



**APPROPRIATE ASSESSMENT (AA) DETERMINATION
UNDER
SECTION 177V OF THE PLANNING AND DEVELOPMENT ACT 2000, AS AMENDED,
FOR THE
GRAIGUENAMANAGH-TINNAHINCH JOINT LOCAL AREA PLAN**

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 adversely affect the integrity of a European Site, this Appropriate Assessment determination is being made by Carlow and Kilkenny County Council.

In carrying out this Appropriate Assessment, the Council is taking into account the matters specified under Part XAB of the Planning and Development Act 2000 (as amended), including the following:


- The Natura Impact Report prepared for the Draft Graiguenamanagh-Tinnahinch Joint Local Area Plan
- The AA Screening Report for the Proposed Material Alterations to the Draft Graiguenamanagh-Tinnahinch Joint Local Area Plan
- Written submissions made on the Draft Plan, Proposed Material Alterations and associated documents, while they were placed on public display

The AA documents referred to above have been carefully considered and their reasoning and conclusion agreed with and adopted.

It is determined 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 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 AA when further details of location and design 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 the 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 or projects¹. This evaluation is made in view of the conservation objectives of the habitats or species, for which these sites have been designated.

Signed 

Sean McKeown
Director of Services
Kilkenny County Council

Signed 

Michael Rainey
Director of Services
Carlow County Council

¹ Except as provide for in Article 6(4) of the Habitats Directive, viz. There must be:

- a) No alternative solution available,
- b) Imperative reasons for overriding public interest for the plan to proceed, and
- c) Adequate compensatory measures in place