

Appropriate Assessment Determination under Section 177V of the Planning and Development Act 2000, as amended, for the:

Fingal Development Plan 2023 – 2029

An Appropriate Assessment Determination is being made in relation to the potential for the Fingal Development Plan 2023 – 2029 that is being adopted to have adverse effects on the integrity of European sites.

Section 177V of the Planning and Development Act 2000, as amended, and Article 6(3) of the Habitats Directive requires inter alia a determination as to whether or not a plan or project would adversely affect the integrity of any European site(s).

In carrying out this Appropriate Assessment, the matters specified under Part XAB of the Planning and Development Act 2000, as amended, including the following are being taken into account:

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

As part of the Appropriate Assessment, it was identified that the Plan may, if unmitigated, have significant effects on 27 no. European sites. Factors that could potentially affect the integrity of European sites include:

- Provisions for sectors such as: climate action, urbanisation including residential and economic development, public realm works, social and community facilities, transport, green infrastructure, energy, environmental and recreational infrastructure; all introduce sources for effects through construction phase such as habitat destruction,

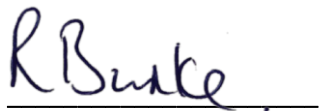
reduction or fragmentation, light pollution, hydrological interactions and disturbance/displacement effects; and,

- Loading pressures from the operational phase of developments – these sources could result in habitat loss, disturbance/displacement effects, and interactions with water quality, air quality and habitat fragmentation.
- Increasing visitors to sensitive areas during the operational phase of, for example, recreational and tourism developments.

The reasoning and conclusions presented in the Natura Impact Report in support of the Competent Authority's Appropriate Assessment are as follows:

- Implementation of the Plan would have had the potential to result in adverse 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 Appropriate Assessment 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 adverse 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 adverse effect on the integrity of European sites, alone or in combination with other

plans and projects^[1]. This evaluation is made in view of the conservation objectives of the habitats or species, for which these European sites have been designated.

A handwritten signature in black ink, appearing to read 'R. Burke', is written over a horizontal line.

Senior Planner

5th April 2023

^[1] 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.