain the extent, species richness and biodiversity of the entire site; and
- To establish effective liaison and co-operation with landowners, legal users and relevant authorities.

*For SPAs*

- To maintain the bird species of special conservation interest, for which the SPA has been designated, at favourable conservation status

Since the conservation management objectives for the Natura 2000 sites focus on maintaining the favourable conservation status of the qualifying features of each site, the Screening Assessment has concentrated on assessing the potential implications of the LAP against the qualifying features of each site.

**Table 3-2: Description of Galway Bay Complex**

Natura 2000 Site	Location	Qualifying Interests	Current Threats Qualifying Interests	Site Sensitivity	Conservation Status
000268 – Galway Bay Complex	8.3km from the LAP	Coastal Lagoons*	Drainage for agricultural and safety reasons; natural siltation; Water pollution in the form of excessive nutrient enrichment	Surface, ground and marine water dependent. Highly sensitive to hydrological changes. Highly sensitive to pollution. Changes in salinity and tidal regime	Bad
		Mudflats and sandflats not covered by seawater at low tide	Aquaculture, fishing, bait digging, removal of fauna, reclamation of land, coastal protection works and invasive species, particularly cord-grass; hard coastal defence structures; sea-level rise.	Surface and marine water dependent. Moderately sensitive to hydrological change. Moderate sensitivity to pollution. Changes to salinity and tidal regime. Coastal development	Poor
		Large shallow inlets and bays	Aquaculture, fishing, dumping of wastes and water pollution.	Surface and marine water dependent. low sensitivity to hydrological changes. Aquaculture, fishing and pollution.	Poor
		Salicornia and other annuals colonizing mud and sand	Invasive Species; erosion and accretion	Marine water dependent. Medium sensitivity to hydrological change. Changes in salinity and tidal regime. Infilling, reclamation, invasive species	Poor
		Mediterranean salt meadows ( <i>Juncetalia maritimi</i> )	Over-grazing by cattle or sheep; infilling and reclamation.	Marine and groundwater dependent. Medium sensitivity to hydrological change. Changes in salinity and tidal regime. Coastal development and	Poor

Natura 2000 Site	Location	Qualifying Interests	Current Threats Qualifying Interests	Site Sensitivity	Conservation Status
				reclamation.	
		Alkaline Fens	Peat mining activities, land drainage; infilling; fertiliser pollution and eutrophication	Groundwater dependant. Highly sensitive to hydrological changes. Changes in nutrient or base status	Bad
		Calcareous fens with <i>Cladium mariscus</i> and species of the <i>Caricion davalliana</i> *	Peat or turf cutting, arterial drainage, local drainage and agricultural reclamation, infilling of sites with building waste, dumping of household refuse, afforestation, water pollution and urban expansion.	Groundwater dependent. Highly sensitive to hydrological changes. Changes in nutrient or base status.	Bad
		Turloughs*	Nutrient enrichment and inappropriate grazing; drainage, peat cutting; marl extraction and quarrying.	Surface and Groundwater dependent. Highly sensitive to hydrological changes. Changes in nutrient or base status.	Poor
		Semi-natural dry grasslands and scrubland facies on calcareous substrates ( <i>Festuco-Brometalia</i> ) (*important orchid sites)	The main threats to this habitat include the abandonment of traditional agricultural practices and reclamation.	Changes in management. Changes in nutrient or base status. Moderately sensitive to hydrological change	Poor



Natura 2000 Site	Location	Qualifying Interests	Current Threats Qualifying Interests	Site Sensitivity	Conservation Status
		Atlantic salt meadows ( <i>Glaucopuccinellietalia maritimae</i> )	Overgrazing; erosion; invasive species, particularly common cordgrass ( <i>Spartina anglica</i> ); infilling and reclamation.	Marine and groundwater dependent. Medium sensitivity to hydrological change. <i>maritimae</i> Changes in salinity and tidal regime. Overgrazing, erosion and accretion	Poor
		<i>Phoca vitulina</i>	Continued by-catch in fishing gear; occasional illegal culling; competition for prey resources with fisheries and disturbance at key breeding and moulting haul-out sites.	Marine water dependent. Sensitive to changes in food supply.	Good
		<i>Lutra lutra</i>	Decrease in water quality: Use of pesticides; fertilization; vegetation removal; professional fishing (including lobster pots and fyke nets); hunting; poisoning; sand and gravel extraction; mechanical removal of peat; urbanised areas; human habitation; continuous urbanization; drainage; management of aquatic and bank vegetation for drainage purposes; ; and canalization or modifying structures of inland water course.	Surface and marine water dependent. Moderately sensitive to hydrological change. Sensitivity to pollution	Poor

**Table 3-2: Description of Inner Galway Bay**

SPA Site	Location	Qualifying Interest	Current Threats to Qualifying interests	Site Sensitivity	Conservation Status
004031 - Inner Galway Bay	8.3km from the LAP	Gavia immer [wintering]	While no information in the form of an Article 17 Conservation Status Report exists for waterbirds or their respective SPAs a number of pressures have been identified by Crowe et al (2008). These pressures include: the modification of wetland sites, particularly for industry or housing and increased levels of disturbance, largely related to recreational activity. Eutrophication at a number of wetland sites as a result of nutrient inputs from a range of polluting activities were also identified as a potential pressure. However this latter pressure is now being alleviated through stricter control of activities associated with water discharge/runoff etc. Climate change was also noted as a significant factor underlying changes in trends of wintering waterbirds in Ireland.	Highly sensitive to hydrological changes and loss of wetland habitat. Sensitive to disturbance.	No information is currently available on the threats to the qualifying features of this site
		Phalacrocorax carbo [breeding]			
		Phalacrocorax carbo [wintering]			
		Ardea cinerea [wintering]			
		Branta bernicla hrota [wintering]			
		Tadorna tadorna [wintering]			
		Anas penelope [wintering]			
		Anas crecca [wintering]			
		Anas clypeata [wintering]			
		Mergus serrator [wintering]			
		Charadrius hiaticula [wintering]			
		Pluvialis apricaria [wintering]			

SPA Site	Location	Qualifying Interest	Current Threats to Qualifying interests	Site Sensitivity	Conservation Status
		Vanellus vanellus [wintering]			
		Calidris alpina [wintering]			
		Limosa lapponica [wintering]			
		Numenius arquata [wintering]			

## 4 Interaction between LAP Policies and Objectives and Natura 2000 Sites

Appendix 2 lists the policies and objectives of the Athenry LAP and the potential impact they will have on the Galway Bay Natura 2000 Sites. The majority of the policies and objectives set out in the Plan will have a neutral impact on these Natura 2000 Sites.

As outlined in Appendix 2 policies and objectives associated with land use zonings will have the potential to result in negative impacts downstream of Athenry at Galway Bay. These negative impacts, which relate to perturbations to the water quality of the River Clarin, are summarised in *Table 4.1*.

A number of land use zonings, including Industrial, Residential, Commercial and Mixed Use as well as the Athenry Inner Relief Road, are located in green-field sites immediately adjacent to the River Clarin. These green-field sites are characterised by improved agricultural grassland habitats. The construction of new developments in such area will have the potential to result in adverse impacts to water quality.

However the Athenry LAP also contains a number of measures to ensure the protection of the River Clarin and the Natura 2000 Sites occurring downstream at Galway Bay. Objective UI 2 Wastewater Disposal; Objectives UI 6 Western River Basin District Management Plan and Protection of Waters ;UI 11Flood Risk Management and Assessment ; UI 13 Waterbodies and Watercourses; NH 6 Water Resources; and NH7 Environmental Management Buffer, in particular will ensure that the water quality of the River Clarin is protected.

The inclusion of Objective NH7 Environmental Management Buffer which establishes an Environmental Management Buffer along the River Clarin has been adopted by the LAP following a review of the potential impacts associated with earlier iterations of the LAP. This Environmental Management Buffer, which will constitute a 10m buffer either side of the River Clarin, will ensure that potential negative impacts to the water quality of the River Clarin are avoided.

Similarly, following a review of earlier iterations of the draft LAP the final Athenry LAP has included policies and objectives (see Policy UI 3 Climate Change and Air Quality and Objectives TI 16 Noise; UI 7 Groundwater and Aquifer, and UI 8 Climate Change and Air Quality in Table 4.2 below) to ensure that air quality and noise levels are controlled in such a way as to maintain and or improve these environmental parameters throughout the lifetime of the Plan.

The existing mitigation measures of the draft LAP and additional recommended measures are outlined in *Table 4.2*. *Table 4.1* below summarises policies and objectives that were identified as generating potential negative impacts on Galway Bay Natura 2000 sites.

### 4-1: Policies and Objectives of the Athenry LAP with the Potential to Result in downstream impacts to Galway Bay Natura 2000 Sites

Policy/Objective	Description of Potential Negative Impact
<p><b>Policy LU 1 Land Use Management</b></p> <p>It is the policy of Galway County Council to provide a land use zoning framework for the Plan Area to direct the type, density and location of development in a manner that contributes to the</p>	<p>This includes the zoning of land for this use adjacent to the River Clarin. The development of undeveloped land adjacent to the River Clarin, such as towards the south of the LAP will have the potential to adversely affect the water quality of</p>

<p>consolidation of the town centre, that allows for the orderly and sequential development of the town, that protects and enhances the existing landscape setting, character and unique identity of the town and that complies with the statutory requirements in the Planning and Development Act 2000 (as amended). The land use zoning framework is supported by a residential phasing framework to ensure compliance with the Core Strategy and to promote the orderly and sequential development of the town.</p>	<p>this river and could result in downstream impacts to Galway Bay Natura 2000 Sites.</p>
<p><b>Objective LU2 – Commercial and Mixed Use (C2)</b></p> <p>Promote the development of commercial and complementary mixed uses on suitable lands that can provide focal points for the provision of services to surrounding neighbourhoods/areas and opportunities for commercial enterprises, retail developments and employment creation and which do not undermine the vitality and viability of the town centre.</p>	<p>This includes the zoning of land for this use adjacent to the River Clarin. The development of commercial and mixed used land on undeveloped land adjacent to the River Clarin, such as towards the south of the LAP will have the potential to adversely affect the water quality of this river and could result in downstream impacts to Galway Bay Natura 2000 Sites.</p>
<p><b>Objective LU3 – Residential (R)</b></p> <p>Promote the development of suitable, serviced lands to provide for high quality, well laid out and well landscaped sustainable residential communities with an appropriate mix of housing types and densities together with complementary land uses such as community facilities, local services and public transport facilities to serve the residential population of the area.</p> <p>Protect existing residential amenities and facilitate new infill development and the development of complementary/compatible land uses on residential zoned land, in accordance with the proper planning and sustainable development of the area.</p> <p>A phasing scheme will apply to residential uses on Residential (R) zoned lands, as set out under</p>	<p>Undeveloped lands within the LAP have been zoned for Residential development immediately adjacent to the River Clarin. This development will have the potential to adversely affect the water quality of this river and could result in downstream impacts to Galway Bay Natura 2000 Sites.</p>

Objective RD1 in Section 3.2.2.	
<p><b>Objective LU4 – Industrial (I)</b></p> <p>Promote the development of industrial and industrial-related uses, including manufacturing, processing of materials, warehousing and distribution, on suitable lands with adequate services and facilities and a high level of access to the major road network and public transport facilities. Adequate edge treatments and/or screening will be required to ensure high quality interfaces with public spaces and any adjoining residential areas or other sensitive land uses, as appropriate. Proposals on Industrial lands will be subject to requirements in the Plan in relation to avoiding unacceptable transport, environmental and water quality impacts and where necessary shall be required to submit a Traffic Impact Assessment and/or a Transport Assessment.</p>	<p>Industrial land use has been zoned in undeveloped land to the south and north of the LAP area. This development will have the potential to adversely affect the water quality of this river and could result in downstream impacts to Galway Bay Natura 2000 Sites.</p> <p>However, it is noted that this Objective specifically outlines that proposals in line with this Objective will be subject to the requirements of the Plan in relation to avoiding environmental and water quality impacts.</p> <p>Thus the approach to industrial development within the Plan area is precautionary and based upon the avoidance of likely significant effects to the environment.</p>
<p><b>Objective LU7 – Community Facilities (CF)</b></p> <p>Promote the development of community facilities on suitable lands with a high level of access to the local community, including educational, community, civic, public, institutional, recreational, cultural and other complementary uses as appropriate.</p>	<p>Community Facilities have been zoned in undeveloped land to the south of the LAP area. This development will have the potential to adversely affect the water quality of this river and could result in downstream impacts to Galway Bay Natura 2000 Sites.</p>
<p><b>Objective LU10 – Transport Infrastructure</b></p> <p>Facilitate the provision and maintenance of essential transportation infrastructure. This shall include the reservation of lands to facilitate possible track dualing of the rail line between Galway and Athenry and other rail infrastructure improvements, public roads including the completion of the Athenry Relief Road, footpaths, cycle ways, and bus stops and landscaping, together with any necessary associated works, as appropriate.</p>	<p>This Objective relates to the improvement and completion of transport infrastructure, some of which will cross (or will cross) the River Clarin. Such developments, in the absence of appropriate construction methods, will have the potential to adversely affect the water quality of this river and could result in downstream impacts to Galway Bay Natura 2000 Sites.</p>

**Table 4-2: Mitigatory Policies and Objectives outlined in the Athenry LAP**

Mitigation Policy/Objective
<p><b>Objective DS3 – Natura 2000 Network and Habitats Directive Assessment</b></p> <p>Protect Natura 2000 sites, that form part of the Natura 2000 network (including Special Protection Areas and Special Areas of Conservation) in accordance with the requirements in the EU <i>Habitats Directive</i> (92/43/EEC), EU <i>Birds Directive</i> (2009/147/EC), the <i>Planning and Development (Amendment) Act 2010</i>, the <i>European Communities (Birds and Natural Habitats) Regulations 2011</i> (S.I. No 477 of 2011) (and any subsequent amendments or updated legislation) and having due regard to the guidance in the <i>Appropriate Assessment Guidelines 2010</i> (and any subsequent or updated guidance).</p> <p>A plan or project (e.g. proposed development) within the Plan Area will only be authorised after the competent authority (Galway County Council) has ascertained, based on scientific knowledge and a Habitats Directive Assessment where necessary, that:</p> <ol style="list-style-type: none"> <li>1. The plan or project will not give rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 site (either individually or in combination with other plans or projects); or</li> <li>2. The plan or project will adversely affect the integrity of any Natura 2000 site (that does not host a priority habitat and/or a priority species) but there are no alternative solutions and the plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature. In this case, it will be a requirement to follow procedures set out in legislation and agree and undertake all compensatory measures necessary to ensure the protection of the overall coherence of Natura 2000; or</li> <li>3. The plan or project will adversely affect the integrity of any Natura 2000 site (that hosts a priority natural habitat type and/or a priority species) but there are no alternative solutions and the plan or project must nevertheless be carried out for imperative reasons of overriding public interest, restricted to reasons of human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest. In this case, it will be a requirement to follow procedures set out in legislation and agree and undertake all compensatory measures necessary to ensure the protection of the overall coherence of Natura 2000.</li> </ol>
<p><b>Objective DS5 – Service Led Development</b></p> <p>Development under the Plan shall be preceded by sufficient capacity in the public waste water treatment plant and appropriate extensions in the existing public wastewater infrastructure.</p>
<p><b>Objective TI 16 – Noise</b></p> <p>All new proposed development, within 300m of roadways with traffic volumes greater than 8220AADT, major railways which have more than 60,000 passengers per year, shall include a noise assessment and mitigation measures if necessary with the planning application documentation.</p>

**Policy UI 2 – Water Quality**

It is the policy of Galway County Council to protect and improve water quality, in conjunction with other agencies and stakeholders in accordance with the EU Water Framework Directive (2006/60/EC) and to support the implementation of the Western River Basin District Management Plan and consider both when considering new development proposals.

**Policy UI 3 – Climate Change & Air Quality**

It is the policy of Galway County Council to support and promote, in conjunction with other agencies, local, national and international initiatives for limiting emissions of greenhouse gases and encouraging the development of renewable energy sources in accordance with The 'National Climate Change Strategy 2007-2012' (or any superseding document).

**Objective UI 2 – Wastewater Disposal**

New developments shall only be permitted where it can be clearly demonstrated that they can be serviced and that there is adequate capacity in the wastewater disposal infrastructure in accordance with applicable requirements and standards, including urban wastewater treatment disposal standards, in order to protect the River Clarin, the Galway Bay Complex and its qualifying interests.

Any developments for single dwellings will be required to adhere to the EPA Code of Practice and will be subject to monitoring in order to assess impacts on water.

Continue to support the delivery of the Galway Main Drainage scheme in relation to the Athenry Local Area Plan Area.

**Objective UI 6 – Western River Basin District Management Plan and Protection of Waters**

Support the implementation of the relevant recommendations and measures as outlined in the Western River Basin Management Plan 2009-2015 or any other plan that may supersede same during the lifetime of this Local Area Plan. Development shall only be permitted where it can be clearly demonstrated that the proposal would not have an unacceptable impact on the water environment, including surface water, groundwater quality and quantity, river corridors and associated wetlands.

Galway County Council is statutorily obliged to prevent any further deterioration in the quality status of the waters in Athenry (Clarín River and the Clare River Drainage Area) and to ensure good quality status by 2021.

**Objective UI 8 – Climate Change & Air Quality**

Continue to implement Galway County Council's *Energy Action Plan* regarding energy efficiency and conservation in existing and future buildings, in energy use and procurement activities and in raising awareness and stimulating action within local communities.

Promote the preservation of best ambient air quality compatible with sustainable development



throughout the Plan Area by seeking to protect and maintain the regulatory standards contained with the EPA's *Air Quality in Ireland 2009 Key Indicators of Ambient Air Quality* (Environmental Protection Agency 2010 or any superseding document).

#### **Objective UI 9 – Air Purification**

Encourage landscaping and deciduous tree planting in an environmentally sensitive manner within the Plan Area as a means of air purification, the filtering of suspended particles and the improvement of Athenry's micro- climate.

#### **Objective UI 11 – Flood Risk Management and Assessment**

Ensure the implementation of the DoEHLG/OPW publication *Flood Risk Management Guidelines 2009* (or any superseding document) in relation to flood risk management within the Plan Area. This will include the following:

1. Avoid, reduce and/or mitigate, as appropriate in accordance with the *Flood Risk management Guidelines 2009*, the risk of flooding within the flood risk areas indicated on Maps 3A/3B – Indicative Flood Risk Management Areas, including fluvial, coastal/tidal, pluvial and groundwater flooding, and any other flood risk areas that may be identified during the period of the Plan or in relation to a planning application.
2. Development proposals in areas where there is an identified or potential risk of flooding, or that could give rise to a risk of flooding elsewhere, may be required to carry out a Site-Specific Flood Risk Assessment and Development Management Justification Test where appropriate, in accordance with the provisions of the *Flood Risk Management Guidelines 2009* (or any superseding document). Any flood risk assessment also should include an assessment of the potential impacts of climate change, such as an increase in the extent or probability of flooding, and any associated measures necessary to address these impacts.
3. Development that would be subject to an inappropriate risk of flooding or that would cause or exacerbate such a risk at other locations shall not normally be permitted.
4. Where certain measures proposed to mitigate or manage the risk of flooding associated with new developments are likely to result in significant effects to the environment or Natura 2000 Sites downstream, such measures will undergo appropriate environmental and Habitats Directive Assessments.

#### **Objective UI 13 – Waterbodies and Watercourses**

Protect waterbodies and watercourses within the Plan Area from inappropriate development, including rivers, streams, associated undeveloped riparian strips and natural floodplains. This will include a 10m environmental management buffer on either side of the River Clarin and its tributary, measured from the near river bank. Promote the sustainable management and use of watercourses and avoid the culverting or realignment of these features. Refer to the Specific Objectives Maps (2A/2B).

#### **Policy NH1 – Natural Heritage, Landscape and Environment**

It is the policy of the Galway County Council, to support the conservation and enhancement of the natural heritage and biodiversity within the Plan Area, to ensure the protection of the integrity of Natura 2000 sites, Natural Heritage Areas, proposed Natural Heritage Areas and an ecological network within the Plan Area. In conserving the natural heritage, Galway County Council will have regard to the following:

- ‘*Actions for Biodiversity 2011-2016 Ireland’s National Biodiversity Plan*’,
- the ‘*Biodiversity Action Plan for County Galway 2008-2013*’
- and the ‘*Biodiversity Guidelines*’ produced by Galway County Council, (or any updated version of these documents).

Promote the development of an ecological network within the Plan Area, which supports ecological connectivity and functioning, creates opportunities for active and passive recreation and provides visual relief from the built environment.

### **Objective NH1 Natura 2000 Network and Habitats Directive Assessment**

Protect Natura 2000 sites, that form part of the Natura 2000 network (including Special Protection Areas and Special Areas of Conservation) in accordance with the requirements in the EU *Habitats Directive* (92/43/EEC), EU *Birds Directive* (2009/147/EC), the *Planning and Development (Amendment) Act 2010*, the *Natura 2000 Communities (Birds and Natural Habitats) Regulations 2011* (S.I. No 477 of 2011) (and any subsequent amendments or updated legislation) and having due regard to the guidance in the *Appropriate Assessment Guidelines 2010* (and any subsequent or updated guidance).

A plan or project (e.g. proposed development) within the Plan Area will only be authorised after the competent authority (Galway County Council) has ascertained, based on scientific knowledge and a Habitats Directive Assessment where necessary, that:

1. The plan or project will not give rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 site (either individually or in combination with other plans or projects); or
2. The plan or project will adversely affect the integrity of any Natura 2000 site (that does not host a priority habitat and/or a priority species) but there are no alternative solutions and the plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature. In this case, it will be a requirement to follow procedures set out in legislation and agree and undertake all compensatory measures necessary to ensure the protection of the overall coherence of Natura 2000; or
3. The plan or project will adversely affect the integrity of any Natura 2000 site (that hosts a priority natural habitat type and/or a priority species) but there are no alternative solutions and the plan or project must nevertheless be carried out for imperative reasons of overriding public interest, restricted to reasons of human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest. In this case, it will be a requirement to follow procedures set out in legislation and agree and undertake all compensatory measures necessary to ensure the protection of the overall coherence of Natura 2000.

**Objective NH2 – Protected Habitats and Species**

Support the protection of protected habitats and species listed in the annexes to the EU *Habitats Directive 1992 (92/43/EEC)* and the *Birds Directive 1979 (79/409/EEC)*, and in particular bats and their roosts.

**Objective NH4 – Impact Assessment**

Ensure full compliance with the requirements of the EU Habitats Directive (92/43/EEC), SEA Directive (2001/42/EC) and EIA Directive 2011/92/EU, and associated legislation/regulations, including the associated European Communities (Birds and Natural Habitats) Regulations 2011 (SI No. 477 of 2011), European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004-2011, Planning and Development (Strategic Environmental Assessment) Regulations 2004-2011 and the European Communities (Environmental Impact Assessment) Regulations 1989-2011 (or any updated/superseding legislation).

Planning applications for proposed developments within the Plan Area that may give rise to likely significant effects on the environment may need to be accompanied by one or more of the following: an Environmental Impact Statement, an Ecological Impact Assessment Report, a Habitats Directive Assessment Screening Report or a Natura Impact Statement, as appropriate. Ensure that Natura Impact Statements and any other environmental or ecological impact assessments submitted in support of proposals for development are carried out according to best practice methodologies and contain all necessary baseline assessments.

**Objective NH5 – Biodiversity & Ecological Networks**

Support the protection of biodiversity and ecological connectivity within the Plan Area including woodlands, trees, hedgerows, rivers, streams, natural springs, wetlands, stonewalls, other landscape features such as Esker Riada, where these form part of the ecological network. Seek to retain and/or incorporate these natural features into developments, in order to avoid ecological fragmentation and maintain ecological corridors.

Refer to the Specific Objectives Maps (2A/2B).

**Objective NH6 – Water Resources**

Protect all water resources in the Plan Area, including the River Clarin, its tributaries, other streams, springs, surface waters, and groundwater quality, in accordance with the requirements and guidance in the EU *Water Framework Directive 2000 (2000/60/EC)*, the *European Union (Water Policy) Regulations 2003 (as amended)* and the *Western River Basin Management Plan 2009-2015 (including any superseding versions of same)*. Support the application and implementation of a catchment planning and management approach to development and conservation, including the implementation of Sustainable Drainage System techniques for new development in the Plan Area.

**Objective NH7 – Environmental Management Buffer**

Protect and seek to improve the water quality in the River Clarin. Limit development within the environmental management buffer so as to protect the qualifying interests of the Galway Bay SAC and

Inner Galway Bay SPA which are linked directly to the Athenry Local Area Plan area via the River Clarin. Seek to ensure that a minimum setback of 10 metres is maintained on either side of the River Clarin, save for exceptional circumstances where it can be reasonably demonstrated that this setback is not feasible. Refer to the Specific Objectives Maps (2A/2B) of the LAP.

## 5 Assessment of Effects

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

The elements of the plan that will have the potential to give rise to impacts on Galway Bay Natura 2000 Sites relate to land use change in area adjacent to the River Clarin. The development of undeveloped land adjacent to the River Clarin will have the potential to result in perturbations to the water quality of this river, which is already of poor water quality status downstream of the existing Athenry WWTP.

The development of such undeveloped land will also result in site clearance and construction activity adjacent to the River Clarin. The Athenry Inner Relief Road will require the construction of a road bridge over the river.

The excessive loading of the Athenry WWTP will also have the potential to result in adverse effects to the water quality of the River Clarin and result in impacts to habitats and species downstream at the River Clarin estuary and Galway Bay.

These elements and their potential to result in perturbations to water quality may give rise to indirect impacts on Galway Bay Natura 2000 Sites.

**Table 5-1: Assessment of Likely Significant Effects to the Galway Bay Complex SAC & Inner Galway Bay SPA**

Assessment Criteria	
<i>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 sites by virtue of</i>	
Size and Scale	The Athenry Plan area encompasses the existing town of Athenry and the immediate hinterland surrounding the town.  Currently the length of the riparian zone of the River Clarin (including both bank sides) under development amounts to approximately 3075m.
Land-take	The Athenry LAP will not involve any land-take from lands included within the Galway Bay Natura 2000 Sites.

<p>Distance from Natura 2000 sites or key features of the site</p>	<p>The Athenry Plan area is located 8.3km from the Galway Bay Complex SAC and 8.3km from the Inner Galway Bay SPA.</p>
<p>Resource requirements</p>	<p>The Tuam Regional Water Supply Scheme services the Athenry Plan area. The water supply for this scheme is currently supplied to Tuam town from Lough Corrib. The design capacity of the Luimnagh Water Treatment Plant is currently 48,000m<sup>3</sup>/day. The current demand of Tuam town is 6,500m<sup>3</sup>/day. The Tuam RWSS currently has a spare capacity of 10,000m<sup>3</sup>/day and therefore is operating within a sustainable yield. The Tuam Local Area Plan includes a number of specific measures which aim to develop and expand public water supply services for the town of Tuam to facilitate any further demand from new developments. This expansion will also ensure that the demand of future developments in the Athenry LAP are also met.</p> <p>Furthermore Water Supply Policies IS1 and IS2 of the Galway CDP set out water supply policies for Galway County. Policy IS1 seeks to augment the Tuam RWSS and extend the public supply network while Policy IS2 disposes Galway County Council to the consideration of additional abstraction from the Lough Corrib to survey an extended water supply network.</p> <p>With regard to Policy IS1 of the CDP and Policy UI1 Water Supply, Wastewater and Surface Water Infrastructure and Objective UI1 Water Supply and Water Conservation of the Athenry LAP it is considered within the Tuam LAP Appropriate Assessment and the CDP Appropriate Assessment that water supply derived from the Luimnagh Water Treatment Plant is operating within sustainable yields and is therefore not likely to result in adverse impacts to Lough Corrib and the qualifying interests supported by it.</p> <p>Policy IS2 of the Galway CDP was identified in the Appropriate Assessment of the CDP as a Policy that will require detailed assessment of subsidiary plans or proposals to ensure no adverse effects on Critical Environmental Conditions required to sustain Favorable Status of Qualifying Interest.</p> <p>Any additional water abstractions from Lough Corrib greater than the current design capacity of 48,000m<sup>3</sup> to service future development will require a Habitats Directive Assessment in advance of such abstractions. This approach will ensure that no future abstractions greater than the current design capacity will be undertaken without ensuring that such abstractions will not negatively affect the conservation status of the Lough Corrib Natura 2000 Sites and associated qualifying interests.</p>

Emissions

**Surface Water Run-off and Pollution Events during the Construction of Lands Zoned for Development Adjacent to the River Clarin**

Surface water run-off from construction site areas adjacent to the River Clarin will have the potential to increase the rates of sedimentation within the river.

The storage of fuels, lubricants and other polluting materials on construction sites adjacent to the River Clarin will present a risk of a pollution incident occurring in the River Clarin. The ingress of such polluting materials to the River Clarin will have the potential to result in significant perturbations to the water quality of this river and could affect the conservation status of qualifying habitats and species downstream at Galway Bay.

The mitigation policies of the Plan and particularly Objectives UI2 Wastewater Disposal and Objectives UI4 Surface Water Drainage and Sustainable Drainage Systems; UI6 Western River Basin District Management Plan and Protection of Waters; NH6 Water Resources and NH7 Environmental Management Buffer will ensure that the water quality of the River Clarin is protected from any adverse impacts during the construction of lands zoned for development along the River Clarin. The implementation of an Environmental Management Buffer as outlined in Objective NH7 will ensure that potential impacts associated with the ingress of surface water runoff or polluting materials are minimised.

**Wastewater**

Wastewater is discharged to the River Clarin before ultimately discharging to Galway Bay by Clarinbridge. The favourable conservation status of the Galway Bay Natura 2000 Sites is partly determined by water quality. The discharge of wastewater to the River Clarin and the potential downstream effects to the Galway Bay Natura 2000 Sites relates principally to the nutrient enrichment and eutrophication of the river and the areas of Galway Bay into which it discharges. Changes in the trophic status of waters at Galway Bay in the vicinity of the River Clarin Estuary may affect habitats leading to a deterioration in the status of habitats and a reduction in species densities.

While there have been historical issues regarding the impacts of wastewater discharge from the Athenry Wastewater Discharge Plant to the River Clarin the proposed draft Athenry LAP has set out a number of mitigation measures to ensure that wastewater discharges will not result in perturbations to water quality.

The Plan states that new development will be restricted within the Plan area until the proposed upgrade of the Athenry treatment plant and associated

	<p>sewerage system is completed (see Objectives DS5 Service Led Development and UI2 Wastewater Disposal). This approach is consistent with that established by Policy IS 15 of the Galway County Development Plan.</p> <p><b>Air &amp; Noise Emissions</b></p> <p>The inclusion of a policy and related objectives to maintain good air quality within the town (see Policy UI 3 Climate Change and Air Quality, Objectives UI 8 Climate Change and Air Quality and UI 9 Air Purification) will ensure that emissions to air will not represent a significant impact.</p> <p>Objective TI 16 Noise establishes measures within the LAP to control potential impacts arising from possible increases in noise levels associated with development throughout the life time of the Plan. The control of noise levels for proposed new developments will ensure that the development policies and objectives of the LAP will not result in changes to the current baseline noise levels that will result in significant effects to the surrounding environment.</p>
Excavation requirements	<p>The Plan does not propose any excavations that will result in likely significant effects to Natura 2000 Sites.</p> <p>The potential impacts of excavations associated with the construction phase of developments within the Plan area are assessed above in relation to emissions from construction of lands zoned for development.</p>
Transportation requirements	<p>The Athenry Plan land use zoning map identifies the route of the proposed Athenry Inner Relief Road.</p> <p>As outlined in the emissions section above there will be a potential for significant impacts in the form of pollution and changes to hydrological regime and hydraulic loading during the development of the Inner Relief Road and associated watercourse crossings.</p> <p>The mitigation policies and objectives in the Plan which aim to protect the water quality and riparian corridor of the River Clarin will ensure that these potential negative impacts do not arise.</p> <p>As with all developments, the Inner Relief road will be subject to Policy NH1 Natural Heritage, Landscape and Environment, Objectives DS 3 Natura 2000 Network and Habitats Directive Assessment, and NH 1 Natura 2000 Network and Habitats Directive Assessment, NH 2 Protected Habitats and Species, NH 4 Impact Assessment, NH 6 Water Resources and NH 11 Consultation with Environmental Authorities of the Plan.</p>

	Furthermore, it is noted that any future road development within the Plan area will conform to the National Roads Authority's Environmental Assessment Guidelines and environmental design requirements
<b>Describe any likely changes to the Natura 2000 site arising as a result of:</b>	
Reduction of habitat area	There will be no loss of any Natura 2000 Site lands as a result of the adoption of the Athenry LAP.
Disturbance of key species	<p>Elements of the proposed plan such as construction activity during new development and excessive loading of the Athenry WWTP will have the potential to negatively affect key qualifying species, particularly otters, that rely on good water quality. Changes in the trophic status of the River Clarin could also lead to eutrophication in the area of Galway Bay surrounding the River Clarin estuary. The eutrophication of the estuarine habitats could potential interfere with the structure and function of these habitats resulting in negative impacts to the distribution or densities of qualifying species.</p> <p>However the Plan has set out a number of mitigatory policies and objectives, particularly Objectives DS 3 Natura 2000 Network and Habitats Directive Assessment, UI 2 Wastewater Disposal, UI 6 Western River Basin District Management Plan and Protection of Waters, UI 12 Flood Zones and Appropriate Land Uses, UI 13 Waterbodies and Watercourses, NH 1 Natura 2000 Network and Habitats Directive Assessment, NH 2 Protected Habitats and Species, NH 4 Impact Assessment, NH 5 Biodiversity and Ecological Networks, NH6 Water Resources and NH7 Environmental Management Buffer that will ensure such negative impacts do not arise as a result of the construction of new developments or the overloading of the WWTP.</p>
Habitat or species fragmentation	The Athenry LAP will not result in the fragmentation of qualifying habitats or the fragmentation of habitats upon which qualifying species of the Galway Bay Natura 2000 sites rely.
Reduction in species density	<p>Developments arising as a result of the Plan will have the potential to adversely affect water quality of the River Clarin. Poor construction practices during project-level developments could result in perturbations to the water quality of this watercourse. Any perturbation to the water quality of this river will have the potential to result in a reduction in key species densities occurring downstream at the River Clarin estuary in the Galway Bay Natura 2000 Sites.</p> <p>The mitigation policies of the Plan protecting the water quality of the River Clarin and establishing an Environmental Management Buffer along the river</p>



	<p>corridor adjacent to development land use zonings will ensure that such impacts are avoided to qualifying species.</p>
<p>Changes in key indicators of conservation status</p>	<p>The European Commission (2006) Explanatory Notes and Guidelines for the Assessment, Monitoring and Reporting under Article 17 of the Habitats Directive outlines key indicators for assessing the conservation status of designated sites. The key indicators for assessing the conservation status of key species are:</p> <p><i>Range:</i> as outlined above the elements of the Athenry LAP will not result in direct or indirect impacts to the Galway Bay Natura 2000 Sites. Therefore the distribution of key species, for which the Galway Bay Complex SAC and Inner Galway Bay SPA are designated, will not be altered by the proposed zoning variation.</p> <p><i>Population:</i> Development resulting from the Athenry LAP will not be granted planning permission should likely significant effects to populations of key species be identified. Therefore, as only projects which will not result in direct or indirect impacts to the SAC or SPA will be permitted, the populations of key species will not be affected as a result of the proposed zoning variation.</p> <p><i>Habitat for the species:</i> The mitigation policies and objectives set out in the Plan will ensure that the conservation status of the habitats which support the qualifying species of the Galway Bay Natura 2000 is maintained; and</p> <p><i>Future Prospects:</i> The mitigation policies and objectives of the Plan and the recommendations set out in this Assessment will ensure that the adoption of the Plan will not jeopardise the future prospects of qualifying species supported by the Galway Bay Natura 2000 Sites.</p> <p>The key indicators for assessing the conservation status of Annex 1 qualifying habitats are:</p> <p><i>Range:</i> The mitigation policies and objectives outlined in the Plan will ensure that no elements of the Plan represent a risk to the current range of qualifying habitats supported by the Galway Bay Natura 2000 Sites.</p> <p><i>Area covered by habitat type within range:</i> Area of qualifying habitats occurring within the Galway Bay Natura 2000 Sites will not be affected by the Plan.</p> <p><i>Specific structures and functions:</i> Estuarine qualifying habitats such as mudflats, estuaries, large shallow inlets and saltmarshes represent the Annex 1 habitats supported by the Galway Bay Natura 2000 Sites. The structure of</p>

	<p>these habitats is dependent on the connectivity of freshwater systems and the tidal influences within Galway Bay. These habitats function as breeding and foraging habitats for a range of “key species”. This function is maintained by ensuring the hydrological integrity (which includes structure, water quality and tidal influences) of Galway. Mitigation measures outlined in the Plan will ensure that the specific structure and function of these habitats and the Natura 2000 sites as a whole are maintained.</p> <p><i>Future prospects:</i> The Plan policies and objectives and the approach of the Plan to ensuring adverse impacts to the environment are avoided will ensure that Plan will not negatively influence the status of Annex 1 habitats occurring within Galway Bay Natura 2000 Sites.</p>
Climate change	<p>There is currently insufficient information to predict the effects of climate change on the proposed site. It is predicted that on a national level winters will become wetter and summers drier but the effect on local precipitation is unknown.</p>
<p><b>Describe any likely impacts on the Natura 2000 Site as a whole in terms of:</b></p>	
Interference with key relationships that define the structure of the site	<p>As mentioned above, the freshwater and tidal influences of Galway Bay are the key features that define the structure of both Natura 2000 sites. Any impacts to qualifying habitats; instream habitats; the connectivity of the freshwater and coastal ecosystems; or the tidal influences within the designated areas will have the potential to negatively impact on the structure of the SAC/SPA.</p> <p>For reasons outlined above Plan will not result adverse effects to the qualifying Annex 1 habitats or instream habitats; or interfere with the connectivity or tidal nature of Galway Bay.</p>
Interference with key relationships that define the function of the site	<p>Potential impacts which could result in adverse effects to the water quality of surface watercourses will in turn have the potential to negatively impact Annex 1 habitats and/or populations of qualifying species for both the SAC and SPA.</p> <p>The relationship of species and habitats with the abiotic factors that determine the structure and function of Galway Bay are the key relationship that defines the function of the SAC and SPA.</p> <p>For reasons outlined above, the proposed zoning variation will not result in interference to these key relationships that define the function of the SAC and SPA.</p>

Cumulative impacts in combination with other plans or projects

Other Plans relevant to the Athenry Local Area Plan include the Galway County Development Plan and the Western Regional Planning Guidelines.

Of particular relevance to the LAP is the designation of lands in the LAP area as part of the Strategic Economic Corridor of the Galway County Development Plan (CDP) 2009 – 2015. The promotion of the strategic economic corridor is outlined in the CDP and set out in Policy SP 4 and Objective SP5 (as *Varied*) of the CDP. Any project level developments occurring within the eastern extent of the area designated as the Strategic Economic Corridor as shown in Map SP1 of the CDP will have the potential to result in cumulative impacts with any proposed in the 96Ha zoned for such development to the south of the Athenry Plan area. In addition ancillary developments associated with the servicing of this 96Ha area such as the development of transport infrastructure or increased water abstraction etc. will have the potential to interact with specific Business and Technology or Strategic Corridor developments within this area.

With regard to the River Clarin it is noted that this 96Ha zoning is separated from the River Clarin by a buffer of 250m. The presence of this buffer should reduce the risk of likely significant effects resulting from the development of B&T sites within the 96Ha zoning. However it is acknowledged that ancillary developments associated with servicing this area could have the potential to result in perturbations to the River Clarin with downstream effects to Natura 2000 Sites.

However to ensure such likely significant effects, either alone or in combination with other plans or projects associated with the Strategic Economic Corridor do not occur as a result of the development and/or servicing of the 96Ha B&T zoning, a range of mitigatory Policies and Objectives are outlined in both the CDP and the Athenry LAP. Examples of these Policies and Objectives include:

From the CDP: Policies HL 31; HL 32; HL 33; HL 34; HL 35. Objectives SP 6; HL 22; HL 24; HL 41; HL 45; HL 47; HL 55; HL 56.

From the Athenry LAP: Policy NH 1 Natural Heritage, Landscape and Environment; Objectives DS 3 Natura 2000 Network and Habitats Directive Assessment; DS 5 Service Led Development; UI 2 Wastewater Disposal; UI 5 Maintenance and Improvement of Water Services Infrastructure; UI 6 Western River Basin District Management Plan and Protection of Waters, UI 11 Flood Risk Management and Assessment; UI 12 Flood Zones and Appropriate Land Uses; NH 1 Natura 2000 Network and Habitats Directive Assessment; NH 2 Protected Habitats and Species; NH 4 Impact Assessment; NH 5 Biodiversity and Ecological Networks; NH 6 Water Resources; NH 7 Environmental Management Buffer.

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

It has been concluded that significant impacts to the Galway Bay Complex SAC and the Inner Galway Bay SPA will not arise as a result of the Athenry Local Area Plan. **Therefore a Stage 2 Appropriate Assessment is not required.**

## 6 References

Department of the Environment Heritage and Local Government (DEHLG) (2010). *Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities*. Second Edition, February, 2010.

European Commission (2002). *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*. Luxembourg.

European Commission (2006). *Explanatory Notes and Guidelines for the Assessment, Monitoring and Reporting under Article 17 of the Habitats Directive*. Luxembourg.

Fossitt J. A. (2000). *A Guide to Habitats in Ireland*. Heritage Council.

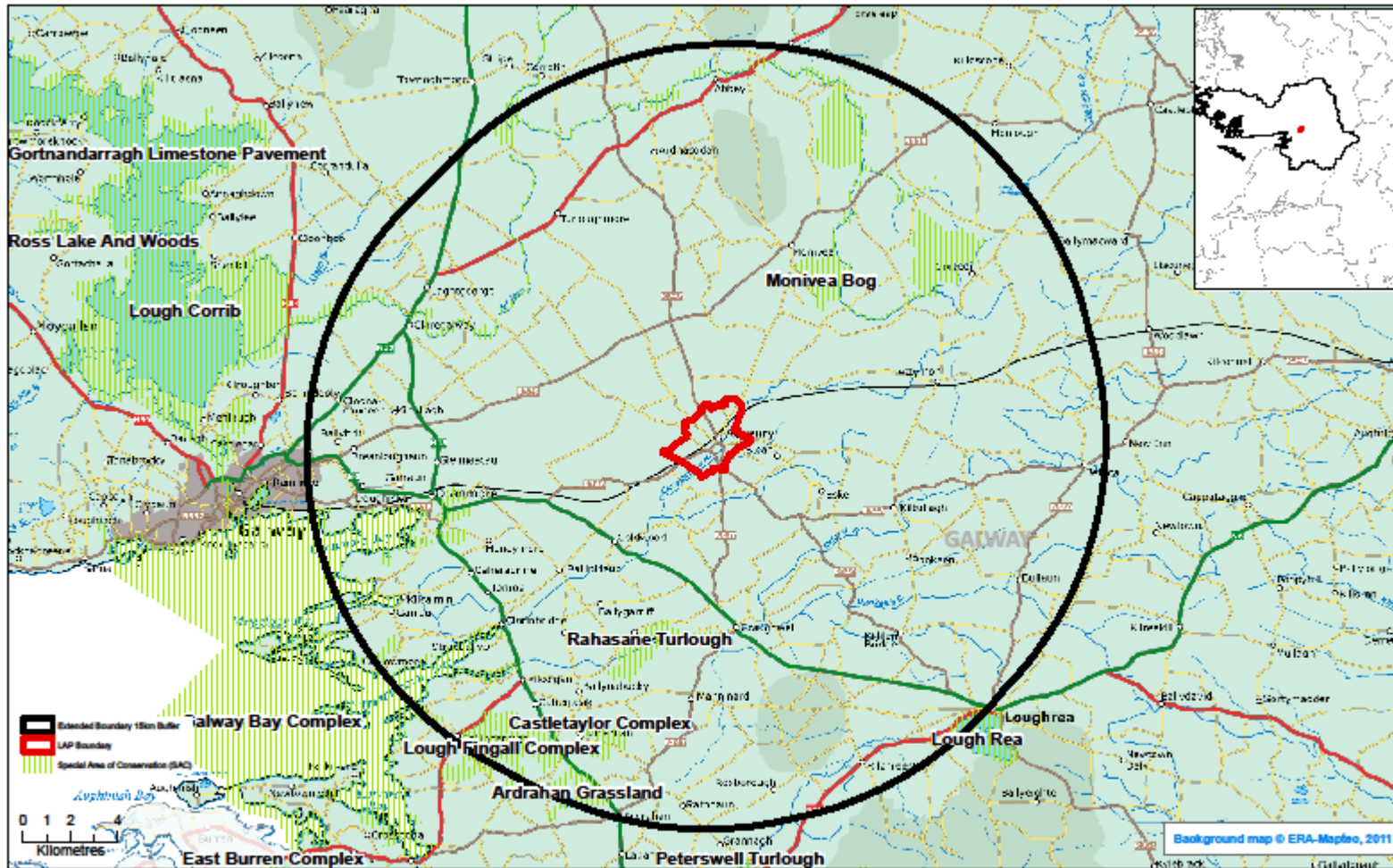
Heritage Council (2002). *Draft Habitat Survey Guidelines*. Heritage Council.

Scott Wilson, Levett-Therivel Sustainability Consultants, Treweek Environmental Consultants & Land Use Consultants (2006). *Appropriate Assessment of Plans*.

# **Appendix 1:**

## **Map of Natura 2000 Sites within 15km Buffer Area of the Athenry LAP**

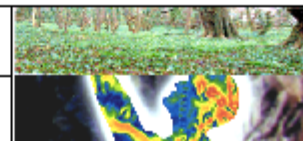
SAC's within 15km of the Plan Area



DATE: 26/7/2012	SCALE: 1:200,000
REF:	SIZE: A4
DRAWN: MFC	APPROVED: RM

**Appendix 1 FIGURE 1: SAC SITES**

Galway County Council Athenry Local Area Plan SEA

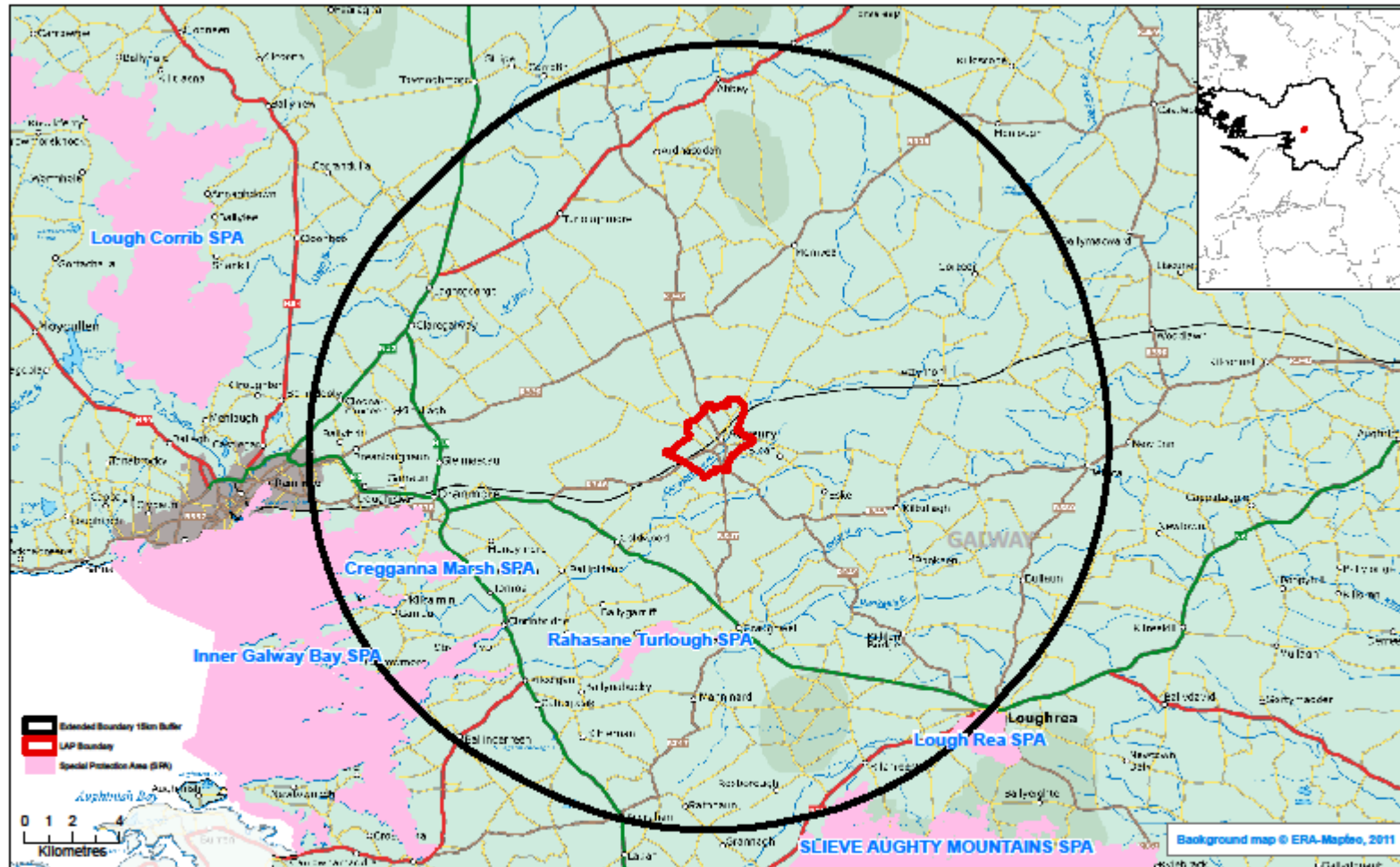


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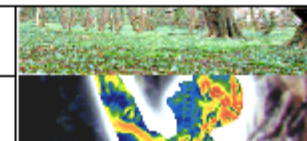
SPAs within 15km of the Plan Area



DATE: 26/7/2012	SCALE: 1:200,000
REF:	SIZE: A4
DRAWN: MFC	APPROVED: RM

**Appendix 1 FIGURE 2: SPA SITES**

Galway County Council Athery Local Area Plan SEA



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# **Appendix 2:**

## **Interaction Between Plan Policies and Objectives and the Galway Bay Natura 2000 Sites**

Please read in conjunction with the Final Athenry Local Area Plan 2012-2018

LAP Policy/Objective	Potential Impacts	Avoidance/Mitigation Measures	Additional Recommended Measures	Residual Impacts
<b>Development Strategy Policy &amp; Objectives</b>				
<b>Policy DS 1 - Development Strategy</b>	Positive. It is the overarching policy of the Council to support and facilitate the sustainable development of Athenry in line with the preferred Development Strategy <b>Option 4 – Managed Phased Development</b> which allows Athenry to develop in a manner that maintains and enhances the quality of life of local communities, promotes opportunities for economic development, sustainable transport options and social integration, protects the cultural, built and natural heritage and environment and complies with relevant statutory requirements.			
Objective DS1 – Managed Town Centre Development	Negative	Policies: NH1; UI2. Objectives: DS3; DS5; UI2; UI6; UI12; UI13; NH1; NH2; NH4; NH5; NH6; NH7		
Objective DS2 – Consistency with the Core Strategy	Neutral			

LAP Policy/Objective	Potential Impacts	Avoidance/Mitigation Measures	Additional Recommended Measures	Residual Impacts
Objective DS3 – Natura 2000 Network and Habitats Directive Assessment	Positive			
Objective DS4 - Development Management Guidelines	Neutral			
Objective DS5 - Service Led Development	Positive			
Objective DS6 – Residential Development Phasing	Negative			
Objective DS7 – Flood Risk Management and Assessment	Positive			
<b>Landuse Management Policy &amp; Objectives</b>				
Policy LU1 – Land Use Management	Negative. The particular zoning with the potential to result in negative impacts are outlined below for the Objectives of this Policy.	Policies: NH1; UI2. Objectives: DS3; DS5; UI2; UI6; UI12; UI13; NH1; NH2; NH4; NH5; NH6; NH7		No
Objective LU1 – Town Centre/Commercial (C1)	Neutral			

LAP Policy/Objective	Potential Impacts	Avoidance/Mitigation Measures	Additional Recommended Measures	Residual Impacts
Objective LU2 – Commercial and Mixed Use (C2)	Negative	Policies: NH1; UI2. Objectives: DS3; DS5; UI2; UI6; UI12; UI13; NH1; NH2; NH4; NH5; NH6; NH7		No
Objective LU3 – Residential (R)	Negative	Policies: NH1; UI2. Objectives: DS3; DS5; UI2; UI6; UI12; UI13; NH1; NH2; NH4; NH5; NH6; NH7		No
Objective LU4 – Industrial (I)	Negative	Policies: NH1; UI2. Objectives: DS3; DS5; UI2; UI6; UI12; UI13; NH1; NH2; NH4; NH5; NH6; NH7		No
Objective LU5 – Business & Enterprise (BE)	Neutral, this land use zoning is not located adjacent to the River Clarin and will not result in water quality impacts to the River Clarin			

LAP Policy/Objective	Potential Impacts	Avoidance/Mitigation Measures	Additional Recommended Measures	Residual Impacts
Objective LU6 – Business & Technology Park (BT)	Neutral, this land use zoning, while located on undeveloped land to the south of the town centre is buffered from the River Clarin by over 250m.			
Objective LU7 – Community Facilities (CF)	Neutral, this land use zoning is not located adjacent to the River Clarin and will not result in water quality impacts to the River Clarin			
Objective LU8 – Open Spaces/Recreation & Amenity (OS)	Neutral, this land use zoning, while located adjacent to the River Clarin will not result in activities likely to impact negatively on water quality.			
Objective LU9 - Agriculture	Neutral			
Objective LU10 – Transport Infrastructure	Negative. The development of the Athenry Inner Relief Road will have the potential to negative affect the water quality of the River Clarin and result in in downstream impacts to Galway Bay.			No
Objective LU11 – Flood Risk Areas and Land Use Zones	Positive			

LAP Policy/Objective	Potential Impacts	Avoidance/Mitigation Measures	Additional Recommended Measures	Residual Impacts
Objective LU12 – Town Centre/Commercial (C1)	Neutral			
Objective LU13 – Residential Densities	Neutral			
DM Guideline LU1 – Development Densities	Neutral			
DM Guideline LU2 – Land Use Zoning Matrix	See comment for all LU Objectives above.			
<b>Residential Development Policy &amp; Objectives</b>				
Policy RD1 – Residential Development	Neutral			
Policy RD2 – Phased Development on Residential Zoned Lands.	Negative, see objective LU3 above.	Policies: NH1; UI2. Objectives: DS3; DS5; UI2; UI6; UI12; UI13; NH1; NH2; NH4; NH5; NH6; NH7		No
Objective RD1- Phased Residential Development	Negative, see objective LU3 above.	Policies: NH1; UI2. Objectives: DS3; DS5; UI2; UI6; UI12; UI13; NH1; NH2; NH4; NH5; NH6; NH7		No

LAP Policy/Objective	Potential Impacts	Avoidance/Mitigation Measures	Additional Recommended Measures	Residual Impacts
Objective RD2 – Quality Housing Environments	Neutral			
Objective RD3 – Housing Options	Neutral			
Objective RD4 – Open Space in Residential Areas	Neutral			
Objective RD5 - Social and Affordable Housing	Neutral			
Objective RD6 - Traveller Accommodation	Neutral			
Objective RD7 – Compatible Development	Neutral			
Objective RD8 - Other Residential Development	Neutral			
DM Guideline RD1 – Open Access Fibre Ducting	Neutral			
<b>Social and Community Development</b>				
Policy SI1 – Social Inclusion and Universal Access	Neutral			
Objective SI 1 – Social Inclusion	Neutral			
Objective SI 2 – Universal Access	Neutral			



LAP Policy/Objective	Potential Impacts	Avoidance/Mitigation Measures	Additional Recommended Measures	Residual Impacts
Policy CF1 – Community Facilities and Amenities	Negative. Community facilities are zoned on undeveloped lands adjacent to the River Clarin. The development of these facilities will have the potential to negatively affect water quality and result in downstream impacts at Galway Bay.	Policies: NH1; UI2. Objectives: DS3; DS5; UI2; UI6; UI12; UI13; NH1; NH2; NH4; NH5; NH6; NH7		No
Objective CF1 - Lands for Community/Recreation & Amenity Facilities	Neutral			
Objective CF2 - Educational Facilities	Neutral			
Objective CF3 - Childcare Facilities	Neutral			
Objective CF4 - Open Spaces	Neutral			
Objective CF5 - Sports, Play and Recreation Facilities	Neutral			
Objective CF6 - Existing Community, Recreation and Amenity Facilities	Neutral			
<b>Economic Development Policy &amp; Objectives</b>				

LAP Policy/Objective	Potential Impacts	Avoidance/Mitigation Measures	Additional Recommended Measures	Residual Impacts
Policy ED 1 – Economic Development	Neutral			
Objective ED1 – Employment & Economic Development	Neutral			
Objective ED2 – Business & Technology Park Development	Neutral, see Objective LU6 above.	Policies: NH1; UI2. Objectives: DS3; DS5; UI2; UI6; UI12; UI13; NH1; NH2; NH4; NH5; NH6; NH7		No
Objective ED3 – Business/Enterprise & Industrial Development	Neutral			
Objective ED 4 - Retail Development	Negative, see Objective LU2 above.	Policies: NH1; UI2. Objectives: DS3; DS5; UI2; UI6; UI12; UI13; NH1; NH2; NH4; NH5; NH6; NH7		No
ED5 – Tourism Development	Neutral			
Objective ED6 – Quality Working Environments	Neutral			
ED7 - Non Conforming Use	Neutral			
DM Guideline ED1 – Retail Impact Assessment	Neutral			

LAP Policy/Objective	Potential Impacts	Avoidance/Mitigation Measures	Additional Recommended Measures	Residual Impacts
DM Guideline ED2 – Design Statements	Neutral			
<b>Transport Infrastructure</b>				
Policy TI 1 – Sustainable Transport, Walking and Cycling	Neutral			
Objective TI 1 – Integrated Land Use and Transport	Neutral			
Objective TI 2 – Sustainable Transportation	Neutral			
Objective TI 3 – Public Transport	Neutral			
Objective TI 4 – Walking	Neutral			
Objective TI 5 – Cycling	Neutral			
Objective TI 6- Bicycle Parking	Neutral			
Objective TI 7 Walking & Cycling Strategy	Neutral			
Objective TI 8 - Pedestrian Crossings	Neutral			
Objective TI 9 – Mobility Management Plans	Neutral			
Objective TI 10 - Charging Points for Electric Vehicles	Neutral			
Policy TI 2 – Roads, Streets and Parking	Neutral			

LAP Policy/Objective	Potential Impacts	Avoidance/Mitigation Measures	Additional Recommended Measures	Residual Impacts
Policy TI 3 - County Development Plan Policies, Objectives & Development Management Standards	Neutral			
Objective TI 11 - National Road/Motorway Network	Neutral			
Objective TI12 – Goods Transportation Hub				
Objective TI 13 - Transport Network Improvements	Neutral/Positive			
Objective TI 14 - Road Safety Audits, Traffic Impact Assessment	Neutral			
Objective TI 15 - Schools	Neutral			
Objective TI 16 - Noise	Neutral			
Objective T1 17 – Road Schemes/Road Improvements	Negative. The development of road schemes adjacent to or crossing the River Clarin will have the potential to negatively affect the river's water quality and result in downstream impacts at Galway Bay.	Policies: NH1; UI2. Objectives: DS3; DS5; UI2; UI6; UI12; UI13; NH1; NH2; NH4; NH5; NH6; NH7		No
Objective TI 18 - M6 Ballinasloe to Galway Motorway:	Neutral			

LAP Policy/Objective	Potential Impacts	Avoidance/Mitigation Measures	Additional Recommended Measures	Residual Impacts
Objective TI 19 - Athenry Relief Road/ Relief Streets Scheme: (So named for the purpose of this Plan)	Neutral			
Objective TI 20 – New Road and over- bridge	Neutral			
Objective TI 21 – Amenity Cycleway/Pathway	Neutral			
Objective TI 22 - Urban Street Network and Approach Routes	Neutral			
Objective TI 23 – Bridges over rail/roads	Neutral			
Objective TI 24 – Parking Facilities	Neutral			
Objective TI 25 – Walkways	Neutral			
<b>Utility and Environmental Infrastructure</b>				

LAP Policy/Objective	Potential Impacts	Avoidance/Mitigation Measures	Additional Recommended Measures	Residual Impacts
<p><b>Policy UI 1 - Water Supply, Wastewater and Surface Water Infrastructure</b></p>	<p>Water Supply - Neutral: Water is currently supplied to Athenry through the Tuam Regional Water Supply Scheme which abstracts water from Lough Corrib. The design capacity of the Luimnagh Water Treatment Plant is currently 48,000m<sup>3</sup>/day. The Tuam RWSS currently has a spare capacity of 10,000m<sup>3</sup>/day and therefore is operating within a sustainable yield.</p> <p>Wastewater - Neutral: It is stated in the LAP see Objective DS5 that Development under the Plan shall be preceded by sufficient capacity in the public waste water treatment plant and appropriate extensions in the existing public wastewater infrastructure. The WWTP is at capacity at a current loading of 5,617PE. This will be increased to a design PE of 9,000 by 2014.</p>			

LAP Policy/Objective	Potential Impacts	Avoidance/Mitigation Measures	Additional Recommended Measures	Residual Impacts
Objective UI 1 - Water Supply and Water Conservation	Neutral, see Policy UI 1			
Objective UI 2 – Wastewater Disposal	Neutral, see Policy TI 3 above			
Objective UI 3 - Wastewater Treatment Plant Buffer	Neutral			
Objective UI 4 - Surface Water Drainage and Sustainable Drainage Systems	Neutral.			
Objective UI 5 – Maintenance and Improvement of Water Services Infrastructure	Positive			
<b>Policy UI 2 - Water Quality</b>	Positive			
Objective UI 6 - Western River Basin District Management Plan and Protection of Waters	Positive			
Objective UI 7 - Groundwater & Aquifer	Positive			
<b>Policy UI 3 - Climate Change and Air Quality</b>	Positive			

LAP Policy/Objective	Potential Impacts	Avoidance/Mitigation Measures	Additional Recommended Measures	Residual Impacts
Objective UI 8 - Climate change and Air Quality	Positive			
Objective UI 9 - Air Purification	Positive			
Objective UI 10 - Radon	Neutral			
<b>Policy UI 4 – Flood Risk Management and Assessment</b>	Neutral			
Objective UI 11 - Flood Risk Management and Assessment	Neutral			
Objective UI 12 – Flood Zones and Appropriate Land Uses	Positive			
Objective UI 13 – Waterbodies and Watercourses	Positive			
Objective UI 14 - Flooding & Surface Water	Neutral			
<b>Waste Management Objectives</b>				



LAP Policy/Objective	Potential Impacts	Avoidance/Mitigation Measures	Additional Recommended Measures	Residual Impacts
<b>Policy UI 5 - Waste Management</b>	Neutral			
Objective UI 15 – Waste Prevention, Reduction & Recycling	Neutral			
Objective UI 16 – Bring Bank Facility	Neutral			
<b>Energy and Communications Infrastructure Policy</b>				
Policy UI 6 – Energy and Communications	Neutral			
Objective UI 16 – Broadband & Telecommunications	Neutral			
Objective UI 17 – Electricity Supply	Neutral			
Objective UI 18 – Energy Conservation & Efficiency	Neutral			
Objective UI 19 - Renewable Energy	Neutral			
DM Guideline UI1 – Flood zones and Appropriate Land Uses	Positive			
<b>Urban Design &amp; Place-making</b>				
<b>Policy UD1 – Urban Design and Place-making</b>	Neutral			

LAP Policy/Objective	Potential Impacts	Avoidance/Mitigation Measures	Additional Recommended Measures	Residual Impacts
Objective UD1 – High Quality, Sensitive Design	Neutral			
Objective UD2 – Public Spaces and Streets	Neutral			
Objective UD3 – Spatial Definition and Animation	Neutral			
Objective UD4 – Green Network and Landscaping	Neutral			
Objective UD5 – Street-oriented Development and Responsive Frontages	Neutral			
Objective UD6 – Views and Prospects	Neutral			
Objective UD7 - Design Statements				
<b>Built Heritage and Cultural Heritage</b>				
<b>Policy HC1 – Built Heritage</b>	Neutral			
<b>Policy HC2 – Cultural Heritage</b>	Neutral			
Objective HC 1 – Architectural Heritage	Neutral			
Objective HC 2 – Protected Structures	Neutral			
Objective HC 3 – Architectural Conservation Area	Neutral			

LAP Policy/Objective	Potential Impacts	Avoidance/Mitigation Measures	Additional Recommended Measures	Residual Impacts
Objective HC 4 - Development Relating to Protected Structures and Architectural Conservation Area	Neutral			
Objective HC 5 - Demolition	Neutral			
Objective HC 6 - Vernacular Architecture	Neutral			
Objective - HC 7 - Architectural conservation Area Appraisal and Management Plan	Neutral			
Objective HC 8 - Archaeological Heritage	Neutral			
Objective HC 9 - Monuments and Places	Neutral			
Objective HC 10 - Conservation Plan for the town walls	Neutral			
Objective HC 11 - Local Place Names	Neutral			
Objective HC 12 - Athenry Walled Town	Neutral			
<b>Natural Heritage and Biodiversity</b>				
<b>Policy NH1 - Natural Heritage, Landscape and Environment</b>	Positive			
Objective NH1 – Natura 2000 Network and Habitats	Positive			

LAP Policy/Objective	Potential Impacts	Avoidance/Mitigation Measures	Additional Recommended Measures	Residual Impacts
Directive Assessment				
Objective NH2 – Protected Habitats and Species	Positive			
Objective NH3 – Natural Heritage Areas and Proposed Natural Heritage Areas	Positive			
Objective NH4 - Impact Assessment	Positive			
Objective NH5 – Biodiversity and Ecological Networks	Positive			
Objective NH6 – Water Resources	Positive			
Objective NH7 - Environmental Management Buffer	Positive			
Objective NH8 - Trees, Parkland/Woodland and Hedgerows	Neutral			
Objective NH9 – Control of Invasive and Alien Invasive Species	Positive			
Objective NH10 – Visual Impact Assessment	Neutral			

LAP Policy/Objective	Potential Impacts	Avoidance/Mitigation Measures	Additional Recommended Measures	Residual Impacts
Objective NH11 – Consultation with Environmental Authorities	Positive			

# **Appendix 3:**

## **Article 6 Habitats Directive Screening Assessment of proposed Material Alterations to the draft Athenry Local Area Plan**

## Description of Material Amendments

Material Amendments to the draft Athenry Local Area Plan have been proposed by the elected members of Galway County Council. These amendments have arisen following the review of the Manager's Report on submissions received during the public display period of the Draft Athenry Local Area Plan 20122018 by the Elected Members of the Council on 23<sup>rd</sup> April 2012.

The Material Amendments include:

1. The insertion of additional text in a number of Sections throughout the draft Local Area Plan
2. The deletion of text from the draft Local Area Plan;
3. The alteration of the draft Athenry LAP Land Use Zonings as displayed in Land Use Zoning Map 1A/1B; and
4. The alteration of the draft Athenry LAP Specific Objectives as displayed in the Specific Objectives Maps 2A/2B

These Material Amendments are presented in Tables 1.1 & 1.2 below. The text amendments outlined in Points 1 and 2 above are described in Table 1.1. Additional text as proposed by the Elected Members is shown in ***bold and italic*** font and text proposed for deletion is shown in ~~strikethrough~~ font.

The land use zonings and specific objectives amendments outlined in Points 3 and 4 above are described in Table 1.2.

**Table 0.1: Description of Material Amendments to the Text of the Draft Athenry LAP NIR Screening Report 2<sup>nd</sup> May 2012**

<p>No. 20</p>	<p><b>Dept. of Environment, Community &amp; Local Government</b></p>	<p>1. Insert the following additional text in Section 3.2.1 regarding residential phased zoning:</p> <p><i>Residential lands have generally been phased in a sequential manner and Phase 1 residential lands have been identified based on a number of criteria, including access to existing and planned services, pedestrian connectivity to the town centre, etc. Priority has been given to infill sites and logical extensions to the existing residential fabric of the town. This approach will also inform any decision where Phase 2 lands are to develop ahead of Phase 1 lands.</i></p> <hr/> <p>2. Section 3.4.2: Objective ED 2 Business and Technology Park Development. Amend as follows:</p> <p>Promote and encourage the establishment of Business and Technology activities, which can be developed in a campus style park, on Business and Technology zoned lands in tandem with the delivery of essential infrastructural requirements <del>and continue to co-operate with the relevant stakeholders/other agencies for the timely delivery of same.</del> <b>The development of these lands will be in accordance with Sections 2.4 and 2.5 of the County Development Plan 2009-2015.</b></p> <p><b>The Council shall also require an overarching Master Plan to integrate with transport and mobility plans and may require Design Statements/Development Briefs for all large scale or sensitively located development proposals within BT zoned lands.</b></p> <p><b>The overarching Master Plan for this zoning will be subject to a Strategic Environmental Assessment (SEA) and EU Habitats Directive Assessment (HDA).</b></p> <hr/> <p>3. Section 3.4.2 - Amend text within Objective ED4 –Retail Development:</p> <p>Support the development of appropriate types, scales and patterns of retail development in suitable locations within the town and <b>with high quality designs</b> that, support the vitality and viability of the existing town centre and associated main streets, that are easily accessible particularly in terms of public transport, that protect investment in strategic roads and infrastructure and that contribute to the creation of a high quality retail environment, in accordance with <b>the Retail Planning Guidelines 2005</b> and the <i>Draft Retail Planning Guidelines</i></p>
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		<p>2011 (and any subsequent review or update), <b>and will require Retail Impact Assessments</b>, including details of the application of a „<i>sequential approach</i>’ <b>and Design Statements, where appropriate, for retail development in accordance with the Retail Planning Guidelines and Development Management (DM) Guidelines ED1 and ED2 as contained within this Plan.</b></p> <p>4. Section 3.4.2 - Insert 2 new Development Management Guidelines to read as follows:</p> <p><b><i>DM Guideline ED1 – Retail Impact Assessments</i></b>  <b><i>Retail Impact Assessments will be required with planning applications for large retail developments (such as shopping centres or large food/grocery chain stores), mixed use developments with a large retail component, developments that may have a significant effect on the vitality and viability of the town centre or as otherwise considered appropriate by the Planning Authority. Retail Impact Assessments will be in accordance with the Retail Planning Guidelines, including details of the sequential test.</i></b></p> <p><b><i>DM Guideline ED2 – Design Statements</i></b>  <b><i>Design Statements may be required with planning applications for major retail proposals, retail proposals that are located within a sensitive area or as otherwise considered appropriate by the Planning Authority. Design Statements should address the issues raised in Section 6.4 of the Draft Retail Planning Guidelines 2011 (and any updated/superseding document), including an appraisal of the character of the area adjoining the site and proposals for high quality design that integrates successfully with the context. Design Statements should also take account of the design and layout guidance set out in the forthcoming Best Practice Design Manual.</i></b></p>
No 22	Dept. of Arts Heritage & Gaeltacht	<p>1. Section 3.8.2 Objective HC4 – Development relating to Protected Structures and Architectural Conservation Area - amend to read as follows:  Objective HC4 – Development/<b>Works</b> relating to Protected Structures and Architectural Conservation Area:  Ensure that any development, modifications, alterations, or extensions <b>materially</b> affecting <b>the character of</b> a Protected Structure, or a structure adjoining a Protected Structure or structure within or adjacent to an Architectural Conservation Area (ACA), is sited and designed appropriately and is not detrimental to the character or setting of the Protected Structure or the ACA. <del>to its setting or the character of the ACA. Any works/development carried out to a</del></p>

		<p>protected structure shall be in accordance with best conservation practice and the use of sustainable and appropriate materials. Works/development within the ACA shall ensure the conservation of traditional features and building elements which contribute to the character of the area. New proposals shall have appropriate regard to scale, plot, form, mass, design, materials, and colours and function.</p> <p><b><i>This will include the following:</i></b></p> <p><b><i>a) Works materially affecting the character of a Protected Structure or the exterior of a building/structure within an ACA will require planning permission.</i></b></p> <p><b><i>b) Any works/development carried out to a Protected Structure or the exterior of a building/structure within an ACA shall be in accordance with best conservation practice and use sustainable and appropriate materials.</i></b></p> <p><b><i>c) Prohibit development proposals either in whole or in part, for the demolition of Protected Structures or structures within an Architectural Conservation Area which contribute to the special character of the area, save in exceptional circumstances.</i></b></p>
		<p><b>2.</b> Section 3.8.2 - Amend Objective HC 9 – Monuments and Places to read as follows:  <b>Objective HC9 – Monuments and Places</b>  Ensure the protection and sympathetic enhancement of the monuments and places included and proposed for inclusion in the Record of Monuments and Places, as well as any monument that <b><i>may be</i></b> designated as a National Monument including the Athenry town walls, together with the integrity of their character and setting, by implementing the relevant provisions of the <i>Planning and Development Act 2000 (as amended)</i> and the <i>National Monuments (Amendment) Act 1994 1930 (as amended)</i> and the <b><i>Archaeology and Development: Guidelines for Good Practice for Developers. This will include the protection of all Monuments on the list provided by the National Monument Service, Department of Arts, Heritage and the Gaeltacht, which has statutory responsibility in this area.</i></b></p> <p>Ensure that all planning applications for development (including proposed service schemes such as electricity, sewerage, telecommunications and water schemes) within or in close proximity (30m) of the Zone of Archaeological Potential as defined in <b><i>Maps 1A/1B, 2A/2B</i></b> and within 30m of other recorded monuments (RMPs) and in close proximity of any national monuments including the historic walls, shall take account of the archaeological heritage of the area and the need for archaeological assessments and possible mitigation measures.</p>
		<p><b>3.</b> .Section 2.2.3 Objective DS3 and Section 3.9.2 Objective NH1: Amend both Objectives DS3 and Objective NH1 to read as follows:</p> <p>Protect <b><i>European Natura 2000 sites, that form part of the Natura 2000 network</i></b> (including Special Protection Areas and Special Areas of Conservation ) in accordance with the</p>

		<p>requirements in the EU <i>Habitats Directive</i> (92/43/EEC), EU <i>Birds Directive</i> <del>1979 (79/409/EEC)</del> <b>2009/147/EC</b>, the <i>European Communities (Natural Habitats) Regulations 1997</i> (S.I. No 94 of 1997), the <i>Planning and Development (Amendment) Act 2010</i>, the <i>European Communities (Birds and Natural Habitats) Regulations 2011</i> (S.I. No. 477 of 2011) (and any subsequent amendments or updated legislation) and having due regard to the guidance in the <i>Appropriate Assessment Guidelines 2010</i> (and any subsequent or updated guidance)</p> <p>A plan or project (e.g. proposed development) within the Plan Area will only be authorised after the competent authority (Galway County Council) has ascertained, based on scientific <b>knowledge evidence</b> and a Habitats Directive Assessment where necessary, that:</p> <ol style="list-style-type: none"> <li>1. The plan or project will not give rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 site (either individually or in combination with other plans or projects); or</li> <li>2. The plan or project will adversely affect the integrity of any Natura 2000 site (<b><i>that does not host a priority habitat and/or a priority species</i></b>) but there are no alternative solutions and the plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature. In this case, it will be a requirement to <b><i>follow procedures set out in legislation and agree</i></b> and undertake all compensatory measures necessary to ensure the protection of the overall coherence of Natura 2000; <b>or</b></li> <li>3. <b><i>The plan or project will adversely affect the integrity of any Natura 2000 site (that hosts a priority natural habitat type and/or a priority species) but there are no alternative solutions and the plan or project must nevertheless be carried out for imperative reasons of overriding public interest, restricted to reasons of human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest. In this case, it will be a requirement to follow procedures set out in legislation and agree and undertake all compensatory measures necessary to ensure the protection of the overall coherence of Natura 2000.</i></b></li> </ol>
		<p><b>4. S.3.9.1.</b> Amend text under second subheading and as appropriate in other sections of the Draft Plan to re <b>European Directives, the Natura 2000 Network and Environmental Assessments</b></p> <p>At European level, the Habitats Directive (92/43/EEC) and the Birds Directive (<del>79/409/EEC</del>) <b>(2009/147/EC)</b> mandate the identification and protection of Special Areas of Conservation (SACs) and Special Protection Areas (SPAs), which together create a network of protected wildlife areas, known as Natura 2000 network, across the European Union....etc.</p>
		<p><b>5. Section 3.9.1:</b> Amend accordingly any other references to the <b>Birds Directive</b> within any other sections of the Draft Plan as appropriate.</p>

		<p>6. <b>Section 3.9.2:</b> Amend Objective NH4 – Impact Assessment to read as follows  <i>Ensure full compliance with the requirements of the EU Habitats Directive (92/43/EEC), SEA Directive (2001/42/EC) and EIA Directive (85/337/EEC), and the associated European Communities (Birds and Natural Habitats) Regulations 2011 (SI No. 477 of 2011), European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004-2011, Planning and Development (Strategic Environmental Assessment) Regulations 2004-2011 and the European Communities (Environmental Impact Assessment) Regulations 1989-2011 (or any updated/superseding legislation).</i>      Planning applications for proposed developments within the Plan Area that may give rise to likely significant effects on the environment may need to be accompanied by one or more of the following: <del>an Environmental Impact Assessment or, an Ecological Impact Assessment, Appropriate Assessment screening report or a Natura Impact Statement</del> <b><i>an Environmental Impact Statement, an Ecological Impact Assessment Report, a Habitats Directive Assessment Screening Report or a Natura Impact Statement, as appropriate. Ensure that Natura Impact Statements and any other environmental or ecological impact assessments submitted in support of proposals for development are carried out according to best practice methodologies and contain all necessary baseline assessments.</i></b></p>
		<p>7. Section 3.9.2: Insert New Objective within Section 3.9.2 to read as follows:  <b>NH11 –Consultation with Environmental Authorities</b>  <i>Ensure that all development proposals are screened to determine whether they are likely to have a significant direct, indirect or cumulative effect on the integrity or conservation objectives of any Natura 2000 site and, where significant effects are likely or uncertain, there will be a requirement for consultation with the relevant environmental authorities as part of any Habitats Directive Assessment that may be required.</i></p>
		<p>8. Section 3.1.2: Amend Objective LU8. Delete last sentence as follows:</p> <p>Promote the development of open spaces and recreational activities in accordance with best practice and on suitable lands with adequate access to the local community and retain existing open space and recreational facilities unless it can be demonstrated by Galway County Council that these uses are no longer required by the community. <del>Ensure that any flood risk areas within the OS zone are appropriately managed to avoid, reduce and/or mitigate the risk of flooding.</del></p>

No. 2	West Regional Authority	<p>1. <b>Section 3.9.1</b> Natural Heritage and Biodiversity under <b>subsection Ecological Networks –</b> Insert new wording to read as follows:  <b>Ecological Networks</b>  Ecological networks are supported at EU level through the <i>European Spatial Development Perspective</i> and <i>Natura 2000</i> and underpin the <i>Pan-European Biological and Landscape Diversity Strategy</i> (PEBLDS), which has been ratified by Ireland. <b><i>The various habitats within Athenry and surrounding areas form part of an “ecological network” that facilitates the movement of species between areas and ensures the effective functioning and survival of the diverse range of habitats and species. Ecological networks provide „corridors“ or „stepping stones“ that support species migration, dispersal and daily movements between the „core areas“ and thereby contribute to a more integrated and functional ecological system.</i></b>  Inland waterways, which include lakes, rivers, and streams, are living systems of high local biodiversity value due to the habitats associated with them, and function as ecological corridors that connect related habitats/designated sites, enabling species to move between them. The River Clarin and other tributaries and streams in the Plan Area perform such an ecological network function before they drain into a designated site – the Galway Bay Complex SAC, pNHA &amp; SPA. <b>Established</b> trees and hedgerows are also of high local biodiversity value and contribute to ecological connectivity. Features that contribute to the creation of an ecological network should be retained and included in the design plans for development proposals.</p>
No 3	NRA	<p>1. Draft Land use zoning objectives Other – Strategic Reserve on the Land Use Zoning Maps 1A/1B will be amended to TI Transport Infrastructure. This will include all road and rail routes. <b>(MA3)</b>. Refer to Material Alterations/Amendments: Land Use Zoning Maps 1A/1B.</p> <p>2. The <b>Draft Land Use Zoning Matrix</b> shall be amended to include Transport Infrastructure and appropriate uses including minor amendments under <b>Note 5. (MA3)</b>: Refer to Matrix as amended.</p> <p>3. The six linear pockets (between the old LAP boundary and the corridor of the Athenry Relief Road) and that were zoned as Strategic Infrastructure in the Draft LAP are proposed to be re-zoned to <b>Agriculture. (MA3-</b> this will include 8A/5B as per Submission No 23 Teagasc and also the 2 linear strips to the south of the Relief Road and north east of Submissions No 1/13 where the LAP boundary has been extended). Refer to Material Alterations/Amendments: Land Use Zoning Maps 1A/1B.</p> <p>4. Section.3.1.2 Objective LU10 amend existing title and text to read as follows:</p>

		<p>Objective LU 10 <del>Other Strategic Reserve (SR)</del> <b>Transport Infrastructure (TI)</b>  <del>No use or specific controls are assigned to this zoning objective other than to facilitate the delivery of essential road infrastructure.</del>  <b>Facilitate the provision and maintenance of essential transportation infrastructure. This shall include the reservation of lands to facilitate possible track dualing of the rail line between Galway and Athenry and other rail infrastructure improvements, public roads including the completion of the Athenry Relief Road, footpaths, cycle ways, and bus stops and landscaping, together with any necessary associated works, as appropriate.</b></p> <p>5. Section 3.5.2 Sustainable Transportation Objectives – Include a new Objective within to read as follows:  <b>Objective TI 12 - Goods Transportation Hub</b>  <b>Engage with relevant stakeholders to identify demand and identify potential locations for a Goods Transportation Hub within the Plan area.</b>  Amend the remaining objective numbering within this subsection as appropriate.</p>
No. 4	Dept of Education and Skills	<p>4. Section 3.1.3: Land Use Zoning Matrix: BT Zoning under Education – Primary/Secondary: <b>amend from not permitted to open for consideration.</b></p> <p>5. Section 3.1.3: Land Use Zoning Matrix: <b>BE zoning under Warehousing – amend from permitted to open for consideration.</b></p> <p>6. Section 3.1.3: Land Use Zoning Matrix: Amend <b>Note 4</b> to read as follows: <b>Warehousing (*)</b> – The <b>development or</b> subdivision of stores into less than 700m<sup>2</sup> shall not <b>normally</b> be permitted <b>in edge-of centre and out-of-centre locations, in accordance with the Retail Planning Guidelines 2005/2011 (or any updated/superseding document).</b> Refer to Matrix as Amended.</p>
No. 5	OPW	<p>1. Amend Draft Maps 1A/1B and rezone undeveloped lands within Flood Zone A and B to open space/recreation and amenity.</p> <p>Amend Land Use Zoning Maps 1A/1B and rezone undeveloped/greenfield residential lands within Flood Zone A and B to Open Space/Recreation &amp; Amenity (OS) and including the following areas from:  <b>Undeveloped Residential Lands to Open Space: (MA5):</b> Refer to Material Alterations/Amendments: Land Use Zoning Maps 1A/1B.</p>

		<ul style="list-style-type: none"> <li>• Residential Phase 2 at Baunmore;</li> <li>• Sliver of Residential Phase 2 north of Pairc na hAbhainn;</li> <li>• Sliver of residential lands to the east of Caheroyan House and north of the River;</li> <li>• Sliver of Residential Phase 2 to the north east of Caheroyan House and north of the River Clarin;</li> <li>• Undeveloped Residential (backland) north east of Dunclarin Court and north of the River Clarin;</li> <li>• Undeveloped Residential Phase 2 at Carrowntober West, to the north east of the Plan Boundary.</li> </ul> <p><b>Other Undeveloped Lands to Open Space:</b></p> <ul style="list-style-type: none"> <li>• Industrial Lands at Gortnahown within Flood Zone A to Open Space (area: 0.2133Ha);</li> <li>• Community Facility Zonings north east of Pairc na hAbhainn Housing estate;</li> <li>• Sliver of undeveloped Industrial lands at Caheroyan townland south of the railway line and north of the River Clarin;</li> <li>• Existing undeveloped Industrial lands immediately south of the proposed spur road;</li> <li>• Public Utility zoning – southern aspect within Flood Zone A.</li> </ul> <p><b>2.</b> Amend the <b>Specific Objectives Maps 2A/2B</b> to reflect the proposed OS re-zonings and other re-zonings as appropriate. Amend the Map Legend including table as appropriate. <b>(MA5).</b></p> <p><b>3.</b> Section 2.2.2: Insert new text within subsection titled <b>S.2.2.2 Preferred Development Option – Managed Phased Development (Option 4)</b> second last paragraph to read as follows: <b><i>In general undeveloped lands have been appropriately zoned to avoid flood risk.</i></b></p> <p><b>4.</b> Section 2.2.3: Development Strategy Objectives - Insert new Objective as follows: <b><i>Objective DS7 –Flood Risk Management and Assessment. Ensure that proposals for new developments located within identified or potential flood risk areas, or which may exacerbate the risk of flooding elsewhere, are assessed in accordance with the provisions of the Flood Risk Management Guidelines 2009 (or any updated/superseding document) and the relevant policies and objectives in this Plan.</i></b></p> <p><b>5.</b> Section 3.1.2: Land Use Zoning Objectives - Insert new Objective to read as follows:</p>
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		<p><b>Objective LU11 – Flood Risk Areas and Land Use Zones. Ensure that any development that may be compatible with the land use zoning objectives/matrix but which includes a use that is not appropriate to the Flood Zone (as indicated on Maps 3a/3B – Indicative Flood Risk Management Areas) and/or that may be vulnerable to flooding is subject to flood risk assessment, in accordance with the Planning System and Flood Risk Management Guidelines for Planning Authorities 2009 and the policies and objectives of this Plan.</b></p>
		<p>6. Section 3.6.1: Utility and Environmental Infrastructure: Context – Include a new subsection (after Water Services) titled <b>Surface Water Drainage</b> with the following wording and <b>include</b> text under Flood Zone table which refers to SuDS.</p> <p><b>Surface Water Drainage</b>  <i>In order to ensure that surface water is disposed of in a controlled and sustainable manner, future developments will be required to address surface water disposal through on-site systems, (depending on site characteristics), discharge to adjacent surface water (where available) or discharge to an existing surface water sewer if available. The Local Area Plan will facilitate the upgrading of surface water infrastructure where necessary and promote the use of Sustainable Drainage Systems (SuDs) in developments, such as permeable surfaces, retention ponds and rainwater harvesting, to restrict surface water runoff in new developments to Greenfield levels and to minimise flood risks and potential impacts. Proposals for SuDS will be in accordance with the recommendations as contained within the EPA document entitled Guidance on Authorisation of Discharges to Groundwater 2011 (or any updated version of this document).</i></p>



7. Section 3.6.1: Amend subsection title and text Flooding and Surface Water to read as follows:

~~***Flooding and Surface Water***~~

~~***This Local Area Plan takes due consideration of the national guidelines issued by the DoEHLG entitled „The Planning System and Flood Risk Management: Guidelines for Planning Authorities“ 2009 and the recommendations from the Strategic Flood Risk Assessment carried out for County Galway and specifically for the Plan Area and this has informed the making of the Athenry Local Area Plan.***~~

~~***Sustainable Drainage Systems (SuDS) in developments can contribute to surface water retention and help reduce and prevent flooding. Proposals for SuDS shall be in accordance with the recommendations as contained within the EPA document entitled „Guidance on Authorisation of Discharges to Groundwater 2011‘ or any updated version of this document. Flood Risk Management and Assessment***~~

~~***The Department of the Environment and the OPW published national flood risk management guidelines in 2009 entitled The Planning System and Flood Risk Management: Guidelines for Planning Authorities 2009. The Flood Risk Management Guidelines 2009 require Planning Authorities to ensure that, where relevant, flood risk is a key consideration in preparing development plans, local area plans and the assessment of planning applications. The aim of the Guidelines is to avoid flood risk where possible, substitute less vulnerable uses when avoidance is not possible and mitigate and manage the risk where avoidance and substitution are not possible.***~~

~~***The Guidelines provide guidance on identifying areas where the probability of flood risk is high (Flood Zone A), moderate (Flood Zone B) and low (Flood Zone C) and identifies the types of land use that are appropriate within each Flood Zone. The Guidelines also highlight the need to assess the potential impacts of climate change as part of a Strategic Flood Risk Assessment (SFRA) for a plan. The Guidelines suggest that where mathematical models are not available, climate change flood extents can be assessed by using Flood Zone B outline as a surrogate for Flood Zone A with allowance for the possible impacts of climate change.***~~

~~***The OPW has produced flood maps as part of the Preliminary Flood Risk Assessment (PFRA) that identify areas at risk of flooding, including fluvial, coastal, pluvial and groundwater flooding, for the entire country. Galway County Council has also carried out a Strategic Flood Risk Assessment (SFRA) for County Galway, including a specific assessment for the Athenry Plan Area. As part of the SFRA, the historic flood risk areas have been identified and a number of local level assessments have also been carried out, including local knowledge of flood events and site walkovers. The SFRA generally confirms the flood extents identified in the OPW PFRA mapping.***~~

~~***The LAP takes due consideration of the national Flood Risk Management Guidelines 2009 and the recommendations emanating from the SFRA. The LAP identifies Flood Zones in***~~

*accordance with the Guidelines (shown on Map 3A/3B – Indicative Flood Risk Management Areas), designates land use zones (see Map 1A/1B – Land Use Zoning) considered appropriate to each Flood Zone and includes policies and objectives dealing with flood risk assessment and management (see also Map 2A/2B – Specific Objectives). The Flood Zones identified are: Flood Zone*

	<i>Probability of Flooding</i>	<i>Flood Risk Areas Included</i>
<i>Flood Zone A</i>	<i>High</i>	<i>&gt; 1:100 for river flooding &gt; 1:200 for coastal flooding</i>
<i>Flood Zone B</i>	<i>Moderate</i>	<i>1:100 to 1:1000 for river flooding 1:200 to 1:1000 for coastal flooding</i>
<i>Flood Zone C</i>	<i>Low</i>	<i>&lt; 1:1000 for river flooding &lt; 1:1000 for coastal flooding</i>

*The LAP also promotes the use of Sustainable Drainage Systems (SuDS) in developments, which can contribute to surface water retention and help reduce and prevent flooding. Proposals for SuDS will be in accordance with the recommendations as contained within the EPA document entitled Guidance on Authorisation of Discharges to Groundwater 2011 (or any updated version of this document).*

8. Section 3.6.2: Utility and Environmental Infrastructure Amend title and text within Objective UI 4 as follows:

**Objective UI4 – Surface Water Drainage and Sustainable Drainage Systems**

Maintain and enhance, as appropriate, the existing surface water drainage system in the Plan Area, ensure that new developments are adequately serviced with surface water drainage infrastructure and promote the use of Sustainable Drainage Systems in all new developments.

**Surface water runoff from development sites will be limited to pre-development levels and planning applications for new developments will be required to provide details of surface water drainage and Sustainable Drainage Systems proposals.**

9. Section 3.6.2: Utility and Environmental Infrastructure: Amend Section Title under Policy and amend Policy UI4 as follows:

**Policy UI 4- Flooding Flood Risk Management and Assessment** Galway County Council in co-operation with the OPW shall support the implementation of the *EU Flood Risk Directive (2007/60/EC)* and shall have due regard to the *Catchment Flood Risk Management Plan (CFRAM)* and the recommendations and outputs arising from same which relate to or impact the Plan-area.

**It is the policy of Galway County Council to support, in co-operation with the OPW, the**

		<p><b>implementation of the EU Flood Risk Directive (2007/60/EC), the Flood Risk Regulations (SI No. 122 of 2010) and the DoEHLG/OPW publication Flood Risk Management Guidelines 2009 (and any updated/superseding legislation or policy guidance). Galway County Council will also take account of the Catchment Flood Risk Management Plans (CFRAMs), Preliminary Flood Risk Assessment (PFRA) and County Galway Strategic Flood Risk Assessment 2012 and any recommendations and outputs arising from same that relate to or impact on the Plan Area.</b></p>
		<p>10. Section 3.6.2: Utility and Environmental Infrastructure - Amend title under Objectives to read as follows:</p> <p style="text-align: center;"><del>Flooding and Flood Related Objectives</del> to <b>Flood Risk Management Objectives</b></p>
		<p>11. Section 3.6.2: Utility and Environmental Infrastructure - <b>Amend title and text within Objective UI11 as follows:</b></p> <p><b>Objective UI 10-11– Flood Risk Management and Assessment</b></p> <p><del>Implement the provisions of the DoEHLG/OPW publication 'The Planning System and Flood Risk Management: Guidelines for Planning Authorities' 2009 or any superseding document in relation to flooding and flood risk management and facilitate flood management measures, as appropriate.</del></p> <p><b>Ensure the implementation of the DoEHLG/OPW publication Flood Risk Management Guidelines 2009 (or any superseding document) in relation to flood risk management within the Plan Area. This will include the following:</b></p> <ol style="list-style-type: none"> <li>1. <b>Avoid, reduce and/or mitigate, as appropriate in accordance with the Flood Risk management Guidelines 2009, the risk of flooding within the flood risk areas indicated on Maps 3A/3B – Indicative Flood Risk Management Areas, including fluvial, coastal/tidal, pluvial and groundwater flooding, and any other flood risk areas that may be identified during the period of the Plan or in relation to a planning application.</b></li> <li>2. <b>Development proposals in areas where there is an identified or potential risk of flooding, or that could give rise to a risk of flooding elsewhere, may be required to carry out a Site-Specific Flood Risk Assessment, and Development Management Justification Test where appropriate, in accordance with the provisions of the Flood Risk Management Guidelines 2009 (or any superseding document), Any flood risk assessment also should include an assessment of the potential impacts of climate change, such as an increase in the extent or probability of flooding, and any associated measures necessary to address these impacts.</b></li> <li>3. <b>Development that would be subject to an inappropriate risk of flooding or that would cause or exacerbate such a risk at other locations shall not normally be permitted</b></li> <li>4. <b>Where certain measures proposed to mitigate or manage the risk of flooding associated with new developments are likely to result in significant effects to the</b></li> </ol>

		<p style="text-align: center;"><b>environment or Natura 2000 Sites downstream, such measures will undergo appropriate environmental and Habitats Directive Assessments.</b></p> <p><b>12.</b> Section 3.6.2: Utility and Environmental Infrastructure: Amend Objective and title in Objective UI44 <b>12</b> to read as follows:  Objective UI-<del>44</del><b>12</b> - Flood Risk Assessment <b>Zones and Appropriate Land Uses</b>  It is an objective of the Galway County Council to protect areas prone to flooding from inappropriate development and to ensure that new development does not result in an increased risk of flooding within the site, on other lands, in low lying areas and in areas adjacent to rivers/streams. In this regard, development proposals, in areas where there is a potential risk of flooding or which could give rise to a risk of flooding elsewhere, shall be required to carry out a detailed flood risk assessment in accordance with the provisions of the DoEHLG's <i>The Planning System and Flood Risk Management, Guidelines to Planning Authorities 2009</i>, or any superseding document <b>Protect Flood Zone A and Flood Zone B from inappropriate development and direct developments/ land uses into the appropriate Flood Zone in accordance with the Flood Risk Management Guidelines 2009 (or any superseding document) and guidance contained in DM Guideline UI1- Flood Zones and Appropriate Land Uses. Where a development/land use is proposed that is inappropriate within the Flood Zone, then the development proposal will need to be accompanied by a Development Management Justification Test and Site-Specific Flood Risk Assessment in accordance with the criteria set out under the Flood Risk Management Guidelines 2009.</b></p> <p><b>13.</b> Section 3.6.2: Utility and environmental infrastructure.  Amend Objective Title and text within <b>Objective UI4213</b> to read as follows;  Objective <b>UI 42 13</b> Flood Plains <b>Waterbodies and Watercourses</b>  Protect rivers, streams and undeveloped riparian strips near rivers, streams and natural floodplains in the Plan Area allowing a 10 metre environmental management buffer on each side of the River Clarin and its tributaries, where appropriate, and prevent culverting or realignment, where possible. Refer to <del>the Specific Objectives Maps (2A/2B).</del>  <b>Protect waterbodies and watercourses within the Plan Area from inappropriate development, including rivers, streams, associated undeveloped riparian strips and natural floodplains. This will include a 10m environmental management buffer on either side of the River Clarin and its tributary, measured from the near river bank. Promote the sustainable management and use of watercourses and avoid the culverting or realignment of these features. Refer to the Specific Objectives Maps (2A/2B).</b></p>
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<i>HVD – Highly Vulnerable Development</i>	<i>Inappropriate (if proposed then Justification Test &amp; detailed FRA required)</i>	<i>Inappropriate (if proposed then Justification Test &amp; detailed FRA required)</i>	<i>Appropriate (screen for flood risk)</i>											
<i>LVD – Less Vulnerable Development</i>	<i>Inappropriate (if proposed then Justification Test &amp; detailed FRA required)</i>	<i>Inappropriate due to climate change (if proposed then Justification Test &amp; detailed FRA required)</i>	<i>Appropriate (screen for flood risk)</i>											
<i>WCD – Water-Compatible Development</i>	<i>Appropriate (detailed FRA may be required)</i>	<i>Appropriate (detailed FRA may be required)</i>	<i>Appropriate (screen for flood risk)</i>											

No.16	EPA	<p>1. Section 3.9.2: Include a new Objectives as follows:  <b>Objective NH10 – Visual Impact Assessment</b>  <i>Require Visual Impact Assessment for developments with potential to impact on areas of significant landscape character and should include urban and natural features such as Esker Riada and historic buildings as appropriate.</i></p> <p>2. Section 3.5.2: Amend Objective TI 13- Transport Network Improvements as follows:  <b>Objective TI 13 – Transport Network Improvements</b>  <i>Facilitate the timely delivery of any improvements of the existing transportation network, including the completion of the Athenry Relief Road and the implementation of traffic management measures subject to normal planning and environmental considerations. Where possible, there will be minimal hedgerow/stone wall removal and beneficial landscaping and planting to maintain wildlife corridors.</i></p> <p>3. Section 3.2.2: Amend <b>Objective RD1 – Phased Residential Development after Point No. 3 to read as follows:</b>  The above exceptions will be subject to compliance with the Core Strategy in the current Galway County Development Plan, the policies and objectives in this LAP, conforms to EPA standards and guidelines (e.g. EPA Code of Practice: Wastewater Treatment and Disposal Systems Serving Single Houses (p.e ≤10).  <del>Planning</del> <b>Developments</b> will only be permitted <i>where a substantiated case has been made to the satisfaction of the Planning Authority and the development will</i> they do not prejudice the future use of the lands for the longer term growth needs of the town.</p> <p>4. Section 3.4.2 Amend Objective ED 5 – Tourism Development to read as follows:  <b>Objective ED5 – Tourism Development:</b> consideration should be given to amending the wording as follows: Encourage and assist the development of the tourism potential within Athenry in a manner that <del>respects</del> <b>protects</b> the architectural, archaeological and cultural significance of the town and its environs <i>in a sustainable manner</i></p> <p>5. Section 1.3.2: Statutory Process 3<sup>rd</sup> Paragraph - Amend text to include reference to the EU Habitats Directive and the National European (Birds and Natural Habitats) Regulations 2011.  Text to read as follows:  A Habitats Directive Assessment has been prepared in accordance with Article 6(3) of the <i>EU Habitats Directive (92/43/EEC), the national Natural Habitats Regulations (SI No. 94 of 1997) (as amended), European Communities (Birds and Natural Habitats) Regulations 2011</i> and the <i>Appropriate Assessment of Plans and Projects in Ireland-Guidance for Planning Authorities</i></p>

		<p>2010 issued by the Department of Environment, Heritage and Local Government and the <i>Planning and Development Act 2000</i>, (as amended). A Habitats Directive Assessment is an assessment of the implications of the plan or project, alone and/or in combination with other plans and projects, on the integrity of a Natura 2000 site, in view of its conservation objectives. Amend text in S 1.3.2 to include referent to EU Habitats Directive and National European (Birds and Natural Habitats) Regulations 2011.</p>
		<p>6. Section 3.6.2: Water Supply, Wastewater, Surface Water Objectives - Insert new Objectives as follows:  <b>Objective UI 5 – Maintenance and Improvement of Water Services Infrastructure</b>  <i>Support the maintenance, improvement and monitoring of public water supply, wastewater disposal/discharges including storm water discharges and surface water drainage infrastructure, as necessary to address deficiencies and/or service the development needs of the town. This will include the following and any other projects approved during the period of the Plan:</i></p> <ul style="list-style-type: none"> <li>• <i>Ensure that trade effluent from new development is managed properly and discharged to sewer in accordance with relevant discharge licenses, where appropriate.</i></li> <li>• <i>Continue to carry out improvements to the existing infrastructure and quality of the town’s water supply system.</i></li> <li>• <i>Improve and maintain an adequate surface water drainage system throughout the Plan area.</i></li> </ul>
		<p>7. Section 3.6.2: Amend the numbering to the remaining Objectives in this section as appropriate. Objective U1 <del>68</del> includes for the protection of the regionally important aquifer on which Athenry is situated. Existing Objective <del>U1-5</del> becomes Objective <b>UI 7</b></p>
		<p>8. Section 3.9.2: Insert a new Objective as follows:  <b>Objective NH9 – Control of Invasive and Alien Invasive Species</b>  <i>Seek to prevent and promote measures to prevent the spread of invasive and alien invasive species. Require a landscaping plan to be produced for developments near water bodies and ensure that such plans do not include alien invasive species.</i></p>



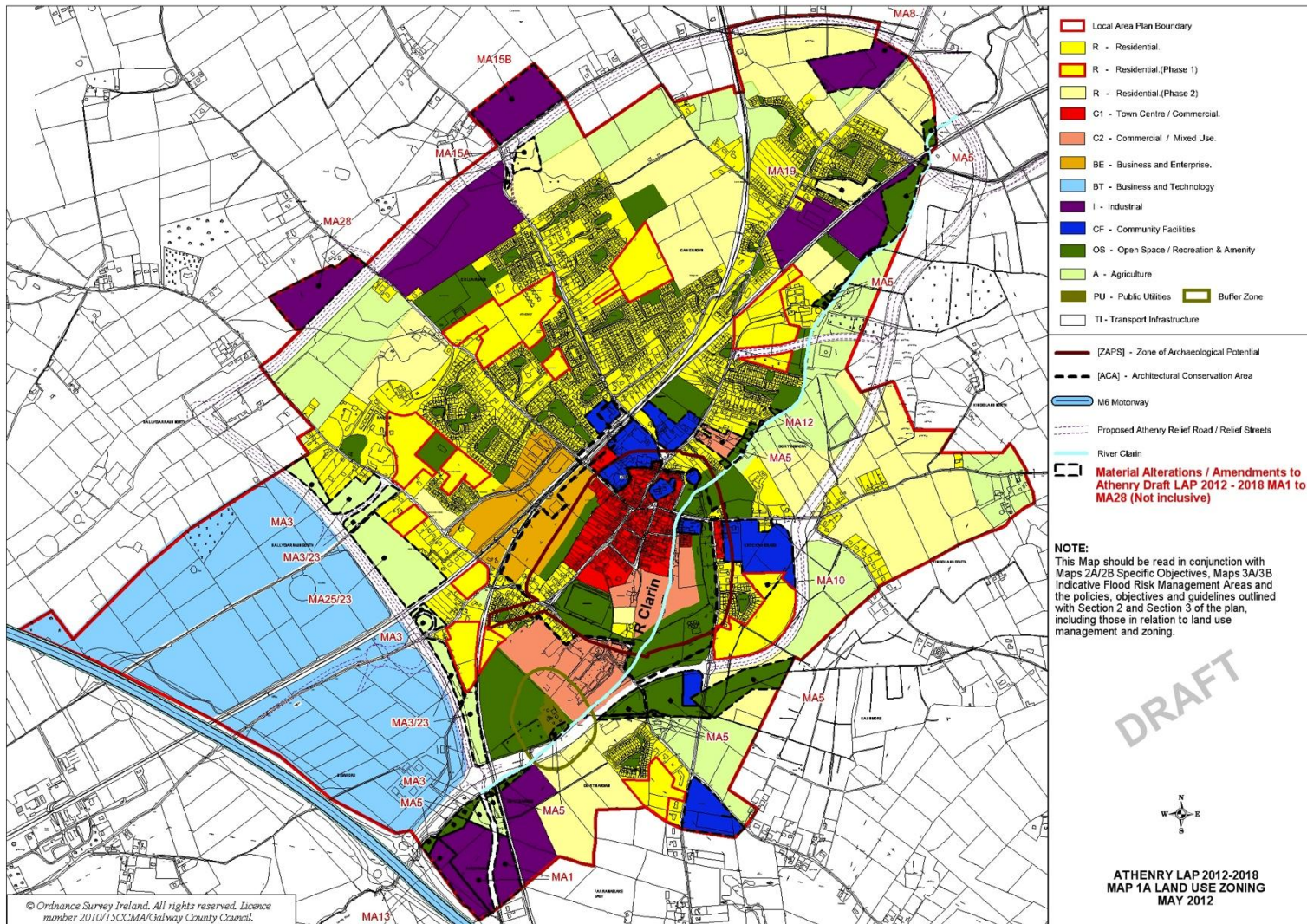
**Table 0-2: Description of Material Amendments to the Land Use Zonings and Specific Objectives of the Draft Athenry LAP (See Figure 1.1)**

No.	Proposed By	Location and Description of Material Amendment
No. 1 MA 1	Phillip Farrell	Include land within the LAP boundary and zone as <b>Industrial (I)</b> . Amend LAP boundary. Refer to Material Alterations/Amendments: Land Use Zoning Maps 1A/1B. (5.058ha in size)
No. 3 MA 3	NRA	6 linear pockets of land that were zoned as Strategic Infrastructure are proposed to be rezoned to Agriculture.
No. 5 MA 5	OPW	<p>Amend Draft Maps 1A/1B and rezone undeveloped lands within Flood Zone A and B to <b>open space/recreation and amenity (OS)</b>.</p> <p><b>Undeveloped Residential Lands to Open Space: (MA5):</b> Refer to Material Alterations/Amendments: Land Use Zoning Maps 1A/1B.</p> <ul style="list-style-type: none"> <li>• Residential Phase 2 at Baunmore;</li> <li>• Sliver of Residential Phase 2 north of Pairc na hAbhainn;</li> <li>• Sliver of residential lands to the east of Caheroyan House and north of the River;</li> <li>• Sliver of Residential Phase 2 to the north east of Caheroyan House and north of the River Clarin;</li> <li>• Undeveloped Residential (backland) north east of Dunclarin Court and north of the River Clarin ;</li> <li>• Undeveloped Residential Phase 2 at Carrowntober West, to the north east of the Plan Boundary</li> </ul> <p><b>Other Undeveloped Lands to Open Space:</b></p> <ul style="list-style-type: none"> <li>• Industrial Lands at Gortnahown within Flood Zone A to Open Space (area: 0.2133Ha);</li> <li>• Community Facility Zonings north east of Pairc na hAbhainn Housing estate;</li> <li>• Sliver of undeveloped Industrial lands at Caheroyan townland south of the railway line and north of the River Clarin;</li> <li>• Existing undeveloped Industrial lands immediately south of the proposed spur road;</li> <li>• Public Utility zoning – southern aspect within Flood Zone A.</li> </ul> <p>Amend Specific Objectives Maps 2A/2B accordingly</p>
No.8 MA 8	Coffey Construction Limited	Include within LAP boundary and zone land to Industrial (I). Amend LAP boundary. Refer to Material Alterations/Amendments: Land Use Zoning Maps 1A/1B. (3.993ha in size)
No.10 MA 10	Rinnbreac Properties Limited	Amend the Land Use Zoning Maps 1A/1B and re-zone the area of land on the northern portion of the submission lands to Residential Phase 1. (Total area: 0.58Ha). Refer to Material Alterations/Amendments: Land Use Zoning Maps 1A/1B.



No.12 MA 12	Mr. John Hickey	Amend the Land Use Zoning Maps 1A/1B and re-zone from Residential to Commercial/Mixed Use (C2). Refer to Material Alterations/Amendments: Land Use Zoning Maps 1A/1B.
No.13 MA 13	Mr Kevin Burke	Include within LAP boundary and zone land to Industrial (I). Amend LAP boundary. Refer to Material Alterations/Amendments: Land Use Zoning Maps 1A/1B. (1.89ha in size).
No.15 MA 15A	T.J. Divilly	Amend the Land Use Zoning Maps 1A/1B and re-zone from Agriculture to R- Residential (Phase 2). Refer to Material Alterations/Amendments: Land Use Zoning Maps 1A/1B.
No.15 MA 15/B	T.J. Divilly	Include within LAP boundary and zone land to Industrial (I). Amend LAP boundary. Refer to Material Alterations/Amendments: Land Use Zoning Maps 1A/1B. (4.619ha in size).
No.19 MA 19	HOCM c/o O Neill O Malley Galway	Balance of site (1.3Ha.) to be zoned Residential - Phase 2. Amend the <b>Land Use Zoning Maps 1A/1B and including Specific Objectives Maps 2A/2B</b> accordingly. Refer to these Maps as amended.
No.23 MA 23	Teagasc	See recommendation under Submission No. 25 (IDA) – <b>MA 23:</b> Amend the Land Use Zoning Maps 1A/1B as follows: <b>Lands at Raheen:</b> Amend the proposed zoning on lands adjacent to BT Zoning which are currently recommended for use as Community Facilities to <b>Agriculture (A)</b> . <b>Linear Strips Lot No 8A/5B:</b> Re-zone from SR (White land) to <b>Agriculture (A)</b> . Refer to Material Alterations/Amendments: Land Use Zoning Maps 1A/1B.
No.25 MA 25	IDA	<b>Land Use Zoning Maps 1A/1B:</b> 1. Amend the proposed zoning on the lands adjacent to the BT Zoning which are currently recommended for use as Community Facilities to <b>Agriculture (A)</b> . 2. Remove the symbol <b>ED</b> – Indicative locations for school provision for this site within the <b>Specific Objectives Maps 2A/2B</b> .
No 28 MA 28	K Bane	<ul style="list-style-type: none"> <li>• Include within LAP boundary and zone land to <b>Industrial (I)</b>. (3.82ha in size).</li> <li>• Linear strip of land that is already contained within the LAP to remain as <b>Agriculture (A)</b>. Refer to Material Alterations/Amendments: Land Use Zoning Maps 1A/1B.</li> </ul>

Figure 0-1: Amendment Land Use Zoning Map 1A showing the Location of Material Amendments described in Table 1.2



## **Assessment of Effects of Material Amendments to European Sites occurring within the Sphere of Influence of the Athenry Plan Area**

The potential for the Material Amendments outlined in Tables 1.1 and 1.2 above to adversely affect the integrity of European Sites is assessed in Table 2.1 and Section 2.1.

The Habitats Directive Assessment of the draft Athenry LAP identified the following European Sites as being within the sphere of influence of the draft Plan:

- Inner Galway Bay SPA
- Galway Bay Complex SAC

Lough Corrib SAC and SPA was also recognised as being within the sphere of influence of the draft Plan due to its role as Athenry's source of drinking water. However the Habitats Directive Assessment and subsequent responses to submissions made in the Manager's Report concluded that Lough Corrib would not be adversely affected by the draft Plan because the water supply to Athenry and other towns within Galway is currently abstracted from Lough Corrib at a sustainable yield.

As the Galway Bay European Sites do not occur within or immediately adjacent to the Athenry LAP boundary the Material Amendments to the LAP will not have the potential to directly influence or impact Natura 2000 Sites.

The potential for Material Amendments of the Athenry LAP to indirectly influence or impact the Galway Bay European Sites will depend on whether there are linkages between impact sources (i.e. the Material Amendment and its associated aims) and the receiver i.e. the Galway Bay European sites. The identification of linkages follows the process adopted for the Habitats Directive Assessment of the Draft Athenry LAP. The linkages or pathways between impact sources and receivers will include:

- Hydrological impacts such as perturbations to the quality and ecological status of watercourses or groundwater;
- Aerial impacts such as nutrient deposition or dust deposition. It is noted that the policies associated with the Athenry LAP will not result in changes to baseline emissions, such as NO<sub>x</sub> or SO<sub>x</sub>, levels that will have the potential to effect Natura 2000 sites within the surrounding countryside. Aerial impacts will be restricted to dust emissions during the construction stage of developments associated with specific LAP policies/objectives; and
- Disturbance impacts to Qualifying species arising from noise, vibration, increased human presence.

Table 2.1 and Section 2.1 provide an assessment of each Material Amendment to the text of the draft Athenry LAP and the land use zonings of the draft Athenry LAP as outlined in Land Use Zoning Map 1A respectively. Material Amendments to Specific Objectives (as shown in Specific Objectives Map 2A) are dealt within in Table 2.1.

The assessment of the Material Amendments in Table 2.1 and Section 2.1 is undertaken by evaluating potential for each amendment to result in adverse impacts, via impact pathways, to the Galway Bay European Sites. Where no impact pathways link the Material Amendments to the above European Sites no impacts will occur.

Where impact pathways are identified the potential for a negative impact to occur is assessed against the various mitigatory Policies and Objectives of the draft LAP.

**Please Note:** With regard to the number referencing of submissions and associated amendments in Table 2.1 below, note that the primary number refers to the Submission Number as noted in Table 1.1 (i.e. Submission No. 3 – NRA; Submission No. 5 – OPW etc.) and the secondary number refers to the item under each submission as noted in bold numbered text in column three of Table 1.1 (i.e. Submission No. 20.1 refers to the insertion of in Section 3.2.1 as described in Table 1.1).

**Table 0.1: Assessment of Impacts to European Sites arising from Material Amendments to the Text of the draft Athenry LAP**

Submission No.	Hydrological Impacts	Aerial Impacts	Disturbance	Potential for Likely Significant Effect and if so will the Plan's Mitigatory Policies and Objectives offset any potential impacts to European Sites?
20.1	No impact	No impact	No impact	No. The addition of this text is descriptive, aiming to set out the criteria for identifying Phase 1 development lands and the approach to future residential development
20.2	No impact	No impact	No impact	<p>No. The amended wording of this Objective ED2 provides additional environmental safeguards during the future development of the Business and Technology facilities within the Plan area. The requirement to produce a Master Plan for this the lands zoned as Business and Technology to subject this plan to SEA and HDA will likely significant effects to the environment and European Sites are avoided at a more detailed stage of the planning process.</p> <p>It has been previously acknowledged in the Manager's Report that ancillary developments associated with servicing the Business and Technology area could have the potential to result in perturbations to the River Clarin with downstream effects on European Sites. However the application of a range of measures included within the draft LAP and the Galway County Development Plan will ensure that such perturbations are avoided.</p>



20.3	No impact	No impact	No impact	<p>The amendments to Objective ED4 aims to ensure that all future retail development is of a high quality and in line with current retail planning guidance.</p> <p>The inclusion of additional text to highlight this will not result in adverse impacts to European Sites.</p>
20.4	No impact	No impact	No impact	<p>This amendment sets of measures that will apply during the planning of retail developments. This amendment will not result in adverse impacts to European Sites.</p>
22.1	No impact	No impact	No impact	<p>The amendment to Objective HC4 seeks to further define the types of developments that will require siting and design so as not to affect the character or setting of a protected structure.</p> <p>This amendment is not relevant to European Sites and will not result in adverse impacts to such Sites.</p>
22.2	No impact	No impact	No impact	<p>This amendment to Objective HC9 sets out the relevant legislation and guidelines required for the protection and enhancement of monuments and places.</p> <p>This amendment is not relevant to European Sites and will not result in adverse impacts to such Sites.</p>
22.3	No impact	No impact	No impact	<p>This amendment to Objectives DS3 and NH1 provides additional protection for European Sites, in line with the land use control measures set out in Article 6(3) and 6(4) of the EU Habitats Directive.</p> <p>This amendment will have a positive impact in terms</p>

				of ensuring the future protection of European Sites from inappropriate development within the Plan area.
22.4	No impact	No impact	No impact	This Amendment inserts the most up to date reference to the EU Birds Directive. This amendment will not have implications for European Sites.
22.5	No impact	No impact	No impact	As 22.4 above.
22.6	No impact	No impact	No impact	This amendment to Objective NH4 aims to provide further protection to European Sites from inappropriate development.  This amendment will have a positive impact for the future conservation and integrity of European Sites.
22.7	No impact	No impact	No impact	This insertion of this new Objective will ensure that appropriate consultation is undertaken with Environmental Authorities during the development of proposals that may have the potential to negatively impact upon the environment and/or European Sites.  This amendment will have an overall positive effect for the future conservation management of European Sites.
22.8	No impact	No impact	No impact	Other Objectives of the Athenry Plan set out the requirement for the appropriate management of flood risk areas. Therefore this amendment has been made to avoid repetition within the Plan.

2.1	No impact	No impact	No impact	This amendment further defines the term “ecological networks” within the LAP. The addition of this text will not have negative implications for European Sites.
3.1	Yes. The zoning of Transport Infrastructure will require a minimum of four watercourse crossings over the River Clarin, as mapped in the amended zoning map. Such crossing will have the potential to adversely affect the water quality of the River Clarin which may result in negative impacts downstream at the Galway Bay European Sites.	No Impact	No Impact	<p>In the absence of mitigatory policies or objectives the zoning of transport infrastructure as outlined on the Land Use Zoning Maps 1A/1B will have the potential to negatively affect the River Clarin resulting in downstream impacts at the Galway Bay European Sites.</p> <p>However a range of mitigatory measures are included within the draft Athenry Plan to ensure that no project, either alone or in combination with other plans or projects, will be support by the Plan where such a project presents a risk of likely significant effects to European Sites.</p> <p>This approach to future transport developments within the Plan area will ensure that only those developments that can be completed and operated with negatively affecting the integrity of European Sites will be supported by the Athenry LAP.</p> <p>In addition to this approach the Athenry LAP contains a range of additional measures to ensure that the water quality of the River Clarin is protected, maintained and improved throughout the lifetime of the plan.</p> <p>These measures will ensure that future transport infrastructure developments will not result in likely significant effects to European Sites downstream of</p>



				Athenry.
3.2	As 3.1 above	No impact	No impact	The amendment of the Land Use zoning Matrix for appropriate uses in Transport Infrastructure will have the potential to result in similar impacts as those outlined for 3.2 above.
3.3	No impact	No impact	No impact	<p>The amendment of the six linear pocket of land from Strategic Infrastructure to Agricultural land will ensure that current land use is maintained in these areas.</p> <p>The continued use of these areas as agricultural land, in line with current legislation such as the Good Agricultural Practices Regulations, 2010 will not represent a risk to the future water quality of the River Clarin or the conservation status of the Galway Bay European Sites.</p>
3.4	As 3.1 above	No impact	No impact	The amendment of Objective LU10 will have the potential to result in similar impacts as those outlined for 3.2 above.
3.5	Inappropriately sited transport hubs adjacent to the River Clarin or other surface watercourses will have the potential to result in similar impact to those described for 3.1 above.	No impact	No impact	See 3.1 above.
4.1	Inappropriately educational facilities within the B & T land use zoning adjacent to	No impact	No impact	See 3.1 above.

	the River Clarin will have the potential to result in similar impacts to those described for 3.1 above.			
4.2	No impact. The B & E zoned is buffered from the River Clarin by established urban land use. The development of warehouses in this land use zoning will not negatively affect the water quality of the River Clarin.	No impact	No impact	This amendment will not result in negative affect to European Sites.
4.3	No impact	No impact	No impact	This amendment sets out planning controls for warehousing in edge of centre locations. This amendment will not have implication for European Sites.
5.1	No impact	No impact	No impact	<p>The recommendation to rezone undeveloped/greenfield residential lands within Flood Zone A and B to Open Space/Recreation &amp; Amenity will not result in likely significant effects to the Natura 2000 Sites.</p> <p>The Habitats Directive Assessment of the draft Athenry LAP concluded that the development of Residential land at this location, in line with the mitigatory policies and objectives of the draft LAP, will not result in significant adverse effects to Natura 2000 Sites occurring downstream of this area.</p> <p>The recommended rezoning of this area from Residential Phase 2 to Open Space will represent a less intensive land use due to the types of development permitted within the Open Space zonings as per the Land Use Zoning Matrix and even more so as a result of the newly</p>

				recommended Objectives DS7 and LU11.
5.2	No impact	No impact	No impact	See 5.1 above.
5.3	No impact	No impact	No impact	The insertion of this text into the LAP will not result in adverse effects to European Sites.
5.4	No impact	No impact	No impact	The insertion of this new Objective into the LAP will not result in adverse effects to European Sites.
5.5	No impact	No impact	No impact	The insertion of this new Objective into the LAP will not result in adverse effects to European Sites.
5.6	Positive Impact	No impact	No impact	<p>The main aim of the recommended new subsection on Surface Water Drainage is to ensure that surface water drainage is disposed of in a controlled and sustainable manner. The methods outlined in this additional text to achieve this will be positive in terms of maintaining, and avoiding perturbations to, water quality and surface water flow.</p> <p>Thus the proposed new subsection will have a neutral impact on Natura 2000 Sites occurring downstream of the LAP area.</p>
5.7	No impact	No impact	No impact	The insertion of the additional text regarding Flood Risk Management and Assessment will not present a risk of negative impacts to European Sites.
5.8	Positive Impact	No impact	No impact	The restriction of surface water runoff from developments to pre-development levels will ensure that the flow rates of surface watercourses such as the River Clarin are not negatively affected by new developments within the Plan area. Maintaining baseline flow levels within the River Clarin will ensure impacts associated with changes in these levels are avoided. Therefore these measures are

				assessed as positive in terms of contributing to maintain/achieving good ecological status in the River Clarin which in turn will have a positive effect downstream.
5.9	No impact	No impact	No impact	The insertion of the additional text regarding Flood Risk Management and Assessment will not present a risk of negative impacts to European Sites.
5.10	No impact	No impact	No impact	The change in heading title will not result in negative impacts to European Sites.
5.11	No impact	No impact	No impact	The inclusion of Point 4 to Objective 11 will ensure that any measures proposed to mitigate flooding will be assessed for their potential impact to European Sites downstream.
5.12	No impact	No impact	No impact	The amendment of Objective 12 will ensure that flood zones are protected from inappropriate development. This amendment will not result in negative impacts to European Sites.
5.13	Positive	No impact	No impact	The amendment to Objective UI13 further defines the protection afforded to watercourses and waterbodies occurring within the Plan area.  This amendment will have an overall positive effect for the future maintenance of water quality along the River Clarin and the protection of the Galway Bay European Sites downstream.
5.14	No impact	No impact	No impact	The change in heading title will not result in negative

				impacts to European Sites.
16.1	No impact	No impact	No impact	This new Objective NH10 seeks to protect sensitive landscapes from adverse visual impacts arising from new of development.  The addition of this Objective will not result in negative impacts to European Sites.
16.2	See 3.1 above	No impact	No impact	See 3.1 above.
16.3	No impact	No impact	No impact	The amended text to Objective RD1 Point No. 3 refers to the preferred approach to future phased residential development.  This amendment will not result in negative impacts to European Sites.
16.4	No impact	No impact	No impact	In general the amended wording to Objective ED5 will have a positive impact on the environment as it sets out an approach to ensure that future tourism development is undertaken in a sustainable manner. Such an approach to tourism development will include the protection of water quality and watercourses.
16.5	No impact	No impact	No impact	This amendment updates the text of the draft LAP with the correct reference to relevant legislation.  This amendment will not result in negative impacts to European Sites.
16.6	Positive impacts	No impact	No impact	The insertion of the new Objective UI 5 and the commitments to improve surface water drainage

				<p>and ensure that wastewater from new development is properly managed will provide protection for surface watercourses, including the River Clarin within the Plan area.</p> <p>This will have a positive impact on both the water quality of the River Clarin and ensure that conservation status of European Sites downstream is maintained.</p> <p>Improvements to the water supply infrastructure will also facilitate a reduction in water loss from the supply network and contribute to water conservation.</p>
16.7	No impact	No impact	No impact	<p>This amendment re-orders the numbering of Objectives arising from the insertion of new Objectives.</p> <p>This will not result in negative impacts to European Sites.</p>
16.8	Positive Impact	No impact	No impact	<p>This new Objective will have positive implications for the aquatic ecology of the River Clarin and other watercourses occurring in the plan area and will contribute to the protection of European Sites from invasive/alien species.</p>

## **Proposed Land Use Zoning Amendments**

**Lands at Furzypark – include land within the LAP boundary and zone as Industrial.**

### **Material Amendment No. 1 – Zone as Industrial**

The western extent of this area of land is bounded by the River Clarin. A review of orthophotography 2010 indicates this area is dominated by agricultural grassland.

Without the implementation of appropriate mitigation measures the development of industrial facilities on this land, particularly in the immediate vicinity of the River Clarin will have the potential to result in perturbations to the river's water quality. Altering greenfield land to artificial impermeable surfaces will have the potential to change surface runoff in this area and affect river flow rates. The construction of industrial facilities at this location will have the potential to result in inputs of pollutants such as suspended solids and contaminating substances to the river. The operation of an industrial facility adjacent to the River Clarin is likely to require the use and storage of potentially polluting materials onsite and the input of such substances to the River Clarin will have a deleterious effect on the river's water quality. The inadequate collection and treatment of wastewater derived from industrial developments in this area will also have the potential to negatively affect the water quality of the River Clarin.

Negative impacts to the water quality of the River Clarin will have the potential to negatively impact qualifying species and habitats of the Galway Bay European Sites downstream.

The draft LAP contains a number of Policies and Objectives that will ensure no development, either alone or in combination with other plans or projects, with the potential to result in adverse impacts to Natura 2000 Sites will be permitted.

With regard to impacts to the water quality of the River Clarin derived from surface water runoff the mitigation policies of the Plan and particularly Policy UI2 and Objective UI4; NH6 and NH7 will ensure that the water quality of the River Clarin is protected from any adverse impacts during the construction of lands zoned for development along the River Clarin. The implementation of an Environmental Management Buffer as outlined in Objective NH7 will require the retention of the existing greenfield riparian corridor along the western extent of this area. The presence of this buffer will ensure that potential impacts associated with the ingress of surface water runoff or polluting materials are minimised.

Regarding the potential negative impact of inadequate wastewater infrastructure the draft LAP contains commitments to restrict future development within Athenry until an adequate wastewater collection and treatment facility is in place to treat future waste water generated from such development to appropriate standards.

Adherence to these mitigation policies and objectives along with a best practice approach to construction and operation will avoid likely negative impacts to the water quality of the River Clarin.

### **Material Amendment No. 3 – Zone as Agriculture**

For an assessment of the potential effects of this Material Amendment to European Sites see Table 2.1: Submission No. 3.3.

### **Material Amendment No. 5 – Zone as Open Space**

For an assessment of the potential effects of this Material Amendment to European Sites see Table 2.1: Submission No. 5.1.

### **Material Amendment No. 8 – Include and Zone as Industrial**

This area of land is located approximately 265m to the west of the River Clarin. A review of orthophotography 2010 indicates this area to be dominated by agricultural grassland and scrub. An isolated drainage ditch, not connected to the River Clarin is located within this area. A third class road and agricultural grassland buffers this area from the River Clarin to the west. This site is not located within a flood zone. Furthermore no surface watercourse pathway links this area to the River Clarin and the Natura 2000 Sites downstream at Galway Bay.

The development of industrial lands at this location will involve the loss of improved agricultural and scrub habitat (likely to be of low and moderate ecological value respectively). Due to the absence of hydrological linkages no impact pathway connects this parcel of land to the River Clarin and the Galway Bay European Sites downstream. Therefore, provided the mitigation Policies and Objectives outlined in the draft LAP and associated environmental reports are adhered to, the zoning of this parcel of land as industrial land use will not represent a risk to Natura 2000 Sites.

### **Material Amendment No. 10 – Zone as Residential Phase 1**

This parcel of land includes a small area of improved agricultural grassland located adjacent to an existing residential housing estate. A hedgerow and drainage ditch is located along the eastern boundary of this area. The drainage ditch eventually discharges to the River Clarin downstream towards Furzypark.

The presence of this drainage ditch establishes a hydrological impact pathway between this parcel of land and the River Clarin and the Galway Bay European Sites downstream.

Without the implementation of appropriate mitigation measures the development of residential housing at this location will have the potential to result in perturbations downstream to the water quality of the River Clarin. Altering greenfield land to artificial impermeable surfaces will have the potential to change surface runoff in this area and affect river flow rates. The construction of residential developments at this location will have the potential to result in inputs of pollutants such as suspended solids and contaminating substances to the river. The inadequate collection and treatment of wastewater derived from industrial developments in this area will also have the potential to negatively affect the water quality of the River Clarin.

Negative impacts to the water quality of the River Clarin will have the potential to negatively ~~impact qualifying species and habitats of the Galway Bay European Sites downstream.~~



The draft LAP contains a number of Policies and Objectives that will ensure no development, either alone or in combination with other plans or projects, with the potential to result in adverse impacts to Natura 2000 Sites will be permitted.

With regard to impacts to the water quality of the River Clarin derived from surface water runoff the mitigation policies of the Plan and particularly Policy UI2 and Objective UI4; NH6 and NH7 will ensure that the water quality of the River Clarin is protected from any adverse impacts during the construction of lands zoned for development along the River Clarin. The implementation of an Environmental Management Buffer as outlined in Objective NH7 will require the retention of the existing greenfield riparian corridor along the western extent of this area. The presence of this buffer will ensure that potential impacts associated with the ingress of surface water runoff or polluting materials are minimised.

Regarding the potential negative impact of inadequate wastewater infrastructure the draft LAP contains commitments to restrict future development within Athenry until an adequate wastewater collection and treatment facility is in place to treat future waste water generated from such development to appropriate standards.

Adherence to these mitigation policies and objectives along with a best practice approach to construction and operation will avoid likely negative impacts to the water quality of the River Clarin.

#### **Material Amendment No. 12 – Zone as Commercial/Mixed Use**

The eastern extent of this area is bounded by the River Clarin. Established developments occur to the west of this area while agricultural grassland dominates the eastern extent of this area adjacent to the River Clarin.

The alteration of greenfield land to artificial impermeable surfaces will have the potential to change surface runoff and river flow rates with the potential to lead to increased erosion within the river channel. The construction of artificial land and buildings in this area will have the potential to adversely affect water quality through inputs of suspended solids and contaminating substances associated with the construction phase. The inadequate collection and treatment of wastewater derived from commercial/mixed use developments in this area will also have the potential to negatively affect the water quality of the River Clarin.

Negative impacts to the water quality of the River Clarin will have the potential to adversely affect the quality species and habitats of the Galway Bay Natura 2000 Sites occurring downstream.

Objective NH 7: Environmental Management Buffer is also of relevance to this area and ensuring that the existing riparian corridor is conserved along the eastern extent of this area. The conservation of the existing riparian buffer along the River Clarin will provide a natural buffer between the land use development zoning and the river corridor. The presence of this buffer will assist in minimising disturbance/perturbations to water quality.

With regard to avoiding the impacts identified above the draft LAP contains a number of Policies and Objectives that will ensure no development with the potential to result in adverse impacts to Natura 2000 Sites, either alone or in combination with other plans or projects, will be permitted. Moreover the draft LAP also sets out Objectives to protect the water quality and support the aim of the Water Framework Directive which seeks to achieve good ecological status for the River Clarin by 2015.

Regarding the potential negative impact of inadequate wastewater infrastructure the draft LAP contains commitments to restrict future development within Athenry until an adequate wastewater collection and treatment facility is in place to treat future waste water generated from such development to appropriate standards. Furthermore the addition of Objective UI 5 will aim to ensure that all wastewater effluent from new developments in this parcel of commercial and mixed use zoning will be disposed of in an appropriate manner.

### **Material Amendment No. 13 – Include and Zone as Industrial**

The western extent of this area of land is bounded by the River Clarin. A review of orthophotography 2010 indicates this area is dominated by agricultural grassland.

Without the implementation of appropriate mitigation measures the development of industrial facilities on this land, particularly in the immediate vicinity of the River Clarin will have the potential to result in perturbations to the river's water quality. Altering greenfield land to artificial impermeable surfaces will have the potential to change surface runoff in this area and affect river flow rates. The construction of industrial facilities at this location will have the potential to result in inputs of pollutants such as suspended solids and contaminating substances to the river. The operation of an industrial facility adjacent to the River Clarin is likely to require the use and storage of potentially polluting materials onsite and the input of such substances to the River Clarin will have a deleterious effect on the river's water quality. The inadequate collection and treatment of wastewater derived from industrial developments in this area will also have the potential to negatively affect the water quality of the River Clarin.

Negative impacts to the water quality of the River Clarin will have the potential to negatively impact qualifying species and habitats of the Galway Bay Natura 2000 Sites downstream.

The draft LAP contains a number of Policies and Objectives that will ensure no development, either alone or in combination with other plans or projects, with the potential to result in adverse impacts to Natura 2000 Sites will be permitted.

With regard to impacts to the water quality of the River Clarin derived from surface water runoff the mitigation policies of the Plan and particularly Policy UI2 and Objective UI4; NH6 and NH7 will ensure that the water quality of the River Clarin is protected from any adverse impacts during the construction of lands zoned for development along the River Clarin. The implementation of an Environmental Management Buffer as outlined in Objective NH7 will require the retention of the existing greenfield riparian corridor along the western extent of this area. The presence of this buffer will ensure that potential impacts associated with the ingress of surface water runoff or polluting materials are minimised.

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Regarding the potential negative impact of inadequate wastewater infrastructure the draft LAP contains commitments to restrict future development within Athenry until an adequate wastewater collection and treatment facility is in place to treat future waste water generated from such development to appropriate standards.

Adherence to these mitigation policies and objectives along with a best practice approach to construction and operation will avoid likely negative impacts to the water quality of the River Clarin.

### **Material Amendment No. 15A – Zone as Residential Phase 2**

A review of ortho-photography suggests that this area is dominated by an established and mature copse of broadleaved woodland (with the possible occurrence of conifers). The woodland occurring in this area forms part of a larger woodland area approximately 2.1Ha in extent. While small in size this area of woodland is likely to function as a refuge habitat and the lack of woodland habitat within the surrounding area increases its importance for supporting flora and fauna.

The area is not connected by any surface watercourses to the River Clarin and is located approximately 1.2km to the west of this river. Its isolated nature from any impact pathways linking it to Natura 2000 Sites at Galway Bay will ensure that the proposed zoning amendment at this parcel of land will not result in likely significant effects to the Galway Bay Natura 2000 Sites.

Furthermore the mitigatory Policies and Objectives of the draft LAP will ensure that any developments within this area will only be permitted where it is demonstrated that they will not result in likely significant effects to Natura 2000 Sites.

### **Material Amendment No. 15B – Include and Zone as Industrial**

This area is dominated by improved agricultural grassland and is located to the northwest of the area associated with Material Amendment No. 15A. A third class road separates 15A and 15B.

The area is not connected by any surface watercourses to the River Clarin and is located approximately 1.3km to the west of this river. Its isolated nature from any impact pathways linking it to Natura 2000 Sites at Galway Bay will ensure that the proposed rezoning will not result in likely significant effects to the Galway Bay Natura 2000 Sites.

Furthermore the mitigatory Policies and Objectives of the draft LAP will ensure that any developments within this area will only be permitted where it is demonstrated that they will not result in likely significant effects to Natura 2000 Sites.

### **Material amendment No. 19 – Zone as Residential Phase 2**

A review of 2010 orthophotography for this area depicts disturbed ground representative of an existing construction site. Areas of recolonising bare ground are also likely to be associated with this area. An isolated drainage ditch occurs along the eastern boundary of this parcel adjacent

to the railway track. However no hydrological linkages were noted between this area and the River Clarin which is located approximately 150m to the east of this area beyond the existing railway track.

The absence of any impact pathways linking this area to Natura 2000 Sites at Galway Bay via hydrological linkages will ensure that the proposed rezoning will not result in likely significant effects to the Galway Bay Natura 2000 Sites.

Furthermore the mitigatory Policies and Objectives of the draft LAP will ensure that any developments within this area will only be permitted where it is demonstrated that they will not result in likely significant effects to Natura 2000 Sites.

#### **Material Amendment No. 23 – Zone as Agriculture**

This zoning of this area to agriculture will not result in negative impacts to the Galway Bay European Sites downstream of the Plan area. This material amendment is discussed in further detail above in Table 2.1: No. 3.3.

#### **Material Amendment No. 25 – Zone as Agriculture**

This zoning of this area to agriculture will not result in negative impacts to the Galway Bay European Sites downstream of the Plan area. This area is currently under agricultural land use with improved agricultural grassland occurring throughout this parcel of land. The continued use of this land for agricultural purposes, in line with current legislation such as the Good Agricultural Practices Regulations 2010, will not result in adverse impacts to the water quality of the River Clarin or negatively affect the conservation status of European Sites at Galway Bay.

#### **Material Amendment No. 28 – Include and Zone as Industrial**

A review of ortho-photography suggests that this area is dominated by improved agricultural grassland. No watercourses occur in this area and it is not connected by any surface watercourses to the River Clarin which is located approximately 1.2km to the east of this location. The absence of any impact pathways linking this parcel of land to the River Clarin and then to European Sites downstream at Galway Bay will ensure that the proposed zoning amendment at this parcel of land will not result in likely significant effects to these designate conservation areas.

Furthermore the mitigatory Policies and Objectives of the draft LAP will ensure that any developments within this area will only be permitted where it is demonstrated that they will not result in likely significant effects to Natura 2000 Sites.

#### **Conclusion of Screening Assessment**

The Screening Assessment of the proposed Material Amendments to the draft Athenry LAP has concluded that, provided the mitigatory policies and objectives of the draft Plan are implemented in a satisfactory manner, the proposed amendments will not result in likely significant effects to the conservation status and integrity of European Sites.

## 7 Screening Report on Submissions on proposed material amendments to draft Athenry Local Area Plan 2012 -2018 Managers Report. 11th June 2012

### 7.1.1 Introduction

This report presents the environmental implications of the submissions made on the material amendments proposed to the draft Athenry Local Area Plan 2012 -2018 following the second public display period of 3<sup>rd</sup> to 30<sup>th</sup> May 2012. The adoption of the Draft Local Area Plan was considered at the monthly Galway County Council meeting held on the 23rd April 2012 together with the Managers Report on the submissions received. The Members made a number of Material Alterations to the proposed Draft Local Area Plan and these Alterations, together with addendum reports on the SEA and HDA were put on public display for the period Thursday the 3rd May to Wednesday the 30th May 2012. A total of **6 Submissions** were received on the Material Alterations (only), the details of which are set out hereunder. This report assesses the recommendations made by the Managers Report in advance of the Galway County Council Meeting in June 2012 and determines what (if any) the environmental implications are of these same recommendations. In addition, it identifies whether additional mitigation measures are required in relation to these recommendations. The assessment of the recommendations is undertaken against the Environmental Protection Objectives (EPOs) presented in the SEA Environmental Report.

This report is also informed by the Habitats Directive Assessment (HDA) process, and a similar screening exercise has been undertaken against Article 6 of the EU Habitats Directive. Again, this process will assess the recommendations in relation to likely significant effects on the conservation objectives of Natura 2000 sites within the plan area and a 15km buffer of same. All land use zoning material amendments were previously assessed through the HDA process and were assessed in the NIR Screening Report Section 2.1 of May 2012. For location of material alterations please see Figure 1.1. of the same report.

The report uses the following text formatting to highlight changes that are recommended to the Draft Athenry Local Area Plan:

- Existing Text – Shown in black text.
- Proposed Deletion – Shown in ~~striketrough black text~~.

Proposed Addition – Shown in **blue highlight**

Where additional mitigation measures are recommended, these are shown in the SEA or HDA column in **Blue Font**.

**This report concludes that the SEA and NIR supports all the Manager’s Recommendations as detailed in the Manager’s Report of 11<sup>th</sup> June 2012 and no additional mitigation measures are required should the Manager’s Recommendations be adopted. An additional mitigation measure is proposed for Objective LU4 Industrial (I), this is shown in the SEA Column of Submission No 1 and No 2.**

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**Table 1: Submissions on proposed Material Amendments of the Draft Athenry LAP SEA and HDA Response and comments on Managers Report Response – Additional Recommendation Text from SEA and HDA are in blue font.**

Ref . No.	Submission	Environmental Issue	SEA Comment	HDA Comment
No. 5	Department of Environment Community and Local Government, 1.1	<p>1. The Council is advised to review all material alterations to <b>residential zoning objectives (either Phase 1 or Phase 2)</b> to ensure that they are consistent with the housing land allocation for Athenry as set out in the Core Strategy in the Galway County Development Plan (GCDP) and should omit any zoning objectives for which there is no clear justification on the grounds of proper planning and sustainable development. In particular the proposal to zone land comprising a mature woodland adjoining Esker Riada to the north of the town from Agricultural use to Residential Phase 2 (MA15A).</p> <p>2. Reconsider the proposed material alteration to the development boundary to accommodate additional industrial zoning objectives pending the completion of necessary traffic impact assessments and in the absence of a clear evidence base to explain why the demand for industrial development cannot be</p>	<p><b>Manager’s Recommendation:</b>            1. Accept <b>MA15A</b> and zone the lands as R – Residential (Phase 2).            2. Insert a Table with a schedule of Land Use Zoning Areas (including areas of developed and undeveloped lands in each zone) in Section 3.1.3 after the Land Use Zoning Matrix. The figures in this table shall take account of the Elected Members decisions after consideration of this Managers Report.</p> <p>SEA Response: the proposed rezoning to R2 in an area close to the Esker Riada will require careful scrutiny should development applications come forward over the lifetime of the plan. In this instance, adherence in particular to the following objectives and policies will be essential: Policy NH2 Ecological Networks, Objective NH5 Biodiversity and Ecological Networks.</p> <p><b>Manager’s recommendation accepted.</b></p> <p>2. These lands were amongst a number of zoning proposals which were not recommended in the Managers Report on the Draft Submissions and were approved by the Members at Council on 23/04/2012.</p> <p><b>MA 15B Manager’s Report Recommendation:</b></p>	<p>1 .See SEA response. <b>Manager’s Recommendation is accepted</b></p> <p>2. See SEA Response. <b>Manager’s Recommendation is accepted</b></p>

		<p>accommodated on existing undeveloped industrial land.</p>	<p>The inclusion and the zoning of land to Industrial use under Material Alteration/Amendment 15B (MA15B) should be removed and the land revert to the original un-zoned Agricultural land. The Draft LAP Boundary should revert to the original boundary as published under the Draft Plan.</p> <p>SEA Response: the rezoning to original agricultural generates more positive impacts including those for soil and geology, biodiversity, landscape and water. In addition, retaining the original plan boundary facilities more concentrated development within the functional plan area and avoids piecemeal development on the fringes of the town with accompanying potential cumulative negative impacts namely for water, biodiversity and material assets.</p> <p><b>Therefore the Manager's recommendation accepted.</b></p> <p><b>MA 28 Manager's Report Recommendation:</b> It is recommended that the inclusion and the zoning of land to Industrial use under Material Alteration/Amendment 28(MA28) should be removed and the lands revert to the original un-zoned Agricultural land. The Draft LAP Boundary should revert to the original boundary as published under the Draft Plan.</p> <p>SEA Response: the rezoning to original agricultural generates more positive impacts including those for soil and geology, biodiversity, landscape and water. In addition, retaining the original plan boundary facilities more</p>	
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		<p>3. A Stage 2 Flood Risk Assessment is advised both for new and historically zoned areas in order to comply with the key principle of avoidance</p>	<p>concentrated development within the functional plan area and avoids piecemeal development on the fringes of the town with accompanying potential cumulative negative impacts namely for water, biodiversity and material assets.  <b>Therefore the Manager's recommendation accepted.</b></p> <p><b>Recommendation: MA8</b>  Accept MA8 to include and zone the lands as Industrial (I)  SEA Response: These lands lie within the line of the proposed Athenry Relief Road and are serviceable. The following mitigation measure is recommended for these lands:  <b>Objective LU4 – Industrial (I)</b> Promote the development of industrial and industrial-related uses, including manufacturing, processing of materials, warehousing and distribution, on suitable lands with adequate services and facilities and a high level of access to the major road network and public transport facilities. Adequate edge treatments and/or screening will be required to ensure high quality interfaces with public spaces and any adjoining residential areas or other sensitive land uses, as appropriate. <b>Proposals on Industrial lands will be subject to requirements in the Plan in relation to avoiding unacceptable transport, environmental and water quality impacts.</b></p> <p><b>3.Recommendation:</b>  No change to the Draft Plan as amended.  <b>No change to the Indicative Flood Risk Assessment</b></p>	<p><b>3. See SEA Response. Manager's recommendation accepted.</b></p>
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		<p>of flood risk as set out in the Flood Risk Management Guidelines 2009.</p> <p>4. Review the zoning of lands north of the town outside the town centre pending the preparation of a retail impact assessment of the proposed zoning for commercial use to assess to the satisfaction of the planning authority the need for additional retail development in that location and the potential impact it might have on the town centre.</p>	<p><b>Maps 3A/3B.</b>  <b>SEA Response:</b> GCC has undertaken additional flood assessment work including groundtruthing and the output maps have guided and informed land use zonings. Therefore the <b>Manager's recommendation accepted.</b></p> <p><b>4.MA 12 (site area: 0.81Ha) and the proposed Commercial/Mixed Use (C2) re-zoning:</b>  These lands were proposed to be re-zoned under Material Alterations/Amendments (MA12) from R - Residential to Commercial/Mixed Use (C2).  <b>Recommendation:</b>  1. Accept MA12 and zone lands to Commercial/Mixed Use (C2).  2. Amend S. 3.4.2 – Objective ED4 to read as follows:  <b>Objective ED4 – Retail Development</b>  Support the development of appropriate types, scales and patterns of retail development in suitable locations within the town and with high quality designs that, support the vitality and viability of the existing town centre and associated main streets, that are easily accessible particularly in terms of public transport, that protect investment in strategic roads and infrastructure and that contribute to the creation of a high quality retail environment, in accordance with the <del>Retail Planning Guidelines 2005</del> and the <del>Draft Retail Planning Guidelines 2012</del> (and any subsequent review or update), and will require Retail Impact Assessments, including details of the application of a 'sequential</p>	<p><b>4. See SEA Response. Manager's recommendation accepted.</b></p>
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			<p><i>approach</i> and Design Statements, where appropriate, for retail development in accordance with the Retail Planning Guidelines and Development Management (DM) Guidelines ED1 and ED2 as contained within this Plan. The town centre (C1) zoning shall remain the primary focus for the location of new retail development and on Commercial/Mixed Use (C2) zoning where appropriate.</p> <p>SEA Response: As the proposed lands are located approximately 160m from the town centre, this is considered to be within walking distance of the town centre under the Retail Planning Guidelines. Any proposals for retail development would be required to carry out a Retail Impact Assessment (RIA) under the 2012 Retail Planning Guidelines including assessment on existing retail and on the vitality and viability of the existing town centre. The proposed Commercial/Mixed Use (C2) zoning does not pre-empt the outcome of such assessment.</p> <p>Due to its proximity to the town centre and the insertion of the 2012 Retail Planning Guidelines, it is considered that this rezoning will generate impacts on many environmental parameters that can be addressed through site level mitigation and will contribute to more positive impacts for population and human health and material asset EPOS. Amendment of Objective ED4 updates objective in line with recent guidelines and accurately reflects policy and statutory framework.</p>	
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			<b>Managers Recommendation accepted.</b>	
1	The National Roads Authority (NRA), St. Martin's House, Waterloo Road, Dublin 4.	<p>1. Refer to submission made on 30.2.2012 and recommend the following (NRA recommended text in blue highlight)</p> <p><b>Objective ED2 – Business &amp; Technology Park Development</b> Promote and encourage the establishment of Business and Technology activities, which can be developed in a campus style park, on Business and Technology zoned lands in tandem with the delivery of essential infrastructural requirements. The development of these lands will be in accordance with Sections 2.4 and 2.5 of the County Development Plan 2009-2015. The Council shall also require an overarching Master Plan <b>and Transport Assessment</b> to integrate with transport and mobility plans and <b>to identify and co-ordinate essential infrastructure requirements</b> and may require Design Statements/Development Briefs for all large scale or sensitively located development proposals within BT zoned lands. The overarching Master Plan for this zoning will be subject to a Strategic Environmental Assessment (SEA) and EU Habitats Directive Assessment (HDA). <b>The Master Plan shall be undertaken in consultation with relevant stakeholders.</b></p> <p>2. <b>Proposed Map Amendments MA1 and MA13:</b> The NRA notes the proposal to extend the LAP boundary to the south to incorporate additional areas with an Industrial Zoning objective. The Authority does not support the further extension of the LAP boundary at this location having regard to the potential impact such incremental development may have on the adjoining M6 and associated junctions.</p>	<p>1. SEA Response: the proposed insertions to Objective ED2 strengthen the objective by highlighting needs for transport assessment and infrastructure requirements; this generates positive impacts for Material Asset EPOs, and Population and Human Health EPOs in particular.</p> <p><b>Managers Recommendation Accepted.</b></p> <p>2. <b>MA 1 and MA13 Manager's Recommendation:</b> 1. Accept Material Alterations MA1 and MA13 to include and zone as Industrial (I). 2. Amend Objective LU4 – <b>Industrial (I)</b></p> <p>SEA Response: The following mitigation measure is proposed in order to address any potential in combination/cumulative effects on transport, water quality and other</p>	<p>1. See SEA Response. <b>Manager's recommendation accepted.</b></p> <p>2. See SEA Response. <b>Manager's recommendation accepted.</b></p>

			<p>environmental parameters:</p> <p><b>Objective LU4 – Industrial (I)</b> Promote the development of industrial and industrial-related uses, including manufacturing, processing of materials, warehousing and distribution, on suitable lands with adequate services and facilities and a high level of access to the major road network and public transport facilities. Adequate edge treatments and/or screening will be required to ensure high quality interfaces with public spaces and any adjoining residential areas or other sensitive land uses, as appropriate. <b>Proposals on industrial lands will be subject to requirements in the Plan in relation to avoiding unacceptable transport, environmental and water quality impacts.</b></p> <p><b>Manager’s Recommendation’s Accepted.</b></p>	
3	<p>Department of Education and Skills Forward Planning Section, Portlaoise Road, Tullamore Co. Offaly</p>	<p>The Department notes the contents of the amendments/material alterations in relation to the Athenry Draft Local Area Plan 2012-2018 and have no further comment to make in this particular instance.</p>	<p>Managers Recommendation – no change.</p> <p><b>Managers Recommendation is accepted.</b></p>	<p>See SEA response.</p> <p><b>Manager’s recommendation accepted.</b></p>
4	<p>The Office of Public Works HQ (OPW) Engineering</p>	<p>The OPW welcomes the following flooding and flood related objectives in the Athenry Draft Local Area Plan including: Objectives DS7, LU11, UI11, UI12 and Policies UI4 and DM Guideline UI1. The OPW recommend the following:</p> <p><b>1. The Planning System and Flooding Risk Management Guidelines for</b></p>	<p>1. Noted. Please see Manager’s Report for detailed response.</p>	<p>See SEA Response to all items. <b>Manager’s recommendations accepted.</b></p>

<p>Section, Jonathan Swift Street, Trim, Co Meath</p>	<p><b>Planning Authorities 2009 (DoEHLG/OPW):</b> The Guidelines place a firm onus on Local Authorities to follow the hierarchal order to avoid, mitigate and manage flood risks, and it details a flood zone system for this purpose, in order to allow planning decisions to be made with regard to flood risk.</p> <p>The OPW recommends that applications for all such development in flood risk areas be accompanied by a flood risk assessment. In addition the Guidelines also require that an appropriately detailed FRA be carried out for historically zoned areas in the Athenry Draft Local Area Plan.</p> <p>2.The OPW recommend exercises such as a site walkover identifying flood areas through type of vegetation associated with flood zones and other useful techniques such as modelling of bridges and culverts to study hydraulic performance and possible overflow mechanisms that can provide extra detail and should also be considered as part of the Stage 2 PFRA at a flood zoning level</p> <p>3. The OPW recommends that a <b>Stage 2 Flood Risk Assessment</b> as per the Guidelines for all areas covered by the Athenry Draft Local Area Plan where zoning occurs. This Stage 2 FRA would inform decisions in the Athenry Draft LAP and where there is an instance of flood risk to new developments, it should take account of the Guidelines and a flood risk assessment should be available for all individual developments. A Stage 3 FRA may be required for some developments for further investigate the specific flood risk at that location, in line with the Guidelines.</p>	<p>2. Noted. Please see Manager's Report for detailed response.</p> <p>3. Noted. Please see Manager's Report for detailed response.</p> <p>The SEA has assessed and evaluated the flood risk zones that were identified as detailed in the Manager's report. In line with the Planning System and Flood Risk Guidelines, vulnerable uses were not permitted in identified flood zones and a range of policies, objectives and development Management Guidelines support flood risk management and landuse (e.g: Objective DS7 Flood Risk Management and Assessment).</p> <p>It is considered that the draft LAP provides sufficient and robust flood protection and management measures and</p>	
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			<p><b>the Manager's recommendation accepted.</b></p>	
2	<p>Cian O' Mahony , Scientific Officer, SEA Section, Office of Environmental Assessment, EPA, Regional Inspectorate, Cork</p>	<p>1. Objective TI 12 Goods Transportation Hub. The submission requests that it is developed at an appropriate location and take into account the particular vulnerabilities identified with the Plan/SEA Screening, including provision of appropriate and adequate critical service infrastructure in advance of permission being permitted. Consideration should be given to reviewing the existing traffic management plan to ensure that it is robust enough to facilitate such a development. An assessment of the likely effects in relation to Noise and Air Quality and appropriateness of the existing transport network within the Plan are should be considered.</p> <p>2. It is noted that the Habitats Directive Assessment Addendum that '<b>Zoning of Transport Infrastructure</b> will require a minimum of 4 watercourse crossings over the River Clarin. It should be ensured that the requirements of the EIA and Habitats and Flood Directives are in particular are taken into account in this regard including the potential for cumulative/in-combination effects. Additionally, any such proposals should be done in consultation with the NPWS and OPW to determine potential for impact on biodiversity and flood related impacts in particular. Consideration should also be given to consulting with the Inland Fisheries Ireland to ensure protection of fisheries where relevant</p>	<p>1. <b>Recommendation: Amend Objective TI12 to read as follows:</b> <b>Objective TI 12 - Goods Transportation Hub</b> Engage with relevant stakeholders to identify demand and identify potential locations for a Goods Transportation Hub within the Plan area <b>in accordance with proper planning and sustainable development including the provision of appropriate and adequate critical service infrastructure.</b></p> <p>SEA Response: This proposed amendment will provide impacts that can be mitigated for a range of material asset EPOs in particular. <b>Manager's recommendation accepted.</b></p> <p>2. The amended policies and objectives in the draft plan including Objective DS3 Natura 2000 Network and Habitats Directive Assessment, new Objective DS7 Flood Risk Management and Assessment and Objective NH4 Impact Assessment are considered sufficient to address any potential environmental issues arising in relation to this. <b>Manager's recommendation accepted.</b></p>	<p>1. See SEA response. <b>Manager's recommendations accepted.</b></p> <p>2. See SEA Response. In particular Objective DS3 Natura 2000 Network and Habitats Directive Assessment and new Objective NH11 Consultation with environmental authorities is considered to provide sufficient protection to any potential developments associated with the River Clarin. <b>Manager's recommendation accepted.</b></p>

		<p>3. Increase in <b>rezoning of Greenfield lands to Industrial Zoned Land:</b> The Agency acknowledges the SEA recommendations provided in the SEA Screening Report for the Alterations, in relation to the intensification of industrial zoning being proposed in the Plan area. It should be ensured that a robust monitoring programme takes account of this proposed increase in development of industrial zoned/proposed industrial zoned lands to identify potential cumulative/in-combination effects and mitigation measures are appropriate enough to address issues should they arise. The intention to require Flood Risk Assessment, Habitat Mapping and Traffic Impact Assessment are noted. The potential impact on surface and ground water quality should also be considered.</p> <p>4. Obligations with respect to <b>National Plans and Policies and EU Environmental Legislation:</b> It is a matter for Galway County Council to ensure that, when undertaking and fulfilling their statutory responsibilities and that at all times compliant with the requirements of national and EU Environmental Legislation.</p> <p>5. <b>SEA Statement:</b> The requirement to prepare an SEA Statement outlining 'Information on the Decision' as required by Article 141 of the Planning and Development Regulations as amended by Article 8 of the SEA Regulations. A copy of the SEA Statement should be</p>	<p>3. Please see recommended mitigation measure for Objective LU4 Industrial (I) as shown in SEA response to Submission No.1 <b>Manager's recommendation accepted.</b></p> <p>4. Noted.</p> <p>5. Noted. This will be prepared when the LAP is adopted.</p>	<p>3. Please see SEA Response. <b>Manager's recommendation accepted.</b></p> <p>4. Noted.</p> <p>5. Noted.</p>
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		sent to any Environmental Authority consulted during the SEA process.		
6	The Athenry Retailers C/O James O'Donnell, Planning Consultancy Services, Gray Office Park, Galway Retail Park, Headford Road, Galway	<p>The clients of this Submission are not in favour of the proposed re-zoning of lands along the Monivea Road from R- Residential to Commercial/Mixed Use (C2) under Material Alterations/Amendments No 12 (MA12) for the following reasons:</p> <ul style="list-style-type: none"> <li>• This re-zoning has the potential to adversely impact on the vitality and viability of the town centre and would be injurious to the existing residential character of the area.</li> <li>• The site is located within an established residential area along the southern edge of the Monivea Road at Caheroyn and the lands primarily consist of a number of old bungalow properties.</li> <li>• Planning Histories associated with the site include permissions for existing dwelling houses on the northern aspect of the site to various persons (97/1239, 00/2402). The permission relating to the southern aspect consists of the demolition of 3 existing houses, creation of a new road entrance and 80 no car parking spaces (08/1640). The submission clients are concerned that this planning permission combined with the proposed C2 zoning will act as a precursor to an Edge of Centre Convenience Retail Outlet (Discount Retail Store).</li> <li>• The response contained within the Managers Report on submissions to the Draft Plan (Submission No 12) stated that the lands are removed from the town centre and from other contiguous Commercial/Mixed Use (C2) zonings and would undermine the vibrancy and vitality of the town.</li> </ul>	<p>Manager's Recommendation: Accept MA12 and zone lands to commercial/Mixed Use (C2). Amend S. 3.4.2 – Objective ED4 regarding reference to the Retail Planning Guidelines and update any other reference to the Draft Guidelines 2011 within the Plan as required.</p> <p>SEA Response: Please see response as detailed under Submission No.5 point 4 above.</p> <p><b>The Manager's recommendation is accepted.</b></p>	Please see SEA Response. Manager's Recommendations Accepted.



		<ul style="list-style-type: none"> <li>• <b>Impact on Vitality and Viability</b>  – owing to the increased vacancy rates within the town, it is considered that there is no justifiable need for an additional Commercial zoning at this location and would pose a threat to the livelihood of existing business within the town.</li> </ul> <p>The submission also states that the existing supply of Town Centre/Commercial (C1) and Commercial/Mixed Use (C2) zones within the town (inside and outside the medieval core) would negate the need for an additional C2 zoning within a residential area.</p> <p>In the absence of any suitable retail or commercial justification for the proposed re-zoning, the submission requests that the subject lands should be retained for Residential purposes only.</p>		
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