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## Comhairle Chontae na Gaillimhe Galway County Council

### Appropriate Assessment Determination

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

### Tuam Local Area Plan 2023-2029

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 affect the integrity of any European site(s), this Appropriate Assessment determination is being made by Galway County Council relating to the potential for the Tuam Local Area Plan 2023-2029 that is being adopted<sup>1</sup> 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<sup>2</sup>:

- The Natura Impact Report prepared for the Draft Plan;
- The Screening for AA Report prepared for the Proposed Material Alterations;
- Written submissions made during the Plan preparation process; and
- Ongoing advice on AA from the Council's agents, including on further modifications.

As part of the AA, it was identified that the Plan may, if unmitigated, have significant effects on 3 (no.) European sites. Factors that could potentially affect the integrity of European sites include:

- Provisions for sectors such as residential, town centre, community, business and enterprise, business and technology, open space, tourism, agriculture, public utilities, transport and other infrastructure that introduce sources for effects through construction phase hydrological interactions; and
- Loading pressures from the operational phase of developments - these sources could result in disturbance effects and interactions with water quality.

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 into the Plan that will, in addition to the measures already

<sup>1</sup> Incorporating: the Draft Plan; all and any alterations; and all and any further modifications considered by the AA process.

<sup>2</sup> A consolidated Natura Impact Report has also been made available, integrating relevant elements of these matters into one document.

- in force through the Galway County Development Plan 2022-2028, 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<sup>3</sup> and taking into account the measures already in force through the Galway County Development Plan 2022-2028<sup>4</sup>, the Plan is not foreseen to give rise to any effect on the integrity of any European site, alone or in combination with other plans or projects<sup>5</sup>. This evaluation is made in view of the conservation objectives of the habitats or species, for which these sites have been designated.

Signed: Valerie Loughrane SP

Name: VAERIE LOUGHANE-MOLAN

Date: 11/09/2023

Signatory: Breda Dune AISEP

Date: 11/09/2023.

<sup>3</sup> As detailed under the following reference numbers in the consolidated Natura Impact Report: TKT 1, TKT 57, TKT 40, TKT 3, TKT 56, TKT 47, TKT 2, TKT 18, TKT 19, TKT 45, TKT 15, TKT 14, TKT 17, TKT 21, TKT 31, TKT 46, TKT 16, TKT 43, TKT 44, TKT 41, TKT 48, TKT 64, TKT 39, TKT 49, TKT 50, TKT 52, TKT 39 and TKT 53.

<sup>4</sup> As detailed under the following reference numbers in the consolidated Natura Impact Report: MM1, PRP 2, WM 5, WM 6, WM 7, WM 8, WM 9, MAS 1, MAS 2, MAS 3, TI 4, MCH 2, MCC 1, MCC 2, MCC 3, MCC 4, GICT 3, AD1, AD3, AT 2, LP 1, LP 2, LP 3, F2, F3, F4, FS, MEQ2, NHB 1, NHB 2, NHB 3, NHB 4, NHB 5, NHB 6, NHB 7, NHB 8, NHB 9, NHB 10, NHB 11, WTWF 1, P1, P2, P3, IS 1, IS 2, PO1, TWHS 1, TWHS 2, TWHS 3, BMSP 8, CT 2, CT 3, CT 5, HT 3, GICT 3, RE4, SQ 1, SQ 2, SQ 3, ESK1, ESK2, RH 11, AD4, WS 1, WS 2, WS 3, WS 4, WS 5, WS 6, WS 7, WS 8, CWS 1, CWS 2, CWS 3, WW 1, WW 2, WW 3, WW 4, WW 5, WW 6, WW 7, WW 8, WW 9, WW10, WW11, WR 1, WR 2, WTWF 1, IW 1, FL 1, AQ 1, AQ 2, AQ 3, AQ 4, AQ 5, NP 1, NP 2, NP 3, NP 4, NP 5, CC1, CC2, CC3, CC4, CC5, CC6, CC7, CC8, CC9, CC10, RH 11, AD4, WM 1, WM 2, WM 3 and WM 4.

<sup>5</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.