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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

### Athenry Local Area Plan 2024-2030

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 Athenry Local Area Plan 2024-2030 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.

As part of the AA, it was identified that the Plan may, if unmitigated, have significant effects on 6 (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 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.

<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-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: Brendan Dunne

Name: BRENDAN DUNNE

Date: 09.01.2024

Signatory: Valerie O'Connell

Date: 09.01.2024

<sup>3</sup> As detailed under the following reference numbers in the consolidated Natura Impact Report: ASP 1, Section 1.0, ASP 82, ASP 3, ASP 23, ASP 34, ASP 58, ASP 61, ASP 62, ASP 63, ASP 34, ASP 63, ASP 69, ASP 73, ASP 2, ASP 28, ASP 29, ASP 30, ASP 60, ASP 68, ASP 25, ASP 22, ASP 32, ASP 26, ASP 35, ASP 49, ASP 50, ASP 51, ASP 52, ASP 55, ASP 64, ASP 65, ASP 66, ASP 67, ASP 70, ASP 71, ASP 72, ASP 74, ASP 75, ASP 76, Section 2.11, ASP 59, ASP 81 and ASP 77.

<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, F5, 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.