

**Screening for Appropriate Assessment (AA)  
Determination under:  
The Planning and Development Act 2000 (as amended)**

**for:**

**Proposed Material Alterations to the  
Draft Laois County Development Plan 2021-2027**

A Screening for Appropriate Assessment (AA) Determination is being made by Laois County Council regarding Proposed Material Alterations to the Draft Laois County Development Plan 2021-2027.

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, it was identified that the Plan may, if unmitigated, have significant effects on 12 (no.) European sites. Plan elements that could potentially affect the integrity of European sites include:

- Provisions for sectors such as climate action, urbanisation including residential and economic development, streetscape works, community facilities, transport, green infrastructure, energy, environmental infrastructure, recreational, natural resource, which introduce sources for effects through construction phase such as habitat destruction, light pollution, hydrological interactions and disturbance effects; and
- Loading pressures from the operational phase of developments – these sources could result in habitat loss, disturbance effects, interactions with water quality and habitat fragmentation.

Mitigation was integrated into the Draft Plan that allowed the Natura Impact Report to conclude that that the Draft Plan is not foreseen to give rise to any significant effects on designated European sites, alone or in combination with other plans or projects<sup>1</sup>. The Draft Plan and AA Natura Impact Report were placed on public display and submissions were invited. Some of these submissions resulted in Material Alterations being proposed to the Plan.


Taking into account the measures that have been already integrated into the Draft Plan that provide for and contribute towards environmental protection, environmental management and sustainable development, the AA process identified that there is no potential for effects to arise on the integrity of any European site as a result of all Proposed Material Alterations apart from Proposed Material Alterations<sup>2</sup>:

- Reference No. 3.8 (Volume 1), which has the potential, if unmitigated, to impact upon the Slieve Bloom Mountains SAC and SPA;
- Reference No. 8.16 (Volume 1), which has the potential, if unmitigated, to impact upon the River Barrow And River Nore SAC and River Nore SPA;
- Reference No. 11.17 (Volume 1), which has the potential, if unmitigated, to impact upon the all wetland European sites within and adjacent to the County;
- Reference No. Stradbally – 1.1 (Volume 2), which has the potential, if unmitigated, to impact upon the River Barrow And River Nore SAC; and
- Reference No. Coolrain – 1.1 (Volume 2), which has the potential, if unmitigated, to impact upon the River Barrow And River Nore SAC.

Furthermore, the AA screening process takes into account the need to undertake Stage 2 AA when mitigation is being proposed. As certain Proposed Material Alterations<sup>3</sup> 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 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 the above Proposed Material Alterations.

The AA Natura Impact Report that accompanies the Proposed Material Alterations is part of the ongoing and overall AA process that is being undertaken alongside the preparation of the Plan. 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 adoption. An AA Conclusion Statement will be prepared following adoption, which will detail the AA process undertaken for the Plan.

Signed:   
23<sup>rd</sup> September 2021

<sup>1</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.

<sup>2</sup> For detail on Proposed Material Alterations please refer to Proposed Material Alterations document.

<sup>3</sup> Proposed Material Alteration Reference No. Volume 1 3.20, Volume 1 3.23, Volume 1 3.35, Volume 1 5.21, Volume 1 9.4, Volume 1 9.5, Volume 1 9.6, Volume 1 11.6, Volume 1 11.16, Volume 1 11.18 and Volume 2 Castletown 1.1. For detail on Proposed Material Alterations please refer to Proposed Material Alterations document.