

AA CONCLUSION STATEMENT

IN SUPPORT OF THE
APPROPRIATE ASSESSMENT
OF THE
VARIATIONS
TO THE
NORTH TIPPERARY COUNTY DEVELOPMENT PLAN
(AS VARIED)
AND THE
SOUTH TIPPERARY COUNTY DEVELOPMENT PLAN
(AS VARIED)

IN ACCORDANCE WITH THE REQUIREMENTS OF
ARTICLE 6(3) OF THE EU HABITATS DIRECTIVE

for: Tipperary County Council

Civic Offices,
Nenagh,
County Tipperary



Comhairle Contae Thiobraid Árann
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Section 1 Introduction and Background

1.1 Introduction

This is the Appropriate Assessment (AA) Conclusion Statement for the Variations to the North Tipperary County Development Plan (as varied) and the South Tipperary County Development Plan (as varied).

The obligation to undertake AA derives from Article 6(3) and 6(4) of the Habitats Directive 92/43/EEC as transposed into Irish legislation by the European Communities (Birds and Natural Habitats) Regulations 2011 and the Planning and Development Act 2000, as amended. AA is a focused and detailed impact assessment of the implications of a strategic action (such as a plan or programme) or project, alone and in combination with other strategic actions and projects, on the integrity of any European Site in view of its conservation objectives.

This AA Conclusion Statement should be read in conjunction with the following documents which accompany the Statement:

- Variations to the North and South County Development Plans;
- Strategic Environmental Assessment (SEA) Environmental Report;
- Strategic Flood Risk Assessment; and
- Natura Impact Report (NIR), including Appendix I 'Summary details of European sites considered during the Appropriate Assessment'.

1.2 Legislative Requirements in relation to AA

In carrying out the AA for the Variation to the County Development Plan, the Part XAB of the Planning and Development Act 2000, as amended, requires, inter alia, that the Council take into account the matters arrayed in the first column on Table 1.1 below. The second column identifies how these issues have been addressed.

Table 1.1 Matters taken into account by the AA

Matter specified by the Regulations	How addressed by AA
(a) the NIR	A NIR accompanies this AA Conclusion Statement and the Variation
(b) any other plans or projects that may, in combination with the plan or project under consideration, adversely affect the integrity of a European Site (see Section 2)	Throughout the NIR, particularly Section 2.5 of the NIR
(c) any supplemental information furnished in relation to any such report or statement	This AA Conclusion Statement supplements the NIR which is also accompanied by an Appendix (NIR Appendix I) which provides additional detail on European Sites
(d) if appropriate, any additional information sought by the authority and furnished by the applicant in relation to a Natura Impact Report	The Natura Impact Report has taken into account submissions received during the Plan/AA preparation process – see Section 2 of this Statement
(e) any information or advice obtained by the public authority	
(f) if appropriate, any written submissions or observations made to the public authority in relation to the application for consent for proposed plan or project	
(g) any other relevant information	

In addition to the above, the Regulations require that the Council makes available for inspection a determination regarding the outcome of the assessment with respect to effects on the integrity of European Sites (such a determination is provided at Section 4 of this document).

1.3 AA Conclusion Statement

The Department of Arts, Heritage and the Gaeltacht's Non-Statutory AA guidance states that (Section 4.14) it *"is recommended that planning authorities include a clear and discrete AA Conclusion Statement as a distinct section in the written statement of the plan separate to the SEA statement."*

This guidance recommends that the following issues are addressed by the AA:

- Summary of how the findings of the AA were factored into the plan;
- Reasons for choosing the plan as adopted, in the light of other reasonable alternatives considered as part of the AA process;
- A declaration that the plan as adopted will not have an adverse effect on the integrity of European Sites; and
- The Natura Impact Report.

As recommended, this AA Conclusion Statement addresses the above issues.

Section 2 How the findings of the AA were factored into the Variations

Various environmental sensitivities and issues have been communicated to the Council through the SEA and the AA. By integrating all related recommendations into the Variations, the Council have ensured that both the beneficial environmental effects of implementing the Plans as varied have been and will be maximised and that potential adverse effects have been and will be avoided, reduced or offset.

Integration of AA considerations into the Variations was achieved through:

1. Consultations

As environmental authorities identified under the Planning and Development (SEA) Regulations, as amended, the following authorities were sent Strategic Environmental Assessment (SEA) scoping notices indicating that submissions or observations in relation to the scope and level of detail of the information to be included in the environmental report could be made to the Council. A Scoping submission on SEA issues was made by the EPA.

Submissions from the public and others were made on the Variations the public display period and these resulted in updates being made to the documents. Changes to the provisions of the Variations made on foot of submissions were considered and did not change the conclusions of the AA. No comments relating to the AA were made by the Department of Culture, Heritage and the Gaeltacht.

2. Consideration of alternatives

Consideration and integration of environmental considerations into alternatives which will contribute towards the protection and management of the environment over the lifetime of the Plans as varied (see Section 3 of this Statement).

3. Integration of individual AA-related provisions into the Variations

Various provisions have been integrated into the text of the Variations through the iterative Variation-preparation with SEA and AA processes. These include AA-related measures that are cited in the SEA Environmental Report. Objectives and policies within the Variations to the North Tipperary County Development Plan (as varied) and the South Tipperary County Development Plan (as varied) will act to protect European Sites (Table 2.1).

Table 2.1 Policies and objectives that afford protection to the ecological integrity of European Sites.

Environmental Component¹	Potential Effect, if unmitigated	Individual SEA and AA provisions <i>The Proposed Variation requires that developments shall demonstrate compliance with the provisions laid out below as relevant and appropriate.</i>	Mitigating provisions already included within the existing Plan
All	<ul style="list-style-type: none"> • See those listed below 	<p>Construction and Environmental Management Plans</p> <p>Construction Environment Management Plans (CEMPs) shall be prepared in advance of the construction of larger projects and implemented throughout. Such plans shall incorporate relevant mitigation measures which have been integrated into the Plan and any lower tier Environmental Impact Statement or Appropriate Assessment. CEMPs typically provide details of intended construction practice for the proposed development, including:</p> <ol style="list-style-type: none"> location of the sites and materials compound(s) including area(s) identified for the storage of construction refuse, location of areas for construction site offices and staff facilities, details of site security fencing and hoardings, details of on-site car parking facilities for site workers during the course of construction, details of the timing and routing of construction traffic to and from the construction site and associated directional signage, measures to obviate queuing of construction traffic on the adjoining road network, measures to prevent the spillage or deposit of clay, rubble or other debris, alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public right of way during the course of site development works, details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels, containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained; such bunds shall be roofed to exclude rainwater, disposal of construction/demolition waste and details of how it is proposed to manage excavated soil, a water and sediment management plan, providing for means to ensure that surface water runoff is controlled such that no silt or other pollutants enter local water courses or drains, details of a water quality monitoring and sampling plan. if peat is encountered - a peat storage, handling and reinstatement management plan. measures adopted during construction to prevent the spread of invasive species (such as Japanese Knotweed). appointment of an ecological clerk of works at site investigation, preparation and construction phases. 	-
Biodiversity and flora and fauna	<ul style="list-style-type: none"> • Arising from both construction and operation of development and associated infrastructure: loss 	<p>Protection of Biodiversity including the Network of European Sites</p> <p>Proposed developments shall contribute, as appropriate, towards the protection of designated ecological sites including candidate Special Areas of Conservation (cSACs) and Special Protection Areas (SPAs); Wildlife Sites (including Natural Heritage Areas, proposed Natural Heritage Areas and Nature Reserves); Salmonid Waters; Flora Protection Order sites; Wildfowl Sanctuaries (see S.I. 192 of 1979); Freshwater Pearl Mussel catchments; and Tree Preservation Orders (TPOs).</p>	<p>POLICY LH5 POLICY LH6 POLICY LH7 POLICY LH9 POLICY LH11 OBJECTIVE SO7-2</p>

¹ The SEA Directive identifies a number of environmental topics which must be considered in the assessments being undertaken for plans and programmes. These topics are listed in this column and comprise biodiversity and flora and fauna, population and human health, soil, water, air and climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape.

Environmental Component ¹	Potential Effect, if unmitigated	Individual SEA and AA provisions <i>The Proposed Variation requires that developments shall demonstrate compliance with the provisions laid out below as relevant and appropriate.</i>	Mitigating provisions already included within the existing Plan
	<p>of/damage to biodiversity in designated sites (including European Sites and Wildlife Sites) and Annexed habitats and species, listed species, ecological connectivity and non-designated habitats; and disturbance to biodiversity and flora and fauna</p> <ul style="list-style-type: none"> Habitat loss, fragmentation and deterioration, including patch size and edge effects. Disturbance (e.g. due to noise and lighting along transport corridors) and displacement of protected species. 	<p>Proposed developments shall contribute towards compliance with relevant EU Environmental Directives and applicable National Legislation, Policies, Plans and Guidelines, including the following and any updated/superseding documents:</p> <ul style="list-style-type: none"> EU Directives, including the Habitats Directive (92/43/EEC, as amended)², the Birds Directive (2009/147/EC)³, the Environmental Liability Directive (2004/35/EC)⁴, the Environmental Impact Assessment Directive (2011/92/EU as amended by 2014/52/EU), the Water Framework Directive (2000/60/EC) and the Strategic Environmental Assessment Directive (2001/42/EC). National legislation, including the Wildlife Acts-2010⁵, the European Communities (Environmental Impact Assessment) Regulations 1989 (SI No. 349 of 1989) (as amended), the European Union (Water Policy) Regulations 2003 (as amended), the Planning and Development Act 2000 (as amended), the European Communities (Birds and Natural Habitats) Regulations 2011 (SI No. 477 of 2011) and the European Communities (Environmental Liability) Regulations 2008⁶. National policy guidelines (including any clarifying Circulars or superseding versions of same), including the Landscape and Landscape Assessment Draft Guidelines 2000, the Environmental Impact Assessment Sub-Threshold Development Guidelines 2003, Strategic Environmental Assessment Guidelines 2004 and the Appropriate Assessment Guidance 2010. Catchment and water resource management Plans, including the relevant River Basin Management Plan(s). Biodiversity Plans and guidelines, including Actions for Biodiversity 2011-2016: Ireland's 2nd National Biodiversity Plan (including any superseding version of same). Ireland's Environment 2016 (EPA, 2016, including any superseding versions of same), and to make provision where appropriate to address the report's goals and challenges. <p>Appropriate Assessment</p> <p>All projects and plans arising from the Plan (including any associated improvement works or associated infrastructure) will be screened for the need to undertake Appropriate Assessment under Article 6 of the Habitats Directive. A project will only be authorised after the competent authority has ascertained, based on scientific evidence, Screening for Appropriate Assessment, and a Stage 2 Appropriate Assessment where necessary, that:</p> <ul style="list-style-type: none"> The project will not give rise to significant adverse direct, indirect or secondary effects on the integrity of any European site (either individually or in combination with other plans or projects); or The project will have significant adverse effects on the integrity of any European site (that does not host a priority natural habitat type/and or a priority species) but there are no alternative solutions and the project 	

² Including Annex I habitats, Annex II species and their habitats and Annex IV species and their breeding sites and resting places (wherever they occur).

³ Including Annex I species and other regularly occurring migratory species, and their habitats (wherever they occur).

⁴ Including protected species and natural habitats.

⁵ Including species of flora and fauna and their key habitats.

⁶ Including protected species and natural habitats.

Environmental Component ¹	Potential Effect, if unmitigated	Individual SEA and AA provisions <i>The Proposed Variation requires that developments shall demonstrate compliance with the provisions laid out below as relevant and appropriate.</i>	Mitigating provisions already included within the existing Plan
		<p>must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature. In this case, it will be a requirement to follow procedures set out in legislation and agree and undertake all compensatory measures necessary to ensure the protection of the overall coherence of the network of European Sites; or</p> <ul style="list-style-type: none"> The project will have a significant adverse effect on the integrity of any European site (that hosts a natural habitat type and/or a priority species) but there are no alternative solutions and the project must nevertheless be carried out for imperative reasons for overriding public interest, restricted to reasons of human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest. In this case, it will be a requirement to follow procedures set out in legislation and agree and undertake all compensatory measures necessary to ensure the protection of the overall coherence of the network of European Sites. <p>Annex I Species The developer should liaise with the National Parks and Wildlife Services if Annex I species are present at or in the vicinity of the site.</p> <p>European Sites No projects giving rise to significant cumulative, direct, indirect or secondary impacts on European Sites arising from their size or scale, land take, proximity, resource requirements, emissions (disposal to land, water or air), transportation requirements, duration of construction, operation, decommissioning or from any other effects shall be permitted on the basis of the Plan (either individually or in combination with other plans or projects⁷).</p> <p>Freshwater Pearl Mussel Applications for development shall be accompanied by an assessment of potential impacts, mitigation and residual impacts upon the freshwater pearl mussel. Cumulative impacts should be considered in this assessment.</p> <p>Biodiversity and Ecological Networks</p> <ul style="list-style-type: none"> Proposed developments shall contribute towards the protection and enhancement of biodiversity and ecological connectivity, including woodlands, trees, hedgerows, semi-natural grasslands, rivers, streams, wetlands, other landscape features and associated wildlife where these form part of the ecological network and/or may be considered as ecological corridors or stepping stones in the context of Article 10 of the Habitats Directive. Where trees or hedgerows have to be removed there should be suitable planting of native species in mitigation. Where possible hedgerows and trees should not be removed during the nesting season (i.e. March 1st to August 31st). Birds nests can only be intentionally destroyed under licence issued under the Wildlife Acts 1976-2000. 	

⁷ Except as provided for in Section 6(4) of the Habitats Directive, viz. There must be:

- a) no alternative solution available,
- b) imperative reasons of overriding public interest for the project to proceed; and
- c) Adequate compensatory measures in place.

Environmental Component ¹	Potential Effect, if unmitigated	Individual SEA and AA provisions <i>The Proposed Variation requires that developments shall demonstrate compliance with the provisions laid out below as relevant and appropriate.</i>	Mitigating provisions already included within the existing Plan
		<ul style="list-style-type: none"> • Bat roosts may be present in trees, buildings and bridges. Bat roosts can only be destroyed under licence under the Wildlife Acts and a derogation under the Habitats Regulations and such a licence would only be given if suitable mitigation measures were implemented. • Applications for development shall be accompanied by an assessment of potential impacts, mitigation and residual impacts upon the otters (including potential interactions with food sources and aquatic and terrestrial habitats), bats (including potential interactions with roosts, foraging sites and lighting) and birds (including flight paths) <p>Non-Designated Sites Proposed developments shall contribute towards the protection of non-designated habitats and species, as appropriate.</p> <p>Riparian Zone and Waterbodies and Watercourses Proposed developments shall contribute towards the protection of waterbodies and watercourses, including rivers, streams, associated undeveloped riparian strips, wetlands and natural floodplains, from inappropriate development.</p> <p>Alien invasive species Cooperate as relevant with the National Parks and Wildlife Service in protecting against the accidental introduction of such species during development.</p> <p>Fisheries Where potential impacts on fishery components (such as water quality, surface water hydrology, aquatic habitats including spawning and nursery grounds and the riparian zone) are identified, Inland Fisheries Ireland shall be consulted in order to ensure that impacts are mitigated in compliance with relevant legislation.</p> <p>Roads Where roads are being improved and upgraded the opportunity will be taken where possible to address inadequate existing mitigation measures or impeded passage, for example the inclusion of mammal underpasses or dry ledges where there is poor culvert design).</p> <p>Amenity/Tourism/Recreation Development It is normal practice in the Council to ensure that:</p> <ul style="list-style-type: none"> • Any increase in visitor numbers are managed to avoid significant negative effects including loss of habitat and disturbance; and • Any projects are a suitable distance from the edge of sensitive habitats such as rivers and streams⁸. <p>Drainage or Reclamation of Wetlands The Council will implement the relevant parts of the Planning and Development (Amendment) (No. 2) Regulations 2011 and the European Communities (Amendment to Planning and Development) Regulations 2011 which require planning permission to be applied for where the area impacted by works relating to the drainage or reclamation of a</p>	

⁸ In general, pedestrian and cycle routes need ecological assessment in their planning and design and should not target sensitive ecological sites or parts of sites, as such routes have potential for disturbance to habitats and species, including as a result of noise, lighting, etc. Otherwise their development may not be consistent with nature conservation objectives and legal compliance requirements.

Environmental Component¹	Potential Effect, if unmitigated	Individual SEA and AA provisions <i>The Proposed Variation requires that developments shall demonstrate compliance with the provisions laid out below as relevant and appropriate.</i>	Mitigating provisions already included within the existing Plan
		wetland exceeds 0.1 hectares or where such works may have a significant effect on the environment. Such planning applications would need to be supported by an Appropriate Assessment where necessary. Light Pollution To ensure that external lighting and lighting schemes are designed so that light spillage is minimised, thereby protecting the amenities of nearby properties and wildlife, including protected species.	
Water	<ul style="list-style-type: none"> • Adverse impacts upon the status of water bodies arising from changes in quality, flow and/or morphology. • Increase in the risk of flooding. 	Also see measures under soil above and material assets below. Water Framework Directive and associated legislation Proposed developments shall contribute towards the protection of existing and potential water resources, and their use by humans and wildlife, including rivers, streams, wetlands, groundwater and associated habitats and species in accordance with the requirements and guidance in the EU Water Framework Directive 2000 (2000/60/EC), the European Union (Water Policy) Regulations 2003 (as amended), the European Communities Environmental Objectives (Surface Waters) Regulations 2009 (SI No. 272 of 2009), the Groundwater Directive 2006/118/EC and the European Communities Environmental Objectives (groundwater) Regulations, 2010 (S.I. No. 9 of 2010) and other relevant EU Directives, including associated national legislation and policy guidance (including any superseding versions of same). River Basin Management Plan(s) Proposed developments shall support the implementation of the relevant recommendations and measures as outlined in the relevant River Basin Management Plan(s) (including the upcoming national River Basin Management Plan), and associated Programmes of Measures, as well as relevant recommendations contained in the Water Quality in Ireland 2010-2012 (EPA, 2015, and any updated/superseding document). These recommendations include the need for a catchment management approach to protecting and managing waters to maintain and improve water quality status. Proposals for development shall not have an unacceptable impact on the water environment, including surface waters, groundwater quality and quantity, river corridors and associated woodlands. Constrained Land Use Strategy – Flooding This Constrained Land Use Strategy that will contribute towards flood risk management at various locations, has been integrated into Section 5 of the Settlement Plan Guide.	POLICY LH8 POLICY LH12 POLICY ED6 POLICY TI11 POLICY CEF8 POLICY TI9

Section 3 Appraisal Process of Alternatives Considered with reference to the AA

3.1 Summary Description of Alternatives

As per the requirements of the SEA Directive, this SEA considers reasonable alternatives, which are capable of being implemented for the Local Area Plan, taking into account the objectives and policies of all higher-level Plans. These alternatives were assessed through the SEA process with reference to the specific requirements of the EU Habitats Directive and European Sites. An iterative process was undertaken between the SEA, AA and Local Area Plan design/development. The alternatives and their evaluation are detailed below:

Scenario 1: Alternatives not Applicable

This category applies to settlements where the variation generally proposes to continue the type, location and extent of existing land-use zoning or designations.

Scenario 2: Alternative not Available

This category applies to settlements where alternatives are not available due to factors that cannot be readily or reasonably altered; including, but not limited to, the existing configuration of roads, water services, existing built fabric or environmental constraints.

Scenario 3: Alternatives not Significant

This category applies to settlements where the variation proposes clarifications or additional that will not modify the type, location and extent of existing land-use zoning or designations.

Scenario 4: Assessable Alternatives

This category applies to settlements where alternatives of layout, location, type, phasing or density exist.

Table 3.1 (below) examines the need for alternative plans for each settlement to be assessed. Where the assessment determines that there is an 'Assessable Alternative', scenarios were considered as follows. A further breakdown of the assessments for each of the settlement plans can be found in Appendix II of the SEA Environmental Report.

Table 3.1 Screening for need to consider Alternatives conducted as part of the SEA.

Town Name	Alternatives	Criteria used to assess need to examine Alternatives			
		Scenario 1. Alternatives not Applicable?	Scenario 2. Alternative not Available?	Scenario 3. Alternatives not Significant?	Scenario 4. Assessable Alternatives?
Service Centres and Local Service Centres					
Ardfinnan	Density				yes
Ballyclerihan	Reduction in area zoned				yes
Ballyporeen	Flood risk management considerations (zoning) and reduction in area zoned				yes
Clogheen	Flood risk management considerations (zoning) and reduction in area zoned				yes
Kilsheelan	Density				yes
New Inn	Not applicable; continue existing	yes			
Newcastle	Not applicable; continue existing	yes			
Ballina	Flood risk management considerations (zoning)				yes
Borrisokane	Consolidation				yes
Cloughjordan	Phasing and flood risk management considerations (zoning) and phasing				yes
Newport	Flood risk management considerations (zoning)				yes
Newtown	Density/Uses by replacing Lower Density Residential with Town Centre				yes
Portroe	Not applicable; continue existing	yes			
Puckaun	Not applicable; continue existing	yes			
Silvermines	Not applicable; continue existing	yes			
Toomevara	Reduction in area zoned				yes
Bansha	Permissible uses for Business and Enterprise zoned lands				yes
Boherlahan	Not applicable; continue existing	yes			
Cappawhite	Reduction in area zoned				yes
Dundrum	Flood risk management considerations (zoning) and water services				yes
Emly	Not applicable; continue existing	yes			
Golden	Flood risk management considerations (zoning) and reduction in area zoned				yes
Hollyford	Not applicable; continue existing	yes			
Limerick Junction	Only encourage dry industry unless WWTP upgraded			yes	
Lisvarrinane	Only encourage dry industry			yes	
Killenaule	Not applicable; continue existing	yes			
Mullinahone	Not applicable; continue existing	yes			
Ballingarry (Service Centre)	Reduction in area zoned				yes

Town Name	Alternatives	Criteria used to assess need to examine Alternatives			
		Scenario 1. Alternatives not Applicable?	Scenario 2. Alternative not Available?	Scenario 3. Alternatives not Significant?	Scenario 4. Assessable Alternatives?
Borrisoleigh	Flood risk management considerations (zoning)				yes
Gortnahoe	Not applicable; continue existing	yes			
Holycross	Not applicable; continue existing	yes			
Littleton	Zoning of areas at elevated levels of flood risk was considered as a possible alternative however it was determined that these areas were outside of the Plan boundary	yes			
Templetuohy	Not applicable; continue existing	yes			
Twomileborris	Flood risk management considerations (zoning)				yes
Burncourt	Not applicable; continue existing	yes			
Lisronagh	Phasing				yes
Ardcorney	Not applicable; continue existing	yes			
Dromineer	Not applicable; continue existing	yes			
Lorrha	Not applicable; continue existing	yes			
Rathcabban	Not applicable; continue existing	yes			
Rearcross	Reduction in area zoned				yes
Terryglass	Integrated tourism zoned lands				yes
Annacorthy	Not applicable; continue existing	yes			
Clonoulty	Not applicable; continue existing	yes			
Donaskeagh	Not applicable; continue existing	yes			
Donohill	Not applicable; continue existing	yes			
Kilfeacle	Not applicable; continue existing	yes			
Lattin	Reduction in area zoned				yes
Monard	Not applicable; continue existing	yes			
Ballynonty	Not applicable; continue existing	yes			
Ballypatrick	Not applicable; continue existing	yes			
Cloneen	Not applicable; continue existing	yes			
Drangan	Reduction in area zoned				yes
Dualla	Not applicable; continue existing	yes			
Glengoole	Reduction in area zoned				yes
Grangemockler	Not applicable; continue existing	yes			
Rosegreen	Not applicable; continue existing	yes			
The Commons	Not applicable; continue existing	yes			
Ballysloe	Not applicable; continue existing	yes			
Upperchurch	Not applicable; continue existing	yes			
Cullen	Not applicable; continue existing	yes			
Faugheen	Not applicable; continue existing	yes			
Kilcash	Reduction in area zoned				yes
Clonmore	Not applicable; continue existing	yes			
Nodes					
Ballylooby	Not applicable	yes			
Goatenbridge	Not applicable	yes			
Grange (Carrick)	Not applicable	yes			
Grange (Clonmel)	Reduction in boundary				yes

Town Name	Alternatives	Criteria used to assess need to examine Alternatives			
		Scenario 1. Alternatives not Applicable?	Scenario 2. Alternative not Available?	Scenario 3. Alternatives not Significant?	Scenario 4. Assessable Alternatives?
Marfield	Not applicable	yes			
Aglish	Not applicable	yes			
Ballinahinch	Not applicable	yes			
Ballinderry	Reduction in boundary				yes
Ballingarry (node)	Reduction in boundary				yes
Ballycommon	Not applicable	yes			
Ballinree	Reduction in boundary				yes
Ballinaclough	Not applicable	yes			
Birdhill	Not applicable	yes			
Carrig	Not applicable	yes			
Carrigahorig	Not applicable	yes			
Dolla	Not applicable	yes			
Garykennedy	Not applicable	yes			
Kilbarron	Not applicable	yes			
Kilcommon Upper	Reduction in boundary				yes
Kileen	Not applicable	yes			
Kiloscully	Not applicable	yes			
Riverstown	Not applicable	yes			
Templederry	Not applicable	yes			
Boher	Not applicable	yes			
Ballagh	Not applicable	yes			
Gouldscross	Not applicable	yes			
Kilross	Not applicable	yes			
Knockavilla	Not applicable	yes			
Rossadrehid	Not applicable	yes			
Rossmore	Not applicable	yes			
Solohead	Not applicable	yes			
Thomastown	Not applicable	yes			
Toem	Not applicable	yes			
Ahenny	Not applicable	yes			
Ballinure	Not applicable	yes			
Ballyneill	Not applicable	yes			
Killusty	Reduction in boundary				yes
Moyglass	Not applicable	yes			
Ninemilehouse	Not applicable	yes			
Ballycahill	Reduction in boundary				yes
Castleiney	Not applicable	yes			
Clonakenny	Reduction in boundary				yes
Drom	Reduction in boundary				yes
Drumbane	Reduction in boundary				yes
Gortagarry	Not applicable	yes			
Horse & Jockey	Reduction in boundary				yes
Knock	Reduction in boundary				yes
Loughmore	Reduction in boundary				yes
Moycarkey	Not applicable	yes			
Moyne	Not applicable	yes			
Killea	Not applicable	yes			
The Ragg	Not applicable	yes			

3.2 Summary Evaluation of Alternatives

A number of potentially significant adverse environmental effects that are common to all alternatives and are described on the Table below taken from the SEA.

Table 3.2 Potentially Significant Adverse Environmental Effects common to all alternatives

Environmental Component	Potential Effect
Biodiversity and Flora and Fauna	<ul style="list-style-type: none"> ○ Arising from both construction and operation of development and associated infrastructure: loss of/damage to biodiversity in designated sites (including European Sites and Wildlife Sites) and Annexed habitats and species, listed species, ecological connectivity and non-designated habitats; and disturbance to biodiversity and flora and fauna ○ Habitat loss, fragmentation and deterioration, including patch size and edge effects. ○ Disturbance (e.g. due to noise and lighting along transport corridors) and displacement of protected species.
Population and Human Health	<ul style="list-style-type: none"> ○ Potential interactions if effects upon environmental vectors such as water and air are not mitigated
Soil	<ul style="list-style-type: none"> ○ Damage to the hydrogeological and ecological function of the soil resource.
Water	<ul style="list-style-type: none"> ○ Adverse impacts upon the status of water bodies arising from changes in quality, flow and/or morphology. ○ Increase in the risk of flooding.
Material Assets	<ul style="list-style-type: none"> ○ Failure to provide adequate and appropriate waste water treatment (water services infrastructure and capacity is needed to ensure the mitigation of potential conflicts). ○ Failure to comply with drinking water regulations and serve new development with adequate drinking water that is both wholesome and clean (water services infrastructure and capacity is needed to ensure the mitigation of potential conflicts) ○ Increases in waste levels
Air and Climatic Factors	<ul style="list-style-type: none"> ○ Emissions to air including greenhouse gas emissions and other emissions.
Cultural Heritage	<ul style="list-style-type: none"> ○ Potential effects on protected and unknown archaeology and protected architecture arising from construction and operation activities.
Landscape	<ul style="list-style-type: none"> ○ Occurrence of adverse visual impacts and conflicts with the appropriate protection of statutory designations relating to the landscape.

Table 7.4 of the SEA Environmental Report provides a comparative evaluation of the environmental effects of alternative development strategies against Strategic Environmental Objectives. This is supported by the narrative above and by effects that are common to all alternatives detailed in Table 3.2 and further detail in Appendix II of the SEA Environmental Report.

3.3 Considerations of Cumulative Impacts/In-Combination Effects

Both the SEA and NIR account for potential interactions with other Plans and Projects. These include interactions resulting from the Plan and Projects such as:

- Other land use Plans;
- Water services, transport and energy infrastructure plans (e.g. Irish Water's Water Services Strategic Plan and associated Capital Investment Plan 2014-2016, Grid25 and associated Implementation Programme) and the County Tipperary 2021 Local Economic & Community Plan 2016-2021; and
- Environmental protection and management plans (e.g. South-East River Basin Management Plans and flood risk management plans).

Such potential effects include the following (note that mitigation measure and provisions to account for these effects have been integrated into the Plan):

- Contributions towards reductions in travel related greenhouse gas and other emissions to air (in combination with plans and programmes from all sectors, including transport and land use planning) as a result of consolidating development and facilitating sustainable mobility/a shift from motorised transport modes to more sustainable and non-motorised transport modes.
- Contributions towards travel related greenhouse gas and other emissions to air (in combination with plans and programmes from all sectors, including transport and land use planning) as a result of facilitating development that must be accompanied by road capacity.
- Facilitation of new development that is accompanied by appropriate levels of water services thereby contributing towards environmental protection.
- Need for and use of water and wastewater treatment capacity arising from new developments and associated potential adverse effects.
- Potential cumulative effects upon surface and ground water status as a result of development including housing and employment – loadings and abstractions;
- Potential cumulative effects (habitat damage, enhancing ecological connectivity, contributing towards sustainable mobility) arising from linear developments, such as those relating to Green Infrastructure;
- Potential cumulative effects on flood risk by, for example, development of greenfield lands;
- Potential cumulative visual impact of development at the interface between the LAP boundary and the surrounding area of the County which is subject to the provisions of the County Development Plan; and
- In combination with plans and programmes from all sectors potential adverse effects on all environmental components arising from all development in greenfield and brownfield areas (e.g. infrastructural, residential, economic, agricultural etc.). The type of these effects is consistent with those described on Table 3.2. These plans and programmes from other sectors undergo SEA and comply with environmental legislation while projects are subject to EIA and AA, as relevant.

3.4 Preferred Option

The table below details the alternatives that were considered for each of the relevant settlements. The SEA Environmental Report provides further detail on the environmental consequences of each of these alternatives. The alternative that is likely to give rise to the least environmental effect is indicated in **bolded text**. The purpose of the assessment is to contribute to the decision-making process for Plan variation for each settlement where alternatives are available. The **Best** environmental alternative was selected for inclusion as part of the Variations in all circumstances.

	<u>Alternatives</u>
Town Name	(Best environmental alternative marked in bold)
Ardfinnan	Higher density of residential lands Lower density of residential lands
Ballyclerihan	Variation that does not reduce the amount of land zoned Agriculture Variation that reduces the amount of land zoned Agriculture
Ballyporeen	Variation to zoning that does not integrate flood risk management considerations or reduce zoning in the town Variation to zoning that integrates flood risk management considerations and reduces zoning in the town
Clogheen	Variation to zoning that does not integrate flood risk management considerations Variation to zoning that integrates flood risk management considerations
Kilsheelan	Higher density of residential lands Lower density of residential lands
Ballina	Variation to zoning that does not integrate flood risk management considerations Variation to zoning that integrates flood risk management considerations
Borrisokane	Variation to zoning that does not consolidate zoning Variation to zoning that consolidates zoning including omission of an extent of agricultural lands
Cloughjordan	Variation to zoning that does not integrate flood risk management considerations or phasing Variation to zoning that integrates phasing and flood risk management considerations
Newport	Variation to zoning that does not integrate flood risk management considerations Variation to zoning that integrates flood risk management considerations
Newtown	Town Centre uses in centre including provision of higher density Lower density Residential uses in centre
Toomevara	Variation that does not reduce zoning to the west of the town Variation that reduces zoning to the west of the town
Bansha	Variation that does not change Business and Enterprise zoned lands re: permissible uses Variation that changes Business and Enterprise zoned lands re: permissible uses (only dry uses to be considered)
Cappawhite	Variation that does not reduce the amount of land zoned Variation that reduces the amount of land zoned
Dundrum	Variation that does not integrate flood risk management considerations or limit development until adequate levels of water services are provided Variation that integrates flood risk management considerations and limits development until adequate levels of water services are provided
Golden	Variation to zoning that does not integrate flood risk management considerations Variation to zoning that integrates flood risk management considerations
Ballinacorney (Service Centre)	Variation that does not reduce the amount of land zoned as Residential and Business and Enterprise Variation that reduces the amount of land zoned as Residential and Business and Enterprise
Borrisoleigh	Variation that does not integrate flood risk management considerations Variation that integrates flood risk management considerations
Twomileborris	Variation that does not integrate flood risk management considerations Variation that integrates flood risk management considerations
Lisronagh	Variation to zoning that does not integrate phasing Variation to zoning that integrates phasing
Rearcross	Variation that does not reduce the amount of Residential lands zoned Variation that reduces the amount of Residential lands zoned
Terryglass	Variation that includes land zoned as Integrated Tourism Variation that does not include land zoned as Integrated Tourism
Lattin	Variation to zoning that does not reduce OSA zoning Variation to zoning that reduces OSA zoning
Drangan	Variation that does not reduce the amount of land zoned as Residential Variation that reduces the amount of land zoned as Residential
Glengoole	Variation that does not reduce the amount of land zoned as Residential Variation that reduces the amount of land zoned as Residential
Kilcash	Variation that does not reduce the amount of land zoned as Residential Variation that reduces the amount of land zoned as Residential
Grange (Clonmel)	Variation that does not reduce the area encompassed by the settlement boundary Variation that reduces the area encompassed by the settlement boundary
Ballinderry	Variation that does not reduce the area encompassed by the settlement boundary Variation that reduces the area encompassed by the settlement boundary
Ballinacorney (node)	Variation that does not reduce the area encompassed by the settlement boundary

Town Name	<u>Alternatives</u> (Best environmental alternative marked in bold)
	Variation that reduces the area encompassed by the settlement boundary
Ballinree	Variation that does not reduce the area encompassed by the settlement boundary
	Variation that reduces the area encompassed by the settlement boundary
Kilcommon Upper	Variation that does not reduce the area encompassed by the settlement boundary
	Variation that reduces the area encompassed by the settlement boundary
Killusty	Variation that does not reduce the area encompassed by the settlement boundary
	Variation that reduces the area encompassed by the settlement boundary
Ballycahill	Variation that does not reduce the area encompassed by the settlement boundary
	Variation that reduces the area encompassed by the settlement boundary
Clonakenny	Variation that does not reduce the area encompassed by the settlement boundary
	Variation that reduces the area encompassed by the settlement boundary
Drom	Variation that does not reduce the area encompassed by the settlement boundary
	Variation that reduces the area encompassed by the settlement boundary
Drumbane	Variation that does not reduce the area encompassed by the settlement boundary
	Variation that reduces the area encompassed by the settlement boundary
Horse & Jockey	Variation that does not reduce the area encompassed by the settlement boundary
	Variation that reduces the area encompassed by the settlement boundary
Knock	Variation that does not reduce the area encompassed by the settlement boundary
	Variation that reduces the area encompassed by the settlement boundary
Loughmore	Variation that does not reduce the area encompassed by the settlement boundary
	Variation that reduces the area encompassed by the settlement boundary

Section 4 Determination

A copy of the actual determination made by the Council accompanies the adopted Variations. The text below is the text that is included in that determination.

**Appropriate Assessment Determination
under the
Planning and Development Act 2000 (as amended)
for
Variations (Settlement Plans)
to the
North and South Tipperary County Development Plans**

An Appropriate Assessment Determination [pursuant to Article 6(3) of the Habitats Directive as to whether or not a plan or project would adversely affect the integrity of a European site and the Planning and Development Act 2000 (as amended)] is being made by Tipperary County Council.

In carrying out this Appropriate Assessment Determination, the Council is taking into account the relevant matters specified under Part XAB of the Planning and Development Act 2000 (as amended), including:

- Written submissions and observations made on the Variations and associated documents while they were placed on public display; and
- The Appropriate Assessment Natura Impact Report, which considers other plans and projects and has taken into account changes arising from submissions and observations received during public display.

It is determined that the risks to the safeguarding and integrity of the qualifying interests and conservation objectives of the any European Sites have been addressed by the inclusion of achievable mitigation measures with the Plans as varied. In addition, any lower level plans and projects arising through the implementation of the Plans as varied will themselves be subject to relevant stages of Appropriate Assessment when further details of design and location are known.

Having incorporated these mitigation commitments; it is considered that the Variations will not have significant effects on the ecological integrity of any European Site⁹.

Signed: _____

⁹ Except as provided for in Section 6(4) of the Habitats Directive, viz. There must be:

- a) no alternative solution available,
- b) imperative reasons of overriding public interest for the plan to proceed; and
- c) Adequate compensatory measures in place.