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**STAGE 1: SCREENING FOR APPROPRIATE ASSESSMENT**

**PURSUANT TO ARTICLE 6 (3) OF THE HABITATS DIRECTIVE**

**92/43/EEC ON PLANS & PROJECTS SIGNIFICANTLY**

**AFFECTING NATURA 2000 SITES.**

Plan or Project:

**VARIATION 1 CAVAN TOWN & ENVIRONS DEVELOPMENT PLAN**

**(2014 – 2020)**

**STAGE ONE: SCREENING**

**1.0 INTRODUCTION**

**1.1 Requirement for Appropriate Assessment (AA)**

This Screening for Appropriate Assessment provides information on the potential for the proposed Variation Number 1 of the Cavan Town & Development Plan 2014 – 2020 to impact on designated sites of conservation importance within a European context. This document is the Screening for Appropriate Assessment and is submitted for consideration alongside the proposed Variation of the Cavan Town & Environs Development Plan 2014 – 2020 and serves as a documented record of the process and objective criteria used to determine whether the Variation poses any risks of having significant effects on Natura 2000 sites in view of their conservation objectives.

Proposed Variation Number 1 of the Cavan Town and Environs Development Plan proposes 2 changes to the plan in question.

1. Seeks in accordance with the Urban Regeneration and Housing Act 2015 to integrate specific objectives which will identify and encourage the development and renewal of identified areas in need of regeneration or residential development and to specify the areas identified in need of regeneration or residential development.
2. To extend the areas permitting residential development in the Cavan Town and Environs Development Plan to include Phase 2 and Phase 3 lands as per currently zoned.

**1.2 Legislative Background to Appropriate Assessment**

European Directive 92/43/EEC (The Habitats Directive) requires competent authorities to carry out an Appropriate Assessment (AA) of plans and projects that, either alone or in combination with other plans and projects are likely to have a significant effect on European designated sites. The preparation of the Draft Cavan Town & Environs Development Plan has regard to Article 6 of the Council Directive 92/43/EEC of 21st May 1992 on the Conservation of Natural Habitats and Wild Fauna and Flora (as amended). Hereafter referred to the Habitats Directive. This is transposed to Irish legislation under the European Communities (Birds and Natural Habitats) Regulations 2011 and the Planning and Development (Amendment) Act 2010. The European Communities (Birds and Natural Habitats) Regulations 2011 lists priority habitats and species that are of European and International importance and require protection. This protection is afforded through the designation of areas that represent significant populations of listed species within a European context (Natura 2000 sites). Areas designated for bird species are classed as Special Protection Areas (SPA), and areas designated for other protected species and habitats are classed as Special Area of Conservation (SAC). Species that occur in SPAs (Annex I of Birds Directive) or SACs (Habitats listed on Annex I and/or Annex II Species listed on the Habitats Directive) in which they are designated features have full European protection. Species listed on Annex IV of the Habitats Directive are strictly protected wherever they occur in the country, whether inside or outside a Natura 2000 site. Habitats that are equivalent to those listed, but not within SACs are still classed as priority habitats of international and national importance and under Article 27 (4(b)), the planning authority has a duty to avoid the pollution or deterioration of Annex I habitats. The Habitats Directive specifies scientific criteria on the basis on which Natura 2000 sites must be selected and sets out various procedures and obligations in relation to the conservation objectives of those sites. Articles 6(3) and 6 (4) of the Habitats Directive set out the requirement for an assessment of proposed plans and projects likely to significantly affect Natura 2000 sites. Article 6(3) establishes the requirement to screen all plans and projects for likely impacts (referred to as a Stage 1: Screening for Appropriate Assessment) and to carry out further detailed assessment if required (referred to as a Stage 2: Appropriate Assessment):

Article 6(3): *“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 alone in combination with other plans and projects, shall be subjected to an appropriate assessment of its implications for the site in view of its conservation objectives. In light of the conclusions of the assessment of the implications for the site and subject to provisions of paragraph 4, the competent national authorities shall agree to a plan or*

*project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public”*

**1.3 Stages in the Appropriate Assessment Process**

The process of assessing Variation Number 1 Cavan Town & Environs Development Plan is a structured exercise with a series of steps. The stages proposed in the European Commission guidance are:

Stage One: Screening — the process which identifies the likely impacts upon a Natura 2000 site of a project or plan, either alone or in combination with other projects or plans, and considers whether these impacts are likely to be significant;

Stage Two: Appropriate Assessment — consideration of the impact on the integrity of the Natura 2000 site of the project or plan, either alone or in combination with other projects or plans, with respect to the site’s structure and function and its conservation objectives. Additionally, where there are adverse impacts, an assessment of the potential mitigation of those impacts;

Stage Three: Assessment of alternative solutions — processes which examine alternative ways of achieving the objectives of the project or plan while avoiding adverse impacts on the integrity of the Natura 2000 site;

Stage Four: Where no alternative solutions exist and where adverse impacts remain — an assessment of compensatory measures where, in the light of an assessment of imperative reasons of overriding public interest (IROPI), it is deemed that the project or plan should proceed.

This report provides a Stage 1: Screening for Appropriate Assessment and is intended to address all issues regarding the Draft Cavan Town & Environs Development Plan 2014 - 2020 and the potential impacts on all Natura 2000 sites within 15km of Cavan Town and allow Cavan County Council as the

“Competent Authority” to comply with Article 6 (3) and (4) of the Habitats Directive 92/43/EEC.

* 1. **DESCRIPTION & FEATURES OF VARIATION**

Proposed Variation Number 1 of the Cavan Town and Environs Development Plan proposes 2 changes to the plan in question.

1. Seeks in accordance with the Urban Regeneration and Housing Act 2015 to integrate specific objectives which will identify and encourage the development and renewal of identified areas in need of regeneration or residential development and to specify the areas identified in need of regeneration or residential development.
2. To extend the areas permitting residential development in the Cavan Town and Environs Development Plan to include Phase 2 and Phase 3 lands as per currently zoned.

**2.1 Variation Screening Process**

There is no restriction on when the screening of any plan or project likely to significantly affect Natura 2000 sites can take place. The screening is intended to provide a review of the variation and if the variation triggers the requirement for more detailed level of assessment (Stage 2: Appropriate Assessment) and which Natura 2000 sites will be affected. This screening process is undertaken during the preparation of Variation 1 of the Cavan Town & Environs Development Plan 2014-2020 and serves to highlight particular impacts of the variation on Natura 2000 sites and provides scope for amending new policies that would have a direct conflict with the conservation objectives of Natura 2000 sites.

**2.2 Proximity of Cavan Town to Natura 2000 sites.**

The boundaries of Natura 2000 Sites in Cavan Town and within 15km of the Town boundary are shown in Figure 1.

#### Figure 1. Natura 2000 Network included in the Screening for Appropriate Assessment

**3.0 NATURA 2000 SITES**

**3.1 Natura 2000 sites within 15km of Cavan Town**

All Natura 2000 sites entirely or partially within a 15km buffer from Cavan Town have been included in this assessment in accordance with the Department of Environment, Heritage and Local Government guidance (DoEHLG, 2010). This distance was deemed to be sufficient to cover all likely significant effects which may arise from the implementation of the Draft Cavan Town & Environs Development Plan on Natura 2000 sites.

**Table 1. Qualifying Features of Natura 2000 Sites.**

#### Table 1. Qualifying Features of Natura 2000 Sites.

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| **NATURA 2000 Site** | **Qualifying Features** | **Extent and Character** | **Threats to Site Integrity** |
| **Lough Oughter & Associated Loughs Special Area of Conservation** [000007]Site Area: 4757.9ha Lough Oughter and itsassociated loughs occupy much of the lowland drumlin beltin north and central Cavan between Upper Lough Erne, Killashandra and Cavan town consisting of some 90 inter-drumlin lakes and 14basins in the course of the Erne River. | **Natural eutrophic lakes with *Magnopotamion* or *Hydrocharition-type* vegetation [3150]** Natural eutrophic lakes have nutrient levels that are higher than those of oligotrophic, dystrophic or mesotrophic lakes, resulting in higher natural productivity, and are typically species-rich. However, many such lakes have been damaged by over- enrichment with nutrients, resulting in hypertrophic conditions and a reduction in species-richness. | This habitat represents approximately 67% of the land cover within the SAC (3187.8ha). This habitat occurs in 87% of suitable 10km squares in Ireland. 11 SACs are designated for this habitat type. Lough Oughter & Associated Loughs represent 24% of the total SAC contribution within the Member State. | It is considered that the adoption of this proposed Variation will not affect this Natura 2000 site. The proposed Variation will not diminish the effect of existing policies and objectives in the Cavan County Development Plan 2014-2020 which provide protection for water quality, protected habitats and protected species, including SAC’s and SPA’s from development which would detrimentally impact upon them. |

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| **Lough Oughter Complex** Special Protection Area [004049]Site Area: 1466.5haThe Lough Oughter Complex SPA is of ornithological importance for its wintering waterbird populations. Of particular note is the internationally important population of Whooper Swan that is based in the area. The site also supports nationally important populations of a further two wintering species and, notably, holds the highest breeding concentrations of Great Crested Grebe in the country. | **Great Crested Grebe [A005]** is a widespread breeder across much of Europe, which accounts for less than half of its global breeding range. Its European breeding population is large (>300,000 pairs). The species breeds on fresh or brackish waters with abundant emergent and submerged vegetation showing a preference for non-acidic eutrophic waterbodies with flat or sloping banks and muddy or sandy substrates usually 0.5-5 m deep and with large areas of open water. Suitable habitats include small pools or lakes, backwaters of slow-flowing rivers and artificial waterbodies (e.g. reservoirs, fish-ponds, gravel pits and ornamental lakes). | Ireland supports approximately 2,074 breeding pairs. It is estimated that *c*.24% of the breeding population in Ireland occurs within SPAs. Lough Oughter is at the centre of the Irish breeding range of Great Crested Grebe and the site supports in excess of 5.5% of the estimated national breeding total of this species (115 individuals), equivalent to 23% of the SPA contribution for this species respectively.Ireland supports approximately 3,500 wintering Great Crested Grebe. It is estimated that *c.*43% occur in SPAs. Lough Oughter Complex support an average peak count of 85 individuals each year, equivalent to 2.4% of the wintering population in the Member State, and 6.5% of the SPA contribution for this species respectively. | . |
|  | **Whooper Swan [A038]** Four discrete populations of the Whooper Swan have been identified in western Eurasia. Icelandic breeding stock winters in Iceland, Britain and Ireland comprising of *c*.16,000 birds. | Ireland supports approximately 10, 320 wintering Whooper Swan. It is estimated that *c*.1,853 of these birds winter in SPAs. Lough Oughter supports 318 roostingWhooper Swan (five year mean peak 1995 |

|  |  |  |  |
| --- | --- | --- | --- |
|  |  | – 2000), equivalent to 3% of the wintering population in the Member State, and 17% of the SPA contribution for this species. The Icelandic population is believed to bestable or declining slightly. |  |
|  | **Wigeon [A050]**In winter, Wigeon are highly gregarious, and occur in large, mobile flocks. Wigeon is largely a coastal species, feeding on mud-flats, coastal flooded grassland and saltmarsh pastures, however are also widespread on inland flooded grassland. | **Ireland supports approximately** 125,000 wintering Wigeon. It is estimated 3% (3,863) of wintering Wigeon occur within the SPA network. Lough Oughter Complex supports 903 (five year mean peak 1995 – 2000) Wigeon, equivalent to 0.7% of the wintering population within the Member State, and 23.3% of the total SPA contribution for this species. |
|  | **Wetland & Waterbirds [A999]** | The E.U. Birds Directive pays particular attention to wetlands and, as these form part of this SPA, the wetlands and its associated waterbirds are of special conservation interest for Wetland & Waterbirds. |

#### Conservation Objectives

To maintain the annexed habitats and species for which the Natura 2000 sites have been designated at a favourable conservation status. The maintenance of habitats and species within Natura 2000 sites at favourable conservation condition will contribute to the overall maintenance of favourable conservation status of those habitats and species at a national level. The favourable conservation status of a habitat is achieved when:

* + - its natural range, and area it covers within that range, are stable or increasing;
		- the specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future; and,
		- the conservation status of its typical species is favourable;

The favourable conservation status of a species is achieved when:

* + - population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats;
		- the natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future; and,
		- there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

#### SCREENING OF POTENTIAL LIKELY SIGNIFICANT EFFECTS

#### Assessment Criteria

* + 1. **Description of the Elements of the Project likely to give rise to Impacts on Natura 2000 sites.**

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

The Cavan Town & Environs Development Plan 2014 – 2020 is a robust strategic document developed in combination with a range of European, National and Regional legislation; and, planning guidelines and policy documents pertinent to environmental management. The plan was guided by, and operates within the context of the National Plans and Guidance documents, notably the Border Regional Authority Regional Planning Guidelines 2010 – 2022 and Planning and Development (Amendment) Act 2010.

A key requirement within the planning guidelines is that a Variation to a Development Plan is subject to a Strategic Environmental Screening and to be consistent with the Habitats Directive, subject to an Appropriate Assessment.

The proposed Variation seeks to alter where residential development may take place within the town plan. Whilst continuing to have compliance with the adopted Core Strategy of the Plan, the Variation intends to permit development for residential purposes in Phase 2 and Phase 3 lands. The proposed Variation is not altering the evidence base for the requirement for 65ha of land to be made available for residential development in the plan period. This remains unchanged for the proposed Variation; however the choice of lands on which to develop has been increased to include Phase 2 and 3 lands as well as Phase 1 lands of the existing plan.

The Proposed Variation of the Cavan Town and Environs Development Plan 2014 – 2020 is

also intended to provide a policy framework for implementation of the Vacant Site Levy. The Urban Regeneration and Housing Act 2015 introduced the Vacant Site Levy as a site activation measure, to ensure that vacant or underutilised land in urban areas is brought into beneficial use, while also ensuring that a more efficient return on State provided enabling infrastructure and helping to counter unsustainable urban sprawl. The Levy is intended to incentivise the development of vacant or idle sites in urban areas identified by planning authorities as “regeneration land” or “residential land”, with a view to bringing such sites into beneficial use. The Vacant Site Levy makes provision for the active and efficient use of unused or underused zoned lands served by existing public infrastructure and facilities. The Levy can be imposed by Cavan County Council under certain conditions in designated areas

**4.1.2** **Description of the Likely Impact of the Plan on the Natura 2000 sites.**

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

***Size, scale, area and land take:***

The total area of land cover subject to Residential land use zoning objectives in the current Cavan Town & Environs Development Plan 2014 – 2020 is 65ha. The Variation has not changed this; however the choice of lands has been increased to permit residential development, subject to location, services, access and proper planning to include suitable lands on zoning Phase 2 and 3 lands. The Variation does not propose any zoning of land within Natura 2000 sites.

The Variation also seeks to designate lands that can be subject to specified criteria be selected for the application of Vacant Sites Levy in accordance with the Housing and Regeneration Act 2015. This Act Seeks in accordance with the Urban Regeneration and Housing Act 2015 to integrate specific objectives which will identify and encourage the development and renewal of identified areas in need of regeneration or residential development and specify the areas identified in need of regeneration or residential development.

***Distance from Natura 2000 site or key features of the site:***

Cavan Town is located within close proximity to Lough Oughter & Associated Loughs SAC and Lough Oughter Complex SPA. The main potential impacts to these sites are changes in hydrology, drainage and deterioration of water quality through nutrient enrichment from agricultural surface water run-off and wastewater treatment

***Emission (disposal to land, water or air):***

The level of water supply and extraction has been considered for the preparation of the Cavan Town & Environs Development Plan 2014 – 2020 and in the Screening for Appropriate Assessment for the adopted plan. The proposed Variation of the plan does not involve any emissions. Neither does it have the potential to influence any other plans or projects in a manner that could potential impact on European Sites as a result of emissions.

***Duration:***

The period of the Cavan Town & Environs Development Plan and the proposed Variation to same, extends to 2020 and will not continue or be applicable beyond this date.

* + 1. **Description of Likely Changes to the Natura 2000 sites.**

***Describe any likely changes to the designated sites arising as result of:***

* + - * ***Reduction of habitat area***

Variation No. 1 does not propose any additional land take within Natura 2000 sites.. Prior to any proposed plans or projects commencing each shall be subject to an Appropriate Assessment in accordance with the requirements of Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC).

* + - * ***Disturbance to key species***

No specific plans or proposals in Variation No. 1 are considered to represent any significant impacts to key species through disturbance.

* + - * ***Habitat or species fragmentation***

No specific plans or proposals in Variation No. 1 are considered to represent any significant impacts to habitat or species through fragmentation.

* ***Reduction in species density***

No specific plans or proposals in Variation No. 1 are considered to represent any decline to species distribution or abundance within Natura 2000 sites.

* + - * ***Changes in key indicators of conservation value (e.g., water-quality, etc.).***

Cavan County Council is involved in the management and monitoring of four River Basin Districts (RBDs) each include specific River Basin Management Plans (RBMPs) for the Neagh Bann International River Basin District (NBIRNBF), the Eastern River Basin District (ERBD), Shannon International River Basin District (SIRBD) and the North Western International River Basin District (NWIRBD). Under the Water Framework Directive it is an objective for all waters to achieve at least good water quality status within prescribed timeframes. Cavan County Council is required to meet the environmental objectives of these River Basin Management Plans and Variation No. 1 does not alter this.

* + 1. **The Likely Impacts on the Natura 2000 sites as a whole.**

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

* + - * ***Interference with the key relationships that define the structure of the site.***

Variation No. 1 does not propose any development, plan or projects within any specific Natura 2000 site and therefore it is considered that there will be no potential negative impacts on the relationships that define the structure of Natura 2000 sites.

* + - * ***Interference with key relationships that define the function of the site.***

Variation No. 1 does not propose any development, plan or projects within any specific Natura 2000 site and therefore it is considered that there will be no potential impacts on the relationships that define the structure of Natura 2000 sites.

* + 1. **Indicators of Significance of the Impacts.**

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

* + - * ***Loss***

There will be no loss of natural habitat within any European site as a result of the proposped Variation.

* + - * ***Fragmentation***

There will be no habitat fragmentation within any European site as a result of the proposed Vairation.

* + - * ***Disruption***

There wll be no significant disruption to processes within any European site as a result of the propsoped Variation.

* + - * ***Disturbance***

There will be no significant disturbance to fauna withn an European site as a result of the proposed Varuation.

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

Ther will be no changes to key elem,nts within any European site as a result of the proposed Variation.

* + 1. **Likely Significance of Potential Impacts**

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

The screening process identified all impacts and relevant significance indicators of Variation No. 1 Cavan Town and Environs Development Plan 2014 – 2020. A significant weighting on the conclusions of no significant impacts is based on the following rationale:

That in implementation of the Plan, no areas of habitat that are important for the survival of the designated habitats or species within the Natura 2000 will be:

* + - * Modified or fragmented, destroyed or isolated. No key biogeochemical processes necessary for the survival of the designated features will be impacted, directly or indirectly or in the short to long term.

No ecologically meaningful proportion of habitat, or designated feature dependant on that habitat within the Natura 2000 sites examined in this screening will be:

* + - * Seriously impacted (either through loss, damage or deterioration in water quality).

**4.1.6 Likely Significance of Potential Impacts**

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

The screening process for the adoption of the Cavan Town and Environs Development Plan identified all impacts and relevant significance indicators of the Plan 2014. A significant weighting on the conclusions of no significant impacts was based on the following rationale:

That in implementation of the Plan, no areas of habitat that are important for the survival of the designated habitats or species within the Natura 2000 would be:

• Modified or fragmented, destroyed or isolated. No key biogeochemical processes necessary for the survival of the designated features will be impacted, directly or indirectly or in the short to long term. No ecologically meaningful proportion of habitat, or designated feature dependant on that habitat within the Natura 2000 sites examined in this screening will be:

• Seriously impacted (either through loss, damage or deterioration in water quality).

The proposed Variation has not altered this.

#### Policies and Objectives protecting Natura 2000 sites

A material consideration in defining the strategy and policies of the adopted Cavan Town & Environs Development Plan 2014 – 2020 is the regulatory and legal instruments protecting designated sites and their respective conservation objectives. The existing Plan contains numerous policies and measures which contribute to the conservation objectives of Natura 2000 sites and compliment Cavan County Council’s obligation to ensure that the Plan complies with the requirements of the Habitats Directive. All relevant policies within the Plan, and those that support the ecological coherence and protection of the Natura 2000 network are detailed below.

Encouragement will be given to proposals which improve the biodiversity value of sites and to the establishment of local nature areas where the nature conservation and landscape interest of the land will be protected and enhanced.

**RI-O10** To have regard to the Local Action Biodiversity Plan for County Cavan in the provision of any new Council roads.

**F-O3** To ensure that development that is sensitive to the effects of flooding will generally not be permitted in flood prone or marginal areas.

**F-O5** Prevent the alteration of natural drainage schemes and in the case of development works, require the provision of acceptable mitigation measures in order to minimise the risk of flooding and negative impacts to water quality.

**PSS-P1** To require that the septic tanks and proprietary effluent treatment systems comply in full with the requirements of the Environmental Protection Agency Wastewater Treatment EPA Code of Practice 2009 or any subsequent Guidelines/Code of Practice.

**WQ-O1** To participate in the implementation and promote compliance with the requirements of the Water Framework Directive through the River Basin Management Plans and associated programmes of measures.

**WQ-O2** To co-operate with relevant stakeholders in the implementation of the River Basin Management Plans and the associated programmes of measures.

**WQ-O3** To ensure the protection and improvement of all drinking water, surface water and ground waters throughout the county by implementing the EU Water Framework Directive, and any other associated legislation.

**WQ-O4** To work in co-operation with all organisations and all major stakeholders to ensure a co-ordinated approach to the protection and improvement of the water resources.

**WQ-O5** To continue to improve water quality and maintain water quality which is already at Good and High Ecological Status.

**HO2** All new residential developments must submit, at planning application state, a design brief which demonstrates clear compliance with the Department of the Environment, Heritage (Community) and Local Government Publications; ‘Quality Housing for Sustainable Communities, Best Practice Guidelines for Delivering Homes and Sustaining Communities’ and ‘Delivering Homes Sustaining Communities, Statement on Housing Policy’.

**NH&EN -P 1** To conserve, protect and manage the Local Authority’s natural heritage assets for future generations while encouraging appreciation / understanding and enjoyment of the amenity value for the present generation.

**NH&B -P1** To protect, manage and conserve and seek to enhance the County’s biodiversity.

**NH&B- P2** To integrate biodiversity consideration into all Cavan Local Authorities activities through the County Biodiversity Action Plan process.

**NH&B- P3** To ensure the protection of species of flora and fauna afforded legal protection under Irish and European Legislation.

**NH&B -P4** To assess the impact on biodiversity of proposals for large developments, particularly those on greenfield sites, or in environmentally sensitive areas. Any such developments where they do occur must include measures for enhancement of biodiversity.

**NH&B-O3** To Protect and enhance important landscape features including streams, rivers, canals, lakes, and associated wetlands such as reedbeds and swamps; ponds, springs, bogs, fens, trees, woodland and scrub, wildlife and riparian corridors, hedgerows and other boundary types such as stone walls and ditches which are of importance for wild flora and fauna.

**DS -P1** Development on or adjacent to National or European designated sites or proposed designated sites during the lifetime of this plan will be permitted only where an assessment has being carried out to the satisfaction of Cavan County Council, in consultation with National Parks and Wildlife Service and indicates that the overall integrity of the site will not be compromised or adversely affected.

**DS-P2** To have regard to the views of the National Parks and Wildlife Service in respect of proposed development where such development may have an impact on a designated National or European site or proposed site for designation.

**DS-P3** To continue to undertake surveys and collect data that will assist Cavan Local Authorities in building its knowledge base and meeting its obligations under Article 6 of the Habitat Directives.

**WL-P1** To protect existing wetlands from destruction, infilling, fragmentation and degradation**.**

**WL-O1** To resist development that would destroy, fragment and degrade wetlands.

**GI-P1** To undertake a Green Infrastructure Strategy for Cavan Town during the lifetime of this Development Plan and to ensure that County Cavan’s Natura 2000 sites are central to this strategy.

#### Designated Sites Objectives:

**DS-O1** To ensure an Appropriate Assessment in accordance with Article 6(3) and Article 6(4) of the Habitats Directive, and in accordance with the Department of the Environment, Heritage and Local Government *Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, 2009* and relevant EPA and European Commission guidance documents, is carried out in respect of any Plan or Project not directly connected with or necessary to the management of the site but likely to have significant effect on a Natura 2000 site(s), either individually or in combination with other plans or projects, in view of the site’s conservation objectives.

**DS-O2** To protect and conserve the conservation value of Special Protection Areas, Special Areas of Conservation, Natural Heritage Areas and proposed Natural Heritage Areas as identified by the Minister for Arts, Heritage and the Gaeltacht and any other sites that may be proposed for designation during the lifetime of this plan.

As detailed above the existing Cavan Town & Environs Development Plan 2014 – 2020 has many policies and objectives that serve to avoid and minimise risks to Natura 2000 sites. Many of these policies and objectives reinforce the statutory authorities’ obligation to comply with environmental legislation and serve to promote the importance of other areas designated for conservation interest and strengthen the protection of ecologically importance networks within the Cavan Town and Environs Area.

#### 5.0 CONCLUSIONS

This Stage 1: Screening for Appropriate Assessment of Variation 1 of the Cavan Town & Environs Development Plan 2014 – 2020 has been conducted in accordance with the “Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC” as published by the European Commission and “Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities” published by the Department of Environment, Heritage and Local Government. In view of the information presented for consideration from the statutory consultees, and on implementation of the proposed policies, it is objectively concluded that there are likely to be no significant effects on the Natura 2000 sites and that appropriate protection and mitigation, where necessary, in respect of Natura 2000 Network has been formulated within the existing Cavan Town & Environs Development Plan to ensure that changes in land utility, development and the potential impacts from permissions based on policies and objectives detailed in the Plan conform to the requirements of the European Communities (Birds & Natural Habitats) Regulations 2011.

**STAGE 1 SCREENING FOR APPROPRIATE ASSESSMENT**

**FINDING OF NO SIGNIFICANT EFFECTS REPORT MATRIX (FONSE)**

**In accordance with Article 6(3) and 6(4) of the Habitats Directive 92/43/EEC**

|  |  |
| --- | --- |
| **Development Type** | Variation No. 1 Cavan Town & Environs Development Plan 2014 - 2020 |
| **Development Location** | Cavan Town including surrounding lands within 15km. |
| **Natura 2000 site(s) within impact zone****\*Sites listed in bold within County Cavan** | Lough Oughter & Associated Loughs Special Are of Conservation [000007]Lough Oughter Complex Special Protection Area [004049] |
| **Qualifying interests of Natura 2000 site(s)** | Natural eutrophic lakes with *Magnopotamion* or*Hydrocharition*-type vegetation [3150] Wetland & Waterbirds [A999]Great Crested Grebe [A005]Whooper Swan [A038] Wigeon [A050] |

**Conservation Objectives for Lough Oughter and Associated Loughs SAC**

**[000007]**

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| --- |
| **1.0 Name of project or plan: Variation 1 of Cavan Town & Environs Development Plan 2014 - 2020** |
| **Name and location of Natura 2000 site:** | The Cavan Town & Environs Development Plan does not relate to any one Natura 2000 site and considers all sites within a recommended 15km buffer zone. |
|  |
| **Description of the project or plan** | The Plan establishes a framework for the co-ordinated and sustainable economic, social, cultural and environmental development of Cavan Town and surrounds. The Plan details the policies and objectives of Cavan County Council's vision for the spatial and sectoral development of Cavan Town over the period from 2014 - 2020. The Plan also serves as a point of reference for statutory authorities, planners, developers and the general public on how development proposals are likely to be assessed. |
| **Is the project or plan directly connected with or necessary to the****management of the site provide details)?** | The Cavan Town & Environs Development Plan 2014 - 2020 is not directly connected with or necessary to the management of the Natura 2000 Network. The Plan provides the strategic direction and policyagainst which proposed developments are based. A material consideration in that strategy and respective policy platform is the regulatory and legal instruments protecting designated sites with a specific focus on the key conservation objectives of those sites. |

It can be objectively concluded that there are not likely to be significant effects on the Natura 2000 site(s) arising from Variation No. 1 Cavan Town and Environs Development Plan 2014 - 2020.

The screening process identified all impacts and relevant significance indicators of Variation No. 1 Cavan Town and Environs Development Plan 2014 - 2020.

No areas of habitat that are important for the survival of the designated features/species within the Natura 2000 sites will be:

* Modified or fragmented, destroyed or isolated. No key biogeochemical processes necessary for the survival of the designated features will be impacted, directly or indirectly or in the short to long term.

No ecologically meaningful proportion of the habitat of designated feature of the Natura 2000 sites will be:

* Seriously impacted (either through loss, damage or deterioration in water quality).

Overall **Conclusions**