

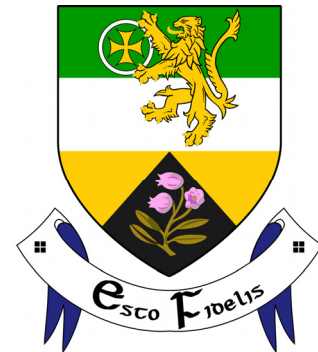
# APPROPRIATE ASSESSMENT CONCLUSION STATEMENT

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## FOR THE OFFALY COUNTY DEVELOPMENT PLAN 2021-2027

**for: Offaly County Council**

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# Section 1 Introduction and Background

## 1.1 Introduction

This is the Appropriate Assessment (AA) Conclusion Statement for the Offaly County Development Plan. 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, inter alia, 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 Plan and associated documents including the AA Natura Impact Report (NIR).

## 1.2 Legislative Requirements in relation to AA

In carrying out the AA for the Plan, Planning and Development Act 2000, as amended, requires, inter alia, that the Council considers 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 Natura Impact Report	An AA NIR accompanies this AA Conclusion Statement and the Plan
(b) any supplemental information furnished in relation to any such report	This AA Conclusion Statement accompanies the NIR that provides additional detail on European Sites.
(c) if appropriate, any additional information sought by the authority and furnished by the applicant in relation to a Natura Impact Report	Submissions made during the Plan preparation/AA process that were relevant to the AA resulted in updates being made to the AA NIR.
(d) any information or advice obtained by the public authority	
(e) if appropriate, any written submissions or observations made to the public authority in relation to the application for consent for proposed plan or project	Proposed Material Alterations were screened for the need to undertake Stage 2 AA (Stage 2 AA was undertaken on certain alterations).
(f) 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 whether or not the Plan would adversely affect the integrity of a European site (a copy of this determination is provided at Section 4).

## 1.3 AA Conclusion Statement

Non-Statutory AA guidance (Department of Environment, Heritage and Local Government, 2009) 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 Conclusion Statement:

- Summary of how the findings of the AA were factored into the Plan (see Section 2);
- Reasons for choosing the Plan as adopted, in the light of other reasonable alternatives considered as part of the AA process (see Section 3);
- A declaration that the Plan as adopted will not have an adverse effect on the integrity of European Sites (provided at Section 4); and
- The NIR (the AA NIR is accompanied by this AA Conclusion Statement and has informed the AA Determination – see Section 4).

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

## Section 2 How the findings of the AA were factored into the Plan

The SEA and AA team worked with the Plan-preparation team at the Council in order to integrate requirements for environmental protection and management into the Plan.

The Plan was prepared in an iterative manner whereby the Plan and AA documents have informed subsequent versions of the other. The findings of the AA were integrated into the Plan through mitigation measures. These mitigation measures ensure that there will be no significant effects to the ecological integrity of any European site from implementation of the Plan. The mitigation measures most relevant to the protection of European sites are identified in Table 2.1 below.

Furthermore, the detailed Plan preparation process undertaken by the Planning Department combined with specialist input from the SEA and AA process facilitated zoning that avoids inappropriate development being permitted in areas of high ecological sensitivity.

**Table 2.1 Mitigation relating to AA**

Recommendation integrated into the Plan	Plan Reference
<p><b>Corridor and Route Selection Process</b>                      The following Corridor and Route Selection Process will be undertaken for relevant new infrastructure:                      Stage 1 – Route Corridor Identification, Evaluation and Selection</p> <ul style="list-style-type: none"> <li>• Environmental constraints (including those identified in Section 4 of the accompanying SEA Environmental Report) and opportunities (such as existing linear infrastructure) will assist in the identification of possible route corridor options;</li> <li>• Potentially feasible corridors within which infrastructure could be accommodated will be identified and these corridors assessed. The selection of the preferred route corridor will avoid constraints and meet opportunities to the optimum extent, as advised by the relevant specialists; and</li> <li>• In addition to the constraints identified above, site-specific field data may be required to identify the most appropriate corridors.</li> </ul> <p>Stage 2 – Route Identification, Evaluation and Selection</p> <ul style="list-style-type: none"> <li>• Potentially feasible routes within the preferred corridor will be identified and assessed. The selection of preferred routes will avoid constraints and meet opportunities to the optimum extent, as advised by the relevant specialists, taking into account project level information and potential mitigation measures that are readily achievable;</li> <li>• In addition to the constraints identified above, site specific field data may be required to identify the most appropriate routes; and</li> <li>• In addition to environmental considerations, the identification of route corridors and the refinement of route lines is likely to be informed by other considerations.</li> </ul>	<p>Integrated into Chapter 8.5.4 Corridor &amp; Route Selection Process</p>
<p><b>Construction and Environmental Management Plan</b>                      Construction Environment Management Plans (CEMPs) shall be prepared in advance of the construction of relevant 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"> <li>a. location of the sites and materials compound(s) including area(s) identified for the storage of construction refuse,</li> <li>b. location of areas for construction site offices and staff facilities,</li> <li>c. details of site security fencing and hoardings,</li> <li>d. details of on-site car parking facilities for site workers during the course of construction,</li> <li>e. details of the timing and routing of construction traffic to and from the construction site and associated directional signage,</li> <li>f. measures to obviate queuing of construction traffic on the adjoining road network,</li> <li>g. measures to prevent the spillage or deposit of clay, rubble or other debris,</li> <li>h. 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,</li> <li>i. details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels,</li> <li>j. 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,</li> <li>k. disposal of construction/demolition waste and details of how it is proposed to manage excavated soil, including compliance with 2006 Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects, Department of the Environment</li> <li>l. 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,</li> <li>m. details of a water quality monitoring and sampling plan.</li> <li>n. if peat is encountered - a peat storage, handling and reinstatement management plan.</li> <li>o. measures adopted during construction to prevent the spread of invasive species (such as Japanese Knotweed).</li> <li>p. appointment of an ecological clerk of works at site investigation, preparation and construction phases.</li> <li>q. details of appropriate mitigation measures for lighting specifically designed to minimise impacts to biodiversity, including bats.</li> </ol>	<p>Integrated into Chapter 11.5.2 Waste Management</p>
<p><b>Environmental considerations and Limitations in the types of uses</b>                      There are a wide range of land uses identified under each of the Land Use Zoning Objectives. Proposals for development will need to demonstrate compliance with the various written provisions of the Plan, as relevant, including those relating to environmental protection and management. Environmental considerations, such as those related to elevated levels of flood risk or European site ecological designations, may limit the types of uses that may be possible at certain sites. Prospective applicants are encouraged to engage with the Planning Authority at the earliest opportunity to seek guidance as to the appropriateness of emerging proposals.</p>	<p>Chapter 12.1</p>

Recommendation integrated into the Plan	Plan Reference
<p><b>Designated and Non-Designated Sites</b></p> <p>It is Council policy to protect, conserve, and seek to enhance the county's biodiversity and ecological connectivity.</p> <p>It is Council policy to conserve and protect habitats and species listed in the Annexes of the EU Habitats Directive (92/43/EEC) (as amended) and the Birds Directive (2009/147/EC), the Wildlife Acts 1976 (as amended) and the Flora Protection Orders.</p> <p>It is Council policy to support and co-operate with statutory authorities and others in support of measures taken to manage proposed or designated sites in order to achieve their conservation objectives.</p> <p>It is Council policy to protect and maintain the conservation value of all existing and future Natural Heritage Areas, Nature Reserves, Ramsar Sites, Wildfowl Sanctuaries and Biogenetic Reserves in the county.</p> <p>It is Council policy to ensure that development does not have a significant adverse impact, incapable of satisfactory avoidance or mitigation, on plant, animal or bird species protected by law.</p> <p>It is Council policy to consult with the National Parks and Wildlife Service, and take account of any licensing requirements, when undertaking, approving or authorising development which is likely to affect plant, animal or bird species protected by law.</p> <p>It is Council policy to support the implementation of the National Biodiversity Action Plan 2017-2021 and the Offaly Heritage Plan Key Actions 2017-2021 and future editions in partnership with relevant stakeholders subject to available resources.</p> <p>It is an objective of the Council that no plans, programmes or 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 this Plan (either individually or in combination with other plans, programmes, etc. or projects ).</p> <p>It is an objective of the Council that all projects and plans arising from this Plan will be screened for the need to undertake Appropriate Assessment under Article 6 of the Habitats Directive. A plan or project will only be authorised after the competent authority has ascertained, based on scientific evidence, Screening for Appropriate Assessment, and subsequent Appropriate Assessment where necessary, that:</p> <ol style="list-style-type: none"> <li>1. The plan or 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</li> <li>2. The plan or 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 plan or project 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 Natura 2000; or</li> <li>3. The plan or 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 plan or project must nevertheless be carried out for imperative reasons of 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 Natura 2000.</li> </ol> <p>It is an objective of the Council to ensure that the impact of development within or adjacent to national designated sites, Natural Heritage Areas, Ramsar Sites and Nature Reserves likely to result in significant adverse effects on the designated site is assessed by requiring the submission of an Ecological Impact Assessment prepared by a suitably qualified professional, which should accompany planning applications.</p>	<p>BLP-01 BLP-02 BLP-03 BLP-04 BLP-05 BLP-06 BLP-07 BLO-02 BLO-03 BLO-04</p>
<p><b>Peatlands</b></p> <p>It is Council policy to protect the county's designated peatland areas and landscapes, including any historical walkways through bogs and to conserve their ecological, archaeological and cultural heritage and to develop educational heritage.</p> <p>It is Council policy to work with adjacent local authorities and relevant stakeholders in promoting a National Park designation for the peatlands in the midlands and a 'Regional Peatway' connecting natural and cultural attractions.</p> <p>It is Council policy to support the provision of outdoor pursuits, walking and cycling routes through the county's peatlands and network of industrial railways linking the River Shannon Blueway, Royal Canal, Grand Canal and Barrow Blueway across the midlands as outlined in the 'Major Cycling Destination in the Midlands of Ireland –Feasibility Study 2016', which is a priority of the 'Outdoor Recreation Plan State Lands and Waters' (2017).</p> <p>It is Council policy to support the National Parks and Wildlife Service in carrying out an EU LIFE fund supported raised bog restoration project in restoring the following Special Areas of Conservation sites in the county to favourable conservation status:</p> <ul style="list-style-type: none"> <li>• Clara Bog;</li> <li>• Ferbane Bog;</li> <li>• Mongan Bog;</li> <li>• Moyclare Bog;</li> <li>• Raheenmore Bog; and</li> <li>• Sharavogue Bog.</li> </ul> <p>It is Council policy to support collaboration between Offaly County Council, Regional Transition Team and relevant stakeholders of a partnership approach to integrated peatland management for a just transition that incorporates the management, rehabilitation and restoration / re-wetting of significant tracts of peatlands in conjunction with appropriate developed after uses.</p> <p>It is an objective of the Council to require the preparation and submission of a Hydrological Report/Assessment for significant developments within and in close proximity to protected raised bogs and to take account of same in the assessment of impacts on the integrity of peatland ecosystems.</p> <p>It is an objective of the Council to work with relevant stakeholders on suitable peatland sites in order to demonstrate best practice in sustainable peatland conservation, management and restoration techniques to promote their heritage and educational value subject to ecological impact assessment and appropriate assessment screening.</p>	<p>BLP-14 BLP-15 BLP-16 BLP-17 BLP-18 BLO-08 BLO-09</p>
<p><b>Waterways, Lakes and Wetlands</b></p> <p>It is Council policy to protect the landscape associated with the River Shannon, including the Callows and views of special interest, and also to encourage the development of Shannonbridge, Banagher and Shannon Harbour as focal points. It will also be Council policy to investigate the possibility of providing a Linear Park based on the River Shannon from Banagher to Meelick, which takes account of the sensitive ecological nature of the Callows area.</p> <p>It is Council policy to protect riparian corridors by reserving land along their banks for ecological corridors and maintain them free from inappropriate development. Where appropriate clear span structures will be promoted where fisheries exist, and culverting and/or realignment of streams will be discouraged. The Council will consult with Inland Fisheries Ireland in relation to riparian and instream works as appropriate.</p> <p>It is Council policy to have regard to the Waterways Corridor Study 2002 and protect the recreational, educational and amenity potential of navigational and non-navigational waterways with the county, such as the Grand Canal Corridor, towpaths and adjacent wetlands.</p>	<p>BLP-19 BLP-20 BLP-21 BLO-10 BLO-11</p>

Recommendation integrated into the Plan	Plan Reference
<p>It is an objective of the Council to maintain a riparian zone for larger and smaller river channels based on the The Shannon Regional Fisheries Board Guidance Document, 'Planning for Watercourses in the Urban Environment, a Guide to the Protection of Watercourses through the use of Buffer Zones, Sustainable Drainage Systems, Instream Rehabilitation and Recreational Planning'.</p> <p>It is an objective of the Council to (a) investigate the feasibility of and cooperate with relevant agencies in providing a Linear Park based on the River Shannon from Banagher to Meelick, which takes account of the sensitive ecological nature of the Callows area and (b) to support the development of an overall vision/ strategy for the Shannon Callows in co-operation with all stakeholders to ensure that the area is appropriately managed at a landscape scale.</p>	
<p><b>Trees, Forestry and Hedgerows</b></p> <p>It is Council policy to support the protection and management of existing networks of woodlands, trees and hedgerows which are of amenity or biodiversity value and/or contribute to landscape character, and to strengthen local networks. It is Council policy to encourage the planting of native species in all new residential developments (individual and multiple units) and as part of landscaping for commercial and industrial developments.</p> <p>It is Council policy to require, where practical, the management of mature trees, such as tree surgery instead of felling particularly where the trees contribute to amenity.</p> <p>It is an objective of the Council to preserve individual trees and groups of trees that are included in Table 4.14 and 4.15. It is an objective of the Council to consider the making of Tree Preservation Orders to protect trees and woodlands of high value.</p> <p>It is an objective of the Council to encourage the preservation and enhancement of native and semi-natural woodlands, groups of trees and individual trees, not listed in Table 4.14 and 4.15;</p> <p>(a) in particular, on the grounds of Country Houses, Gardens and Demesnes and on approaches to settlements in the county; and</p> <p>(b) as part of the development management process, require the planting of native, deciduous, pollinator friendly trees in all new developments where possible.</p> <p>It is an objective of the Council to encourage pursuant to Article 10 of the Habitats Directive, the management of features of the landscape, such as traditional field boundaries, important for the ecological coherence of the Natura 2000 network and essential for the migration, dispersal and genetic exchange of wild species.</p> <p>It is an objective of the Council to encourage the retention, wherever possible, of hedgerows and other distinctive boundary treatment in the county. Where removal of a hedgerow, stone wall or other distinctive boundary treatment is unavoidable, provision of the same type of boundary will be required of similar length and set back within the site in advance of the commencement of construction works on the site (unless otherwise agreed by the Planning Authority).</p>	<p>BLP-22 BLP-23 BLP-24 BLO-12 BLO-13 BLO-14 BLO-15 BLO-16</p>
<p><b>Green Infrastructure Strategy</b></p> <p>It is an objective of the Council to require all new developments to identify, protect and enhance ecological features by making provision for local biodiversity (for example, through provision of swift boxes or towers, bat roost sites, green roofs, etc.) and provide links to the wider Green Infrastructure network as an essential part of the design process.</p>	<p>BLO-17</p>
<p><b>Invasive Species</b></p> <p>It is Council policy to continue to deliver and support measures for the prevention, control and/or eradication of invasive species within the county, and to seek details of how these species will be managed and controlled where their presence is identified.</p> <p>It is an objective of the Council to require, as part of the planning application process, the appropriate eradication/control of invasive species when identified on site or in the vicinity of a site, in accordance with Regulation 49 of the European Communities (Birds and Natural Habitats) Regulations 2011 to 2015.</p> <p>It is an objective of the Council to continue to maintain mapping identifying the location of invasive species in the county in conjunction with the National Biodiversity Data Centre.</p>	<p>BLP-31 BLO-18 BLO-19</p>
<p><b>Light Pollution</b></p> <p>It is Council policy to require that the design of lighting schemes minimises the incidence of light pollution into the surrounding environment. New schemes shall ensure that there is no unacceptable adverse impact on residential or visual amenity and biodiversity in the surrounding area.</p> <p>It is an objective of the Council to seek to minimise the harmful effects of light pollution in the future provision of outdoor lighting, including investigating measures to improve the approach to street lighting and ensuring that new developments are lit appropriately and that environmentally sensitive areas are protected.</p>	<p>ENVP-21 ENVO-13</p>
<p><b>Increases in visitor numbers</b></p> <p>It is Council policy to seek to manage any increases in visitor numbers in order to avoid significant effects including loss of habitat and disturbance and impacts on existing infrastructure. Visitor / habitat management plans will be required for proposed tourism projects as relevant and appropriate.</p>	<p>TRP-09</p>
<p><b>Built Heritage: Protected Species</b></p> <p>Protect habitats and species when considering proposed works to buildings which are likely to impact on protected ecological sites and protected species.</p>	<p>BHP-34</p>
<p><b>Water Quality/Status</b></p> <p>It is Council policy to ensure that the Water Framework Directive, the River Basin Management Plan and any subsequent Water Management Plans are fully considered throughout the planning process.</p> <p>It is Council policy to manage, protect and enhance surface water and ground water quality to meet the requirements of the Water Framework Directive.</p> <p>It is Council policy to support the implementation of the Water Framework Directive, the River Basin Management Plan and the Local Authority Waters Programme in achieving and maintaining at least good environmental status for all water bodies in the county.</p> <p>It is Council policy that all proposed development which may have an impact on a high status water quality site will require site specific assessment to determine localised pressures and demonstrate suitable mitigation measures in order to protect these sites.</p> <p>It is Council policy to promote and comply with the environmental standards and objectives established for:</p> <p>(i) Bodies of surface water, by the European Communities (Surface Waters) Regulations 2009, made to give effect to the measures needed to achieve the environmental objectives established for bodies of surface water by the European Water Framework Directive; and</p> <p>(ii) Groundwater, by the European Communities (Groundwater) Regulations 2010, made to give effect to the measures needed to achieve the environmental objectives established for groundwater by the European Water Framework and Groundwater Directives, for which standards and objectives are included in the River Basin Management Plan.</p> <p>It is Council policy to protect groundwater sources through the implementation of the Groundwater Protection Scheme and Source Protection Zones. Development proposals within these zones which have the potential to pose a risk to groundwater will be required to demonstrate that no reasonable alternative site is available and that groundwater quality will be protected to the satisfaction of the Council.</p> <p>It is Council policy to encourage the use of catchment-sensitive farming practices, in order to meet Water Framework Directive targets and comply with the River Basin Management Plan.</p>	<p>ENVP-01 ENVP-02 ENVP-03 ENVP-04 ENVP-05 ENVP-06 ENVP-07 ENVO-01 ENVO-02 ENVO-03 ENVO-04 CAEP-30 REDP-04</p>

Recommendation integrated into the Plan	Plan Reference
<p>It is an objective of the Council to ensure, through the implementation of the River Basin Management Plan, and any other associated legislation, the protection and improvement of all drinking water, surface water and ground waters throughout the county.</p> <p>It is an objective of the Council to protect through its regulatory controls and in conjunction with the Local Authority Waters Programme, water bodies with 'high ecological status'; to restore water bodies that have fallen below 'high ecological status'; to maintain water bodies at 'Good Status'; and to mitigate threats to water bodies identified as 'At Risk' i.e. 'Moderate and Poor Status'.</p> <p>It is an objective of the Council to protect both ground and surface water resources; to work with Irish Water to develop and implement Drinking Water Safety Plans to protect sources of public water supply and their contributing catchment; and to work with the National Federation of Group Water Schemes in respect of Source Protection Plans for Group Water Schemes to protect these sources.</p> <p>It is an objective of the Council to comply with the Blue Dot Catchments Programme.</p> <p>It is Council policy to ensure that any proposed projects do not conflict with the requirements of the Water Framework Directive.</p> <p>It is Council policy to ensure that agricultural developments are designed and constructed in a manner that will ensure that groundwater watercourses and sources of potable water are protected from the threat of pollution in line with Water Quality Regulations and the requirements of the Water Framework Directive.</p>	
<p><b>Air Quality</b></p> <p>It is Council policy to manage air quality in accordance with relevant legislation and policy.</p> <p>It is Council policy to promote the preservation of best ambient air quality compatible with sustainable development in accordance with the EU ambient Air Quality and Cleaner Air for Europe (CAFE) Directive (2008/50/EC) and ensure that all air emissions associated with new developments are within Environmental Quality Standards as set out in the Air Quality Standards Regulations 2011, or any updated/superseding documents.</p> <p>It is Council policy to require activities likely to give rise to air emissions to implement measures to control such emissions and to undertake air quality monitoring. Application of this policy will take into account instances whereby activities are licensed by other bodies through other processes (such as Integrated Pollution Control Licensing or Industrial Emissions Licensing).</p> <p>It is an objective of the Council to reduce harmful emissions and achieve and maintain good air quality for the county.</p> <p>It is an objective of the Council to actively promote measures to reduce air pollution and combat climate change including promotion of energy efficient buildings, cleaner home heating, green infrastructure, active and public transport modes, electric vehicles and innovative design solutions.</p> <p>It is an objective of the Council to promote sustainable design and construction to help reduce emissions from the demolition and construction of buildings.</p> <p>It is an objective of the Council to work with relevant agencies to support local data collection in the development of air quality monitoring.</p>	<p>ENVP-16 ENVP-17 ENVP-18 ENVO-09 ENVO-10 ENVO-11 ENVO-12</p>
<p><b>Noise</b></p> <p>It is Council policy to promote the implementation of the Environmental Noise Directive and associated regulations through the Offaly County Council Noise Action Plan 2018-2023 and any subsequent Plan.</p> <p>It is Council policy to promote the pro-active management of noise where it is likely to have significant adverse impacts on health and quality of life. Planning permission will not normally be granted for new uses / development or extensions of existing uses that produce significant and unacceptable levels of noise and/or vibration at site boundaries or within adjacent noise sensitive areas, especially residential areas.</p>	<p>ENVP-19 ENVP-20</p>
<p><b>Peatlands</b></p> <p>It is Council policy that planning applications for development on or immediately adjacent to peatlands shall be accompanied by assessments considering the following issues where relevant; peatland stability, hydrology, and/ or carbon emissions balance.</p>	<p>CAEP-16</p>
<p><b>Waste Management</b></p> <p>It is Council policy to facilitate the provision of adequate waste recovery and disposal facilities for the county.</p> <p>It is Council policy to promote circular economy principles, prioritising prevention, reuse, recycling and recovery, and to sustainably manage residual waste. New developments will be expected to take account of the provisions of the Waste Management Plan for the Region and observe those elements of it that relate to waste prevention and minimisation, waste recycling facilities, and the capacity for source segregation.</p> <p>It is Council policy to ensure that all waste disposal shall be undertaken in compliance with the requirements of the Environmental Protection Agency and relevant Waste Management Legislation.</p> <p>It is Council policy to continue to fulfil its duties under the Waste Management (certification of historic unlicensed waste disposal and recovery activity) Regulations 2008, including those in relation to the identification and registration of closed landfills.</p> <p>It is Council policy to require the provision of recycling infrastructure where it is considered necessary and will assess requirements for recycling facilities on a case by case basis as part of the development management process.</p> <p>It is Council policy to require Construction and Environmental Management Plans (CEMPs) to be prepared for larger scale projects and this requirement shall be assessed on a case by case basis as part of the development management process. Where a CEMP is required, it shall be prepared in accordance with the criteria set out in Section 11.5.2 of this Plan.</p> <p>It is an objective of the Council to implement the Eastern-Midlands Regional Waste Management Plan 2015-2021; the Council's Litter Management Plan and Waste Bye-Laws.</p> <p>It is an objective of the Council to use statutory powers to prohibit the illegal deposit and disposal of waste materials, refuse and litter, and to authorise and regulate, waste disposal within the county in an environmentally sustainable manner.</p> <p>It is an objective of the Council to implement the legislative provisions in relation to historic landfill sites in the county and to undertake risk assessments where required and any subsequent remedial measures where necessary.</p> <p>It is an objective of the Council to promote the inclusion of adequate and easily accessible storage space that supports the separate collection of dry recyclables and food, as appropriate, within developments.</p>	<p>Integrated into Chapter 11.4.2 Waste Management</p> <p>ENVP-08 ENVP-09 ENVP-10 ENVP-11 ENVP-12 ENVP-13 ENVO-05 ENVO-06 ENVO-07 ENVO-08</p>
<p><b>Measures included in Proposed Material Alterations/Further Modifications</b></p> <p>It is an objective of the Council in accordance with Article 4(4) of the Birds Directive and Regulation 27(4) of the European Communities (Birds and Habitats) Regulations 2011-2015 to strive to avoid pollution or deterioration of bird habitats outside Special Protection Areas.</p> <p>It is an objective of the Council to take account of the objective and management practices proposed in any management or related plans for European Sites (SACs and SPAs) in and adjacent to the county published by the Department including the National Raised Bog Special Areas of Conservation (SACs) Management Plan 2017-2022 and any subsequent editions.</p>	<p>Measures included in Proposed Material Alterations/ Further Modifications</p>

Recommendation integrated into the Plan	Plan Reference
<p>It is Council policy to proactively encourage the Bord na Móna Peatlands Rehabilitation Scheme (which is to be administered by the Department of the Environment, Climate and Communications (DECC) and regulated by the National Parks and Wildlife Service (NPWS) of the Department of Housing, Local Government and Heritage) to deliver on potential amenity and tourism benefits for example complimenting the delivery of the Midlands Cycling Destination – Offaly, where routes pass through the rehabilitated bogs, subject to environmental, biodiversity, hydrological and climate mitigation actions (including renewable energy projects) requirements.</p> <p><b>Also, text under “Area generally from Cloneygowan to Clonbullogue”</b>                      (A potential constraint in this area is the objective in Chapter 4 to examine the feasibility of developing Wilderness Corridors at bogs at Cavemount, Esker, Ballycon, Derrycricket, Clonsast North, Clonsast and Derryounce. The Council will not be in favour of any developments proposed on these bogs with the potential to impact upon the character, uniqueness and wilderness potential of these areas. The impact on a potential Wilderness Corridor from any wind farm development will be assessed at project level by the Council.)</p> <p><b>Also, text under “Area generally east of Shannonbridge and south of Clonmacnoise”</b>                      (A potential constraint in this area is the objective in Chapter 4 to examine the feasibility of developing Wilderness Corridors at bogs at Blackwater, Ballaghurt and Belmont Bog. The Council will not be in favour of any developments proposed on these bogs with the potential to impact upon the character, uniqueness and wilderness potential of these areas. The impact on a potential Wilderness Corridor from any wind farm development will be assessed at project level by the Council.)</p> <p><b>Also, an amended BLO-11</b>                      (final text It is an objective of the Council to (a) investigate the feasibility of and cooperate with relevant agencies in providing a Linear Park based on the River Shannon from Banagher to Meelick, which takes account of the sensitive ecological nature of the Callows area and (b) to support the development of an overall vision/ strategy for the Shannon Callows in co-operation with all stakeholders to ensure that the area is appropriately managed at a landscape scale.)</p> <p><b>BLO-07</b>                      Any proposal for development at the lands to the north west of the town as shown in the Ferbane Town Objectives Map must demonstrate that it will not affect the nearby Ferbane Bog SAC, including as a result of changes to drainage patterns.</p>	



## Section 3 Consideration of Alternatives

### 3.1 Summary of Description and Assessment of Available Reasonable Alternatives

Contributing towards the protection of ecology and European sites was one of the key environmental issues in the consideration of alternatives to the Plan.

#### 3.1.1 Alternatives for Population Allocations

##### *Description*

Following allocation of most of the County's projected new population across the County's settlements, taking into account the requirements of higher level planning objectives, a decision was required as to whether to provide for an unallocated extent of growth – either to the Self-Sustaining Towns of Edenderry or Portarlinton or to the County's Key Town of Tullamore or Self Sustaining Growth Town of Birr.

- A.** Provide additional extent of growth to Tullamore or Birr; or
- B.** Provide additional extent of growth to Edenderry or Portarlinton.

##### *Summary of Evaluation*

Edenderry and Portarlinton have experienced rapid population growth with high levels of commuter focused residential expansion without equivalent increase in jobs and services. They have been identified by the Planning Department as needing consolidation and targeted 'catch up' investment in services, infrastructure, suitable transport options, amenities and local employment to become more self-sustaining.

Consequently, the key environmental differential factor between the two alternatives as a result of providing an additional extent of unquantified population allocation to either Tullamore or Birr (Alternative A) or Edenderry or Portarlinton (Alternative B) relates to transport and associated emissions (interacting with Population and Human Health, Material Assets, Air and Climatic Factors).

Allocation of an additional extent of growth to Edenderry or Portarlinton would potentially hinder the aforementioned needs being met and would be likely to result in higher levels of commuting, potentially conflicting with both efforts to improve sustainable mobility and greenhouse gas emission reduction targets the most.

Allocation of an additional extent of growth to Tullamore or Birr would be likely to result in lower levels of commuting, potentially conflicting with both efforts to improve sustainable mobility and greenhouse gas emission reduction targets the least.

All other environmental effects would be considered to be mitigated to similar degrees. It is noted that both Tullamore and Portarlinton are identified by the EPA (2019<sup>1</sup>) as Priority Areas with respect to the European Urban Wastewater Treatment Directive, that is waste water discharges from these plants are the sole significant pressure on water bodies at risk of pollution. However, the EPA also identify that Irish Water has improved waste water treatment at both Tullamore and Portarlinton and that the EPA is monitoring surface waters in these areas to determine if the risk of pollution from waste water discharges has been satisfactorily resolved.

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<sup>1</sup> Urban Waste Water Treatment in 2018  
CAAS for Offaly County Council

### 3.1.2 Alternatives for Rural Areas

#### (i) Alternatives for Areas under Strong Urban Influence

##### *Description*

- A.** Include a “Housing in Rural Areas under Strong Urban Influence and Stronger Rural Areas<sup>2</sup>, & Areas of Special Control<sup>3</sup>” policy that considers a single dwelling for the permanent occupation of an applicant where a number of criteria can be demonstrated.
- B.** Do not include a “Housing in Rural Areas under Strong Urban Influence and Stronger Rural Areas, & Areas of Special Control” policy that provides for a presumption in favour of applications for single houses by applicants, subject to various criteria being met.

##### *Summary of Evaluation*

###### *Alternative A*

Restricting development in rural areas that are under strong urban influence would positively impact upon the protection and management of the environment and sustainable development. The restrictions would help to both reduce levels of greenfield development in areas immediately surrounding existing centres and encourage brownfield development within existing centres.

Rural development would be directed towards appropriate rural areas and urban development would be directed towards established settlements. This alternative would prevent low density urban sprawl and associated adverse effects upon sustainable mobility, climate emission reduction targets and various environmental components.

###### *Alternative B*

Not restricting development in rural areas that are under strong urban influence would adversely impact upon the protection and management of the environment and sustainable development. The absence of restrictions would result in increased levels of greenfield development in areas immediately surrounding existing centres and less demand for brownfield development within existing centres.

Urban generated development would occur within rural areas outside of established settlements. This alternative would result in low density urban sprawl and associated adverse effects upon sustainable mobility, climate emission reduction targets and various environmental components.

#### (ii) Alternatives for consideration of Sráids in Rural Areas

##### *Description*

- A.** Provide focus to and targeted policies/objectives for Sráids as part of Rural Tier of Settlement Hierarchy.
- B.** Sráids are included within the wider open countryside but there is no focus or no targeted provisions for these locations.

##### *Summary of Evaluation*

###### *Alternative A*

Providing focus to and targeted policies/objectives for Sráids as part of Rural Tier of Settlement Hierarchy would provide a viable alternative to one-off housing in the open countryside. Development within Sráids would be more likely to be served by infrastructure (including water

<sup>2</sup> Areas under Strong Urban Influence & Stronger Rural Areas include:

- Electoral Divisions where at least 15% of their workforce commute to a town of population over 10,000 or a town with more than 2,500 jobs
- Additional Electoral Divisions with generally stable or rising population

<sup>3</sup> Areas of Special Control include:

- National/International Conservation Designations (Special Protection Areas, Special Areas of Conservation, Natural Heritage Areas)
- Areas of High Amenity
- Source Protection Zones
- Restricted Regional Roads

services infrastructure) and more likely to protect the environment including the status of ground and surface waters, water used for drinking water, human health, biodiversity and flora and fauna and the landscape. Development would be required to be subject to siting, design, protection of residential amenities and normal development management criteria, subject to the satisfactory provision of infrastructure and services and in keeping with the character of the settlement.

*Alternative B*

Not providing a focus to and targeted policies/objectives for Sráids as part of Rural Tier of Settlement Hierarchy would be less likely to provide a viable alternative to one-off housing in the open countryside. Development within the open countryside would be less likely to be served by infrastructure (including water services infrastructure) and less likely to protect the environment including the status of ground and surface waters, water used for drinking water, human health, biodiversity and flora and fauna and the landscape.

### 3.1.3 Alternatives for Land Use Zoning

Land use zoning has been applied in a way that primarily seeks to achieve sustainable and compact growth, taking into account the various requirements set out in the higher-level NPF and Eastern and Midlands RSES.

The Council have identified realistic alternatives for certain settlements, where these are available taking into account the various requirements set out in the higher-level NPF and Eastern and Midlands RSES.

**Table 3.1 Assessment of Land Use Zoning Alternatives against Strategic Environmental Objectives**

Town	Alternative (selected alternatives in bold)	Summary of Evaluation
Tullamore (Set 1)	New residential zoning: A. Less compact	By not consolidating land use zoning and including unnecessary land use zoning, this alternative would provide for a less compact form of development that would fail to maximise benefits from infrastructural investment. By facilitating the unnecessary sprawl of the settlement and failing to consolidate zoning, this alternative would decrease the likelihood of brownfield development and conflict with efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Providing for unnecessary zoning would be likely to result in higher levels of sprawl and associated avoidable potential adverse environmental effects.
	<b>New residential zoning: B. More compact</b>	By consolidating land use zoning and reducing unnecessary land use zoning this alternative would provide for a more compact form of development that would help to maximise benefits from infrastructural investment. By consolidating the zoning and helping to avoid unnecessary sprawl of the settlement, this alternative would increase the likelihood of brownfield development and contribute towards efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Reducing unnecessary zoning would help to minimise sprawl and would avoid potential adverse environmental effects that would otherwise occur - this would benefit the protection of multiple environmental components.
Tullamore (Set 2)	<b>Green buffer along the bypass and canal and train lines: A. Provide</b>	A green buffer along the bypass and train lines would help to protect future residential and employment populations from emissions to air including noise. Buffers along the canal would help to facilitate the protection of this amenity asset from visually intrusive developments. The green buffers would also contribute towards the protection of ecological connectivity, water management and protected structures and their context. The absence of a green buffer would make adverse impacts upon the aforementioned sensitivities more likely.
	Green buffer along the bypass and canal and train lines: B. Do not provide	
Birr (Set 1)	New residential zoning: A. Less compact	By not consolidating land use zoning and including unnecessary land use zoning, this alternative would provide for a less compact form of development that would fail to maximise benefits from infrastructural investment. By facilitating the unnecessary sprawl of the settlement and failing to consolidate zoning, this alternative would decrease the likelihood of brownfield development and conflict with efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Providing for unnecessary zoning would be likely to result in higher levels of sprawl and associated avoidable potential adverse environmental effects.
	<b>New residential zoning: B. More compact</b>	By consolidating land use zoning and reducing unnecessary land use zoning this alternative would provide for a more compact form of development that would help to maximise benefits from infrastructural investment. By consolidating the zoning and helping to avoid unnecessary sprawl of the settlement, this alternative would increase the likelihood of brownfield development and contribute towards efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Reducing unnecessary zoning would help to minimise sprawl and would avoid potential adverse environmental effects that would otherwise occur - this would benefit the protection of multiple environmental components.

Town	Alternative (selected alternatives in bold)	Summary of Evaluation
Birr (Set 2)	<b>Green belt between Crinkill Village and Birr Town: A. Provide</b>	A green belt between Crinkill would facilitate the protection of the character of Crinkill village mature trees (some of which are the subject of Tree Preservation Orders), non-designated biodiversity, an Esker between Crinkill and Birr Town which has been previously identified as an Area of High Amenity and the context of various structures of architectural value. The absence of a greenbelt would facilitate sprawl from the south of Birr town, and associated effects, and impacts upon the aforementioned sensitivities.
	Green belt between Crinkill Village and Birr Town: B. Do not provide	
Banagher (Set 1)	New residential zoning: A. Less compact	By not consolidating land use zoning and including unnecessary land use zoning, this alternative would provide for a less compact form of development that would fail to maximise benefits from infrastructural investment. By facilitating the unnecessary sprawl of the settlement and failing to consolidate zoning, this alternative would decrease the likelihood of brownfield development and conflict with efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Providing for unnecessary zoning would be likely to result in higher levels of sprawl and associated avoidable potential adverse environmental effects.
	<b>New residential zoning: B. More compact</b>	By consolidating land use zoning and reducing unnecessary land use zoning this alternative would provide for a more compact form of development that would help to maximise benefits from infrastructural investment. By consolidating the zoning and helping to avoid unnecessary sprawl of the settlement, this alternative would increase the likelihood of brownfield development and contribute towards efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Reducing unnecessary zoning would help to minimise sprawl and would avoid potential adverse environmental effects that would otherwise occur - this would benefit the protection of multiple environmental components.
Clara	New residential zoning: A. Less compact	By not consolidating land use zoning and including unnecessary land use zoning, this alternative would provide for a less compact form of development that would fail to maximise benefits from infrastructural investment. By facilitating the unnecessary sprawl of the settlement and failing to consolidate zoning, this alternative would decrease the likelihood of brownfield development and conflict with efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Providing for unnecessary zoning would be likely to result in higher levels of sprawl and associated avoidable potential adverse environmental effects.
	<b>New residential zoning: B. More compact</b>	By consolidating land use zoning and reducing unnecessary land use zoning this alternative would provide for a more compact form of development that would help to maximise benefits from infrastructural investment. By consolidating the zoning and helping to avoid unnecessary sprawl of the settlement, this alternative would increase the likelihood of brownfield development and contribute towards efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Reducing unnecessary zoning would help to minimise sprawl and would avoid potential adverse environmental effects that would otherwise occur - this would benefit the protection of multiple environmental components.
Daingean	Industrial zoning: A. Less compact - omit land to the south	By not consolidating land use zoning and including unnecessary land use zoning, this alternative would provide for a less compact form of development that would fail to maximise benefits from infrastructural investment. By facilitating the unnecessary sprawl of the settlement and failing to consolidate zoning, this alternative would decrease the likelihood of brownfield development and conflict with efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Providing for unnecessary zoning would be likely to result in higher levels of sprawl and associated avoidable potential adverse environmental effects.
	<b>Industrial zoning: B. More compact - include land to the south of the town</b>	By consolidating land use zoning and reducing unnecessary land use zoning this alternative would provide for a more compact form of development that would help to maximise benefits from infrastructural investment. By consolidating the zoning and helping to avoid unnecessary sprawl of the settlement, this alternative would increase the likelihood of brownfield development and contribute towards efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Reducing unnecessary zoning would help to minimise sprawl and would avoid potential adverse environmental effects that would otherwise occur - this would benefit the protection of multiple environmental components.
Ferbane	New residential zoning: A. Less compact	By not consolidating land use zoning and including unnecessary land use zoning, this alternative would provide for a less compact form of development that would fail to maximise benefits from infrastructural investment. By facilitating the unnecessary sprawl of the settlement and failing to consolidate zoning, this alternative would decrease the likelihood of brownfield development and conflict with efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Providing for unnecessary zoning would be likely to result in higher levels of sprawl and associated avoidable potential adverse environmental effects.
	<b>New residential zoning: A. More compact</b>	By consolidating land use zoning and reducing unnecessary land use zoning this alternative would provide for a more compact form of development that would help to maximise benefits from infrastructural investment. By consolidating the zoning and helping to avoid unnecessary sprawl of the settlement, this alternative would increase the likelihood of brownfield development and contribute towards efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Reducing unnecessary zoning would help to minimise sprawl and would avoid potential adverse environmental effects that would otherwise occur - this would benefit the protection of multiple environmental components.
Kilcormac	<b>Open Space, Amenity and Recreation zonings: A. Provide</b>	The two areas of Open Space, Amenity and Recreation zonings would provide for needed sporting/athletic facilities, at both local and regional levels. Such facilities are necessary in making settlements more desirable places to live – so that they maintain populations and services. Attracting new populations into the County's settlements will reduce demand for development in areas that are less well serviced and connected – that type of development would be unsustainable and would have higher environmental impacts. The development of sporting/athletic facilities would present potential local impacts; residual impacts would be mitigated by the measures integrated into the Plan.
	Open Space, Amenity and Recreation zonings: B. Do not provide	

Town	Alternative (selected alternatives in bold)	Summary of Evaluation
Ballinagar	New residential and enterprise and employment zonings: A. Less compact	By not consolidating land use zoning and including unnecessary land use zoning, this alternative would provide for a less compact form of development that would fail to maximise benefits from infrastructural investment. By facilitating the unnecessary sprawl of the settlement and failing to consolidate zoning, this alternative would decrease the likelihood of brownfield development and conflict with efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Providing for unnecessary zoning would be likely to result in higher levels of sprawl and associated avoidable potential adverse environmental effects.
	<b>New residential and enterprise and employment zonings: B. More compact</b>	By consolidating land use zoning and reducing unnecessary land use zoning this alternative would provide for a more compact form of development that would help to maximise benefits from infrastructural investment. By consolidating the zoning and helping to avoid unnecessary sprawl of the settlement, this alternative would increase the likelihood of brownfield development and contribute towards efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Reducing unnecessary zoning would help to minimise sprawl and would avoid potential adverse environmental effects that would otherwise occur - this would benefit the protection of multiple environmental components.
Ballycumber (Set 1)	<b>Open Space, Amenity and Recreation zoning along river and park/playground: A. Provide</b>	The Open Space, Amenity and Recreation zoning would contribute towards the protection of architectural heritage at the Ballycumber House and the natural heritage of the River Brosna and its adjacent lands. Furthermore this zoning could help to facilitate recreational activities along the canal and adjacent to Ballycumber House. Allowing for such activities are necessary in making settlements more desirable places to live – so that they maintain populations and services. Attracting new populations into the County’s settlements will reduce demand for development in areas that are less well serviced and connected – that type of development would be unsustainable and would have higher environmental impacts. Facilitating recreational activities would present potential local impacts; residual impacts would be mitigated by the measures integrated into the Plan.
	Open Space, Amenity and Recreation zoning along river and park/playground: B. Do not provide	
Ballycumber (Set 2)	<b>Opportunity vacant site in the south east of the town: A. Provide</b>	Encouraging the re-development of the Opportunity Site, which is a visually prominent site at the entry into the village, would reduce the need to develop less well serviced, less well connected sites elsewhere. Re-development of this site would make the village a more desirable place to live. Attracting new populations into the County’s settlements will reduce demand for development in areas that are less well serviced and connected – that type of development would be unsustainable and would have higher environmental impacts. Facilitating re-development of the site would present potential local impacts; residual impacts would be mitigated by the measures integrated into the Plan.
	Opportunity vacant site in the south east of the town: B. Do not provide	
Belmont	New residential and enterprise and employment zonings: A. Less compact	By not consolidating land use zoning and including unnecessary land use zoning, this alternative would provide for a less compact form of development that would fail to maximise benefits from infrastructural investment. By facilitating the unnecessary sprawl of the settlement and failing to consolidate zoning, this alternative would decrease the likelihood of brownfield development and conflict with efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Providing for unnecessary zoning would be likely to result in higher levels of sprawl and associated avoidable potential adverse environmental effects.
	<b>New residential and enterprise and employment zonings: B. More compact</b>	By consolidating land use zoning and reducing unnecessary land use zoning this alternative would provide for a more compact form of development that would help to maximise benefits from infrastructural investment. By consolidating the zoning and helping to avoid unnecessary sprawl of the settlement, this alternative would increase the likelihood of brownfield development and contribute towards efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Reducing unnecessary zoning would help to minimise sprawl and would avoid potential adverse environmental effects that would otherwise occur - this would benefit the protection of multiple environmental components.
Cloghan	New residential zoning: A. Less compact	By not consolidating land use zoning and including unnecessary land use zoning, this alternative would provide for a less compact form of development that would fail to maximise benefits from infrastructural investment. By facilitating the unnecessary sprawl of the settlement and failing to consolidate zoning, this alternative would decrease the likelihood of brownfield development and conflict with efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Providing for unnecessary zoning would be likely to result in higher levels of sprawl and associated avoidable potential adverse environmental effects.
	<b>New residential zoning: B. More compact</b>	By consolidating land use zoning and reducing unnecessary land use zoning this alternative would provide for a more compact form of development that would help to maximise benefits from infrastructural investment. By consolidating the zoning and helping to avoid unnecessary sprawl of the settlement, this alternative would increase the likelihood of brownfield development and contribute towards efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Reducing unnecessary zoning would help to minimise sprawl and would avoid potential adverse environmental effects that would otherwise occur - this would benefit the protection of multiple environmental components.
Clonbullogue	New residential and enterprise and employment zonings: A. Less compact	By not consolidating land use zoning and including unnecessary land use zoning, this alternative would provide for a less compact form of development that would fail to maximise benefits from infrastructural investment. By facilitating the unnecessary sprawl of the settlement and failing to consolidate zoning, this alternative would decrease the likelihood of brownfield development and conflict with efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Providing for unnecessary zoning would be likely to result in higher levels of sprawl and associated avoidable potential adverse environmental effects.
	<b>New residential and enterprise and employment zonings: B. More compact</b>	By consolidating land use zoning and reducing unnecessary land use zoning this alternative would provide for a more compact form of development that would help to maximise benefits from infrastructural investment. By consolidating the zoning and helping to avoid unnecessary sprawl of the settlement, this alternative would increase the likelihood of brownfield development and contribute towards efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Reducing unnecessary zoning would help to minimise sprawl and would

Town	Alternative (selected alternatives in bold)	Summary of Evaluation
		avoid potential adverse environmental effects that would otherwise occur - this would benefit the protection of multiple environmental components.
Coolderry	Employment zoning: A. Less compact	By not consolidating land use zoning and including unnecessary land use zoning, this alternative would provide for a less compact form of development that would fail to maximise benefits from infrastructural investment. By facilitating the unnecessary sprawl of the settlement and failing to consolidate zoning, this alternative would decrease the likelihood of brownfield development and conflict with efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Providing for unnecessary zoning would be likely to result in higher levels of sprawl and associated avoidable potential adverse environmental effects.
	<b>Employment zoning: A. More compact</b>	By consolidating land use zoning and reducing unnecessary land use zoning this alternative would provide for a more compact form of development that would help to maximise benefits from infrastructural investment. By consolidating the zoning and helping to avoid unnecessary sprawl of the settlement, this alternative would increase the likelihood of brownfield development and contribute towards efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Reducing unnecessary zoning would help to minimise sprawl and would avoid potential adverse environmental effects that would otherwise occur - this would benefit the protection of multiple environmental components.
Geashill	New residential zoning to be provided: A. Behind existing residential development on the west side of the village	The potential environmental effects that could arise as a result of developments at the alternative sites are similar. Access to the site behind the existing residential development is constrained due to distance from the road and adjacent development/ownership. As a result, it is less likely, all other factors being equal, that this land parcel would be developed for the residential development provided for, thereby making the proper planning and sustainable development of this settlement less likely under this alternative and potentially resulting in increased demand for housing in sites that are less well serviced and further away from the village.
	<b>New residential zoning to be provided: B. To the north of the R420 Regional Road</b>	The potential environmental effects that could arise as a result of developments at the alternative sites are similar. Access to the site to the north of the R420 is not significantly constrained. As a result, it is more likely, all other factors being equal, that this land parcel would be developed for the residential development provided for, thereby making the proper planning and sustainable development of this settlement more likely under this alternative, meeting demand for housing and reducing the need to develop sites that are less well serviced and further away from the village.
Killeigh	New residential zoning: A. Less compact	By not consolidating land use zoning and including unnecessary land use zoning, this alternative would provide for a less compact form of development that would fail to maximise benefits from infrastructural investment. By facilitating the unnecessary sprawl of the settlement and failing to consolidate zoning, this alternative would decrease the likelihood of brownfield development and conflict with efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Providing for unnecessary zoning would be likely to result in higher levels of sprawl and associated avoidable potential adverse environmental effects.
	<b>New residential zoning: B. More compact</b>	By consolidating land use zoning and reducing unnecessary land use zoning this alternative would provide for a more compact form of development that would help to maximise benefits from infrastructural investment. By consolidating the zoning and helping to avoid unnecessary sprawl of the settlement, this alternative would increase the likelihood of brownfield development and contribute towards efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Reducing unnecessary zoning would help to minimise sprawl and would avoid potential adverse environmental effects that would otherwise occur - this would benefit the protection of multiple environmental components.
Kinnitty (Set 1)	New residential and enterprise and employment zonings: A. Less compact	By not consolidating land use zoning and including unnecessary land use zoning, this alternative would provide for a less compact form of development that would fail to maximise benefits from infrastructural investment. By facilitating the unnecessary sprawl of the settlement and failing to consolidate zoning, this alternative would decrease the likelihood of brownfield development and conflict with efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Providing for unnecessary zoning would be likely to result in higher levels of sprawl and associated avoidable potential adverse environmental effects.
	<b>New residential and enterprise and employment zonings: B. More compact</b>	By consolidating land use zoning and reducing unnecessary land use zoning this alternative would provide for a more compact form of development that would help to maximise benefits from infrastructural investment. By consolidating the zoning and helping to avoid unnecessary sprawl of the settlement, this alternative would increase the likelihood of brownfield development and contribute towards efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Reducing unnecessary zoning would help to minimise sprawl and would avoid potential adverse environmental effects that would otherwise occur - this would benefit the protection of multiple environmental components.
Kinnitty (Set 2)	<b>Open Space, Amenity and Recreation zoning at the Rectory: A. Provide</b>	The Open Space, Amenity and Recreation zoning would contribute towards the protection of built and natural heritage at and surrounding the Rectory. Furthermore, this zoning would help to facilitate recreational activities around this site of architectural significance in Kinnitty. Allowing for such activities are necessary in making settlements more desirable places to live – so that they maintain populations and services. Attracting new populations into the County's settlements will reduce demand for development in areas that are less well serviced and connected – that type of development would be unsustainable and would have higher environmental impacts. Facilitating recreational activities would present potential local impacts; residual impacts would be mitigated by the measures integrated into the Plan.
	Open Space, Amenity and Recreation zoning at the Rectory: B. Do not provide	
Moneygall	Enterprise and employment zonings: A. Less compact	By not consolidating land use zoning and including unnecessary land use zoning, this alternative would provide for a less compact form of development that would fail to maximise benefits from infrastructural investment. By facilitating the unnecessary sprawl of the settlement and failing to consolidate zoning, this alternative would decrease the likelihood of brownfield development and conflict with efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Providing for unnecessary zoning would be likely to result in higher levels of sprawl and associated avoidable potential adverse environmental effects.

Town	Alternative (selected alternatives in bold)	Summary of Evaluation
	<b>Enterprise and employment zonings: B. More compact</b>	By consolidating land use zoning and reducing unnecessary land use zoning this alternative would provide for a more compact form of development that would help to maximise benefits from infrastructural investment. By consolidating the zoning and helping to avoid unnecessary sprawl of the settlement, this alternative would increase the likelihood of brownfield development and contribute towards efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Reducing unnecessary zoning would help to minimise sprawl and would avoid potential adverse environmental effects that would otherwise occur - this would benefit the protection of multiple environmental components.
Mucklagh	New residential and enterprise and employment zonings: A. Less compact	By not consolidating land use zoning and including unnecessary land use zoning, this alternative would provide for a less compact form of development that would fail to maximise benefits from infrastructural investment. By facilitating the unnecessary sprawl of the settlement and failing to consolidate zoning, this alternative would decrease the likelihood of brownfield development and conflict with efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Providing for unnecessary zoning would be likely to result in higher levels of sprawl and associated avoidable potential adverse environmental effects.
	<b>New residential and enterprise and employment zonings: B. More compact</b>	By consolidating land use zoning and reducing unnecessary land use zoning this alternative would provide for a more compact form of development that would help to maximise benefits from infrastructural investment. By consolidating the zoning and helping to avoid unnecessary sprawl of the settlement, this alternative would increase the likelihood of brownfield development and contribute towards efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Reducing unnecessary zoning would help to minimise sprawl and would avoid potential adverse environmental effects that would otherwise occur - this would benefit the protection of multiple environmental components.
Pollagh/ Lemanaghan (Set 1)	New residential and enterprise and employment zonings: A. Less compact	By not consolidating land use zoning and including unnecessary land use zoning, this alternative would provide for a less compact form of development that would fail to maximise benefits from infrastructural investment. By facilitating the unnecessary sprawl of the settlement and failing to consolidate zoning, this alternative would decrease the likelihood of brownfield development and conflict with efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Providing for unnecessary zoning would be likely to result in higher levels of sprawl and associated avoidable potential adverse environmental effects.
	<b>New residential and enterprise and employment zonings: B. More compact</b>	By consolidating land use zoning and reducing unnecessary land use zoning this alternative would provide for a more compact form of development that would help to maximise benefits from infrastructural investment. By consolidating the zoning and helping to avoid unnecessary sprawl of the settlement, this alternative would increase the likelihood of brownfield development and contribute towards efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Reducing unnecessary zoning would help to minimise sprawl and would avoid potential adverse environmental effects that would otherwise occur - this would benefit the protection of multiple environmental components.
Pollagh/ Lemanaghan (Set 2)	<b>Additional Open Space, Amenity and Recreation zoning in Lemanaghan: A. Provide</b>	The Open Space, Amenity and Recreation zoning would provide for needed sporting facilities. Such facilities are necessary in making settlements more desirable places to live – so that they maintain populations and services. Attracting new populations into the County's settlements will reduce demand for development in areas that are less well serviced and connected – that type of development would be unsustainable and would have higher environmental impacts. The development of sporting facilities would present potential local impacts; residual impacts would be mitigated by the measures integrated into the Plan.
	Additional Open Space, Amenity and Recreation zoning in Lemanaghan: B. Do not provide	
Rhode	New residential and enterprise and employment zonings: A. Less compact	By not consolidating land use zoning and including unnecessary land use zoning, this alternative would provide for a less compact form of development that would fail to maximise benefits from infrastructural investment. By facilitating the unnecessary sprawl of the settlement and failing to consolidate zoning, this alternative would decrease the likelihood of brownfield development and conflict with efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Providing for unnecessary zoning would be likely to result in higher levels of sprawl and associated avoidable potential adverse environmental effects.
	<b>New residential and enterprise and employment zonings: B. More compact</b>	By consolidating land use zoning and reducing unnecessary land use zoning this alternative would provide for a more compact form of development that would help to maximise benefits from infrastructural investment. By consolidating the zoning and helping to avoid unnecessary sprawl of the settlement, this alternative would increase the likelihood of brownfield development and contribute towards efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Reducing unnecessary zoning would help to minimise sprawl and would avoid potential adverse environmental effects that would otherwise occur - this would benefit the protection of multiple environmental components.
Riverstown	New residential zoning: A. Less compact	By not consolidating land use zoning and including unnecessary land use zoning, this alternative would provide for a less compact form of development that would fail to maximise benefits from infrastructural investment. By facilitating the unnecessary sprawl of the settlement and failing to consolidate zoning, this alternative would decrease the likelihood of brownfield development and conflict with efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Providing for unnecessary zoning would be likely to result in higher levels of sprawl and associated avoidable potential adverse environmental effects.
	<b>New residential zoning: B. More compact</b>	By consolidating land use zoning and reducing unnecessary land use zoning this alternative would provide for a more compact form of development that would help to maximise benefits from infrastructural investment. By consolidating the zoning and helping to avoid unnecessary sprawl of the settlement, this alternative would increase the likelihood of brownfield development and contribute towards efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Reducing unnecessary zoning would help to minimise sprawl and would avoid potential adverse environmental effects that would otherwise occur - this would benefit the protection of multiple environmental components.

Town	Alternative (selected alternatives in bold)	Summary of Evaluation
Shannonbridge	Enterprise and employment zonings: A. Less compact, further from village centre	By not consolidating land use zoning and including unnecessary land use zoning, this alternative would provide for a less compact form of development that would fail to maximise benefits from infrastructural investment. By facilitating the unnecessary sprawl of the settlement and failing to consolidate zoning, this alternative would decrease the likelihood of brownfield development and conflict with efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Providing for unnecessary zoning would be likely to result in higher levels of sprawl and associated avoidable potential adverse environmental effects.
	<b>Enterprise and employment zonings: B. More compact, closer to village centre</b>	By consolidating land use zoning and reducing unnecessary land use zoning this alternative would provide for a more compact form of development that would help to maximise benefits from infrastructural investment. By consolidating the zoning and helping to avoid unnecessary sprawl of the settlement, this alternative would increase the likelihood of brownfield development and contribute towards efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Reducing unnecessary zoning would help to minimise sprawl and would avoid potential adverse environmental effects that would otherwise occur - this would benefit the protection of multiple environmental components.
Shinrone	New residential zoning: A. Less compact	By not consolidating land use zoning and including unnecessary land use zoning, this alternative would provide for a less compact form of development that would fail to maximise benefits from infrastructural investment. By facilitating the unnecessary sprawl of the settlement and failing to consolidate zoning, this alternative would decrease the likelihood of brownfield development and conflict with efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Providing for unnecessary zoning would be likely to result in higher levels of sprawl and associated avoidable potential adverse environmental effects.
	<b>New residential zoning: B. More compact</b>	By consolidating land use zoning and reducing unnecessary land use zoning this alternative would provide for a more compact form of development that would help to maximise benefits from infrastructural investment. By consolidating the zoning and helping to avoid unnecessary sprawl of the settlement, this alternative would increase the likelihood of brownfield development and contribute towards efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Reducing unnecessary zoning would help to minimise sprawl and would avoid potential adverse environmental effects that would otherwise occur - this would benefit the protection of multiple environmental components.
Walsh Island	New residential and enterprise and employment zonings: A. Less compact	By not consolidating land use zoning and including unnecessary land use zoning, this alternative would provide for a less compact form of development that would fail to maximise benefits from infrastructural investment. By facilitating the unnecessary sprawl of the settlement and failing to consolidate zoning, this alternative would decrease the likelihood of brownfield development and conflict with efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Providing for unnecessary zoning would be likely to result in higher levels of sprawl and associated avoidable potential adverse environmental effects.
	<b>New residential and enterprise and employment zonings: B. More compact</b>	By consolidating land use zoning and reducing unnecessary land use zoning this alternative would provide for a more compact form of development that would help to maximise benefits from infrastructural investment. By consolidating the zoning and helping to avoid unnecessary sprawl of the settlement, this alternative would increase the likelihood of brownfield development and contribute towards efforts to improve sustainable mobility (with associated effects on energy, air, noise and human health). Reducing unnecessary zoning would help to minimise sprawl and would avoid potential adverse environmental effects that would otherwise occur - this would benefit the protection of multiple environmental components.

### 3.2 Reasons for choosing the alternatives for the Plan in the light of the other reasonable alternatives

Selected alternatives for the Plan from each of the three tiers of alternatives that emerged from the planning/SEA process are indicated on Table 3.2 below.

These alternatives have been selected and developed by the Planning Team, placed on public display and adopted by the Council having regard to both:

1. The environmental effects, including those relating to ecology and European sites, which were identified by the SEA and are summarised above; and
2. Planning - including social and economic - effects that also were considered by the Council.



**Table 3.2 Selected Alternatives for the Plan**

Tier	Alternatives Considered	Selected Alternative
Tier 1: Alternatives for Positioning under the Settlement Hierarchy	Not available	n/a
Tier 2: Alternatives for Population Allocations	A. Provide additional extent of growth to Tullamore or Birr or B. Provide additional extent of growth to Edenderry or Portarlington	A. Provide additional extent of growth to Tullamore or Birr
Tier 3: Alternatives for Rural Areas	<p>(i) Alternatives for Alternatives for Areas under Strong Urban Influence</p> <p>A. Include a Policy for "Housing in Rural Areas under Strong Urban Influence and Stronger Rural Areas, &amp; Areas of Special Control"</p> <p>or</p> <p>B. Do not include a Policy for "Housing in Rural Areas under Strong Urban Influence and Stronger Rural Areas, &amp; Areas of Special Control"</p> <p>(ii) Alternatives for consideration of Sráids in Rural Areas</p> <p>A. Provide focus to Sráids as part of Rural Tier of Settlement Hierarchy, supporting housing as a viable alternative to one-off housing in the open countryside</p> <p>or</p> <p>B. Sráids are included within the wider open countryside but there are no targeted provisions for these locations</p>	<p>A. Include a Policy for "Housing in Rural Areas under Strong Urban Influence and Stronger Rural Areas, &amp; Areas of Special Control"</p> <p>A. Provide focus to Sráids as part of Rural Tier of Settlement Hierarchy, supporting housing as a viable alternative to one-off housing in the open countryside</p>
Tier 4: Alternatives for Densities	Not available	n/a
Tier 5: Land Use Zoning	<p><b>Tullamore</b> (Set 1 of 2) New residential zoning: A. Less compact or B. More compact</p> <p><b>Tullamore</b> (Set 2 of 2) Green buffer along the bypass and canal and train lines: A. Provide or B. Do not provide</p> <p><b>Birr, including Crinkill</b> (Set 1 of 1) New residential zoning: A. Less compact or B. More compact</p> <p><b>Birr, including Crinkill</b> (Set 2 of 2) Green belt between Crinkill Village and Birr Town: A. Provide or B. Do not provide</p> <p><b>Banagher</b> (Set 1 of 1) New residential zoning: A. Less compact or B. More compact</p> <p><b>Clara</b> (Set 1 of 1) New residential zoning: A. Less compact or B. More compact</p> <p><b>Daingean</b> (Set 1 of 1) Industrial zoning: A. Less compact – include land to the south of the town or B. More compact - omit land to the south of the town</p> <p><b>Ferbane</b> (Set 1 of 1) New residential zoning: A. Less compact or B. More compact</p>	<p>B. More compact</p> <p>A. Provide</p> <p>B. More compact</p> <p>A. Provide</p> <p>B. More compact</p> <p>B. More compact</p> <p>B. More compact - omit land to the south of the town</p> <p>B. More compact</p>

Tier	Alternatives Considered	Selected Alternative
	<p><b>Kilcormac</b> (Set 1 of 1) Open Space, Amenity and Recreation zonings: A. Provide or B. Do not provide</p>	A. Provide
	<p><b>Ballinagar</b> (Set 1 of 1) New residential and enterprise and employment zonings: A. Less compact or B. More compact</p>	B. More compact
	<p><b>Ballycumber</b> (Set 1 of 2) Open Space, Amenity and Recreation zoning along river and park/playground: A. Provide or B. Do not provide</p>	A. Provide
	<p><b>Ballycumber</b> (Set 2 of 2) Opportunity vacant site in the south east of the town: A. Provide or B. Do not provide</p>	A. Provide
	<p><b>Belmont</b> (Set 1 of 1) New residential and enterprise and employment zonings: A. Less compact or B. More compact</p>	B. More compact
	<p><b>Cloghan</b> (Set 1 of 1) New residential zoning: A. Less compact or B. More compact</p>	B. More compact
	<p><b>Clonbullogue</b> (Set 1 of 1) New residential and enterprise and employment zonings: A. Less compact or B. More compact</p>	B. More compact
	<p><b>Coolderry</b> (Set 1 of 1) Employment zoning: A. Less compact or B. More compact</p>	B. More compact
	<p><b>Geashill</b> (Set 1 of 1) New residential zoning to be provided: A. Behind existing residential development on the west side of the village or B. To the north of the R420 Regional Road</p>	B. To the north of the R420 Regional Road
	<p><b>Killeigh</b> (Set 1 of 1) New residential zoning: A. Less compact or B. More compact</p>	B. More compact
	<p><b>Kinnitty</b> (Set 1 of 2) New residential and enterprise and employment zonings: A. Less compact or B. More compact</p>	B. More compact
	<p><b>Kinnitty</b> (Set 2 of 2) Open Space, Amenity and Recreation zoning at the Rectory: A. Provide or B. Do not provide</p>	A. Provide
	<p><b>Moneygall</b> (Set 1 of 1) Enterprise and employment zonings: A. Less compact or B. More compact</p>	B. More compact

Tier	Alternatives Considered	Selected Alternative
	<p><b>Mucklagh</b> (Set 1 of 1) New residential and enterprise and employment zonings: A. Less compact or B. More compact</p>	B. More compact
	<p><b>Pollagh/ Lemanaghan</b> (Set 1 of 2) New residential and enterprise and employment zonings: A. Less compact or B. More compact</p>	B. More compact
	<p><b>Pollagh/ Lemanaghan</b> (Set 2 of 2) Additional Open Space, Amenity and Recreation zoning in Lemanaghan: A. Provide or B. Do not provide</p>	A. Provide
	<p><b>Rhode</b> (Set 1 of 1) New residential and enterprise and employment zonings: A. Less compact or B. More compact</p>	B. More compact
	<p><b>Riverstown</b> (Set 1 of 1) New residential zoning: A. Less compact or B. More compact</p>	B. More compact
	<p><b>Shannonbridge</b> (Set 1 of 1) Enterprise and employment zonings: A. Less compact, further from village centre or B. More compact, closer to village centre</p>	B. More compact, closer to village centre
	<p><b>Shinrone</b> (Set 1 of 1) New residential zoning: A. Less compact or B. More compact</p>	B. More compact
	<p><b>Walsh Island</b> (Set 1 of 1) New residential and enterprise and employment zonings: A. Less compact or B. More compact</p>	B. More compact

## Section 4 AA Determination



**Comhairle Chontae Uíbh Fhailí**  
Offaly County Council

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An Tulach Mhór, Contae Uíbh Fhailí, R35 F893

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### Appropriate Assessment Determination

under Section 177V of the Planning and Development Act 2000, as amended,  
for the

offaly.ie

### Offaly County Development Plan 2021-2027

In order to comply with the requirements of Section 177V of the Planning and Development Act 2000, as amended, and pursuant to Article 6(3) of the Habitats Directive as to whether or not a plan or project would adversely affect the integrity of any European site(s), this Appropriate Assessment determination is being made by Offaly County Council relating to the potential for the Offaly County Development Plan 2021-2027 that is being adopted to have effects on the integrity of European sites.

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


- The consolidated Natura Impact Report (September 2021);
- The Natura Impact Report for the Proposed Material Alterations (June 2021);
- The Natura Impact Report prepared for the Draft Plan (July 2020);
- Written submissions made during the Plan preparation process; and
- Ongoing advice on AA from the Council's agents.

As part of the AA, it was identified that the Plan may, if unmitigated, have significant effects on 38 (no.) European sites. Factors that could potentially affect the integrity of European sites include:

- Provisions for sectors such as transport, urbanisation, streetscape works, education, tourism and recreation development that introduce sources for effects through construction phase such as habitat destruction, light pollution, hydrological interactions and disturbance effects; and
- Loading pressures from the operational phase of developments – these sources could result in habitat loss, disturbance effects, interactions with water quality and/habitat fragmentation.

The undersigned, having carefully considered the information referred to above agrees with and adopts the reasoning and conclusions presented and determines that:

- Implementation of the Plan would have had the potential to result in effects to the integrity of European sites, if unmitigated.
- The risks to the safeguarding and integrity of the qualifying interests, special conservation interests and conservation objectives of the European sites have been addressed by the inclusion of mitigation measures that will prioritise the avoidance of effects in the first place and reliably mitigate effects where these cannot be avoided. In addition, any lower-level plans and projects arising through the implementation of the Plan will themselves be subject to AA when further details of design and location are known.
- In-combination effects from interactions with other plans and projects have been considered in this assessment and the mitigation measures have been incorporated into the Plan – these measures are robust and will ensure there will be no effects on the integrity of European sites as a result of the implementation of the Plan either alone or in-combination with other plans/projects.
- Having incorporated mitigation measures, the Plan is not foreseen to give rise to any effect on the integrity of European sites, alone or in combination with other plans or projects<sup>1</sup>. This evaluation is made in view of the conservation objectives of the habitats or species, for which these sites have been designated.

Signed:  C. E.

Name: ANNA MARIE DELANEY, C.E.

Date: 10<sup>th</sup> September, 2021.



<sup>1</sup> Except as provided for in Article 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.

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