

Kildare County Council

Material Alterations to the Draft Kildare County Development Plan 2023-2029

Stage 1 AA Screening and Stage 2 AA Natura Impact Report

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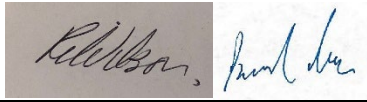
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Contents

| | | |
|-----|---|---|
| 1. | Introduction | 1 |
| 2. | Material Alterations | 1 |
| 3. | Stage 1 Appropriate Assessment Screening | 1 |
| 3.1 | Assessment Criteria and Screening | 1 |
| 3.2 | Screening of European Sites | 2 |
| 3.3 | Other plans and programmes | 4 |
| 3.4 | AA screening conclusion | 4 |
| 4. | Stage 2 Appropriate Assessment | 5 |
| 4.1 | Introduction | 5 |
| 4.2 | Characterisation of European Sites Potentially Affected | 6 |
| 4.3 | Appropriate Assessment | 6 |
| 5. | Mitigation Measures | 8 |
| 6. | Conclusion | 9 |

Tables

| | |
|-----------|------------------------------|
| Table 3.1 | Error! Bookmark not defined. |
|-----------|------------------------------|

Appendices

| | |
|------------|-----|
| Appendix A | A-1 |
|------------|-----|

1. Introduction

This report will detail the Stage 1 Appropriate Assessment (AA) Screening and Stage 2 AA Natura Impact Assessment of the Proposed Material Alterations to the Draft Kildare County Development Plan 2023-2029.

The various sections within the Draft Kildare County Development Plan (CDP) Stage 2 Appropriate Assessment Natura Impact Report¹ Appendix C AA Screening Report, should be referred to for background information on the requirements for AA, the AA process, the existing environment of Kildare, distances and links to Natura 2000 sites and the potential for significant effects arising from the Plan. The AA Screening for the Draft Kildare CDP concluded that significant effects are likely, or that sufficient uncertainty remains, to trigger the need for a Stage 2 Appropriate Assessment which is reported in the Natura Impact Report (NIR)¹.

The purpose of the assessment is to inform Kildare County Council (KCC), the competent authority, of the potential for any adverse impacts on the integrity of European Sites arising from the Proposed Material Alterations.

The Stage 1 AA screening was completed and a list of Proposed Material Alterations that were considered to have potential for Likely Significant Effects generated. These were then taken forward to Stage 2 AA where the main objective is to determine whether the Proposed Material Alterations would result in Likely Significant Effects on the integrity of any European site.

2. Material Alterations

The Material Alterations are outlined within the report ‘Draft Kildare County Development Plan 2023 – 2029: Proposed Material Alterations²’. This should also be read in conjunction with this report.

A review of the Proposed Material Alterations to the Draft Kildare CDP was undertaken. The Proposed Material Alterations include minor changes to text throughout, amendments to objectives, removal of objectives, the insertion of new objectives, and amendments to maps and zoning. All Proposed Material Alterations are listed within the main Material Alterations report and are not repeated within this addendum. This addendum focuses on the Proposed Material Alterations that have the potential to impact on the environment or ecological process and therefore have the potential to result in a likely significant effect on a European site.

3. Stage 1 Appropriate Assessment Screening

3.1 Assessment Criteria and Screening

3.1.1 Is the Plan Necessary to the Management of European Sites?

In line with the Habitats Directive, any plans or projects that are directly connected with or necessary to the management of a European site do not require AA. The Draft Kildare CDP: Proposed Material Alterations², include amendments to the Draft Kildare CDP and therefore is not primarily directly connected with or necessary to the management of a European site.

¹ Arup (2022) Draft Kildare County Development Plan: Stage 2 Appropriate Assessment Natura Impact Report

² Kildare County Council (2022) Draft Kildare County Development Plan 2023 – 2029: Proposed Material Alterations

3.1.2 Elements of the Draft Kildare CDP Proposed Material Alterations with Potential to Give Rise to Effects

The Draft Kildare CDP: Proposed Material Alterations² provides Proposed Material Alterations to the Draft Kildare CDP, which gives a framework for the sustainable development of the Kildare area. The Proposed Material Alterations elements that could potentially the integrity of European sites include:

- Provisions (such as those relating to settlement; housing, placemaking, regeneration and urban living; rural living and development; economic, enterprise and retail; transport and movement; infrastructure and utilities; tourism and landscape; marine and coastal management; green infrastructure; community development and social infrastructure; Gaeltacht and islands; and climate change, energy and renewable resources) that introduce sources for effect through construction phase such as habitat destruction, light pollution, hydrological interactions and disturbance effects;
- Loading pressures from the operational phase of developments – these sources could result in habitat loss, disturbance effects, interactions with water quality and habitat fragmentation; and
- Increasing visitors to sensitive areas during the operational phase of, for example, recreational and tourism developments.

The existing Draft Kildare CDP has already been informed by a Stage 2 AA and a NIR has been prepared. Mitigation was integrated into the Draft Kildare CDP that allowed the NIR to conclude that that, subject to additional recommendations to be integrated into the plan in advance of adoption, the Draft Kildare CDP is not foreseen to give rise to any significant effects on designated European sites, alone or in combination with other plans or projects.

The Proposed Material Alterations will be assessed within this report in the same way.

3.2 Screening of European Sites

The table presented in Appendix A provides a review of the potential for effects on European Sites considering the Material Alterations in tandem with information on relevant European sites, their qualifying features, and pressures and threats as outlined within the Draft Kildare CDP NIR. The need to undertake Stage 2 AA when mitigation is proposed is also considered.

Detailed methodologies and information on the European sites that have been scoped into the assessment is provided in the Appropriate Assessment (AA) Screening Report for the Draft Kildare CPD 2023-2029.

An initial distance of 15km from the boundary of County Kildare was selected for consideration of European Sites, with extension of this area where there are hydrological linkages or other pathways that extent beyond 15km. The sites were then reviewed in terms of their qualifying interests and conservation objectives. Sites were screened out based on two main criteria:

- Where the European site is located at such a distance that impacts are considered highly unlikely and there are no clear impact pathways such as hydrological links; and
- Where known threats or vulnerabilities of a European site, as listed in their site documents, cannot be linked to any potential impacts that may occur through the implantation of the Plan.

This methodology applies to the screening of the Proposed Material Alterations, and the sites taken forward for further assessment are summarised in Table 3.1.

Table 3.1: Potential impacts on European sites scoped into further assessment in the Appropriate Assessment (AA) Screening Report for the Draft Kildare County Development Plan 2023-2029

| Site Code | Site Name | Distance from County Border (km) | Potential Impacts |
|-----------|---------------------|----------------------------------|--|
| 391 | Ballynafagh Bog SAC | Within county | The construction, operation and/or decommissioning of potential developments identified within the Plan have the potential to impact upon the SAC. As the objectives of the Plan are either high level or cannot be location specific, a likely significant impact cannot be ruled out at this time. |

| Site Code | Site Name | Distance from County Border (km) | Potential Impacts |
|-----------|--------------------------------------|----------------------------------|--|
| 396 | Pollardstown Fen SAC | Within county | The construction, operation and/or decommissioning of potential developments identified within the Plan have the potential to impact upon the SAC. As the objectives of the Plan are either high level or cannot be location specific, a likely significant impact cannot be ruled out at this time. |
| 397 | Red Bog, Kildare SAC | Within county | The construction, operation and/or decommissioning of potential developments identified within the Plan have the potential to impact upon the SAC. As the objectives of the Plan are either high level or cannot be location specific, a likely significant impact cannot be ruled out at this time. |
| 1387 | Ballynafagh Lake SAC | Within county | The construction, operation and/or decommissioning of potential developments identified within the Plan have the potential to impact upon the SAC. As the objectives of the Plan are either high level or cannot be location specific, a likely significant impact cannot be ruled out at this time. |
| 1398 | Rye Water Valley/Cartron SAC | Within county | The construction, operation and/or decommissioning of potential developments identified within the Plan have the potential to impact upon the SAC. As the objectives of the Plan are either high level or cannot be location specific, a likely significant impact cannot be ruled out at this time. |
| 2162 | River Barrow and River Nore SAC | Within county | The construction, operation and/or decommissioning of potential developments identified within the Plan have the potential to impact upon the SAC. As the objectives of the Plan are either high level or cannot be location specific, a likely significant impact cannot be ruled out at this time. |
| 2331 | Mouds Bog SAC | Within county | The construction, operation and/or decommissioning of potential developments identified within the Plan have the potential to impact upon the SAC. As the objectives of the Plan are either high level or cannot be location specific, a likely significant impact cannot be ruled out at this time. |
| 4063 | Poulaphouca Reservoir SPA | Within county | The construction, operation and/or decommissioning of potential developments identified within the Plan have the potential to impact upon the SPA. As the objectives of the Plan are either high level or cannot be location specific, a likely significant impact cannot be ruled out at this time. |
| 925 | The Long Derries, Edenderry SAC | 0.60km | Based on the distance from the Plan area, distance from a larger settlement, the qualifying interests of the SAC and the lack of impact pathways (hydrological links), there are no likely significant effects predicted. |
| 2299 | River Boyne and River Blackwater SAC | 0.39km | Based on the proximity of the SAC to the Plan area and the presence of an impact pathway (hydrological link), there is the potential for likely significant effects if unmitigated. |
| 4232 | River Boyne and River Blackwater SPA | 0.37km | Based on the proximity of the SPA to the Plan area and the presence of an impact pathway (hydrological link), there is the potential for likely significant effects if unmitigated. |
| 4080 | Boyne Estuary SPA | >15km | Based on the qualifying interests of the SPA, their mobile nature and likelihood of utilising habitats outside of the SPA, as well as the potential presence of impact pathways (hydrological link) there is the potential for likely significant effects if unmitigated. |
| 1975 | Boyne Coast and Estuary SAC | >15km | Based on the qualifying interests of the SAC, their mobile nature and likelihood of utilising habitats outside of the SAC, as well as the potential presence of impact pathways (hydrological link) there is the potential for likely significant effects if unmitigated. |
| 206 | North Dublin Bay SAC | >15km | Based on the qualifying interests of the SAC, their mobile nature and likelihood of utilising habitats outside of the SAC, as well as the potential presence of impact pathways (hydrological link) there is the potential for likely significant effects if unmitigated. |

| Site Code | Site Name | Distance from County Border (km) | Potential Impacts |
|-----------|--|----------------------------------|---|
| 210 | South Dublin Bay SAC | >15km | Based on the qualifying interests of the SAC, their mobile nature and likelihood of utilising habitats outside of the SAC, as well as the potential presence of impact pathways (hydrological link) there is the potential for likely significant effects if unmitigated. |
| 4006 | North Bull Island SPA | >15km | Based on the qualifying interests of the SPA, their mobile nature and likelihood of utilising habitats outside of the SPA, as well as the potential presence of impact pathways (hydrological link) there is the potential for likely significant effects if unmitigated. |
| 4024 | South Dublin Bay and River Tolka Estuary SPA | >15km | Based on the qualifying interests of the SPA, their mobile nature and likelihood of utilising habitats outside of the SPA, as well as the potential presence of impact pathways (hydrological link) there is the potential for likely significant effects if unmitigated. |

All Proposed Material Alterations are listed within the CDP Material Alterations report² and are not repeated within this report. Proposed Material Alterations that were minor amendments of text that did not change the meaning of the objectives reviewed in the Draft Kildare CDP with no potential for likely significant effects have not been included in this report.

3.3 Other plans and programmes

Article 6(3) of the Habitats Directive requires an assessment of a plan or project to consider other plans or programmes that might, in combination with the plan or project, have the potential to adversely affect European Sites. The Appropriate Assessment (AA) Screening Report for the Draft Kildare County Development Plan 2023-2029 details the process of identifying these and outlines a selection of plans or projects that may interact with the Draft Kildare CDP, to which the Proposed Material Alterations relate, to cause in-combination effects to European Sites. These plans/programmes/strategies were considered throughout the assessment.

3.4 AA screening conclusion

The existing Draft Kildare CDP has already been informed by a Stage 2 AA with a Natura Impact Report published alongside the Plan. As part of that AA, it was identified that the CDP had the potential, if unmitigated, to have significant effects on 17 European Sites. Plan elements that could potentially affect the integrity of European Sites included:

- Provisions (such as those relating to settlement; housing, placemaking, regeneration and urban living; rural living and development; economic, enterprise and retail; transport and movement; infrastructure and utilities; tourism and landscape; marine and coastal management; green infrastructure; community development and social infrastructure; Gaeltacht and islands; and climate change, energy and renewable resources) that introduce sources for effect through construction phase such as habitat destruction, light pollution, hydrological interactions and disturbance effects;
- Loading pressures from the operational phase of developments – these sources could result in habitat loss, disturbance effects, interactions with water quality and habitat fragmentation; and
- Increasing visitors to sensitive areas during the operational phase of, for example, recreational and tourism developments.

Mitigation was integrated into the Draft Kildare CDP that allowed the NIR to conclude that, the Draft Kildare CDP would not give rise to any adverse impacts on the integrity of any European sites, either alone or in combination with other plans or projects.

Taking into account the measures that have been already integrated into the Draft Kildare CDP, the Stage 1 AA Screening process identified that of the Proposed Material Alterations included in the screening

assessment³, 45 require further assessment and 80 were considered to have no likely significant effect on the integrity of any European site.

Furthermore, the AA screening process takes into account the need to undertake Stage 2 AA when mitigation is being proposed. As 54 Proposed Material Alterations could be considered to be mitigation to avoid a likely significant effect on a European site, further to the mitigation already integrated into the Draft Kildare CDP, the AA process identified that it would be prudent to undertake State 2 AA.

It is therefore advised that pursuant to Section 12 (7) of the Planning and Development Act 2000, as amended, and for the purposes of Article 6(3) of the Habitats Directive that Stage 2 AA is required of 45 Proposed Material Alterations.

4. Stage 2 Appropriate Assessment

4.1 Introduction

Taking into account the measures that have been already integrated into the Draft Kildare CDP, the AA screening process identified that there was potential for likely significant effects to arise only from those Proposed Material Alterations that are outlined in Table 4.1.

Table 4.1: Proposed Material Alteration numbers scoped into Stage 2 AA (Volume 1 unless stated)

| Material Alteration No. | Material Alteration No. | Material Alteration No. |
|-------------------------|-------------------------|-------------------------|
| 2.16 | 5.23 | 13.26 |
| 2.17 | 5.34 | 13.28 |
| 2.2 | 5.43 | 13.35 |
| 3.2 | 6.5 | 13.36 |
| 3.25 | 7.51 | 13.38 |
| 4.60 | 7.57 | 13.39 |
| 4.9 | 9.15 | 13.52 |
| 4.10 | 9.34 | Volume 2 2.16 |
| 4.12 | 10.15 | Volume 2 2.17 |
| 4.13 | 12.15 | |
| 4.31 | 12.44 | |
| 4.52 | 12.45 | |
| 4.64 | 12.55 | |
| 4.69 | 12.64 | |
| 5.15 | 13.11 | |
| 5.19 | 13.12 | |
| 5.2 | 13.14 | |
| 5.21 | 13.24 | |

Furthermore, the AA screening process identified the need to undertake Stage 2 AA when measures that could be considered as designed to avoid likely significant effects, or mitigation measures, are proposed. As certain Proposed Material Alterations, presented in Table 4.2 could be considered to be mitigation measures in place to avoid likely significant effects on European sites arising from the Draft Kildare CDP, in addition to the mitigation already integrated into the Draft Kildare CDP, the AA process identified that it would be prudent to undertake State 2 AA of these Proposed Material Alterations.

³ Proposed Material Alterations that were minor amendments of text that did not change the meaning of the objectives reviewed in the Draft Kildare CDP with no potential for likely significant effects have not been reported on in this report.

Table 4.2: Proposed Material Alteration numbers considered to be potential mitigation (Volume 1)

| Material Alteration No. | Material Alteration No. | Material Alteration No. |
|-------------------------|-------------------------|-------------------------|
| 1.5 | 10.33 | 12.73 |
| 3.16 | 10.34 | 13.3 |
| 4.43 | 10.36 | 13.4 |
| 4.47 | 10.38 | 13.5 |
| 4.61 | 10.39 | 13.7 |
| 7.41 | 10.42 | 13.13 |
| 9.14 | 11.28 | 13.15 |
| 9.2 | 12.1 | 13.2 |
| 9.23 | 12.18 | 13.21 |
| 9.26 | 12.21 | 13.23 |
| 9.27 | 12.22 | 13.31 |
| 10.7 | 12.26 | 13.33 |
| 10.19 | 12.28 | 13.34 |
| 10.2 | 12.41 | 13.37 |
| 10.22 | 12.54 | 13.42 |
| 10.25 | 12.62 | 15.49 |
| 10.27 | 12.63 | |
| 10.28 | 12.65 | |
| 10.31 | 12.66 | |

4.2 Characterisation of European Sites Potentially Affected

The various sections within the Stage 2 AA NIR for the Draft Kildare County Development Plan (CDP) 2023-2029 should be referred to for characterisation of each of the European sites brought forward, distances and connections. A summary is presented in Table 3.1 of this report.

4.3 Appropriate Assessment

Relevant sections within the Stage 2 AA NIR for the Draft Kildare County Development Plan (CDP) 2023-2029 should be referred to for details on the methodology used, impact prediction, and identification of potential significant effects. Impacts that could potentially occur through the implementation of the Material Alterations of Draft Kildare CDP (similarly to the Draft Plan itself) can be categorised under the following broad headings which are explained in further detail in the Stage 2 AA NIR for the Draft Kildare County Development Plan (CDP) 2023-2029:

- Loss/reduction of habitat area (e.g. due to the development of new projects);
- Disturbance to Key Species (e.g. increased public access to protected sites, or during the construction phase of infrastructure projects);
- Habitat or species fragmentation;
- Reduction in species density; and
- Changes in key indicators of conservation value such as decrease in water quality/quantity (e.g. through inadequate wastewater treatment, run-off of pollutants during construction and operation of developments, agricultural runoff).

Table 4.3 presents the potential impacts, as characterised above, that the Proposed Material Alteration may cause on a European site or qualifying feature.

Table 4.3: Appropriate Assessment of Proposed Material Alterations (Volume 1 unless stated)

| Proposed MA No. | Loss/reduction of habitat area | Disturbance to Key Species | Habitat or species fragmentation | Reduction in species density | Changes in key indicators of conservation value |
|-----------------|--------------------------------|----------------------------|----------------------------------|------------------------------|---|
| 2.9 | X | X | X | X | X |
| 2.16 | X | X | X | X | X |
| 2.17 | X | X | X | X | X |
| 2.20 | X | X | X | X | X |
| 3.20 | X | X | X | X | X |
| 3.25 | | X | | X | X |
| 4.9 | | X | X | X | |
| 4.12 | | X | X | X | |
| 4.13 | | X | X | X | |
| 4.31 | X | X | X | X | X |
| 4.52 | | X | X | X | |
| 4.64 | X | X | X | X | X |
| 4.69 | | X | X | X | |
| 5.15 | | X | X | X | X |
| 5.19 | | X | X | X | X |
| 5.20 | | X | X | X | X |
| 5.21 | | X | X | X | X |
| 5.23 | | X | X | X | |
| 5.27 | | X | X | X | |
| 5.30 | | X | X | X | |
| 5.34 | | X | X | X | |
| 5.43 | | X | X | X | |
| 5.83 | X | X | X | X | X |
| 6.2 | | X | X | X | X |
| 6.5 | | X | X | X | X |
| 7.51 | X | X | X | X | X |
| 7.57 | X | X | X | X | X |
| 9.15 | | X | X | X | X |
| 9.34 | X | X | X | X | X |

| Proposed MA No. | Loss/reduction of habitat area | Disturbance to Key Species | Habitat or species fragmentation | Reduction in species density | Changes in key indicators of conservation value |
|-----------------|--------------------------------|----------------------------|----------------------------------|------------------------------|---|
| 10.15 | X | X | X | X | X |
| 10.44 | X | X | X | X | X |
| 12.15 | X | X | X | X | X |
| 12.44 | X | X | X | X | X |
| 12.45 | X | X | X | X | X |
| 12.55 | X | X | X | X | X |
| 12.64 | X | X | X | X | X |
| 13.11 | X | X | X | X | X |
| 13.12 | X | X | X | X | X |
| 13.14 | | X | X | X | X |
| 13.24 | X | X | X | X | X |
| 13.28 | | X | X | X | X |
| 13.35 | X | X | X | X | X |
| 13.36 | | X | X | X | |
| 13.38 | | X | X | X | |
| 13.44 | | X | X | X | |
| 13.52 | | X | X | X | |
| Volume 2 2.16 | X | X | X | X | X |
| Volume 2 2.17 | X | X | X | X | X |

The above impacts have the potential to affect the integrity of European Sites, including through habitat loss, species and habitat fragmentation, disturbance and pollution. Measures have been integrated into the Draft Kildare CDP that will ensure the protection of European Sites from potential impacts. Additional mitigation measures have been prescribed in the Proposed Material Alterations with details presented in Section 5.

5. Mitigation Measures

Stage 2 Appropriate Assessment Natura Impact Report for the Draft Kildare County Development Plan (CDP) 2023-2029 outlines measures that have been incorporated into the Draft Kildare CDP in order to mitigate against potential effects to European Sites, details are presented in Table 4 of the Stage 2 Appropriate Assessment Natura Impact Report for the Draft Kildare County Development Plan (CDP) 2023-2029. The Draft Kildare CDP was prepared in an iterative manner whereby the CDP document and AA documents have informed subsequent versions of the other. These mitigation measures ensure that there will

be no significant effects to the ecological integrity of any European Site from implementation of the Draft Kildare CDP.

In addition to these, the Proposed Material Alterations contain some new objectives that could be considered to be mitigation to avoid a likely significant effect on a European site. These Proposed Material Alterations, listed in Table 4.2 can be categorised into the following intentions:

- To protect and enhance the natural environment;
- Specific protections for species and habitats;
- To ensure that developments and plans do not cause likely significant effects on the receiving environment;
- Stipulate the need to carry out a Stage 1 AA for specific objectives; and
- Stipulate additional assessments for certain development types.

6. Conclusion

Taking into account the mitigation measures that have been already integrated into the Draft Kildare CDP, and the additional Proposed Material Alterations that are considered to be mitigation, it is concluded that the Proposed Material Alterations to the Draft Kildare County Development Plan 2023-2029 are not foreseen to give rise to any likely significant effects on the integrity of any European Site, alone or in combination with other plans or projects.

Appendix A

AA screening analysis of Proposed Material Alterations

| Proposed MA No. | AA screening |
|-----------------|--|
| Volume 1 | |
| 1.5 | This Proposed Material Alteration could be considered mitigation to avoid a likely significant effect on a European site. Stage 2 AA required. |
| 2.9 | This Proposed Material Alteration does not have potential for a likely significant effect on a European site. Stage 2 AA is not required. |
| 2.16 | This Proposed Material Alteration could have potential for a likely significant effect on a European site. Stage 2 AA is required. |
| 2.17 | This Proposed Material Alteration could have potential for a likely significant effect on a European site. Stage 2 AA is required. |
| 2.19 | This Proposed Material Alteration does not have potential for a likely significant effect on a European site. Stage 2 AA not required. |
| 2.20 | This Proposed Material Alteration could have potential for a likely significant effect on a European site. Stage 2 AA is required. |
| 3.8 | This Proposed Material Alteration does not have potential for a likely significant effect on a European site. Stage 2 AA not required. |
| 3.11 | This Proposed Material Alteration does not have potential for a likely significant effect on a European site. Stage 2 AA not required. |
| 3.12 | This Proposed Material Alteration does not have potential for a likely significant effect on a European site. Stage 2 AA not required. |
| 3.13 | There are no SACs in proximity to County Kildare which have been designated for bats i.e. designated for lesser horseshoe bat, the only Annex II bat species in Ireland. Therefore this Proposed Material Alteration does not have potential for a likely significant effect on a European site and Stage 2 AA is not required. |
| 3.16 | This Proposed Material Alteration could be considered mitigation to avoid a likely significant effect on a European site. Stage 2 AA required. |
| 3.18 | This Proposed Material Alteration does not have potential for a likely significant effect on a European site. Stage 2 AA not required. |
| 3.20 | This Proposed Material Alteration could have potential for a likely significant effect on a European site. Stage 2 AA is required. |
| 3.21 | This Proposed Material Alteration does not have potential for a likely significant effect on a European site. Stage 2 AA not required. |
| 3.24 | This Proposed Material Alteration does not have potential for a likely significant effect on a European site. Stage 2 AA not required. |
| 3.25 | This Proposed Material Alteration could have potential for a likely significant effect on a European site. Stage 2 AA is required. |
| 3.28 | This Proposed Material Alteration does not have potential for a likely significant effect on a European site. Stage 2 AA not required. |
| 4.3 | This Proposed Material Alteration does not have potential for a likely significant effect on a European site. Stage 2 AA not required. |
| 4.4 | This Proposed Material Alteration does not have potential for a likely significant effect on a European site. Stage 2 AA not required. |
| 4.5 | This Proposed Material Alteration does not have potential for a likely significant effect on a European site. Stage 2 AA not required. |
| 4.8 | This Proposed Material Alteration does not have potential for a likely significant effect on a European site. Stage 2 AA not required. |
| 4.9 | This Proposed Material Alteration could have potential for a likely significant effect on a European site. Stage 2 AA is required. |

| | |
|------|--|
| 4.10 | This Proposed Material Alteration could have potential for a likely significant effect on a European site. Stage 2 AA is required. |
| 4.12 | This Proposed Material Alteration could have potential for a likely significant effect on a European site. Stage 2 AA is required. |
| 4.13 | This Proposed Material Alteration could have potential for a likely significant effect on a European site. Stage 2 AA is required. |
| 4.24 | This Proposed Material Alteration does not have potential for a likely significant effect on a European site. Stage 2 AA not required. |
| 4.31 | This Proposed Material Alteration could have potential for a likely significant effect on a European site. Stage 2 AA is required. |
| 4.32 | This Proposed Material Alteration does not have potential for a likely significant effect on a European site. Stage 2 AA not required. |
| 4.42 | This Proposed Material Alteration does not have potential for a likely significant effect on a European site. Stage 2 AA not required. |
| 4.43 | This Proposed Material Alteration could be considered mitigation to avoid a likely significant effect on a European site. Stage 2 AA required. |
| 4.47 | This Proposed Material Alteration could be considered mitigation to avoid a likely significant effect on a European site. Stage 2 AA required. |
| 4.48 | This Proposed Material Alteration does not have potential for a likely significant effect on a European site. Stage 2 AA not required. |
| 4.50 | This Proposed Material Alteration does not have potential for a likely significant effect on a European site. Stage 2 AA not required. |
| 4.52 | This Proposed Material Alteration could have potential for a likely significant effect on a European site. Stage 2 AA is required. |
| 4.60 | This Proposed Material Alteration could have potential for a likely significant effect on a European site. Stage 2 AA is required. |
| 4.61 | This Proposed Material Alteration could be considered mitigation to avoid a likely significant effect on a European site. Stage 2 AA required. |
| 4.64 | This Proposed Material Alteration could have potential for a likely significant effect on a European site. Stage 2 AA is required. |
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| 2.16 | This Proposed Material Alteration could have potential for a likely significant effect on a European site. Stage 2 AA is required. |
| 2.17 | This Proposed Material Alteration could have potential for a likely significant effect on a European site. Stage 2 AA is required. |

Screening for Appropriate Assessment (AA)

Determination

Under the Planning and Development Act 2000 (as amended) for the Proposed Material Alterations to the Draft Kildare County Development Plan 2023-2029

A Screening for Appropriate Assessment (AA) Determination is being made by Kildare County Council regarding Proposed Material Alterations to the Draft Kildare County Development Plan 2023-2029.

Section 12 (7) (aa) of the Planning and Development Act 2000 (as amended), requires, inter alia, a determination to be made as to whether Proposed Material Alterations to the Draft Plan warrant the undertaking of AA.

The existing Draft Plan has already been informed by a Stage 2 AA and a Natura Impact Report has been prepared. As part of that AA and following a review of the objectives and actions of the Draft Plan alongside the sensitivities of each European Site, the potential for likely significant effects has been assessed. 25 European sites were identified, of which 17 were identified for further assessment. European sites were screened out based on one or more of the following criteria;

- Where the European site is located at such a distance that impacts are considered highly unlikely and there are no clear impact pathways such as hydrological links; and
- Where known threats or vulnerabilities of a European site, as listed in site documents, cannot be linked to any potential impacts that may occur through the implementation of the Plan.

The NIR subsequently considered the potential of the Plan to give rise to likely significant effects which could adversely affect any European site, with regard to their qualifying interests, associated conservation status and the overall site integrity. In considering the potential for adverse effects, it was noted that the Plan is largely a strategic and high-level plan, which will inform the preparation of project level design and assessment. As such, and where necessary, a precautionary approach was adopted by the NIR to ensure that the policies and objectives proposed and supported by the Draft Plan were underpinned by the principles of sustainability of which the protection of European Sites forms part. Where necessary, the requirement for project level environmental assessment was emphasised in mitigation. The Draft Plan itself, subject to it securing the mitigation detailed in the NIR was not considered to adversely affect the integrity of any European Site either alone or in combination with other plans or projects.

The Draft Plan and AA Natura Impact Report were subsequently placed on public display and submissions were invited. All submissions along with motions received from the Elected Members were then considered at a Special Meeting of Kildare County Council on Monday 12th and Tuesday 13th September 2022, where it was resolved by the Elected Members to amend the Draft Kildare County Development Plan 2023-2029 (CDP) and that alterations to the Draft Plan would constitute material alterations to the Draft Plan.

The AA screening process takes into account the need to undertake Stage 2 AA when mitigation is being proposed. As certain Proposed Material Alterations could be considered to be mitigation in relation to Plan elements that could potentially affect the integrity of European sites, further to the mitigation already integrated into the Draft Plan, the AA process identified that it would be prudent to undertake Stage 2 AA.

The Stage AA has now been completed and is included as part of the accompanying Environmental Report titled 'Stage 1 AA Screening and Stage 2 AA Natura Impact Report'.

The Addendum to the AA concludes that *'taking into account the mitigation measures that have been already integrated into the Draft Kildare CDP, and the additional Proposed Material Alterations that are considered to be mitigation, it is concluded that the Proposed Material Alterations to the Draft Kildare County Development Plan 2023-2029 are not foreseen to give rise to any likely significant effects on the integrity of any European Site, alone or in combination with other plans or projects'*.

The undersigned, having carefully considered the information referred to above, agrees with and adopts the reasoning and conclusion presented above. The undersigned hereby determines, pursuant to Section 12(7) of the Planning and Development Act 2000, as amended, and for the purposes of Article 6(3) of the Habitats Directive, that Stage 2 AA is required for a number of Proposed Material Amendments as set out in the accompanying report.

The AA Natura Impact Report that accompanies the Proposed Material Alterations is part of the ongoing iterative AA process that is being undertaken alongside the preparation of the Kildare County Development Plan 2023-2029. All Plan and AA related documentation will be considered by the planning authority in advance of the adoption of the Plan and a final AA Determination will be undertaken by the planning authority at the adoption stage. An AA Conclusion Statement will be prepared following adoption, which will detail the AA process undertaken for the Plan.

Signed: 
Director of Services, Planning and Strategic Development

Date: 26th September 2022