



Comhairle Contae Mhaigh Eo
Mayo County Council

VOLUME 5

Environmental Reports

Appropriate Assessment Determination



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ENVIRONMENTAL REPORTS



Appropriate Assessment Determination

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

Mayo County Development Plan 2022-2028

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 any European site(s), this Appropriate Assessment determination is being made by Mayo County Council relating to the potential for the Mayo County Development Plan (CDP) 2022-2028 that is being adopted to have effects on the integrity of European sites.

In carrying out this Appropriate Assessment (AA) Final Determination, 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 (NIR) prepared for the CDP;
- The Amended NIR Report for the Proposed Material Alterations;
- Written submissions made during the Plan preparation process; and
- Ongoing advice on AA from the Council's agents.

As part of the AA, it was identified that the CDP may, if unmitigated, have significant effects a number of European sites. The most likely effects of the potential site allocations within the plan on European sites are related to pressures including (but not limited to those from new development; the changes in the pattern of development and population pressures; provision for ancillary services associated with the pattern of development; recreational impacts; atmospheric pollution; water pollution; development in the proximity of the European sites that could cause disturbance of sensitive receptors (habitats and species). Sensitivity of Qualifying Features was identified across a number of potential hazards including (but not limited to) habitat loss and fragmentation, disturbance effects, changes to water quality and pollution.

Mitigation was integrated into the Draft Plan that allowed the Natura Impact Report to conclude that the County Development Plan to provide protection of the European Sites through the AA process i.e. inherent protection within the Appropriate Assessment project level assessment as part of the Planning Process. However, given the changes in core strategy and zoning changes as part of the Material Amendments the potential for integrity level impact on the Natura Network cannot be excluded, and the level of protection provided by the plan is considered insufficient.

The cumulative effect of changes at a core strategy level was not possible to assess, in the absence of a coherent alternative strategy that evaluated the scale and nature and location of development. Additionally, the ancillary impacts that could be associated with such a strategy change cannot be assessed with the present information.

The detailed Plan preparation process undertaken by the Planning Department should facilitate zoning that avoids inappropriate development being permitted in areas of high ecological sensitivity in the Draft Plan. However, in the case of the Material Amendments some new zoning or zoning changes were considered to be within the Zone of Influence for potential impact on Natura Sites, without due consideration for alternatives provided.

The undersigned, having carefully considered the information referred to above agrees with and adopts the reasoning and conclusions presented and determines 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 partially 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 design and location are known.
- The cumulative effect of changes at a core strategy level was not possible to assess, in the absence of a coherent alternative strategy that evaluated the scale and nature and location of development. Additionally, the ancillary impacts that could be associated with such a strategy change cannot be assessed with the present information.
- In the case of the Material Amendments some new zoning or zoning changes were considered to be within the Zone of Influence for potential impact on Natura Sites, without due consideration for alternatives provided.
- Given the changes in core strategy and zoning changes as part of the Material Amendments the potential for integrity level impact on the Natura Network cannot be excluded.

Signed: _____

Name: _____

Date: _____