

Wexford County Council

Draft Noise Action Plan 2019 - 2023

Screening for Appropriate Assessment Report

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1 INTRODUCTION

Wexford County Council are currently preparing a Noise Action Plan 2019 – 2023 in accordance with the requirements of EU Directive 2002/49/EC (known as the Environmental Noise Directive or ‘END’). The main aim of this directive is to establish a common approach across the EU to avoiding, reducing or preventing the harmful effects of exposure to environmental noise. It is the responsibility of Wexford County Council (under the Environmental Noise Regulations 2018) to act as the designated Action Planning Authority in the delivery of this Noise Action Plan.

The purpose of the Noise Action Plan is to provide an overview of the regulations and review the results of the latest strategic noise maps in the Wexford County Council administrative area (produced by TII in 2017). Additionally, it seeks to set out a proposed approach to strategically manage environmental noise for the period 2018-2023.

This Screening for Appropriate Assessment (AA) Report comprises an assessment of whether the Draft County Wexford Noise Action Plan 2019-8-2023, individually or in combination with other plans or projects is likely to have significant effects on European Sites.

This report should be read in conjunction with the documents cited within, including the Draft Wexford County Council Noise Action Plan 2019-2023.

1.1 LEGISLATIVE CONTEXT FOR APPROPRIATE ASSESSMENT

The 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 the Natura 2000 Network. These are Special Areas of Conservation (SACs) designated under the Habitats Directive and Special Protection Areas (SPAs) designated under the Conservation of Wild Birds Directive (79/409/ECC) as codified by Directive 2009/147/EC (the Birds Directive). The Habitats Directive has been transposed into Irish law principally through Part XAB of the Planning and Development Act 2000 (as amended) in relation to land use planning and the European Communities (Birds and Natural Habitats) Regulations (S.I. No. 477/2011) as amended. SACs and SPAs are collectively referred to as European Sites under the transposing Irish Legislation.

Article 6(3) of the Directive obliges member states to undertake an (AA) for any plan or project, *individually or in combination with other plans or projects is likely to have a significant effect on any European Site*. The outcome of such AA fundamentally affects the decisions that may lawfully be made by competent national authorities in relation to the approval of plans or projects.

Articles 6(3) and 6(4) of the Habitats Directive set out the decision-making tests for plans and projects likely to affect European Sites (Annex 1.1).

Article 6(3) states:

Any plan or project not directly connected with or necessary to the management of the [European] site but likely to have a significant effect thereon, either individually or in

combination with other plans or projects, shall be subjected to appropriate assessment of its implications for the site in view of the site's conservation objectives. In light of the conclusions of the assessment of the 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) states:

If, in spite of a negative assessment of the implications for the [European] 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 Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted.

This report will inform the Wexford County Councils AA Screening determination on whether an AA, including the preparation of a Natura Impact Report (NIR) will be required in accordance with EU and national legislation.

1.2 PURPOSE OF SCREENING FOR AA

In accordance with Section 177U (1) of Part XAB of the Planning and Development Act 2000 (as amended), the core AA Screening test is as follows:

177U (1) A screening for appropriate assessment of a draft Land use plan or application for consent for proposed development shall be carried out by the competent authority to assess, in view of best scientific knowledge, if that Land use plan or proposed development, individually or in combination with another plan or project is likely to have a significant effect on the European site.

It is the responsibility of the public authority to carry out AA screening and record their AA screening determination. The stages of AA screening are given in **Section 3.3** of this document.

1.3 OVERLAP WITH THE STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA)

An SEA is being carried out concurrently with the AA process. The purpose of the SEA is to evaluate at an early stage, the range of environmental consequences that may occur as a result of implementing the Draft Noise Action Plan and to give interested parties an opportunity to comment upon the perceived or actual environmental impacts of the proposal. There is a degree of overlap between the requirements of both the SEA and AA and in accordance with best practice, an integrated process of sharing gathered data, such as that potentially affecting the integrity (threats and sensitivities) of European Sites has been carried out. These processes together have informed and shaped the early issues identification for the Draft Noise Action Plan.

It is also noted that there are issues relevant to the Habitats Directive that are not strictly related to AA. These include Articles 10 and 12 of the Directive. In these cases, the issues have been brought forward for consideration under the broader heading of Biodiversity, Flora and Fauna in the Screening Analysis of the SEA Screening Report.

2 OVERVIEW OF THE NOISE ACTION PLAN

2.1 BACKGROUND

The Environmental Noise Directive (commonly referred to as END) was adopted by the EU on the 25th of June 2002 as Directive 2002/49/EC. The European Communities (Environmental Noise) Regulations 2018 (SI No. 549 of 2018) came into effect on the 31st of December 2018 and transpose EU Environmental Noise Directive 2002/49/EC as amended by Commission Directive (EU) 2015/996 establishing common noise assessment methods and replacing Annex II of EU Directive 2002/49. These regulations replace the Environmental Noise Regulations 2006, SI No. 140 of 2006.

The Regulations, *“provide for the implementation in Ireland of a common approach within the European Union intended to avoid, prevent or reduce on a prioritised basis the harmful effects, including annoyance, due to exposure to environmental noise”* (SI No. 549 of 2018).

For the purposes of these Regulations, “environmental noise” means unwanted or harmful outdoor sound created by human activities, including noise emitted by means of transport, road traffic, rail traffic, air traffic, and from sites of industrial activity including the categories of activities specified in Annex I to Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2014 on industrial emissions (integrated pollution prevention and control).

The Regulations designate the EPA as the national authority responsible for overseeing the implementation of the Regulations. The Agency's role includes supervisory, advisory and coordination functions in relation to both noise mapping and action planning, as well as reporting requirements for the purpose of the Directive.

The Regulations designate noise-mapping bodies and action planning authorities for the making and reviewing of strategic noise maps and action plans. Primary responsibility for both noise mapping and action planning is assigned to local authorities.

2.2 NOISE ACTION PLAN (NAP)

As required by the END and Environmental Noise Regulations 2018, local authorities are responsible for carrying out action planning within their own administrative areas. Four main categories have been highlighted for investigation, including agglomerations and roads, rail and airports as part of the transport infrastructure.

Under Regulation 12, Wexford County Council is required to prepare a noise action plan which is defined in the Regulations as:

“a plan designed for the purpose of managing noise issues and their effects, including noise reduction if necessary.”

The purpose of a Noise Action Plan is defined in the END, is to prevent and reduce environmental noise where necessary and particularly where exposure levels can induce harmful effects on human health and to preserving environmental noise quality where it is good. Strategic noise mapping is a key element in determining areas for action.

2.3 NOISE CONTROL MEASURES COMPLETED UNDER ROUND 2 WEXFORD COUNTY COUNCIL NOISE ACTION PLAN 2013-2018

Since the END came into effect there has been two rounds of Wexford County Council Noise Action Plans. The second round covers the period 2013 to 2018 and Wexford County Council has been proactive in noise control measures during the lifetime of the 2013-2018 Noise Action Plan. The following measures have been progressed during the lifetime of the plan:

- Both the Enniscorthy and New Ross bypass schemes are now nearing completion and will relocate traffic away from two large population centres.
- Wexford County Council has invested in noise monitoring equipment to facilitate noise monitoring at potential action areas, quiet areas and for complaint investigation.
- Wexford County Council has initiated noise monitoring and investigation of noise complaints including a comprehensive monitoring and reporting programme.
- Wexford County Council initiated a major wind farm noise survey of four windfarms in 2016/2017. The survey has been one of the most comprehensive noise surveys on wind farms carried out in the country to date and the Department of Communications, Climate Action and Environment has utilised data from the study in determining future policy in terms of wind farm development. The programme included comprehensive monitoring and reporting.
- Wexford County Council initiated noise monitoring and investigation of noise complaints including a comprehensive monitoring and reporting programme on two windfarms in 2018.
- Wexford County Council have introduced designated 30km/hr speed limit zones in 254 housing estates across the county in 2019.
- The Council each year invests in traffic calming measures. In terms of traffic calming measures pedestrian crossings have been installed in the following locations, John Street New Ross, Ramsgrange village, Kilmuckridge village, Boolavogue village and Tara Hill.
- Wexford County Council implemented an Active Town Travel scheme on the R730 in 2014. The scheme provided a 2.5km cycle track and footpath along the R730 to link the business areas, leisure facilities and residential areas between Drinagh and Maudlintown in Wexford Town. The main aim of this project was to reduce car usage in this area and increase walking and cycling activities.
- Road surfacing materials are available that can reduce road traffic generated noise compared to hot rolled asphalt. These include Stone Mastic Asphalt (SMA) and Porous Asphalt. In general, Wexford County Council use SMA surfacing on all towns and village pavement schemes. On national roads, SMA surfacing works have been completed on the N11 and N30 in Enniscorthy Town in 2014 and 2015, the N30 New Ross in 2015, 2016 and 2018 and the N11 Oilgate in 2017. In general, SMA is also used in all urban areas.

2.4 SCOPE OF NOISE ACTION PLAN

The Draft Noise Action Plan 2019 – 2023 addresses the issues laid out in the END and the corresponding transposed Environmental Noise Regulations 2018 (S.I. No. 549 of 2018). Accordingly, the Noise Action Plan addresses the following (as per the Fourth Schedule of the Regulations):

- A description of the action planning area under investigation and the noise sources taken into account;
- The responsible authorities;
- The legal context;
- Any noise limit values in place;
- A summary of the results of the strategic noise mapping for 2017;
- An evaluation of the estimated number of people exposed to noise identification of problems and situations that need to be improved;
- A record of the public consultations organised in accordance with Regulation 12(5);
- Any noise-reduction measures already in force and any projects in preparation;
- Actions which the action planning authorities intend to take in the next five years, including any measures to preserve quiet areas;
- A long-term strategy to manage noise;
- Financial information (if available): budgets, cost-effectiveness assessment cost-benefit assessment; and
- Provisions envisaged for evaluating the implementation and the results of this action plan.

2.5 DESCRIPTION OF NOISE ACTION PLAN AREA

As required by the END and Environmental Noise Regulations 2018, local authorities are responsible for carrying out action planning within their own administrative areas. Four main categories have been highlighted for investigation, including agglomerations and roads, rail and airports as part of the transport infrastructure. Accordingly, each of the corresponding regulatory bodies are to be consulted before producing and implementing the Noise Action Plan: Transport Infrastructure Ireland (TII), Irish rail, and the relevant airport authority.

2.5.1 Noise Action Plan Area

The Noise Action Plan covers the entire area of County Wexford as shown in **Figure 2.1**. The county, which covers an area of 236,527 ha, is located in the south east of the country and borders the counties of Waterford, Kilkenny, Carlow and Wicklow. Wexford has four main towns, namely: Wexford, New Ross, Enniscorthy and Gorey. The former two towns are located in the south and west of the county, while the latter two towns support the northern part of the county. The county has a strong network of smaller towns, villages and rural settlements which support the county's rural population. Its distinctive landscape is one of rolling countryside to mountains, including Hook Peninsula on the southern coast, the Sloblands around Wexford town, the Slaney and Barrow river valleys, and the foothills of the Blackstairs Mountains in northwest of the county. Wexford is also a strong maritime county, with a coastline that extends to approximately 246 km and includes the

ports of Rosslare and New Ross. Wexford is a constituent member of the Southern Region for regional spatial and economic planning and participates in the Southern Regional Assembly.

Based on the criteria set out in the Regulations, the only noise source requiring assessment relates to noise generated by major roads.

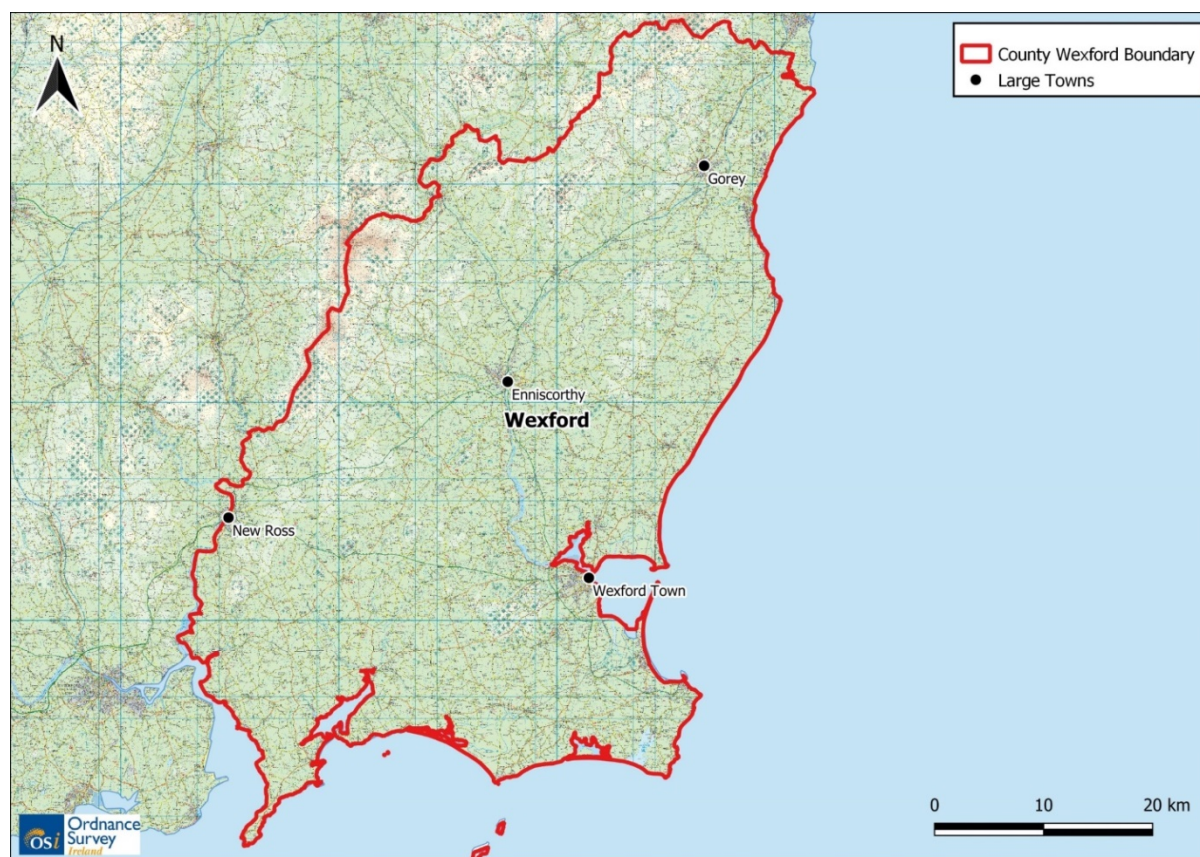


Figure 2-1: Extent of Noise Action Plan Area

2.6 NOISE SOURCES CONSIDERED IN THIS PLAN

Under the requirements of END and the Environmental Noise Regulations 2018, the designated noise mapping bodies are required to make strategic noise maps for the following:

- Major roads (> 3 million vehicles per annum).
- Major railways (defined as > 30,000 trains per annum).
- Major airports with >50,000 movements per annum.
- Agglomerations with > 100,000 inhabitants.

Wexford County Council is designated as the Action Planning Authority for all sections of major roads within its functional area, which experience a volume of traffic greater than 3 million vehicle passages per year. Mapping was carried out by the TII for both national roads and, at the request of

Wexford County Council, non-national routes (regional roads) with this level of traffic within the county. For the third round of strategic noise mapping, all roads which exceed the 3 million vehicles passages per year threshold are listed in **Table 2-1**.

Table 2-1: Extents of roads over 3 million vehicle passages per year

Road	Description
N11	M11/R772 roundabout to N25 roundabout west of Wexford Town
M11	Wicklow border north of Gorey to N11/R772 roundabout
N25	Kilkenny border at New Ross to Wexford Town to Rosslare Harbour
N30	R700 junction north of New Ross to R729 junction
N80	N11 roundabout to Carlow border at Bunclody
R730	Wexford Bridge to R769 junction in Wexford Town to N25 roundabout south of Wexford Town
R733	N25 roundabout west of Wexford Town to R730 junction
R741	Ferrybank to Castlebridge
R769	Wexford Bridge to N11/N25 roundabout west of Wexford Town

The total length of road centrelines designated as Major Roads, with an annual traffic flow above 3 million vehicles, was 151km within County Wexford, of which 22km was motorway (M11), 111km was National road, mainly describing the N11, N25, N30 and N80 with the remaining 18km consisting of non-national routes (regional roads) which met the mapping criteria.

The requirements for major railways, major airports or agglomerations of greater than 100,000 do not apply.

2.7 NOISE SENSITIVE AREAS

Certain locations and building uses are considered to be more sensitive to environmental noise pollution than others. The main priority of the END is to manage environmental noise such that it is managed where it is high and preserved where it falls within acceptable limits.

Aside from residential areas, there are certain buildings/locations that are also sensitive to excessive noise emissions. According to the EPA and the END, these additional locations are to be defined by the local authority that is carrying out the Noise Action Plan. Examples of such non-residential buildings include hospitals, residential care facilities, schools and churches.

Non-residential buildings and locations which are viewed as being noise sensitive near the major roads within the functional area of Wexford County Council have been identified based on a review of the strategic noise maps. Buildings including hospitals, residential care facilities and schools have been considered and are mapped.

Wexford County Council is adopting the following definition of a noise sensitive location:

Any location in which the inhabitants or a protected species¹ may be disturbed by noise from transportation or industrial sources. This includes any dwelling, habitable house, hotel or hostel, health building (providing patient services), nursing/retirement home, educational establishment, crèche/child-care centre, place of worship or entertainment, or other facility that require the absence of noise at nuisance levels for its proper use. Also includes areas of scenic quality or special recreational amenity importance designated in a Development Plan or a Noise Action Plan adopted by a planning authority.

2.8 REVIEW OF POSSIBLE MITIGATION MEASURES

In the case of Wexford County Council, the source of noise, which the Draft Action Plan is based, relates to road traffic, hence mitigation measures have been focused on reducing the exposure to this noise source.

2.8.1 Noise Control Measures

The scale of the noise problem is such that action is required at EU, National and Local level.

2.8.1.1 Action at EU and National Level

Some of the key options for noise reduction from road traffic noise are governed by EU and National policies for example setting of engine and tyre noise limits are controlled at EU level and adopted nationally. Directive 2007/46/EC establishes new maximum permissible rolling noise limits for tyres available on the market across Europe. These Noise limits replace the previous limits set out within Directive 2001/43/EC. These limits began to take effect in November 2012 with all new tyres and vehicles being required to meet the limits by 2016.

EU Regulation 168/2013 on the approval and market surveillance of two- or three-wheel vehicles and quadricycles sets out sound-level limit values for type approval for 12 categories of two, three or four wheel powered cycles, and also makes it illegal to defeat the on-board sound abatement devices, which includes replacement of the exhaust system with one which would increase the noise level above the approval level.

EC Regulation 540/2014 on the sound level of motor vehicles and of replacement silencing systems repeals Directive 70/157/EC and has also amended that Regulation within the overall EU Framework Directive (2007/46/EC) for the type approval of motor vehicles. It places tighter controls and tighter test standards on vehicle noise, with more emphasis on the test parameters reflecting actual real life road conditions. It came into force from July 2016 and phases in tighter noise limits over 10 years. The regulation also introduced the requirements for all new electric vehicles to be fitted with an Acoustic Vehicle Altering System (AVAS) from April 2019.

2.8.1.2 Action at Local Level

National and Regional policies such as setting national noise limits for road traffic noise and setting national and regional transport policies fall outside the scope of the Wexford County Council.

¹ Species protected under the Wildlife Act 2000 (as amended), the Habitats Directive 92/43/EEC or the Birds Directive 2009/147/EC.

An effective overall environmental noise management plan will include several measures combined into a consolidated approach. The most effective measures for the reduction of road traffic noise which available at a local level to Wexford County Council are those at the planning level, such as:

- Traffic avoidance plans that combine walking, cycling and public transport;
- Investment in dedicated cycle routes;
- Reduction of speed limits;
- Traffic flow control, through diversion or smoothing,
- Mitigation of environmental noise hotspots through optimising traffic management;
- Traffic congestion management;
- Road surface improvements and road maintenance; and
- Promotion of electric vehicles through measures such as; installing infrastructure such as charging points.

2.8.1.3 Noise Reduction/Abatement Measures

The key basis for noise management and mitigation is based on the following approaches:

- Reduction of noise source;
- Reduction of noise across its propagation path; and
- Reduction of noise at the receiver.

For example, treating the noise path between receiver and source by inserting a barrier could mitigate noise from traffic on a roadway. By reducing the traffic numbers on the road, the source noise levels could be reduced. A house façade exposed to high noise levels could be treated with dual glazing or a new house could be located further away from the source.

Noise barriers can be an effective method of reducing the noise of traffic. Roadside noise barriers maybe considered for new construction projects and schemes that are located close to major roads. In such instances they would need to be constructed in consultation with TII and follow the TII Guidelines for the Treatment of Noise and Vibration in National Road Schemes. The design of noise barriers is very important to their acceptance by residents. It would be unpractical to place noise barriers along streets, which are crossed by pedestrians along their entire lengths. However, they could be erected at the boundaries of private properties or public institutions to protect noise sensitive buildings or areas (e.g. hospitals, schools and public parks).

Soundproofing with dual or triple glazing or equivalent products are a possibility for further protection against noise, if no other measures can be applied or if the effect of other measures is insufficient. However, windows must be kept closed to be effective. Many people have trouble adjusting to this restriction on their normal behaviour. New housing stock is now regularly provided with mechanical ventilation due to higher energy efficiency requirements.

Renewing road surfaces or replacing paving with a low noise surface is another action that can be taken to reduce sound levels and noise impact. This option may not be suitable in all cases, depending on the nature of traffic on the road. Measures need to be taken to ensure that vehicle

speeds do not increase following the resurfacing of the road. Any increase in speed will lead to an increase in noise and negate possible gains due to the smoother road surface. Therefore, each situation will have to be assessed as to whether the option is suited to the circumstances under consideration. For new schemes, low noise surfaces will be considered as part of the overall design and in keeping with current design guidelines.

2.9 PROGRAMME OF WORKS

It is proposed that the Noise Action Plan will be implemented through a staged process over five years with Wexford County Council endeavouring to follow the time frame set out below in relation to the implementation of the Noise Action Plan culminating in the preparation of Round 4 Noise Action Plan to be completed in 2023.

3 ASSESSMENT METHODOLOGY

3.1 GUIDANCE DOCUMENTS ON APPROPRIATE ASSESSMENT

The AA requirements of Article 6 of the Habitats Directive 92/43/EEC follow a sequential approach as outlined in the following legislation and guidance documents/ Departmental Circulars, including the following:

European and National Legislation

- Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (also known as the ‘Habitats Directive’);
- Council Directive 2009/147/EC on the conservation of wild birds, codified version (also known as the ‘Birds Directive’);
- European Communities (Birds and Natural Habitats) Regulations 2011 as amended; and
- Planning and Development Act 2000 as amended; and
- Planning and Development Regulations 2001 as amended.

Guidance

- *Appropriate Assessment of Plans and Projects in Ireland: Guidance for Local Authorities* (revision 10/02/10) (DEHLG, 2009);
- *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* European Commission (2001);
- *Communication from the Commission on the Precautionary Principle* (European Commission, 2000b);
- *EC study on evaluating and improving permitting procedures related to Natura 2000 requirements under Article 6.3 of the Habitats Directive 92/43/EEC* (European Commission, 2013);
- *Guidance Document on Article 6(4) of the ‘Habitats Directive’ 92/43/EEC. Clarification of the concepts of: Alternative Solutions, Imperative Reasons of Overriding Public Interest, Compensatory Measures, Overall Coherence, Opinion of the Commission* (European Commission, 2007);
- *Managing Natura 2000 sites: the provisions of Article 6 of the ‘Habitats’ Directive 92/43/EEC²* (European Commission, 2000a); and
- *Marine Natura Impacts Statements in Irish Special Areas of Conservation. A working Document* (DAHG, 2012).

Departmental/NPWS Circulars

- *Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities.* Circular NPWS 1/10 and PSSP 2/10.
- *Appropriate Assessment of Land Use Plans.* Circular Letter SEA 1/08 & NPWS 1/08.

² The Commission has notified its intent to revise this guidance and a draft revised document was published in April 2015. It would appear that this has not been finalised to date, with no revised guidance document available on the Commissions website.

- *Water Services Investment and Rural Water Programmes – Protection of Natural Heritage and National Monuments*. Circular L8/08.
- *Guidance on Compliance with Regulation 23 of the Habitats Directive*. Circular Letter NPWS 2/07.
- *Compliance Conditions in respect of Developments requiring (1) Environmental Impact Assessment (EIA); or (2) having potential impacts on Natura 2000 sites*. Circular Letter PD 2/07 and NPWS 1/07.

Other sources of Information

- Department of Housing, Planning, Community and Local Government online land use mapping – www.myplan.ie/en/index.html;
- GeoHive online mapping – <http://map.geohive.ie/mapviewer.html>;
- Ordnance Survey of Ireland online mapping and aerial photography – www.osi.ie;
- CORINE (Co-Ordinated Information on the Environment) data series was established by the European Community (EC) <http://www.epa.ie/soilandbiodiversity/soils/land/corine/>;
- Forest Cover Datasets
<https://www.agriculture.gov.ie/forests-service/forests-service-general-information/forest-statistics-and-mapping/forest-cover-datasets/>;
- National Parks and Wildlife Service online European Site information – www.npws.ie;
- National Parks and Wildlife Service – Article 17 Status of EU protected habitats in Ireland reporting (NPWS 2013a & 2013b);
- Ireland’s Article 12 submission to the EU Commission on the Status and Trends of Bird Species (2008-2012);
- Environmental Protection Agency ENVision maps and water data – www.epa.ie;
- Geological Survey of Ireland geology, soils and hydrogeology – www.gsi.ie;
- *Format for a Prioritised Action Framework (PAF) for Natura 2000* (DAHG, 2014) www.npws.ie/sites/default/files/general/PAF-IE-2014.pdf; and
- *National Biodiversity Action Plan 2017-2021* (DAHG, 2017).

3.2 GUIDING PRINCIPLES AND CASE LAW

Over time legal interpretation has been sought on the practical application of the legislation concerning AA as some terminology has been found to be unclear. European and National case law has clarified a number of issues and some aspects of the published guidance documents have been superseded by case law. Case law has been considered in the preparation of the screening of the Draft Noise Action Plan.

3.3 STAGES OF APPROPRIATE ASSESSMENT

The AA process progresses through four stages. The four stages are as follows:

- Stage 1 – Screening of the proposed plan or project for AA;
- Stage 2 – An AA of the proposed plan or project;
- Stage 3 – Assessment of alternative solutions; and
- Stage 4 – Imperative Reasons of Overriding Public Interest (IROPI)/ Derogation.

Stage 1: Screening for AA

The aim of screening is to assess firstly if the plan or project is directly connected with or necessary to the management of European Site(s); or in view of best scientific knowledge, if the plan or project, individually or in combination with other plans or projects, is likely to have a significant effect on a European site. This is done by examining the proposed plan or project and the Conservation Objectives of any European Sites that might potentially be affected. If screening determines that there is a likelihood of significant effects or there is uncertainty regarding the significance of effects, then it will be recommended that the plan is brought forward to the next stage of the AA process.

Stage 2: Appropriate Assessment

The aim of Stage 2 of the AA process is to identify any adverse impacts that the plan or project might have on the integrity of relevant European Sites. As part of the assessment, a key consideration is 'in combination' effects with other plans or projects. Where adverse impacts are identified, mitigation measures can be proposed that would avoid, reduce or remedy any such negative impacts and the plan or project should then be amended accordingly, thereby avoiding the need to progress to Stage 3.

Stage 3: Alternative Solutions

If it is not possible during Stage 2 of the AA process to conclude that there will be no adverse effects on site integrity, Stage 3 of the process must be undertaken which is to objectively assess whether alternative solutions exist by which the objectives of the plan or project can be achieved. Explicitly, this means alternative solutions that do not have adverse impacts on the integrity of a European Site. It should also be noted that EU guidance on this stage of the process states that, 'other assessment criteria, such as economic criteria, cannot be seen as overruling ecological criteria' (EC, 2002). In other words, if alternative solutions exist that do not have adverse impacts on European Sites, they should be adopted regardless of economic considerations. This stage of the AA process should result in the identification of the least damaging options for the plan or project.

Stage 4: Imperative Reasons of Overriding Public Interest (IROPI)

This stage of the AA process is undertaken when it has been determined that a plan or project will have adverse effects on the integrity of a European Site, but that no alternatives exist. At this stage of the AA process, it is the characteristics of the plan or project itself that will determine whether or not the competent authority can allow it to progress. This is the determination of 'over-riding public interest'. It is important to note that in the case of European Sites that include in their qualifying features 'priority' habitats or species (Special Areas of Conservation), as defined in Annex I and II of the Habitats Directive, the demonstration of 'over-riding public interest' is not sufficient and it must be demonstrated that the plan or project is necessary for 'human health or public safety considerations'. Where plans or projects meet these criteria, they can be allowed, provided adequate compensatory measures are proposed. Stage 4 of the process defines and describes these compensation measures.

4 SCREENING FOR APPROPRIATE ASSESSMENT

In line with best practice guidance the AA Screening involves the following:

1. Description of the plan;
2. Identification of relevant European Sites;
3. Assessment of likely significant effects;
4. Screening statement/determination with conclusions.

4.1 DESCRIPTION OF THE PLAN

An overview of the Draft Noise Action Plan, including background and context are provided in **Chapter 2** of this document.

4.2 IDENTIFICATION OF EUROPEAN SITES

European Sites (SACs and SPAs) within the Zone of Influence (Zol) of the Draft Pan are identified using the Source-Pathway-Receiver model as outlined below.

4.2.1 Source Pathway Receptor Model

A Source-Pathway-Receiver model was used to determine which European sites are at risk of being negatively impacted by the draft Noise Action Plan, i.e. within the Zol of the draft Noise Action Plan. In this model the Source represents the objectives of the Draft Noise Action Plan, the pathway represents the process (surface and groundwater connectivity, aerial pathways, wildlife migratory paths, physical proximity resulting in disturbance etc.) by which such impacts might negatively affect the Receiver i.e. European sites qualifying interests.

4.2.2 Zone of Influence

Current guidance on the Zone of Influence (Zol) to be considered during the AA process states the following:

A distance of 15km is currently recommended in the case of plans, and derives from UK guidance (Scott Wilson et al., 2006). For projects, the distance could be much less than 15km, and in some cases less than 100m, but this must be evaluated on a case-by-case basis with reference to the nature, size and location of the project, and the sensitivities of the ecological receptors, and the potential for in combination effects

The Zol of the Draft Noise Action Plan will be determined based on the connectivity with the surrounding areas. Therefore, it can be said that in the first instance the Zol is considered to include all European Sites within County Wexford. Proposals within the Draft Noise Action Plan will involve collaboration and coordination with neighbouring counties including Waterford, Kilkenny, Carlow and Wicklow in terms of spatial planning issues, environmental management and provision of infrastructure. As such, all European sites within the other counties have been included (see **Figure 4.1**).

4.3 EUROPEAN SITES WITH ZOI

Figures for European Sites falling completely within or partially within Wexford and neighbouring counties are presented in **Table 4.1**. The figures in each county include all sites which intersect with the administrative boundary. Therefore, sites which straddle two counties have been included in both counts. National figures are presented for completeness in **Table 4.2**.

Table 4-1: Number of European Sites by County

European Sites*	Wexford	Carlow	Kilkenny	Waterford	Wicklow
SAC	17	3	8	9	15
SPA	9	-	1	6	4

* NPWS data revision as of January 2019.

Table 4-2: European Sites Nationally

Republic of Ireland*
433 SACs + 6 offshore SACs
165 SPAs

*NPWS data revision as of January 2019. Checked 9th May 2019

It is acknowledged that the number of European Sites designated, and their boundaries, are subject to change over time and must therefore be verified on an ongoing basis.

4.3.1 Conservation Objectives

Site-specific conservation objectives (SSCO) aim to define favourable conservation condition for a particular habitat or species at a European site. Maintaining habitats and species in a favourable conservation condition then contributes to the wider objective to maintain those most vulnerable habitats and species at favourable status throughout their range within the Natura 2000 network.

At an individual site level, SSCOs specify whether the objective is to maintain or to restore favourable conservation condition of the habitat or species, and they set out attributes and targets that define the objectives. It is the aim of the Department of Culture, Heritage and the Gaeltacht (DCHG) to produce SSCOs for all European sites in due course³. Qualifying interests (QI) and Special conservation Interests (SCIs) are annexed habitats and annexed species of community interest for which SACs or SPAs have been designated. The SSCOs for European Sites are set out to ensure that the QIs/ SCIs of that site are maintained or restored to a favourable conservation condition / conservation status.

A full listing of the COs and QIs/ SCIs that each European Site is designated for, as well as the attributes and targets to maintain or restore the QIs/ SCIs to a favourable conservation condition are available from the NPWS website www.npws.ie.

³ https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/

It is noted that the existing conservation condition of some habitats and species is unfavourable at present for various reasons, including because of exceedance in environmental quality parameters. This is discussed further in the next section.

4.4 ASSESSMENT OF LIKELY EFFECTS

Noise is a well-documented source of disturbance for many terrestrial and aquatic species which SACs are designated and bird species for which SPA sites are designated. The Draft Noise Action Plan aims to reduce noise sources which may affect European sites. This framework details methods to strategically identify potential noise pollution sources, and a framework to reduce these sources. Any requirements to implement the noise reduction measures that may arise as a result of the plan must comply with the Wexford County Development Plan and all other relevant plans and programs. The Wexford CDP was subject to a full NIS and all lower tiered plans or projects are subject to AA.

The potential noise impacts that may arise from future development works are currently managed through Planning and Licensing processes; including through Environmental Impact Assessments, Strategic Environmental Assessments and application of relevant Guidance relating to noise. The Wexford County Noise Action Plan provides a framework for the management and reduction of potential noise sources of existing developments and infrastructure.

4.4.1 In-combination Effects

It is a requirement of Article 6(3) of the Habitats Directive that the in-combination effects with other plans or projects are considered. Consideration has been given, at this stage of the Draft Noise Action Plan, to other relevant plans on a similarly strategic level that may have the potential to have a cumulative impact upon European Sites.

As this Draft Noise Action Plan relates only to a framework for the identification and reduction of potential noise sources there are no additional sources for effects to European sites in combination with other plans and projects.

Some of the key plans considered to date are listed in **Table 4.3** below.

Table 4-3: Key Relevant Plans and Programmes

Key Relevant Plans and Programmes	
National Planning Framework	Renewable Electricity Plan
Regional Spatial and Economic Strategy – Southern Region	Smarter Travel ‘A New Transport Policy for Ireland’ 2009-2020
Regional Spatial and Economic Strategy – Eastern and Midland Region	Rural Development Programme
Wexford County Development Plan 2013-2019	Foodwise 2025
National Transport Strategy 2018-2022	Strategy for Renewable Energy 2012 - 2020
The National Biodiversity Plan 2017-2021	National Ports Policy
Construction 2020	National Aviation Policy
NPWS Conservation Plans and/or Conservation Objectives for SACs and SPAs	

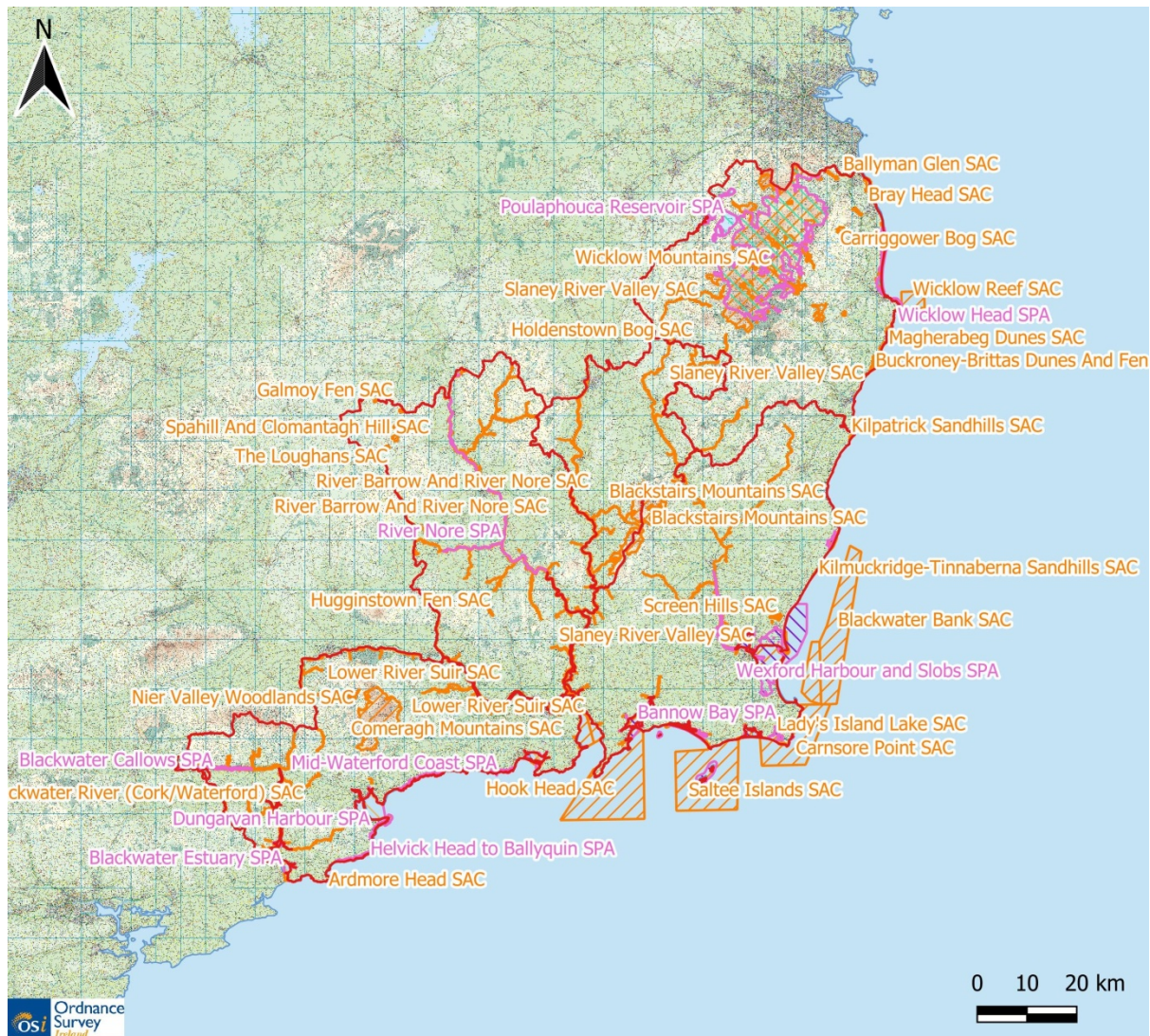


Figure 4-1: European sites within the County Wexford and neighbouring Counties

5 CONCLUSION

The Draft Noise Action Plan is not directly connected with or necessary to the management of a European site.

As this Draft Noise Action Plan relates only to a framework for the identification and reduction of potential noise sources there are no additional sources for effects to ecological processes introduced by the plan and that the Draft Noise Action Plan has no source for effects on ecological processes.

Therefore, it can be concluded, on the basis of objective scientific information, that the Wexford Draft Noise Action Plan individually or in combination with other plans and projects will not have a significant effect on a European site. As such, an Appropriate Assessment is not required.

APPENDIX A

European Sites within County Wexford

Wexford SACs

SAC Site Name	Site Code	County
Ballyteige Burrow SAC	000696	Wexford
Bannow Bay SAC	000697	Wexford
Blackstairs Mountains SAC	000770	Wexford
Blackwater Bank SAC	002953	Wexford
Cahore Polders and Dunes SAC	000700	Wexford
Carnsore Point SAC	002269	Wexford
Hook Head SAC	000764	Wexford
Kilmuckridge-Tinnaberna Sandhills SAC	001741	Wexford
Kilpatrick Sandhills SAC	001742	Wexford
Lady's Island Lake SAC	000704	Wexford
Long Bank SAC	002161	Wexford
Raven Point Nature Reserve SAC	000710	Wexford
River Barrow and River Nore SAC	002162	Wexford
Saltee Islands SAC	000707	Wexford
Screen Hills SAC	000708	Wexford
Slaney River Valley SAC	000781	Wexford
Tacumshin Lake SAC	000709	Wexford

Wexford SPAs

SAC Site Name	Site Code	County
Ballyteigue Burrow SPA	004020	Wexford
Bannow Bay SPA	004033	Wexford
Cahore Marshes SPA	004143	Wexford
Keeragh Islands SPA	004118	Wexford
Lady's Island Lake SPA	004009	Wexford
Saltee Islands SPA	004002	Wexford
Tacumshin Lake SPA	004092	Wexford
The Raven SPA	004019	Wexford
Wexford Harbour and Slobbs SPA	004076	Wexford

APPENDIX B

European Sites within Neighbouring Counties

Carlow SACs

SAC Site Name	Site Code	County
Blackstairs Mountains SAC	000770	Carlow
Slaney River Valley SAC	000781	Carlow
River Barrow and River Nore SAC	002162	Carlow

Carlow SPAs

SPA Site Name	Site Code	County
No SPAs are designated in Carlow	-	-

Kilkenny SACs

SAC Site Name	Site Code	County
River Barrow and River Nore SAC	002162	Kilkenny
Lower River Suir SAC	002137	Kilkenny
Hugginstown Fen SAC	000404	Kilkenny
Galmoy Fen SAC	001858	Kilkenny
Thomastown Quarry SAC	002252	Kilkenny
The Loughans SAC	000407	Kilkenny
Cullahill Mountain SAC	000831	Kilkenny
Spahill and Clomantagh Hill SAC	000849	Kilkenny

Kilkenny SPAs

SPA Site Name	Site Code	County
River Nore SPA	004233	Kilkenny

Waterford SACs

SAC Site Name	Site Code	County
Comeragh Mountains SAC	001952	Waterford
Lower River Suir SAC	002137	Waterford
River Barrow and River Nore SAC	002162	Waterford
Tramore Dunes and Backstrand SAC	000671	Waterford
Nier Valley Woodlands SAC	000668	Waterford
Blackwater River (Cork/Waterford) SAC	002170	Waterford
Glendine Wood SAC	002324	Waterford
Ardmore Head SAC	002123	Waterford
Helvick Head SAC	000665	Waterford

Waterford SPAs

SPA Site Name	Site Code	County
Tramore Back Strand SPA	004027	Waterford
Blackwater Estuary SPA	004028	Waterford
Blackwater Callows SPA	004094	Waterford
Helvick Head to Ballyquin SPA	004192	Waterford
Mid-Waterford Coast SPA	004193	Waterford
Dungarvan Harbour SPA	004032	Waterford

Wicklow SACs

SAC Site Name	Site Code	County
Vale of Clara (Rathdrum Wood) SAC	000733	Wicklow
Glen of The Downs SAC	000719	Wicklow
Buckroneys-Brittans Dunes and Fen SAC	000729	Wicklow
Magherabeg Dunes SAC	001766	Wicklow
Deputy's Pass Nature Reserve SAC	000717	Wicklow
Slaney River Valley SAC	000781	Wicklow
Holdenstown Bog SAC	001757	Wicklow
Wicklow Mountains SAC	002122	Wicklow
Knocksink Wood SAC	000725	Wicklow
Ballyman Glen SAC	000713	Wicklow
Bray Head SAC	000714	Wicklow
The Murrough Wetlands SAC	002249	Wicklow
Carriggower Bog SAC	000716	Wicklow
Kilpatrick Sandhills SAC	001742	Wicklow
Wicklow Reef SAC	002274	Wicklow

Wicklow SPAs

SPA Site Name	Site Code	County
Wicklow Mountains SPA	004040	Wicklow
Poulaphouca Reservoir SPA	004063	Wicklow
Wicklow Head SPA	004127	Wicklow
The Murrough SPA	004186	Wicklow