



# Graiguenamanagh- Tinnahinch Draft Joint Local Area Plan 2021



CARLOW COUNTY COUNCIL  
COMHAIRLE CHONTAE CHEATHARLOCHA



KILKENNY  
COUNTY COUNCIL

## **PROPOSED MATERIAL ALTERATIONS – SCREENING FOR APPROPRIATE ASSESSMENT**

April 2021

Forward Planning

## INTRODUCTION

### 1.1 Draft Joint Graiguenamanagh-Tinnahinch LAP 2021

Material Alterations to the Draft Graiguenamanagh-Tinnahinch Local Area Plan (LAP) 2021-2022 have been proposed by the Elected Members of Carlow County Council and Kilkenny County Council on the 8th and 15th of March respectively. These alterations have arisen following a review of the Chief Executive’s Report on submissions received during the public display period of the LAP by the Elected Members of each Planning Authority.

The Draft Graiguenamanagh-Tinnahinch Local Area Plan (LAP) 2017-2023 was placed on public display from the 20<sup>th</sup> November 2020 until 25<sup>th</sup> January 2021. An Appropriate Assessment Natura Impact Report was also placed on display with the LAP.

A total of 17 submissions were received on the LAP. The issues raised by the submissions were summarised and the response and recommendation of the Chief Executive was provided in accordance with the Planning and Development Act 2000 (as amended). Following consideration of the Chief Executive’s Report on the submissions, the Elected Members decided to make a number of changes which are considered to be Material Alterations in response to a number of issues raised in the submissions.

In accordance with Section 20(3)(f) of the Planning and Development Act 2000, as amended, the Planning Authority shall determine if an appropriate assessment is required “to be carried out as respects one or more than one proposed material alteration of the draft local area plan”.

This report provides the assessment of the Proposed Material Alterations and screening of same. It also includes, as Appendix 1, an addendum to the AA Screening of the Draft Plan, to incorporate the issues raised in the submissions received to the Draft Plan and Screening.

## 2 PROPOSED MATERIAL ALTERATIONS ASSESSMENT

A review of the Proposed Material Alterations has been undertaken in **Table 2.1**. Where the potential for impacts has been identified, an assessment has been undertaken of likely significant effects.

**Table 2.1 – Assessment of likely significant effects**

Ref. no	Alteration Type	Identification of Potential Impacts	Assessment of likely Significant Effects
Map 1 Land Use Zoning Map			
1	Amend legend of <b>Map 1 ‘Land Use Zoning Objective’</b> as follows: Pedestrian/Cycle Improvements <i>Indicative Pedestrian/Cycle Improvements</i>	No impact on existing Natura Impact Report	N/A
2	Reduce quantum of ‘New Residential’ zoned lands at NR7	No impact on existing Natura Impact Report	N/A

AA Screening of Material Alterations to Graiguenamanagh-Tinnahinch Draft Joint LAP 2021

3	Reduce quantum of 'Low Density Residential' zoned lands at LD2	No impact on existing Natura Impact Report	N/A
4	Amend landuse designation at NR5 to west of settlement in Graiguenamanagh from New Residential to Agriculture use	No impact on existing Natura Impact Report	N/A
5	Include site specific objective TO2.7 on lands adjacent to Brandondale House <i>'To facilitate the expansion of additional overnight tourism accommodation in association with the expansion of facilities at Brandondale house on the lands to the South West of Brandondale house subject to development management criteria.'</i>	Intensification of existing use of Brandondale House. Indirect damage / degradation of habitat and disturbance to species.	Construction/development of proposed new developments will not have a significant effect on the qualifying interests of the European sites as identified as the nearest European site is located approx. 65m away from this site.
6	Include site specific objective COM1.4 on New Residential lands NR8 <i>COM1.4: A Social Infrastructure Assessment (SIA) shall be prepared for the development of this site to ensure that new community facilities where deficit exists are provided on a phased basis in this new residential community in tandem with the provision of housing. The SIA shall include quantitative and spatial assessment of the existing infrastructure provision, and recommendations for future services based on demographic and area-based analysis in relation to services such as; education, childcare; other community services; open space; sports and other amenities.</i>	No impact on existing Natura Impact Report	N/A
<b>Changes to text of Draft Plan</b>			
Chapter 1	Amend text in Section 1.6 as follows: <del>National Biodiversity Plan 2011-2016</del> <i>Ireland's National Biodiversity Plan 2017-2021</i>	No impact on existing Natura Impact Report	N/A
Chapter 2	Amend text in Section 2.2.1 as follows: <del>'The area itself has remains of settlements dating from thousands of years earlier.'</del> <i>'The town has a rich heritage and may yet have unidentified sites/features of archaeological</i>	No impact on existing Natura Impact Report	N/A

	<i>activity associated with the settlement of the Graiguenamanagh-Tinnahinch area.'</i>		
Chapter 3	Amend Strategic Objective SO4 as follows: To support the creation and enhancement of a network of pedestrian walkways, footbridges and open spaces connecting the River Barrow and other recreational and tourist attractions within the settlement <i>while ensuring the protection and preservation of the natural and built heritage of the area</i>	No impact on existing Natura Impact Report	N/A
Chapter 4	The changes in this chapter reflect compliance with recently adopted Section 28 Guidelines on projected population growth.	This text change results from new guidelines which will reduce the population growth. The impact is further reduced and no impact on the existing Natura Impact Report	N/A
Chapter 5	Amend Objective TO2.1 and TO2.2 to ensure compliance with European Habitats Directive.  Amend Objective TCO1.1 to provide for additional level of architectural assessment of any development proposals on identified regeneration projects  Amend text in Section 5.4.1 to include reference to Figure 5.1 Identified Sites for Regeneration  Amend text in Section 5.6 to include reference to retail core area illustrated on Map 1 Landuse Zoning Map.  Amend Objective TO2.6 in Section 5.9.4 to allow greater uses on mixed use zoned lands in Tinnahinch.  Amend text in Section 5.4.1 to encourage conversion of stone	No impact on existing Natura Impact Report	N/A

AA Screening of Material Alterations to Graiguenamanagh-Tinnahinch Draft Joint LAP 2021

	buildings n back lanes of Graiguenamanagh		
Chapter 7	Amend text of Objective GIO 1.2 to include 'tree planting'  Amend text in Section 7.2.1 to include 'Highview Athletic FC' in list of facilities	No impact on existing Natura Impact Report	N/A
Chapter 8	Amend Objective ARCO1.1 to provide clarification	No impact on existing Natura Impact Report	N/A
Chapter 8 & 10	Amalgamate Section 10.6 Natural Heritage and Section 8.4 Natural Heritage and Biodiversity	No impact on existing Natura Impact Report	N/A
Chapter 10	Insert new objective in Section 10.2 to address cumulative impacts of a private water supply on the hydrological regime of the River Barrow SAC	This objective requires additional assessment of the impacts on the SAC of any additional water supply, and therefore will not impact on existing Natura Impact Report	N/A
	Amend text in Section 10.3 on status of River Barrow	No impact on existing Natura Impact Report	N/A
	Amend Objective INFO3.4 as follows: To require the preparation of Drainage Impact Assessments for all development proposals	This change provides further detail on the issues to be considered in any Drainage Impact Assessment and therefore will not impact on existing Natura Impact Report	N/A
	Insert new objective in Section 10.6 To work with Inland Fisheries Ireland and the OPW to remove barriers to fish movement in the Duiske River	This change provides further guidance in relation to any instream development works and therefore will not impact on existing Natura Impact Report	
	Insert new objective in Section 10.6 to consider guidance by Inland Fisheries Ireland on planning for	This change provides further guidance to be considered in relation	N/A

	<p>watercourses in the urban environment, particularly in relation to riparian buffer zones.'</p> <p>Insert new objective in Section 10.5 to ensure future development/proposals comply with Climate Action policies and objectives</p>	<p>to watercourses and therefore will not impact on existing Natura Impact Report</p> <p>No impact on existing Natura Impact Report</p>	
Chapter 11	<p>Amend text in Section 11.3.1 to ensure any proposed development protects the amenities of adjoining properties</p> <p>Amend Objective MPO1.2 to ensure co-operation with all stakeholders</p>	No impact on existing Natura Impact Report	N/A
<b>Changes to Appendices</b>			
Appendix A	<p>Include following note in <b>Community/Education, Agriculture, New Residential and Open Space</b> in <b>Appendix A: Land Use Zoning Objectives:</b></p> <p><i>Flood Risk: All proposed development within this zone which falls within flood zone A or B shall be subject to a site-specific flood risk assessment. No highly vulnerable uses (as set out in the Flood Risk Management Guidelines) other than extensions to existing structures and uses, will be permitted within Flood Zone A or B. Less vulnerable uses will also not be allowed within Flood Zone A other than extensions to existing structures and uses as set out in the Flood Risk Management guidelines.</i></p>	No impact on existing Natura Impact Report	N/A
Appendix B	<p>Include following note in <b>Appendix B: Record of Protected Structures:</b></p> <p>www.archaeology.ie and the historic wreck records at <a href="https://www.archaeology.ie/underwater-archaeology/wreck-viewer">https://www.archaeology.ie/underwater-archaeology/wreck-viewer</a></p>	No impact on existing Natura Impact Report	N/A
Appendix E	Inclusion of additional Appendix titled 'Appendix E Infrastructure Assessment'	No impact on existing Natura Impact Report	N/A

### **3 In-combination effects with other plans and programmes**

Cumulative impact assessment aims to identify at an early stage any possible significant in-combination or cumulative effects/impacts of the Draft LAP with other such plans or projects on the integrity of European Sites. Plans and projects with the potential to lead to cumulative impacts in combination with the Draft LAP were presented in the Screening for AA published with the Draft LAP, and an assessment in relation to each presented. It is expected that the Proposed Material Alterations as set out above, will not lead to in-combination impacts with other plans and programmes.

### **4 Screening and Conclusions**

The likely impacts that will arise from the Draft LAP alone and in combination with other plans and programmes have been examined in the context of a number of factors that could potentially have a significant effect on European Sites. Each of the Proposed Material Alterations to the Draft LAP has now been assessed. It is determined that no European site within 15km of the LAP area will be adversely affected. It is also considered unlikely that hydrologically connected European sites, outside the 15km range, will be adversely affected.

Therefore, the previous finding of no significant effects remains.

On the basis of the findings of this Screening for Appropriate Assessment of the Proposed Material Alterations, it is concluded that the proposed Draft LAP will not have a significant effect on European Sites and a Stage 2 Appropriate Assessment is not required.

## Appendix 1: Addendum to AA Screening of Draft

**Amend text in Section 4.3.1.2 Fragmentation and Section 5.2 Measures to Protect Habitats and Species as follows:**

*Objective NHO1.5: To work with Inland Fisheries Ireland and the OPW to, subject to appropriately considering implications for flood risk and complying with the Habitats Directive, remove barriers to fish movement as part of any instream development works in the Duiske River*

*Objective NHO 1.6: It is an objective to consider guidance by Inland Fisheries Ireland on planning for watercourses in the urban environment, particularly in relation to riparian buffer zones*

**Amend text in Section 4.3.1.3 Disturbance to Key Species**

Alterations to river flow will be maintained throughout the lifetime of this Plan through the following measures:

Objective NHO 1.1

Objective NHO 1.2

Objective NHO 1.3

Objective NHO 1.4

*Objective NHO 1.5*

*Objective NHO 1.6*

Objective GIO 1.1

**Amend text in Section 5.3 Measures to Protect Water Quality**

**Objectives in relation to Water Supply and Wastewater**

*INFO1.3: Where a private water supply is proposed for development the Council will require the cumulative impacts of a private water supply on the hydrological regime of the River Barrow SAC to be addressed as part of any project assessment.*

**Objectives in relation to Flood Risk and Protection**

*INFO3.4: To require the preparation of Drainage Impact Assessments, in line with the SFRA for this Draft Joint LAP, for all development proposals within the plan area **and to consider sustainable drainage and natural water retention measures.** 'To identify any measures, such as natural water retention measures, that can have benefits for Water Framework Directive, flood risk management and biodiversity objectives.'*



**Amend table 5.1 Mitigation Measures for LAP Objectives as follows:**

**\*Please note the mitigation measures as presented in the Natura Impact Report accompanied by the Draft Plan remain unchanged.**

<b>Table 5.1 Mitigation Measures for LAP Objectives</b>		
<b>Objectives</b>	<b>Mitigation Measures</b>	<b>Effect of the Mitigation Measures</b>
<p><b>VSO1.1:</b> To identify vacant sites in the settlement for regeneration and housing and establish and maintain a register of vacant sites (entitled the vacant sites register) in the plan area for the purpose of the Vacant Site Levy (Urban Regeneration and Housing Act 2015).</p>	<ul style="list-style-type: none"> <li>• Identified vacant sites will be developed or redeveloped in a manner that is sensitive to the natural and built heritage of Graiguenamanagh-Tinnahinch LAP area</li> <li>• Wastewater, drainage and drinking water infrastructure must be in place prior to development.</li> <li>• Contractors appointed to undertake any construction works within the town centre, areas in close proximity to the Duiske River and River Barrow or where there is an ecological connection to the river will be informed of the sensitivities of the Duiske River and River Barrow and will be expected to provide site specific method statements detailing measures taken to protect the environment during all phases of works.</li> <li>• Measures to protect the environment will be adopted during construction (and operation as appropriate) to avoid adverse effects to the integrity of Natura 2000 sites. Examples of such measures are set out in guidance such as, but not limited to:                             <ul style="list-style-type: none"> <li>○ <i>Guidelines on Protection of Fisheries During Construction Works In and Adjacent to Waters (IFI, 2016)</i> and</li> </ul> </li> </ul>	<p>If the zoning classification of the LAP and mitigation measures proposed are implemented fully it is considered that adverse effects on the integrity of the SAC and SPA can be avoided. <i>No additional mitigation measures required by virtue of Material Alterations.</i></p>
<p><b>TCO1.1:</b> To support the delivery of projects for town centre regeneration which comply with the provisions of the relevant CDP and this Joint LAP submitted as funding applications to the Rural Regeneration and Development Fund.</p> <p><i>a) The preparation of an architectural design/brief is required for the following sites to ensure the character of the area is maintained and that any potential flood defence proposals are appropriate to its location</i></p> <ul style="list-style-type: none"> <li>• <i>The Quays Graiguenamanagh and Tinnahinch</i></li> <li>• <i>The stone buildings/sheds located on the back lanes of Graiguenamanagh</i></li> </ul>		
<p><b>COM1.2:</b> To support and facilitate the refurbishment of the existing Parish Hall in Graiguenamanagh during the Plan period.</p>		
<p><b>COM1.3:</b> To support and facilitate the refurbishment and expansion of the existing library facility in Graiguenamanagh during the</p>		

<p>Plan period. Graiguenamanagh.</p>	<ul style="list-style-type: none"> <li>○ <i>Environmental Good Practice on Site Guide (CIRIA, 2015)</i></li> <li>● If it is proposed to abstract water from the Duiske River or River Barrow or where drawdown from groundwater abstraction may affect the hydrological regime of the river and the features of interest of the SAC a suitably qualified hydrogeologist will be appointed to assess the zone of influence of the abstraction.</li> <li>● Lighting of buildings and features along the river channel will be avoided wherever possible. If lighting is required within the riparian zone or along the riverbank it should be designed in consultation with an appropriately qualified ecologist to avoid adverse effects on species such as otter.</li> <li>● Regular maintenance of the towns drainage system to prevent build-up of silt or other blockages that could hinder the correct functioning of such a system and cause uncontrolled release of polluted surface water to the Duiske River and River Barrow.</li> </ul>	
<p><b>CPO1.4:</b> To provide for the development of parking facilities for car and coach at the Turf Market area, adjacent to the town centre of Graiguenamanagh</p>		
<p><b>SO1:</b> To provide for the proportionate growth of Graiguenamanagh to achieve a target of 1.5% of the County Kilkenny's population over the lifetime of the Plan and Tinnahinch to maintain at a minimum 0.80% of County Carlow's population allocation in accordance with the respective County Development Plan Settlement Strategies and any reviews thereto.</p>		
<p><b>CSO1.1:</b> To support and facilitate development on zoned lands at appropriate locations and deliver at least 30% of all new homes within the existing built-up footprints in Graiguenamanagh and Tinnahinch to</p>		
<p><b>RDO1.1:</b> To ensure that sufficient zoned land is available at appropriate locations in Graiguenamanagh-Tinnahinch to satisfy the housing needs of the settlement over the period of the plan.</p>		
<p><b>CSO1.2:</b> To provide for serviced sites with appropriate infrastructure in accordance with Objective 18(b) of the National Planning Framework (ca.3.52ha of land has been identified in the settlement to facilitate such a proposal).</p>		
<p><b>RDO1.4:</b> To facilitate the development of low density serviced sites on lands to the east of Graiguenamanagh Ring Road, as an alternative to rural housing and to stimulate future growth</p>		

AA Screening of Material Alterations to Graiguenamanagh-Tinnahinch Draft Joint LAP 2021

<p>within the town.</p>		
<p><b>VS01.2:</b> To promote the sustainable development of vacant residential and regeneration sites in Graiguenamanagh-Tinnahinch through the application of the Derelict Sites Act 1990 and Urban Regeneration and Housing Act 2015, Vacant Site Levy, on lands zoned 'Mixed Use' for Regeneration and 'New Residential', 'Low Density Residential' and 'Existing Residential' for housing</p>		
<p><b>EDO1.1:</b> To ensure that there is a sufficient supply of appropriately zoned lands at suitable locations in the settlement to accommodate and promote a wide range of enterprise and employment development types.</p>		
<p><b>TCO1.2:</b> To encourage and facilitate the re-use and regeneration of vacant or underused buildings for appropriate town centre uses through incentives such as Small Business Vacant Premises Scheme.</p>		
<p><b>REO1.1:</b> To promote the town centre for retail development and restrict further significant retail development (convenience and comparison) outside of the lands zoned 'Mixed Use' within the Plan.</p>		
<p><b>CSO1.4:</b> To manage the provision of one-off housing on lands zoned as 'Agriculture'. Limited one-off housing will be permitted in accordance with the policy set out under Section 6.4 of Kilkenny County Development Plan 2014-2020 and Section 2.7 of Carlow County Development Plan 2015-2021 or as maybe amended in any subsequent reviews.</p>	<ul style="list-style-type: none"> <li>• One-off houses or other developments in areas zoned as agriculture should have wastewater treatment systems in place that comply with required EPA standards to prevent any effects to surface or groundwater.</li> <li>• Wastewater, drainage and drinking water infrastructure must be in place prior to development</li> </ul>	<p>If the zoning classification of the LAP and mitigation measures proposed are implemented fully it is considered that adverse effects on the integrity of the SAC and SPA can be avoided. <i>No additional mitigation measures required by virtue of Material Alterations.</i></p>

AA Screening of Material Alterations to Graiguenamanagh-Tinnahinch Draft Joint LAP 2021

	<ul style="list-style-type: none"> <li>• Measures to protect the environment will be adopted during construction to avoid adverse effects to the integrity of Natura 2000 sites. Examples of such measures are set out in guidance such as, but not limited to:             <ul style="list-style-type: none"> <li>○ <i>Guidelines on Protection of Fisheries During Construction Works In and Adjacent to Waters (IFI, 2016)</i> and</li> <li>○ <i>Environmental Good Practice on Site Guide (CIRIA, 2015)</i></li> </ul> </li> <li>• If it is proposed to abstract water from the river or where drawdown from groundwater abstraction may affect the hydrological regime of the river and the features of interest of the SAC a suitably qualified hydrogeologist will be appointed to assess the zone of influence of the abstraction.</li> </ul>	
<p><b>TO2.2:</b> To support the implementation of the Graiguenamanagh-Tinnahinch Tourism and Recreational Project Concept Study, and the development of outdoor leisure activities and a River Park and associated uses on lands that are designated as open space, subject to the protection of landscape character and natural heritage <i>and appropriate statutory processes required by the European Habitats Directive</i></p> <p><b>MTO1.8:</b> To undertake a mobility management</p>	<ul style="list-style-type: none"> <li>• The development of outdoor leisure activities on lands designated as open space must be carried out with sensitivities of the SAC and SPA in mind</li> <li>• The design of the proposed bridge infrastructure must be prepared with the sensitivities of the SAC and SPA incorporated i.e. the bridge design must consider the sensitivities of the receiving environment in order to ensure that it will not adversely affect the integrity of the SAC and / or SPA</li> </ul>	<p>If the zoning classification of the LAP and mitigation measures proposed are implemented fully it is considered that adverse effects on the integrity of the SAC and SPA can be avoided. <i>No additional mitigation measures required by virtue of Material Alterations.</i></p>

<p>plan that will consider the feasibility of all options for improving pedestrian and cyclist mobility between Graiguenamanagh and Tinnahinch and to implement the recommendations of the plan.</p>	<ul style="list-style-type: none"> <li>• The design or layout of any access tracks or paths linking these areas or opening up new areas in close proximity to the Duiske River must fully consider any effects during construction as well as during operation (use).</li> <li>• The proposed works will only be carried out in low flow conditions during the Summer months</li> <li>• Consultation will be undertaken with IFI and NPWS to agree a method for sediment removal</li> <li>• The contractor appointed to carry out the works will be informed of the sensitivities of the Duiske River and River Barrow and will be expected to provide site specific method statements detailing measures taken to protect the environment during all phases of works.</li> <li>• Silt removal will be limited to just above the low flow water level.</li> <li>• Appropriate mitigation to prevent disturbance of species and release of suspended solids will be developed and incorporated into the plan of works.</li> <li>• Measures to protect the environment will be adopted during construction to avoid adverse effects to the integrity of Natura 2000 sites. Examples of such measures are set out in guidance such as, but not limited to: <ul style="list-style-type: none"> <li>○ Guidelines on Protection of Fisheries During Construction Works In and Adjacent to Waters (IFI, 2016)' and</li> <li>○ Environmental Good Practice on Site Guide (CIRIA, 2015)</li> </ul> </li> <li>• Regular maintenance of the town drainage system must be carried out to prevent build-up of silt or</li> </ul>	
<p><b>MPO1.1:</b> To prepare a masterplan for the lands within the ownership of 'The Hub' Activity Centre, Graiguenamanagh in co-operation with relevant stakeholders, and to actively secure the implementation of these plans and the achievement of specific objectives.</p>		
<p><b>MPO1.2:</b> To require the preparation of a masterplan for the lands identified 'Masterplan 2' along the River Barrow, Tinnahinch <i>in co-operation with all stakeholders</i> and to actively secure the implementation of these plans and the achievement of specific objectives.</p>		
<p><b>TO2.1:</b> To support the implementation of the Graiguenamanagh-Tinnahinch Tourism and Recreational Project Concept Study, and the development of tourism infrastructure (in particular at The Hub), overnight accommodation (in particular Brandondale House), attractions and facilities at appropriate locations subject to the appropriate protection of architectural heritage and natural amenities <i>and appropriate statutory processes required by the European Habitats Directive.</i></p>		
<p><b>MT01.9:</b> Dependent upon the success of other public realm projects the Draft LAP will provide for a high-quality shared surface area along 'The Quay' Graiguenamanagh and Tinnahinch to</p>		

AA Screening of Material Alterations to Graiguenamanagh-Tinnahinch Draft Joint LAP 2021

<p>further facilitate recreational use of the River Barrow.</p>	<p>other blockages that could hinder the correct functioning of such a system and cause uncontrolled release of polluted surface water to the Duiske River and River Barrow.</p> <ul style="list-style-type: none"> <li>• Any developments in or directly adjacent to the River Barrow River / Nore SAC must undertake dedicated surveys focused on the identification of invasive species. If any invasive species is identified, then a targeted invasive species management plan must be designed and implemented.</li> <li>• All proposed development in or directly adjacent to the SAC boundary that introduce a risk of increased leisure fishing pressures, must develop detailed control measures to ensure there are no significant negative implication to the aquatic populations of the River Nore with specific reference to the qualifying interest species and conservation objectives of the River Barrow / River Nore SAC.</li> </ul>	
<p><b>OSO2.1:</b> To support and facilitate the provision of open spaces with ecological and recreational corridors to aid the movement of biodiversity and people, subject to appropriate environmental assessment.</p>	<p>The design of linkages paths and cycleways must be prepared with the sensitivities of the SAC and SPA in mind. Any such proposal must consider the potential for increased disturbance of species such as otter due to any increase of human activities along the riverbank. Paths and cycleways should be prepared with input from ecologists and planners to ensure there is no risk of adverse effect on the SAC and SPA.</p>	<p>If the zoning classification of the LAP and mitigation measures proposed are implemented fully it is considered that adverse effects on the integrity of the SAC and SPA can be avoided. <i>No additional mitigation measures required by virtue of Material Alterations.</i></p>
<p><b>OSO2.2:</b> To promote a network of paths and cycle tracks (Refer to Map 1) to enhance the use of the strategic open spaces in the town, while ensuring that</p>	<p>Any developments in or directly adjacent to the River Barrow River / Nore SAC must undertake dedicated surveys focused on the identification of invasive species. If any invasive species is identified, then a targeted invasive species management plan must be designed and</p>	

AA Screening of Material Alterations to Graiguenamanagh-Tinnahinch Draft Joint LAP 2021

	implemented.	
<b>ACCE1.3:</b> To support the development of linkages between historical sites within and around Graiguenamanagh-Tinnahinch and the amenity sites in its hinterland	The design of linkages between historical sites within and around Graiguenamanagh-Tinnahinch must be prepared with the sensitivities of the SAC and SPA in mind. Any such proposal must consider the potential for increased disturbance of species such as otter due to any increase of human activities along the riverbank.	If the zoning classification of the LAP and mitigation measures proposed are implemented fully it is considered that adverse effects on the integrity of the SAC and SPA can be avoided. <i>No additional mitigation measures required by virtue of Material Alterations.</i>
<b>TO2.5:</b> To support the development of linkages between historical sites within and around Graiguenamanagh-Tinnahinch including pedestrian access to St. Michaels Well in Tinnahinch.		
<b>ACCE1.1:</b> To support, where appropriate, the continued growth of the craft and creative economy in Graiguenamanagh-Tinnahinch.	The provision of additional cultural facilities must consider the sensitivities of the SAC and SPA and the potential for increased disturbance of species such as otter due to any increase of human activities along the riverbank.	If the zoning classification of the LAP and mitigation measures proposed are implemented fully it is considered that adverse effects on the integrity of the SAC and SPA can be avoided. <i>No additional mitigation measures required by virtue of Material Alterations.</i>
<b>INFO1.1:</b> To work with Irish Water to protect, manage and optimise water services infrastructure in Graiguenamanagh-Tinnahinch.	<ul style="list-style-type: none"> <li>• Contractors appointed to undertake any construction works within the town centre, areas in close proximity to the Duiske River and River Barrow or where there is an ecological connection to the river will be informed of the sensitivities of the Duiske River and River Barrow and will be expected to provide site specific method statements detailing measures taken to protect the environment during all phases of works.</li> <li>• Measures to protect the environment will be adopted during construction (and operation as appropriate) to avoid adverse effects to the integrity of Natura 2000 sites. Examples of such measures are set out in guidance such as, but not limited to: <ul style="list-style-type: none"> <li>○ Guidelines on Protection of Fisheries During</li> </ul> </li> </ul>	If the zoning classification of the LAP and mitigation measures proposed are implemented fully it is considered that adverse effects on the integrity of the SAC and SPA can be avoided. <i>No additional mitigation measures required by virtue of Material Alterations.</i>
<b>SO9:</b> To phase future growth in line with the capacity of supporting physical infrastructure and to ensure that it occurs in accordance with proper planning and sustainable development.		
<b>SO2:</b> To promote and support the economic development of Graiguenamanagh-Tinnahinch that capitalises on its location on the River Barrow, with the heritage and tourism assets being identified as key economic strengths for the settlements.		

AA Screening of Material Alterations to Graiguenamanagh-Tinnahinch Draft Joint LAP 2021

	<p>Construction Works In and Adjacent to Waters (IFI, 2016)' and</p> <ul style="list-style-type: none"> <li>○ Environmental Good Practice on Site Guide (CIRIA, 2015)</li> </ul> <ul style="list-style-type: none"> <li>● If it is proposed to abstract water from the river or where drawdown from groundwater abstraction may affect the hydrological regime of the river and the features of interest of the SAC a suitably qualified hydrogeologist will be appointed to assess the zone of influence of the abstraction.</li> <li>● Regular maintenance of the town drainage system must be carried out to prevent build-up of silt or other blockages that could hinder the correct functioning of such a system and cause uncontrolled release of polluted surface water to the Duiske River and River Barrow.</li> <li>● All proposed development in or directly adjacent to the SAC boundary that introduce a risk of increased leisure fishing pressures, must develop detailed control measures to ensure there are no significant negative implication to the aquatic populations of the River Nore with specific reference to the qualifying interest species and conservation objectives of the River Barrow / River Nore SAC.</li> <li>● Any developments in or directly adjacent to the River Barrow/River Nore SAC must undertake dedicated surveys focused on the identification of invasive species. If any invasive species is identified, then a targeted invasive species management plan must be designed and implemented.</li> </ul>	
<p><b>INFO2.1:</b> To carry out surface water infrastructure improvement works as required, subject to relevant environmental assessments.</p>	<ul style="list-style-type: none"> <li>● Contractors appointed to undertake any construction works within the town centre, areas in close proximity to the Duiske River and River</li> </ul>	<p>If the zoning classification of the LAP and mitigation measures proposed are implemented fully it is considered that</p>



AA Screening of Material Alterations to Graiguenamanagh-Tinnahinch Draft Joint LAP 2021

	<p>Barrow or where there is an ecological connection to the river will be informed of the sensitivities of the Duiske River and River Barrow and will be expected to provide site specific method statements detailing measures taken to protect the environment during all phases of works.</p> <ul style="list-style-type: none"> <li>• Design and construction of attenuation measures shall be in line with current good practice. Guidance such as that produced by CIRIA shall be used to inform the development of such measures. Guidance to be considered, but not limited to, includes: <ul style="list-style-type: none"> <li>○ <i>Drainage of development sites - a guide (X108)</i></li> <li>○ <i>The SuDs Manual (CIRIA, 2015)</i></li> </ul> </li> <li>• Measures to protect the environment will be adopted during construction (and operation as appropriate) to avoid adverse effects to the integrity of Natura 2000 sites. Examples of such measures are set out in guidance such as, but not limited to: <ul style="list-style-type: none"> <li>○ Guidelines on Protection of Fisheries During Construction Works In and Adjacent to Waters (IFI, 2016)' and</li> <li>○ Environmental Good Practice on Site Guide (CIRIA, 2015)</li> </ul> </li> </ul>	<p>adverse effects on the integrity of the SAC and SPA can be avoided. <i>No additional mitigation measures required by virtue of Material Alterations.</i></p>
<p><b>MTO1.2:</b> To undertake a Mobility Management Plan for Graiguenamanagh/Tinnahinch which will include investigation of the appropriate interventions for the provision of upgrades to footpaths and public lighting throughout the town. Particular consideration shall be given to the following locations (Map 1):</p>	<ul style="list-style-type: none"> <li>• The design of the pedestrian element to the George Semple Bridge must be prepared with the sensitivities of the SAC and SPA incorporated i.e. the bridge design and associated pedestrian / cycle access must consider the sensitivities of the receiving environment in order to ensure that it will</li> </ul>	<p>If the zoning classification of the LAP and mitigation measures proposed are implemented fully it is considered that adverse effects on the integrity of the SAC and SPA can be avoided. <i>No additional mitigation measures required by virtue of Material Alterations.</i></p>

AA Screening of Material Alterations to Graiguenamanagh-Tinnahinch Draft Joint LAP 2021

<p>a) Approaches on both sides to and across the George Semple Bridge b) The Quay Graiguenamanagh and Tinnahinch</p>	<p>not adversely affect the integrity of the SAC and / or SPA</p>	
<p><b>MTO1.4:</b> To provide an enhanced pedestrian and cycle network in Graiguenamanagh-Tinnahinch including the provision of footpath improvements to ensure ease of access to public transport, the town centre, heritage sites and other recreational / community facilities.</p>	<ul style="list-style-type: none"> <li>• Consultation with NPWS and IFI should be carried out as early as possible during the design stage.</li> <li>• Measures to protect the environment will be incorporated into any project or plan that has potential to adversely affect the integrity of a Natura 2000 sites. Examples of such measures are set out in guidance such as, but not limited to: <ul style="list-style-type: none"> <li>○ <i>Guidelines on Protection of Fisheries During Construction Works In and Adjacent to Waters (IFI, 2016)' and</i></li> <li>○ <i>Environmental Good Practice on Site Guide (CIRIA, 2015)</i></li> </ul> </li> </ul>	
<p><b>MTO1.5:</b> To require the co-location of pedestrian and cycle routes on all new infrastructure connecting key destinations within the settlement, particularly between the schools, community centre and heritage sites such as Duiske Abbey etc.</p>		
<p><b>TCO1.4:</b> To facilitate enhancement and improvement of the physical fabric and environment of the town centre through public realm initiatives including footpath and public lighting improvements to assist in making the town centre a more pedestrian friendly place.</p>		
<p><b>TCO1.5:</b> To investigate traffic managements options for strengthening the pedestrian links across the River Barrow to better integrate the town centres of Graiguenamanagh and Tinnahinch and maximise access to local shops, schools and other amenities.</p>		
<p><b>TO2.3:</b> To support the promotion of strategic tourist sites, the sensitive restoration/conservation of heritage buildings and sites including Tinnahinch Castle and operate flexibly with regard to the use of converted buildings to facilitate heritage tourism/social</p>	<p>Buildings will be developed or redeveloped in a manner that is sensitive to the natural and built heritage of Graiguenamanagh-Tinnahinch LAP area</p>	<p>The mitigation measures proposed, if fully and correctly implemented, are considered sufficient to avoid adverse effects on the integrity of the SAC and SPA. <i>No additional mitigation measures required by virtue of Material</i></p>

AA Screening of Material Alterations to Graiguenamanagh-Tinnahinch Draft Joint LAP 2021

enterprise.

*Alterations.*

## Appendix 2: Determination on AA



### APPROPRIATE ASSESSMENT (AA) SCREENING DETERMINATION UNDER THE PLANNING AND DEVELOPMENT ACTS 2000-2017 FOR: MATERIAL ALTERATIONS TO THE DRAFT JOINT GRAIGUENAMANAGH-TINNAHINCH LOCAL AREA PLAN

An Appropriate Assessment (AA) Screening determination has been made by Kilkenny and Carlow County Councils regarding Material Alterations to the Draft Joint Graiguenamanagh-Tinnahinch Local Area Plan in accordance with the EU's Habitats Directive 6(3) and Section 177U of the Planning and Development Act 2000 (as amended).

The Draft LAP sets out the vision and direction for the future development of the Graiguenamanagh-Tinnahinch area. Proposed land use plans must undergo a formal 'test' or 'screening' to ascertain whether they are likely to result in any significant adverse effects on specific sites designated for their nature conservation importance. These sites are those designated under the European Commission's Natura 2000 network of sites (hereafter termed 'European sites'). European sites are designated on the basis of the presence of certain habitats and species that are deemed to be of international importance. The Irish Government, and planning authorities, have a legal obligation to protect these sites. The Habitats Directive requires the screening of plans and projects. If the screening process results in a judgement that likely significant effects may occur or cannot be ruled out, then a more detailed assessment is required.

The AA screening process for the Material Alterations to the Draft LAP has found that the Material Alterations do not require any further assessment to demonstrate compliance with the Directive in accordance with the methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC.

Taking into account the findings of the AA process that are detailed in an AA Screening Report that accompanies this Determination, Kilkenny and Carlow County Councils have determined that Material Alterations to the Draft LAP, either independently or in combination, will not result in any effects on European Sites and consequently Stage 2 AA is not required.

Signed

Darrín Malone  
A Director of Services  
Kilkenny County Council

Date

31<sup>st</sup> March 2021

Signed

Michael Rainey  
Director of Services  
Carlow County Council

Date

31<sup>st</sup> March 2021