

Appropriate Assessment Determination

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

for the

Clare County Development Plan 2023-2029

In order to comply with the requirements of Section 177V(1) 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 a written record of the AA determination made by Clare County Council, as the Competent Authority, relating to the potential for the Clare County Development Plan (CDP) 2023-2029 to adversely affect the integrity of any European site, either alone or in-combination with other plans or projects.

In carrying out the Appropriate Assessment (AA) for the CDP, the Council, considered the matters specified under Part XAB of the Planning and Development Act 2000 (as amended), including the following:

- The Natura Impact Report (NIR) prepared for the CDP including the Addendum to Environmental Assessment for the Proposed Material Alterations;
- Written submissions made during the Plan preparation process; and
- Ongoing ecological advice from the Council's agents.

Determination

Having regard to the content of the Clare County Development Plan 2023-2029 and consideration of the potential for significant impacts arising from the implementation of the Plan that may have the potential to adversely affect any European site; with regard to its Qualifying Interests and Conservation Objectives, it was determined that in assuming the successful implementation of the Objectives in the Written Statement, compliance with the Municipal District Settlement Plans and application of the mitigation measures identified in the NIR, there will be no adverse effects on the integrity of any European Site(s) either alone or in combination with other plans or projects.

The NIR describes the nature of the Plan, the European sites within its zone of influence and the relationship between the two such that any impact pathways were identified. It also identified any potential for direct, indirect, or cumulative impacts of the Plan on the relevant European Sites.

Following a detailed assessment as part of the preparation of the NIR, consultation was undertaken with the statutory environmental consultees, measures for impact reduction were incorporated into the Plan, including mitigation measures proposed in the NIR for avoidance and reduction of impacts on the Qualifying Interest features and Conservation Objectives of the designated European sites.

With the application of the environmental safeguards specified in the Clare County Development Plan (in the form of CDP policies and objectives), the mitigation measures specified in the NIR which included the provision of significant ecological buffers as part of the settlement zoning together with avoidance of lands for zoning to ensure there would be no adverse effects together with mitigation stipulated within Plans and Programmes which the Clare County Development Plan supports, it was ascertained that the Clare County Development Plan would not adversely affect the integrity of any European site (whether individually or in combination with other plans or projects).

In conclusion, in accordance with Section 177V of the Planning and Development Act, 2000 (as amended), taking into account all matters relevant and subject to the full and proper implementation of the mitigation measures outlined in the NIR it was determined that the Clare County Development Plan 2023-2029 adopted as part of the resolution dated 9th of March 2023, shall not adversely affect the integrity of any European site(s).

The Natura Impact Report recorded the decisions that were taken during the preparation of the County Development Plan.

The finalised Resolution and all Volumes of the County Development Plan can be viewed at the offices of Clare County Council, New Rd, Ennis, Co. Clare or on www.clarecoco.ie

Signed Sheila Downes

Sheila Downes
Environmental Assessment Officer

Signed Helen Quinn

Helen Quinn
Acting Senior Planner

Signed Pat Dowling

Pat Dowling
Chief Executive

19th April 2023