Natura Impact Report for the Proposed Amendments to the Draft Strandhill Mini-Plan/Variation of Sligo County Development Plan 2011-2017

Prepared by the Heritage Office of Sligo County Council

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1. INTRODUCTION

1.1 Background and Legislative Context

Sligo County Council intends to vary the Sligo County Development Plan 2011-2017 (CDP) by incorporating a mini-plan for the village of Strandhill (replacing the Strandhill Local Area Plan 2003-2012) as Chapter 44 in Volume 2 Mini-Plans of the CDP.

An important aspect of the Development Plan is how the Plan may impact on European Sites designated for nature conservation, i.e. Special Areas of Conservation (SAC) and Special Protection Areas (SPA). Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora, better known as "The Habitats Directive", provides legal protection for habitats and species of European importance. Articles 3 to 9 provide the legislative means to protect habitats and species of Community interest through the establishment and conservation of an EU-wide network of sites known as Natura 2000. These are SACs and SPA's designated under the Habitats Directive and Birds Directive (Conservation of Wild Birds Directive (79/409/ECC)).

In accordance with the requirements of the EU Habitats Directive (43/92/EEC) and EU Birds Directive (79/409/EEC), the impacts of the policies and objectives of all statutory land use plans, and proposed amendments to these, on certain sites that are designated for the protection of nature (Natura 2000 sites¹), must be assessed as an integral part of the process of drafting of the plan. This is to determine whether or not the implementation of the proposed plan or its amendments could have negative consequences for the habitats or plant and animal species for which these sites are designated. This assessment process is called an Appropriate Assessment (AA) and must be carried out on all stages of the plan making process including; the draft Plan, any proposed amendments and the final Plan as adopted.

Articles 6(3) and 6(4) of the Habitats Directive set out the decision-making tests for plans and projects likely to affect Natura 2000 sites. Article 6(3) establishes the requirement for Appropriate Assessment (AA):

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 in combination with other plans or projects, shall be subjected to an 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 implications 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 adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public."

Article 6(4): "If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature, Member States shall take all compensatory measures necessary to ensure that the overall coherence of the Natura 2000 is protected. It shall inform the Commission of the

¹ Natura 2000 sites include Special Areas of Conservation designated under the Habitats Directive and Special Protection Areas designated under the Birds Directive. Special Areas of Conservation are sites that are protected because they support particular habitats and/or plant and animal species that have been identified to be threatened at EU community level. Special Protection Areas are sites that are protected for the conservation of species of birds that are in danger of extinction, or are rare or vulnerable. Special Protection Areas may also be sites that are particularly important for migratory birds. Such sites include internationally important wetlands.

compensatory measures adopted. Where the site concerned hosts a priority natural habitat type and/or a priority species the only considerations which may be raised are those relating to human health or public safety, to the beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest."

This document provides a record of the Appropriate Assessment process of the proposed amendments to the Draft Strandhill Mini-Plan of the Sligo County Development Plan 2011-2017.

Sligo County Development Plan 2011-2017

Sligo County Development Plan came into force on 13 June 2011. It will remain operational for a period of maximum six years. The Plan sets out the Council's policies and objectives for the proper planning and sustainable development of the County of Sligo.

The undertaking of Appropriate Assessment (AA) is mandatory in the case of development plans. The AA of the CDP 2011-2017 was undertaken by environmental consultants CAAS on behalf of Sligo County Council. The resultant Appropriate Assessment Screening Report was published alongside the CDP 2011-2017.

The Appropriate Assessment informed the policies and objectives of the Plan and also suggested appropriate mitigation measures, which were incorporated in to the relevant chapters of the Plan upon its adoption in 2011.

This Natura Impact Report of the proposed amendments to the Draft Strandhill Mini-Plan should be read in conjunction with the CDP 2011-2017 and the associated Appropriate Assessment Screening Report.

Sligo CDP and its associated Appropriate Assessment Screening Report are available at www.sligococo.ie/cdp.

1.2 Stages of the Appropriate Assessment

This document has been prepared in accordance with the European Commission Environment DG document "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", referred to as the "EC Article 6 Guidance Document". The guidance document provides a non-mandatory methodology for carrying out assessments required under Article 6(3) and (4) of the Habitats Directive, and is viewed as an interpretation of the EU Commission's document "Managing Natura 2000 sites: The Provisions of Article 6 of the Habitats Directive 92/43/EEC", referred to as "MN2000". In addition, "Appropriate Assessment Guidance for Planning Authorities" was published by the Department of the Environment, Heritage and Local Government in December 2009 (DEHLG, 2009) and amended in March 2010. Cognisance has been taken of this document in carrying out this assessment. In complying with the obligations under Article 6(3) and with reference to the guidance documents mentioned above, this AA has been broadly structured as follows:

- 1) Stage 1 Screening for Appropriate Assessment
 - Description of the plan;
 - Identification of relevant Natura 2000 sites potentially affected;

- Identification and description of individual and cumulative impacts likely to result from implementation of the Plan;
- Assessment of the significance of the impacts identified above on site integrity.
 Exclusion of sites where it can be objectively concluded that there will be no significant effects.

2) Stage 2 – Appropriate Assessment

- Description of the Natura 2000 sites that will be considered further in the AA;
- Description of significant impacts on the conservation features of these sites likely to occur from the Plan;
- Mitigation Measures; and
- Conclusions.
- 3) Stage 3 Assessment of Alternative Solutions
- 4) Stage 4 Assessment where no alternative solutions exist and where adverse impacts remain (Imperative Reasons of Overriding Public Interest and Compensation Measures)

The Habitats Directive promotes a hierarchy of avoidance, mitigation and compensatory measures. In the first instance, the Plan should aim to avoid any negative impacts on European sites by identifying possible impacts early in the plan-making, and writing the plan in order to avoid such impacts. Following that, mitigation measures should be applied, if necessary, during the AA process to the point where no adverse impacts on the site(s) remain. If the Plan is still likely to result in adverse effects, and no further practicable mitigation is possible, then it is rejected. If no alternative solutions are identified and the Plan is required for imperative reasons of overriding public interest (IROPI test) under Article 6(4) of the Habitats Directive, then compensation measures are required for any remaining adverse effect.

1.3 Terminology

A number of different terms have been used in the recent past to describe the process and outputs associated with Article 6(3) of the Habitats Directive. These include Appropriate Assessment (AA), Habitats Directive Assessment (HDA), Habitats Directive Assessment Report, Natura Impact Statement (NIS), Natura Impact Report (NIR).

In an effort to provide consistency and transparency in the planning process and to come into line with the terminology used in the most recent DEHLG guidance, it has been decided to use just two terms throughout this document.

For the purposes of this report the following terms have been adopted:

- Appropriate Assessment (AA) has been used to refer to the process and includes the various stages outlined in Section 1.2 above.
- **Natura Impact Report (NIR)** has been used to refer to the output from the AA process and includes the information necessary for the competent authority to carry out an appropriate assessment of the implications of the Plan.

It should also be noted that the Sligo County Development Plan 2011-2017 also uses the term Habitats Directive Assessment (HDA) in addition to the term Appropriate Assessment to describe the process and outputs associated with Article 6(3) of the Habitats Directive. These terms are used interchangeably throughout the Sligo County Development Plan 2011-2017.

2 METHODOLOGY

2.1 Approach

Appropriate Assessment of the draft Mini-Plan proposed amendments was undertaken and the findings of the assessment are presented in this Natura Impact Report. The approach taken in the making of this assessment follows *European Communities, 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, 2002, and on Local Government and Appropriate Assessment of Plans and Projects in Ireland, Guidance for Planning Authorities, 2009.* As the Mini-Plan progresses through the plan making process the appropriate assessment process will continue in tandem and will inform the decision making process in terms of any likely significant impacts arising from the Mini-Plan on Natura 2000 sites.

2.2 Data Sources

The appropriate assessment of potential impacts on the integrity of Natura 2000 sites in this Natura Impact Report is based on a desktop review of information relating to these sites and to the habitats and species that they support. References and data used are cited in the back of this report.

2.3 Consultation

This report will be placed on public display with the draft Mini-Plan proposed amendments and will be referred to Government Departments and other statutory consultees for consideration during the consultation process. Submissions on same will be taken into consideration in the drafting of the final plan and accompanying Appropriate Assessment Screening Statement or Natura Impact Report.

3 STAGE 1 – SCREENING FOR APPROPRIATE ASSESSMENT

3.1 Description of the Proposed Amendments to the Draft Strandhill Variation/Mini Plan

The proposed amendments to the Draft Strandhill Variation/Mini Plan are outlined in Tables 4 and 5 of this document.

3.2 Features of the Proposed Amendments that could impact on Natura 2000 Sites

Impacts arising from the implementation of objectives of the draft plan which could cause significant impacts on the integrity and conservation objectives of Natura 2000 sites include activities which give rise to:

- o direct impacts on habitats listed on Annex I of the Habitats Directive and for which the site is designated;
- o reduction in the area of any habitats within the site;
- o direct or indirect damage to the physical quality of the environment (e.g. water quality) in the Natura 2000 site;
- o serious or ongoing disturbance to species or habitats for which the Natura 2000 site is selected (e.g. increased noise, illumination, human activity);
- o direct or indirect damage to the size, characteristics or reproductive ability of populations of species for which the Natura 2000 site is designated;
- o activities which interfere with mitigation measures put in place for other plans or projects.

All of the proposed amendments were reviewed as part of the screening process. Consideration was given to direct and indirect impacts which may arise from activities which could be encouraged by objectives contained in the draft plan. Such activities could include new residential, commercial, infrastructural, recreational or other development which may give rise to direct impacts on habitats or species (loss of habitat, disturbance to species); as well as activities which could have indirect impacts (e.g. activities which could affect water quality or hydrology which could in turn affect the status/health of populations of water dependant habitats or species).

3.3 Brief Description and Identification of the Natura 2000 sites to be screened

Four Natura 2000 sites were identified during the screening of the Draft Mini-Plan that could potentially be impacted by the draft Plan. These were:

- Ballysadare Bay Special Area of Conservation (Site Code 000622)
- Cummeen Strand/Drumcliff Bay Special Area of Conservation (Site Code 000627)
- Cummeen Strand Special Protection Area (Site Code 004035)
- Ballysadare Bay Special Protection Area (Site Code 004129)

Screening of the proposed amendments also focuses on these sites. Screening is based on a desktop review of information relating to these sites and to the habitats and species that they support. Figures 1 and 2 below provide the locations of the SACs and SPAs immediately adjoining or within the Plan boundary, respectively. These sites along with their qualifying interests are listed in Table 1 (SACs) and Table 2 (SPAs) below.



Fig. 1 Special Areas of Conservation immediately adjoining or within the Plan boundary.



Fig.2 Special Protection Areas immediately adjoining or within the Plan boundary.

Table 1 List of Natura 2000 sites (Special Areas of Conservation) immediately adjacent to Strandhill

Site	Site Name	Qualifying Feature		Documented Potential Threats*
Code		Annex I Habitat	Annex II Species	
000622	Ballysadare Bay	Estuaries (1130), Mudflats and sandflats not covered by seawater at low tide (1140), Embryonic shifting dunes (2110), Shifting dunes along the shoreline with Ammophila arenaria (white dunes) (2120), *Fixed coastal dunes with herbaceous vegetation (grey dunes) (2130), Humid dune slacks (2190),	Phoca Vitulina (Common Seal) (1365), Vertigo angustior (Narrow-mouthed Whorl Snail) (1014).	Decrease in water quality/Increased pollution Development of marinas and ports Disturbance to marine mammals Dumping at sea Direct loss of habitat to development Recreational/amenity use Agricultural improvements/Reclamation Drainage/Changes in local hydrology including water abstraction Erosion (natural and anthropogenic) Agricultural abandonment Overgrazing/undergrazing Bracken and scrub encroachment Tourism related development Introduction of alien invasive species Illegal Dumping Burning Quarrying/removal of sand Aquaculture
000627	Cummeen Strand/Drumcliff Bay	Estuaries (1130), Mudflats and sandflats not covered by seawater at low tide (1140), Embryonic shifting dunes (2110), Shifting dunes along the shoreline with Ammophila arenaria (white dunes) (2120), *Fixed coastal dunes with herbaceous vegetation (grey dunes) (2130), *Petrifying springs with tufa formation (Cratoneurion) (7220), Juniperus communis formations on heaths or calcareous grasslands (5130).	Phoca vitulina (Common Seal) (1365), Vertigo angustior (Narrow-mouthed Whorl Snail) (1014).	Decrease in water quality/Increased pollution Development of marinas and ports Disturbance to marine mammals Dumping at sea Direct loss of habitat to development Recreational/amenity use Agricultural improvements/Reclamation Drainage/Changes in local hydrology including water abstraction Erosion (natural and anthropogenic) Agricultural abandonment Overgrazing/undergrazing Bracken and scrub encroachment Tourism related development Introduction of alien invasive species Illegal Dumping Burning Quarrying/removal of sand Aquaculture

Note Priority Habitats are present in Ireland and are present within the Natura 2000 Sites adjoining Strandhill. These are prefixed with an asterisk (for example, '*Fixed Dunes (2130)') in Table
 3.1 and in subsequent tables in this report. The importance of Priority Habitat is emphasised at several places in the Directive (Articles 4 and 5 and Annex III), not only in terms of the

selection of sites, but also in the measures required for site protection (Article 6).

Table 2 List of Natura 2000 sites (Special Protection Areas) immediately adjacent to Strandhill

Site	Site Name	Qualifying Feature	Documented Potential Threats*
Code		Annex I Species	
004035	Cummeen Strand	Site is selected for: Light-bellied Brent Goose . Additional Special Conservation Interests: Oystercatcher,Redshank, Wetland & Waterbirds	Direct and indirect impacts to the habitats of the bird species of conservation interests (loss of habitat) Direct loss of habitat to development Water quality/pollution Disturbance including recreation/amenity use Introduction of alien invasive species Illegal Dumping Persecution (Poisoning) Disturbance from Recreational/amenity use Inappropriate land management
004129	Ballysadare Bay	Site is selected for: Light-bellied Brent Goose and Bar-tailed Godwit. Additional Special Conservation Interests: Grey Plover, Dunlin, Redshank, Wetland & Waterbirds.	Direct and indirect impacts to the habitats of the bird species of conservation interests (loss of habitat) Diect loss of habitat to development Water quality/pollution Disturbance including recreation/amenity use Introduction of alien invasive species Illegal Dumping Disturbance from Recreational/amenity use Inappropriate land management

3.4 Conservation Objectives

A Natura 2000 site's conservation objectives are defined by DAHG and are, "intended to ensure that the relevant Annex I habitats and Annex II species present on a site are maintained in a favourable condition" (DEHLG, 2010). The DEHLG guidelines state that, "The Conservation Objectives derive from the qualifying interests, the Natura 2000 standard data form, and the management plan for the site, with summary information also available in the site synopsis." Whilst the Natura 2000 standard data forms and site synopses do present details of the qualifying features of Natura 2000 sites, and list the generic threats to those features, they do not define the Conservation Objectives of the site.

For the purposes of this assessment, information on the Conservation Objectives for the sites has been gained from consultation with NPWS relating to the Border Regional Planning Guidelines and NPWS generic Conservation Objectives for Natura 2000 Sites where no Management Plan is yet available.

Generic Conservation Objectives for SPAs are as follows:

• To maintain the bird species of special conservation interest for which the SPA has been listed, at favourable conservation status.

For cSACs, generic Conservation Objectives are as follows:

- To maintain Annex I habitats and Annex II species for which the cSAC 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.

The favourable conservation status of a species can be described as being achieved when:

'population data on the species concerned indicate that it is maintaining itself, and the natural range of the species is neither being reduced or 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.'

Favourable conservation status of a habitat can be described as being achieved when:

'its natural range, and area it covers within that range, is stable or increasing, and the ecological factors that 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 as defined below.'

3.5 Documented Threats to the Special Areas of Conservation

Documented threats to Habitats Directive Annex I habitats and Annex II species in Ireland are presented in the 'Backing documents' and 'Form' for each habitat and species which are available at: http://www.npws.ie/en/PublicationsLiterature/HabitatsDirectivereport07/. Not all of these threats will apply to all cSACs in which these habitats and species are present; however gathering information on the documented perceived threats to the qualifying features of the sites (and therefore to the Conservation Objectives of the sites and the integrity of the sites) is an important prerequisite for assessing what are the 'likely significant effects' on the sites resulting from the Plan. No such information is available for Birds Directive Annex I bird species, and hence this method of inferring Conservation Objectives cannot be applied to SPAs.

Table 1 presents details of those threats, identified by NPWS, which it is considered likely will apply to the SAC's that are included in this assessment.

It is important to realise that many of these threats do not necessarily represent activities that occur within the boundary of the Natura 2000 site. This applies in particular to aquatic and marine features and systems which can be affected by impact sources that occur a large distance from the site.

3.6 Documented Threats to Special Protection Areas

Similar threats will apply to many of the SPAs that often correspond geographically to the cSACs. Generally speaking, the threats to the Annex I habitats and Annex II species of the cSAC will also apply to the Annex I bird species and bird populations in general that are the qualifying features of the SPAs. However, the birds that constitute the qualifying features of the SPAs are subject to a number of additional threats that do not generally apply to the qualifying features of the cSAC such as hunting pressure (both legal and illegal); and disturbance from noise and visual cues such as movement of pedestrians and vehicles.

Table 2 presents a summary of the generalised threats to the SPAs relevant to the Strandhill Mini-Plan.

3.7 Likely Changes to the Sites

The possible impacts that might arise from the Mini-Plan have been examined in the context of a number of factors that could potentially affect the integrity of the Natura 2000 sites. **Table 3** below presents a summary of the findings of this exercise. **Tables 4 and 5** below provide the screening matrix for the proposed amendments to the Plan with an Appropriate Assessment Screening Response provided in each case. Those sites for which potential effects and impacts have been identified have been taken forward to Stage 2 Appropriate Assessment. Those for which no potential impacts are anticipated as a result of implementation of the Plan do not require Stage 2 Appropriate Assessment and are 'screened-out' at this stage of the assessment.

Table 3 Potential Impacts of Proposed Amendments on Natura 2000 Sites

Site Name	Reduction in Habitat Area	Disturbance to Key Species	Habitats or Species Fragmentation	Reduction in Species Density	Changes in Key Indicators of Conservation Value (Water Quality etc.)
Ballysadare Bay SAC	None	None	None	None	None
Cummeen Strand/Drumcliff Bay SAC	Potential Impacts	Potential Impacts	Potential Impacts	Potential Impacts	Potential Impacts
Cummeen Strand SPA	None	None	None	None	None
Ballysadare Bay SPA	None	None	None	None	None

3.8 Screening of Proposed Amendments

Amendments have been proposed to the text of the Draft Variation/Mini-Plan (narrative and several objectives) and also to the Zoning Map. The proposed amendments to the text of the Mini-Plan are shown in blue type like this for text proposed to be inserted. There is no proposal to delete text. The amendments to the Zoning Map are indicated by a **black outline** and are accompanied by the number of the corresponding amendment.

Table 4 identifies the environmental consequences of the Managers Recommendations to the Draft Variation/Mini-Plan which were put before the Elected Members at a meeting on the 13 May 2013.

Table 5 identifies the environmental consequences of the Elected Members proposed amendments to the Draft Variation/Mini-Plan which was put before the Elected Members at a meeting on the 13 May 2013.

Table 4 PROPOSED AMENDMENTS - MANAGERS RECOMMENDATIONS – APPROPRIATE ASSESSMENT SCREENING

Proposed Amendments - Managers Recommendations	Potential for impact on Natura 2000 Sites
Under the heading Population and housing (p. 1 of the Draft Mini-Plan), include the following paragraph:	None
The Core Strategy of the CDP allocated to Strandhill 14.4 ha of greenfield land, which included (in 2012-2013) 4.03 ha of land with existing planning permission for residential development, comprising some 204 potential residential units. This equates to 10.37 ha which have been zoned for residential development in this Mini-Plan. Mixeduse lands are also included in the allocation based on an average of 65% residential development in the mix of uses.	
In Section 44.1 Landscape, natural heritage, open space, modify objective G as follows: Provide for a number of incidental public open spaces whilst ensuring the protection of designated sites through screening for Appropriate Assessment, notably:	None
In Section 44.2 Coastal protection, modify objective A as follows: Prepare an integrated coastal management plan for Strandhill in consultation with relevant agencies and interested parties. This plan should address, inter alia, the existing and potential recreational uses of the area. The coastal management plan will ensure the protection of Natura 2000 sites through the Appropriate Assessment process.	None
	Under the heading Population and housing (p. 1 of the Draft Mini-Plan), include the following paragraph: The Core Strategy of the CDP allocated to Strandhill 14.4 ha of greenfield land, which included (in 2012-2013) 4.03 ha of land with existing planning permission for residential development, comprising some 204 potential residential units. This equates to 10.37 ha which have been zoned for residential development in this Mini-Plan. Mixeduse lands are also included in the allocation based on an average of 65% residential development in the mix of uses. In Section 44.1 Landscape, natural heritage, open space, modify objective G as follows: Provide for a number of incidental public open spaces whilst ensuring the protection of designated sites through screening for Appropriate Assessment, notably: In Section 44.2 Coastal protection, modify objective A as follows: Prepare an integrated coastal management plan for Strandhill in consultation with relevant agencies and interested parties. This plan should address, inter alia, the existing and potential recreational uses of the area. The coastal management plan will ensure the protection of Natura 2000 sites through the Appropriate Assessment

Ref.	Proposed Amendments - Managers Recommendations	Potential for impact on Natura 2000 Sites
A-4	In Section 44.2 Coastal protection, modify objective D as follows: Maintain and review dune management to include, where necessary, appropriate fencing, boardwalks and public information boards, in consultation with the National Parks and Wildlife Service of the DAHG.	None
A-5	In Section 44.4 Mixed-use zones, modify objective B as follows: Discourage piecemeal, haphazard development and ensure the assembly and consolidated development of lands within the mixed-use zones on the basis of integrated design proposals/masterplans with appropriate pedestrian/cycle/vehicular links. Prospective developers shall have regard to the DECLG's Guidelines for Planning Authorities – Sustainable Development in Urban Areas (Cities, Towns and Villages) and to the DoT/DECLG Design Manual for Urban roads and Streets (2013).	None
A-6	In Section 44.4 Mixed-use zones, modify objective D as follows: Encourage the redevelopment of the Promenade 'Corner' on the sea front (MIX 1, Objectives Map) currently comprising shops, dwellings and a public open space, subject to any necessary coastal protection measures whilst ensuring the protection of designated sites through screening for Appropriate Assessment at project level.	None

Ref.	Proposed Amendments - Managers Recommendations	Potential for impact on Natura 2000 Sites
A-8	In Section 44.5 Transport, circulation and parking, modify objective A as follows: Reserve land for a New Airport Road linking the R292 to the existing Airport Road (R277) whilst ensuring the protection of designated sites through screening for Appropriate Assessment at project level.	None
A-9	In Section 44.5 Transport, circulation and parking, modify objective C as follows: Extend the Promenade in a northerly direction and link up with the existing Airport Road as indicated on the Objectives Map, to include for the upgrading of the existing lane from the caravan park to the Airport Road whilst taking full account of the need to protect the natural and cultural heritage of the coast and the need to avoid significant adverse impacts on Natura 2000 Sites and on species protected by law. All necessary coastal protection measures should be incorporated into such a project. This extension should be developed in a similar fashion to the existing Promenade whilst also preserving as much as possible of the seafront area as a public amenity.	None
A-10	In Section 44.6 Community facilities, modify objective B as follows: Require any development proposed on the greenfield site CF1 (refer to the Objectives Map) to ensure the protection of designated sites through screening for Appropriate Assessment at project level. Any proposed development should provide a range of facilities such as a citizens' advice point, social services, tourist information, skate park and indoor sports. A youth centre and childcare facilities may be provided within the same building or in a separate structure.	None

Ref.	Proposed Amendments - Managers Recommendations	Potential for impact on Natura 2000 Sites
A-12	In Section 44.7 Tourism development, modify objective A as follows: Promote the development of tourism related-infrastructure and facilities within the village in order to increase visitor numbers and to create more local employment, subject to Appropriate Assessment under the Habitats Directive.	None
A-13	In Section 44.7 Tourism development, modify objective B as follows: Provide a public parking and picnic area to the north of the caravan park, in conjunction with the new road (See Section 44.5), subject to Appropriate Assessment under the Habitats Directive and the implementation of a Coastal Management Plan (Obj. 44.2 A) and a Management Plan for the Council lands at Killaspugbrone (Obj. 44.1 B.). This area will be located adjacent to the existing caravan park entrance, from where two-way traffic movements will operate (location marked TRANS 2 on the Objectives Map). In addition, adequate provision will be made for alternative circulation arrangements within the caravan park.	None
A-14	In Section 44.9 Buffer zone, modify objective B as follows: Require all new and replacement agricultural structures to be designed in such manner that they do not interfere with the character of the landscape, whilst ensuring the protection of designated sites through screening for Appropriate Assessment at project level.	None

Ref.	Proposed Amendments - Managers Recommendations	Potential for impact on Natura 2000 Sites
A-15	In Section 44.10 Wastewater treatment, modify objective A as follows:	None
	Upgrade the wastewater treatment plant at Killaspugbrone to cater for a population equivalent (PE) of circa 3,000, whilst ensuring the protection of designated sites through undertaking Appropriate Assessment at project level.'	

Table 5 PROPOSED AMENDMENTS – ELECTED MEMBERS – APPROPRIATE ASSESSMENT SCREENING

Ref.	Proposed Amendments - Elected Members	Potential for impact on Natura 2000 Sites
A-7	In Section 44.4 Mixed-use zones , modify objective G as follows:	None
	Require that any development proposal on village centre site MIX 2 (Council car park) incorporates the following:	
	 i. a pedestrian civic square, capable of being used for events and local markets; 	
	ii. pedestrian and possibly vehicular linkages to the Promenade to the west, behind existing development;	
	iii. the location of any car parking behind the building line.	
	In recognition of the scale, and strategic location of the Council car park, the only mixed use development permitted on this site will be the enhancement of the present car parking facility, a community centre and the provision of other recreational facilities.	
	Terraced buildings up to three storeys shall be permitted, subject to appropriate 'feathering', to integrate with adjoining developments, from the council car park to the existing promenade & in the existing promenade area. The community centre courtyard shall be designed to a high standard in a manner capable of enhancing the streetscape and complementing the existing village. However, any developments within the car park itself shall be restricted to two storeys.	

Ref.	Proposed Amendments - Elected Members	Potential for impact on Natura 2000 Sites
A-11 (linked to A-17)	In Section 44.6 Community facilities, insert an additional objective D as follows: D. Land west of Airport Road, including pine plantation Sligo County Council owns most of the land and the pine plantation to the west of the Airport Road. Within the Southern portion of the afforested area (16.5 acres 6.7 ha) it is an objective to accommodate sports and recreation, including any ancillary developments such as dressing rooms etc. Therefore the County Council-owned lands to the west of the Airport Road are zoned for 'Community, Sport & Recreation' to meet this objective and public access will be retained & enabled to continue.	Potential Impact – Negative Significant negative impacts would be expected to result from the proposed amendment arising from direct and indirect impacts on habitats (Annex I) and species (Annex II) listed in the Habitats Directive. Including: • Habitat loss and fragmentation. • Decrease in water quantity/quality, changes in local hydrology. • Increased pollution/erosion. • Disturbance to species or habitats (e.g. increased noise, illumination, human activity). • direct or indirect damage to the populations of species for which the Natura 2000 site is designated.
A-16	Change the zoning of the site marked A-16 on the Proposed Amendments Map from 'buffer zone' to 'residential uses' and indicate on the Zoning Map that only one house is to be accommodated on the site.	None

Ref.	Proposed Amendment	s - Elected Members	Potential for impact on Natura 2000 Sites
A-17 (linked to A-11)	Change the zoning of the site marked A-17 on the Proposed Amendments Map from 'buffer zone' to 'community, sports and recreation' [Note: the zoning category would be CF-community facilities, as per the Zoning Matrix included in the CDP]	A-17.7	Potential Impact - Negative Significant negative impacts would be expected to result from the proposed amendment arising from direct and indirect impacts on habitats (Annex I) and species (Annex II) listed in the Habitats Directive. • Habitat loss and fragmentation. • Decrease in water quantity/quality, changes in local hydrology. • Increased pollution/erosion. • Disturbance to species or habitats (e.g. increased noise, illumination, human activity). • Direct or indirect damage to the populations of species for which the Natura 2000 site is designated.
A-18	Change the zoning of the site marked A-18 on the Proposed Amendments Map from 'buffer zone' to 'residential uses'.	A-18	None

3.9 SCREENING CONCLUSION

The likely impacts that will arise from the proposed amendments to the Strandhill Mini-Plan have been examined in the context of the key environmental factors that could potentially affect the integrity of the Natura 2000 network, e.g. disturbance, habitat loss, etc. and the results of the Screening Assessment, as presented in **Tables 3**, **4** and **5**. These tables indicate "None" for sites where no negative impact is anticipated on the Conservation Objectives or on the overall integrity of the site and "Potential Impact" for those sites where it is certain, likely or uncertain at this stage that impacts on the site may arise as a result of implementation of the Plan. Following the screening stage of the process, one SAC (Cummeen Strand/Drumcliff Bay cSAC) was brought forward for Stage 2 Appropriate Assessment (**Table 6**).

Table 6 Summary of Sites Requiring Stage 2 Appropriate Assessment

Site Name	Site Code	Requirement for Stage 2
		Appropriate Assessment
Ballysadare Bay cSAC	000622	Not Required
Cummeen Strand/Drumcliff Bay cSAC	000627	Required
Cummeen Strand SPA	004035	Not Required
Ballysadare Bay SPA	004129	Not Required

4. STAGE 2 –NATURA IMPACT REPORT

4.1 Overview

This section of the Natura Impact Report (NIR) records the Stage 2 Appropriate Assessment carried out on proposed amendments A-11 and A-17 to the Draft Strandhill Mini- Plan, as proposed by the Elected Members at a Council meeting in May 2013 (Table 7). One Natura 2000 site (Cummeen Strand and Drumcliff Bay cSAC) was brought forward for Stage 2 – Appropriate Assessment. Each of the above proposed amendments to the Draft Plan were reviewed with respect to the identified Natura 2000 site and an assessment was made of the effects of the proposed amendments on the integrity of the Natura 2000 site. Table 8 provides details of the Natura 2000 site and its qualifying interests.

 Table 7
 Proposed Amendments to the Draft Strandhill Mini-Plan

Ref.	Proposed Amendments - Elected Members	Potential for impact on Natura 2000 Sites		
A-11	In Section 44.6 Community facilities, insert an additional objective D as follows: D. Land west of Airport Road, including pine plantation Sligo County Council owns most of the land and the pine plantation to the west of the Airport Road. Within the Southern portion of the afforested area (16.5 acres / 6.7 ha) it is an objective to accommodate sports and recreation, including any ancillary developments such as dressing rooms etc. Therefore the County Council-owned lands to the west of the Airport Road are zoned for 'Community, Sport & Recreation' to meet this objective and public access will be retained & enabled to continue.	Potential Impact – Negative Significant negative impacts would be expected to result from the proposed amendment arising from direct and indirect impacts on habitats (Annex I) and species (Annex II) listed in the Habitats Directive. • Habitat loss and fragmentation. • Decrease in water quantity/quality, changes in local hydrology. • Increased pollution/erosion. • Disturbance to species or habitats (e.g. increased noise, illumination, human activity). • Direct or indirect damage to the populations of species for which the Natura 2000 site is designated.		
A-17	Change the zoning of the site marked YY on the Proposed Amendments Map from 'buffer zone' to 'community, sports and recreation or caravan park with minimal tree removal" [Note: the zoning category would be CF-community facilities, as per the Zoning Matrix included in the CDP]	Potential Impact - Negative Significant negative impacts would be expected to result from the proposed amendment arising from direct and indirect impacts on habitats (Annex I) and species (Annex II) listed in the Habitats Directive. • Habitat loss and fragmentation. • Decrease in water quantity/quality, changes in local hydrology. • Increased pollution/erosion. • Disturbance to species or habitats (e.g. increased noise, illumination, human activity). • Direct or indirect damage to the populations of species for which the Natura 2000 site is designated.		

Table 8 Natura 2000 Site(s) within Impact Zone and Qualifying Interests

Site	Site Name	Qualifying Feature		Documented Potential Threats*
Code		Annex I Habitat	Annex II Species	
000627	Cummeen Strand/Drumcliff Bay	Estuaries (1130), Mudflats and sandflats not covered by seawater at low tide (1140), Embryonic shifting dunes (2110), Shifting dunes along the shoreline with Ammophila arenaria (white dunes) (2120), *Fixed coastal dunes with herbaceous vegetation (grey dunes) (2130), *Petrifying springs with tufa formation (Cratoneurion) (7220), Juniperus communis formations on heaths or calcareous grasslands (5130).	Phoca vitulina (Common Seal) (1365), Vertigo angustior (Narrow-mouthed Whorl Snail) (1014).	Decrease in water quality/Increased pollution Development of marinas and ports Disturbance to marine mammals Dumping at sea Direct loss of habitat to development Recreational/amenity use Agricultural improvements/Reclamation Drainage/Changes in local hydrology including water abstraction Erosion (natural and anthropogenic) Agricultural abandonment Overgrazing/undergrazing Bracken and scrub encroachment Tourism related development Introduction of alien invasive species Illegal Dumping Burning Quarrying/removal of sand Aquaculture

Note Priority Habitats are present in Ireland and are present within the Natura 2000 Sites adjoining Strandhill. These are prefixed with an asterisk (for example, '*Fixed Dunes (2130)') in Table
 3.1 and in subsequent tables in this report. The importance of Priority Habitat is emphasised at several places in the Directive (Articles 4 and 5 and Annex III), not only in terms of the selection of sites, but also in the measures required for site protection (Article 6).

4.2 Likely Significant Effects of the Plan on the Conservation Objectives of the Natura 2000 site

Significant negative impacts would be expected to result from the proposed amendment arising from direct and indirect impacts on habitats (Annex I) and species (Annex II) listed in the Habitats Directive. Such impacts would include the following:

- Habitat loss and fragmentation.
- Decrease in water quantity/quality, changes in local hydrology.
- Increased pollution/erosion.
- Disturbance to species or habitats (e.g. increased noise, illumination, human activity).
- Direct or indirect damage to the populations of species for which the Natura 2000 site is designated.

The Conservation Objectives for the Cummeen Strand/Drumcliff Bay cSAC are as follows:

Objective: To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected:

- [1014] *Vertigo angustior*
- [1095] Petromyzon marinus
- [1099] Lampetra fluviatilis
- [1130] Estuaries
- [1140] Mudflats and sandflats not covered by seawater at low tide
- [1365] Phoca vitulina
- [2110] Embryonic shifting dunes
- [2120] Shifting dunes along the shoreline with Ammophila arenaria ("white dunes")
- [2130] * Fixed coastal dunes with herbaceous vegetation ("grey dunes")
- [5130] Juniperus communis formations on heaths or calcareous grasslands
- [7220] * Petrifying springs with tufa formation (*Cratoneurion*)

The proposed amendments will affect key habitats and species, which are qualifying interests of the Natura 2000 site, in the following way:

Fixed Coastal Dunes Annex I Priority Habitat

- Habitat loss and fragmentation.
- Decrease in water quantity/quality, changes in local hydrology.
- Increased pollution/erosion.
- Disturbance to habitats (e.g. increased noise, illumination, human activity).

Narrow-Mouthed Whorl Snail (Vertigo angustior) Annex II Species

- Habitat loss and fragmentation.
- Decrease in water quantity/quality, changes in local hydrology.
- Increased pollution/erosion.
- Disturbance to species (e.g. increased noise, illumination, human activity).
- Direct or indirect damage to the populations of species for which the Natura 2000 site is designated.

The integrity of the Natura 2000 (determined by structure and function and conservation objectives) is likely to be affected by the proposed amendments through loss of habitat and fragmentation, changes in hydrology, a decrease in water quantity and quality, and increased pollution and disturbance.

The permanent loss of priority Annex I habitat and likely changes to the hydrology of the Natura 2000 site from development arising from the proposed amendments to the Strandhill Mini-Plan are significant effects on the conservation objectives and integrity of the Natura 2000 site. Accordingly, mitigation measures are not considered in this report as no mitigation measures would address the adverse effect of the proposed amendments on the conservation objectives and integrity of the site.

4.3 Consultation with Environmental Authorities

Having regard to the criteria set out in Schedule 2A of the SEA Regulations 2004 and Part XAB of the Planning and Development Act (2010) on 28 May 2013 the Planning Authority determined that both strategic environmental assessment and appropriate assessment are required in respect of the aforementioned proposed amendments of the Draft Variation/Mini-Plan, Pursuant to S. 13(6)(a) of the Planning and Development Act 2000 (as amended).

The proposed amendments were screened for potential environmental effects.

A Natura Impact Report of the Proposed Amendments to the Draft Plan was prepared and circulated to the following environmental authorities on 28 June 2013:

- The Environmental Protection Agency (EPA)
- The Department of Communications, Energy and Natural Resources (DCENR)
- The Department of Environment, Community and Local Government (DECLG) and Department of Arts, Heritage and the Gaeltacht (DAHG)
- The Department of Agriculture, Fisheries and Food (DAFF)
- The local authorities adjoining the area under the jurisdiction of Sligo County Council

The Natura Impact Report concluded that:

The proposed interconnected amendments A-11 and A-17 have the potential for significant effects on the integrity of the Cummeen Strand/Drumcliff Bay SAC (site code 000627).

The adoption of the proposed amendments A-11 and A-17 would conflict with the *Habitats Directive Assessment (Appropriate Assessment)* and the related *European and national designated natural heritage sites objectives* included in the same section of the Sligo County Development Plan 2011-2017.

4.3.1 Response of the EPA

The EPA responded on **15 July** with the following specific comments:

A. It is noted that the SEA Screening report identifies that Proposed Amendment A-11 and A-17 in particular, as having have potential for likely significant negative effects to Cummeen Strand/Drumcliffe Bay SAC. Clarification should be given as to whether an

option not to proceed with A-11 and A-17 has been considered taking into account the Habitats Directive 'Precautionary Principle'.

- B. In addition, you are referred in *Circular Letter SEA 1/08 & NPWS 1/08*, to the following:
 - "In any case where, following screening, it is found that the draft plan or amendment may have an impact on the conservation objectives of a Natura 2000 site or that such an impact cannot be ruled out, adopting a precautionary approach-
 - an appropriate assessment of the plan must be carried out and
 - in any case where a strategic environmental assessment (SEA) would not otherwise be required, it must also be carried out"
- C. It should be ensured that consultation is carried out with the NPWS on the scope of the Appropriate Assessment.
- D. Clarification should also be given whether *Proposed Amendment A-16* is in keeping with the principles of sustainable development and seeking to avoid/discourage ribbon development. The Plan should seek to ensure that the Core Strategy approach, as advocated by the Regional Planning Guidelines, is incorporated as appropriate.

Planning Authority's comments:

- A. It is noted that the decision as to whether to proceed with A-11 and A-17 is a reserved function of the elected members of Sligo County Council. The Executive of the Council can only make a recommendation in this respect. The Natura Impact Report and SEA Screening Report with its present Addendum on the Proposed Amendments have been prepared not only because the legislation so requires, but with the purpose of helping the elected members make an informed decision before adopting the Variation/Mini-Plan with or without amendments.
- B. The reference is noted. An appropriate assessment has been carried out and its outcome is presented in the updated Natura Impact Report that accompanies the Proposed Amendments on public display.
 - A Strategic Environmental Assessment has already been carried out for the County Development Plan. The present Draft Variation, as prepared by the Planning Section of Sligo County Council, was accompanied by a SEA Screening Report, which found that the CDP, as varied, would not have any significant impacts on the environment.

The Proposed Amendments to the Draft Variation have, indeed potential for significant effects on the environment, i.e. on the Cummeen Strand/Drumcliff Bay SAC (site code 000627). The adoption of the proposed amendments A-11 and A-17 would conflict with the Section 7.1.2 Habitats Directive Assessment (Appropriate Assessment) and the related European and national designated natural heritage sites objectives included in the same section of the Sligo County Development Plan 2011-2017.

However, the potential impact of the "community, sports and recreation" zoning on the site subject to the proposed amendments A-11 and A-17 could, theoretically, be prevented through the rigorous application of relevant County Development Plan provisions contained in Section 7.1.2 Habitats Directive Assessment (Appropriate Assessment) (p. 89-90 of the CDP) and the related European and national designated natural heritage sites objectives included in the same section.

Therefore, it is considered that the preparation of an Environmental Report in relation to the Proposed Amendments is not warranted at this stage, as the CDP already includes policies designed to prevent such negative impact on the environment.

- C. Consultation with the NPWS of the DAHG has taken place.
- D. The assessment of A-16 under Section 2.2 of this report indicates the following:

Strandhill Mini-Plan is designed to implement the CDP's general policies and objectives, including landscape protection objectives and the policy discouraging ribbon development and urban sprawl. For these reasons, the subject site and surrounding area have been designated as buffer zone.

The adoption of the proposed amendment A-16 would conflict with the above-mentioned provisions of the CDP and may result in a negative visual impact on the scenic landscape at the foot of the Knocknarea Mountain. However, the proposed amendment is unlikely to have any significant effects on the environment and, if adopted, would not change the conclusion of the initial SEA Screening.

It is considered that no further clarification is necessary.

4.3.2 Response of Leitrim County Council

Leitrim County Council replied on 16 July as follows:

This Authority is happy to rely on your offices to ensure that the proposed Variation would, if adopted, comply with the proper planning and sustainable development of the area and in particular with the requirements of the Habitats Directive and Strategic Environmental Requirements.

It is noted by reference to the SEA and Habitat Reports that **certain amendments would**, **if** adopted, give rise to significant environmental impacts and would conflict with the requirements of the Habitats Directive.

Were such a conflict remain unresolved, this Authority would have serious reservations about the adoption of any such amendments. As you are aware, any decision to proceed with an amendment that would compromise the integrity of the qualifying interests of a Natura 2000 site would raise serious legal issues and may expose the Council to significant costs.

Planning Authority's comments:

The response of Leitrim County Council is noted and agreed.

4.3.3 Response of the DCENR

The Geological Survey of Ireland, part of the DCENR, replied on 18 July with an acknowledgement of the County Council's notification of 28 June. The GSI provided information and links to datasets relating to geological heritage sites. The GSI indicated that any complementary data collected by Sligo County Council regarding karst areas should be forwarded to the Department for inclusion in the national datasets.

The GSI did not make any specific reference to the Proposed Amendments of the Draft CDP Variation/Strandhill Mini-Plan.

Planning Authority's comments:

The response of the DCENR/GSI is noted. No geological field data has been collected as part of the environmental or appropriate assessment of the Draft Variation or its proposed amendments.

4.3.4 Response of the DAHG

The DAHG replied on 23 July as follows:

- A. In relation to the Addendum to the SEA Screening Report, the conclusion states that 'the proposed interconnected amendments A-11 and A-17 have the potential for significant effects on the environment, i.e. on the Cummeen Strand/Drumcliff Bay SAC (site code 000627)'. In light of this conclusion, proceeding to full SEA for the proposed Amendments may be required. Please consult with the Environmental Protection Agency (EPA) for clarification on this issue.
- B. In relation to the Natura Impact Report, the Department notes the Elected Members proposed amendments A-11 and A-17 to the Draft Strandhill Mini-Plan. The Department has had previous discussions regarding the development of a sports community facility within the Special Area of Conservation at this location. Most of the habitat at this location has been modified (conifer plantation) and does not correspond to Annexed habitat (Annex I of the EU Habitats Directive, Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora). However, the Department recognises that this area is entirely within the Special Area of Conservation. The present habitat has the potential to be fully restored into dune habitat, i.e. Fixed Dunes with Herbaceous Vegetation (Grey Dunes), which is listed as priority habitat in the EU Habitats Directive. It should also be noted, that the present degraded/modified habitat supports the species Narrow-mouthed Whorl Snail (Vertigo angustior), which is a species listed in Annex II of the EU Habitats Directive and is a qualifying feature for the Cummeen Strand/Drumcliff Bay Special Area of Conservation Site No. SAC 000627. This area also supports the protected flora species Round-leaved Wintergreen subsp. maritima (Pyrola rotundifolia maritima), which is a species listed in the Flora Protection Order, 1999 (SI No. 94 of 1999). The Department notes the conclusion of the Natura Impact Report, i.e. the proposed amendments may result in adverse impacts on the integrity of the Cummeen Strand/Drumcliff Bay Special Area of Conservation Site No. SAC 000627, a Natura 2000 site. The Department supports the approach of Sligo County Council in relation to this assessment and believes that this conclusion is in line with the conservation objectives of the Cummeen Strand/Drumcliff Bay Special Area of Conservation Site No. SAC 000627.

Planning Authority's comments:

- A. Noted. Consultation with the EPA has taken place.
- B. The detailed response and the Department's support of Sligo County Council's approach are noted and agreed.

4.4 Conclusion

This Natura Impact Report presents the findings of a Stage 2 Appropriate Assessment undertaken on the proposed amendments to the Draft Strandhill Mini-Plan.

The Appropriate Assessment Screening (Stage 1) identified that there was potential for likely significant effects arising from the adoption and implementation of the proposed amendments (A-11 and A-17) to the Draft Mini-Plan. Accordingly, Stage 2 Appropriate Assessment (this Natura Impact Report) was undertaken to identify potential likely significant effects on Natura 2000 sites arising from the proposed amendments to the Draft Mini-Plan.

Consultation with the environmental authorities and particularly the Department of Arts, Heritage and the Gaeltacht and the Environmental Protection Agency highlight the potential for adverse impact on the Cummeen Strand/Drumcliff Bay Natura 2000 site arising from proposed amendments A-11 and A-17.

The adoption of the proposed amendments A-11 and A-17 would conflict with Section 7.1.2 *Habitats Directive Assessment (Appropriate Assessment)* and the related *European and National Designated Natural Heritage Sites Objectives* included in the same section of the Sligo County Development Plan 2011-1017.

Furthermore, the adoption of the Draft CDP Variation/Mini-Plan with the amendments A-11 and A-17 would contravene Section 177. V(c) of the Planning and Development Act 2000 (as amended), which specifies that planning authorities shall make a land use plan only after having determined that the said plan would not adversely affect the integrity of a European site.

Accordingly, on the basis of the Precautionary Principle, it can be objectively concluded that adverse impacts of the proposed amendments on the integrity of the Cummeen Strand/Drumcliff Bay Natura 2000 site remain and that the proposed amendments A-11 and A-17 should not be adopted as part of the CDP Variation/Strandhill Mini-Plan.

5. References

Environment, Heritage and Local Government, National Parks and Wildlife Service. 2008. The Status of EU Protected Habitats and Species in Ireland.

Environment, Heritage and Local Government, National Parks and Wildlife Service. Various Years. Natura 2000 Data Form and Site Synopses.

Environment, Heritage and Local Government. 2009. Appropriate Assessment of Plans and Projects in Ireland. Guidance for Planning Authorities.

European Communities. 2000. Managing Natura 2000 sites. The provisions of Article 6 of the Habitats Directive 92/43/EEC. Luxemburg.

European Communities. 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. Luxemburg.