

# AA CONCLUSION STATEMENT

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IN SUPPORT OF THE  
**APPROPRIATE ASSESSMENT**  
OF THE  
**KILDARE COUNTY DEVELOPMENT PLAN  
2017-2023**

IN ACCORDANCE WITH THE REQUIREMENTS OF  
ARTICLE 6(3) OF THE EU HABITATS DIRECTIVE

for: **Kildare County Council**

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# Table of Contents

<b>Section 1</b>	<b>Introduction and Background .....</b>	<b>1</b>
1.1	Introduction .....	1
1.2	Legislative Requirements in relation to AA.....	1
1.3	AA Conclusion Statement .....	2
<b>Section 2</b>	<b>How the findings of the AA were factored into the Plan .....</b>	<b>3</b>
<b>Section 3</b>	<b>Consideration of Alternatives with Reference to AA.....</b>	<b>5</b>
3.1	Summary Description of Alternatives .....	5
3.2	Considerations of Cumulative Impacts/In-Combination Effects .....	8
3.3	Emerging Preferred Option .....	8
<b>Section 4</b>	<b>Determination .....</b>	<b>11</b>

## List of Tables

Table 1-1	Matters taken into account by the AA .....	1
Table 3-1	Potentially Significant Adverse Environmental Effects common to all alternatives.....	6
Table 3-2	Comparative Evaluation of Alternative Development Strategies .....	7
Table 3.3	Overall Findings – Effects arising from the Preferred Alternative Scenario for the Plan.....	9

# Section 1 Introduction and Background

## 1.1 Introduction

This is the Appropriate Assessment (AA) Conclusion Statement for the Kildare County Development Plan 2017-2023.

The obligation to undertake AA derives from Article 6(3) and 6(4) of the Habitats Directive 92/43/EEC as transposed into Irish legislation by the European Communities (Birds and Natural Habitats) Regulations 2011 and the Planning and Development Act 2000, as amended. AA is a focused and detailed impact assessment of the implications of a strategic action (such as a plan or programme) or project, alone and in combination with other strategic actions and projects, on the integrity of any European Site in view of its conservation objectives.

This AA Conclusion Statement should be read in conjunction with the following documents which accompany the Statement:

- Strategic Environmental Report;
- Strategic Flood Risk Assessment; and
- Natura Impact Report (NIR), including Appendix I 'Summary details of European sites considered during the Appropriate Assessment'.

## 1.2 Legislative Requirements in relation to AA

In carrying out the AA for the County Development Plan, the Part XAB of the Planning and Development Act 2000, as amended, requires, inter alia, that the Council take into account the matters arrayed in the first column on Table 1.1 below. The second column identifies how these issues have been addressed.

**Table 1-1 Matters taken into account by the AA**

Matter specified by the Regulations	How addressed by AA
(a) the NIR	A NIR accompanies this AA Conclusion Statement and the Strategy
(b) any other plans or projects that may, in combination with the plan or project under consideration, adversely affect the integrity of a European Site (see Section 2)	Throughout the NIR, particularly Section 2.5 of the NIR, as well as Section
(c) any supplemental information furnished in relation to any such report or statement	This AA Conclusion Statement supplements the NIR which is also accompanied by an Appendix (NIR Appendix I) which provides additional detail on European Sites
(d) if appropriate, any additional information sought by the authority and furnished by the applicant in relation to a Natura Impact Report	The Natura Impact Report has taken into account submissions received during the Plan/AA preparation process – see Section 2 of this Statement
(e) any information or advice obtained by the public authority	
(f) if appropriate, any written submissions or observations made to the public authority in relation to the application for consent for proposed plan or project	
(g) any other relevant information	

In addition to the above, the regulations require that the Council makes available for inspection a determination regarding the outcome of the assessment with respect to effects on the integrity of European Sites (such a determination is provided at Section 4 of this document).

### **1.3 AA Conclusion Statement**

The Department of Arts, Heritage and the Gaeltacht's Non-Statutory AA guidance states that (Section 4.14) it *"is recommended that planning authorities include a clear and discrete AA Conclusion Statement as a distinct section in the written statement of the plan separate to the SEA statement."*

This guidance recommends that the following issues are addressed by the AA:

- Summary of how the findings of the AA were factored into the plan
- Reasons for choosing the plan as adopted, in the light of other reasonable alternatives considered as part of the AA process;
- A declaration that the plan as adopted will not have an adverse effect on the integrity of European Sites; and
- The Natura Impact Report.

As recommended, this AA Conclusion Statement addresses the above issues.

## Section 2 How the findings of the AA were factored into the Plan

Various environmental sensitivities and issues have been communicated to the Council through the SEA and the AA. By integrating all related recommendations into the Plan, the Council have ensured that both the beneficial environmental effects of implementing the Plan have been and will be maximised and that potential adverse effects have been and will be avoided, reduced or offset.

Integration of AA considerations into the Plan was achieved through the:

### 1. Consultations

As environmental authorities identified under the Planning and Development (SEA) Regulations, as amended, the following authorities were sent Strategic Environmental Assessment (SEA) scoping notices indicating that submissions or observations in relation to the scope and level of detail of the information to be included in the environmental report could be made to the Council various submissions were received from the environmental authorities, including the Department of Arts, Heritage and the Gaeltacht (DAHG) have been taken on board.

Furthermore, submissions from the public and others were made on the Plan and AA Natura Impact Report while these documents were on public display and these resulted in updates being made to the documents. Changes to the provisions of the Plan made on foot of submissions were considered and did not change the conclusions of the AA. No comments relating to the AA were made by the DAHG's submission on the Plan and associated assessments.

### 2. Consideration of alternatives

Consideration of and integration of environmental considerations into alternatives, including sequencing, and ultimately into the Plan will contribute towards the protection and management of the environment over the lifetime of the Plan (see Section 3 of this Statement).

### 3. Integration of individual AA-related provisions into the Plan

Various provisions have been integrated into the text of the Plan through the iterative Plan-preparation with SEA and AA processes. These include AA-related measures that are part the Strategic Environmental Report. Objectives and policies within the Kildare County Development Plan 2017-2023 that will act to protect European Sites include the following:

Environmental Component	Potential Effect, if unmitigated	Mitigation Measures, including
Biodiversity and Flora and Fauna	<ul style="list-style-type: none"> <li>• Arising from both construction and operation of development and associated infrastructure: loss of/damage to biodiversity in designated sites (including Natura 2000 Sites and Wildlife Sites) and Annexed habitats and species, listed species, ecological connectivity and non-designated habitats; and disturbance to biodiversity and flora and fauna</li> <li>• Habitat loss, fragmentation and deterioration, including patch size and edge effects</li> <li>• Disturbance (e.g. due to noise and lighting along transport corridors) and</li> </ul>	<ul style="list-style-type: none"> <li>• Chapter 13: Natural Heritage and Green Infrastructure Aim</li> <li>• Policies: NH 1 to NH 16, GI 1 to GI 30, WE 2, EI 16, WC 4, PF 2, WS 13</li> <li>• Objectives: NHO1 to NHO 10, GIO 1 to GIO 5</li> <li>• See also various provisions under the environmental components of soil and water</li> </ul>

<b>Environmental Component</b>	<b>Potential Effect, if unmitigated</b>	<b>Mitigation Measures, including</b>
	displacement of protected species	
Population and Human Health	<ul style="list-style-type: none"> <li>Potential interactions if effects upon environmental vectors such as water and air are not mitigated</li> </ul>	<ul style="list-style-type: none"> <li>Environmental Services Aim</li> <li>Policies: ECD 21, ECD 22, RS 3, RS 4, WM 2, WM 3, PC 1 to PC 10, WS 7</li> <li>Objectives: RSO 3</li> <li>See also various provisions under the environmental components of soil, water, air and material assets</li> </ul>
Soil	<ul style="list-style-type: none"> <li>Damage to the hydrogeological and ecological function of the soil resource</li> </ul>	<ul style="list-style-type: none"> <li>Policies: ECD 21, ECD 22,</li> <li>See also various provisions under the environmental components of water and material assets</li> </ul>
Water	<ul style="list-style-type: none"> <li>Adverse impacts upon the status of water bodies, including downstream bathing waters, arising from changes in quality, flow and/or morphology</li> <li>Increase in the risk of flooding</li> </ul>	<ul style="list-style-type: none"> <li>Policies WS 9, WS 10, WS 11, WS12, WQ 1 to WQ 6, SW 1, SW 2, SW 3, SW 18</li> <li>(Flood) Policies SW 1 to SW 20</li> <li>(Flood) Objectives WDO 2, WDO 3, WDO 5 and WDO 7</li> <li>See also various provisions under the environmental components of soil and material assets</li> </ul>
Material Assets	<ul style="list-style-type: none"> <li>Failure to provide adequate and appropriate waste water treatment (water services infrastructure and capacity is needed to ensure the mitigation of potential conflicts)</li> <li>Failure to comply with drinking water regulations and serve new development with adequate drinking water that is both wholesome and clean (water services infrastructure and capacity is needed to ensure the mitigation of potential conflicts)</li> <li>Increases in waste levels</li> </ul>	<ul style="list-style-type: none"> <li>Water Infrastructure and Flooding Strategy, Objectives</li> <li>Policies WS 1 to WS13, WW 1 to WW 13, WM 1 to WM 18</li> <li>Objectives WDO 1, WDO 8</li> </ul>
Air and Climatic Factors	<ul style="list-style-type: none"> <li>Emissions to air including greenhouse gas emissions and other emissions</li> </ul>	<ul style="list-style-type: none"> <li>Policies EB 1, RE 10, GI 23 Objectives ERO 1</li> <li>Overall approach by the Plan and all provisions relating to development and sustainable mobility in the County</li> </ul>
Cultural Heritage	<ul style="list-style-type: none"> <li>Potential effects on protected and unknown archaeology and protected architecture arising from construction and operation activities</li> </ul>	<ul style="list-style-type: none"> <li>Policies PS 1 to PS 21, CH1 to CH 10, VA 1 to VA8, ACA 1 to ACA 5, AH 1 to AH 11, AH 1 to AH 2, HF 1</li> <li>Objectives PSO 1 to PSO 8, ACO 1 to ACO 4, CHO 1 to CHO 2, VAO 1 to VAO 2, ACAO 1 to ACAO 3, AO 1 to AO 5, HFO 1 to HFO 2</li> </ul>
Landscape	<ul style="list-style-type: none"> <li>Occurrence of adverse visual impacts and conflicts with the appropriate protection of statutory designations relating to the landscape</li> </ul>	<ul style="list-style-type: none"> <li>Policies LA 1 to LA 7, LU 1 to LU 5, TA 1 to TA 4, WC 1 to WC 8, CU 1 to CU 4, PF 1 to PF 3, LL 1 to LL 5, SR 1 to SR2, WV 1 to WV 3, HV 1</li> <li>Objectives LO 1 to LO 11</li> </ul>

## **Section 3 Consideration of Alternatives with Reference to AA**

### **3.1 Summary Description of Alternatives**

As per the requirements of the SEA Directive, this SEA considers reasonable alternatives, which are capable of being implemented for the County Development Plan, taking into account the objectives and policies of all higher-level Plans. These alternatives were assessed through the SEA process with reference to the specific requirements of the EU Habitats Directive and European Sites. An iterative process was undertaken between the SEA, AA and Local Area Plan design/development.

#### **3.1.1 Development Scenario One: 'Business as Usual' Trend Change**

There will be very strong, but weakly co-ordinated growth within and adjacent to major settlements within the Strategic Transportation Corridor and the Metropolitan Areas of the North East. Elsewhere there will be markedly weaker growth due to the lack of integrated provision of services and accommodation. There will be strong and persistent patterns of social and economic imbalance between the north-east and southern parts of the county.

#### **3.1.2 Development Scenario Two 'Mixed Planning' Uneven Outcomes**

There will be very strong growth within the Strategic Transportation Corridor and the Metropolitan Areas of the North East. The need to co-ordinate key infrastructural resources – especially energy, water services and transportation – will enforce very strong planning and co-ordination in these areas. Elsewhere a variety of very local interests will militate against an orderly or sustainable provision of services which will produce uneven patterns of settlement and enterprise.

#### **3.1.3 Development Scenario Three: 'Strong Planning' Balanced Outcomes**

This Scenario envisages an effective County Development Plan ensuring that the Metropolitan areas of the North East will continue to grow strongly and quickly – but with increased connectivity into the strengthening urban centres of Kildare – rather than Dublin.

This Scenario also envisages that through the planning framework provided by the County Development Plan, the new Kildare Local Economic and Community Plan will make a difference in bringing higher levels of economic development and prosperity to more peripheral settlements and rural areas outside of the Strategic Transportation Corridors and in the south of the county.

### 3.1.4 Summary Evaluation of Alternatives

A number of potentially significant adverse environmental effects that are common to all alternatives and are described on the Table below taken from the SEA.

**Table 3-1 Potentially Significant Adverse Environmental Effects common to all alternatives**

<b>Environmental Component</b>	<b>Potential Effect</b>
Biodiversity and Flora and Fauna	<ul style="list-style-type: none"> <li>○ Loss of biodiversity with regard to Natura 2000 Sites and Annexed habitats and species.</li> <li>○ Loss of biodiversity with regard to ecological connectivity and stepping stones.</li> <li>○ Loss of biodiversity with regard to designated sites including Wildlife Sites and listed species.</li> </ul>
Population and Human Health	<ul style="list-style-type: none"> <li>○ Spatially concentrated deterioration in human health.</li> </ul>
Soil	<ul style="list-style-type: none"> <li>○ Damage to the hydrogeological and ecological function of the soil resource.</li> </ul>
Water	<ul style="list-style-type: none"> <li>○ Adverse impacts upon the status and quality of water bodies, including downstream bathing waters.</li> <li>○ Increase in the risk of flooding</li> </ul>
Material Assets	<ul style="list-style-type: none"> <li>○ Failure to provide adequate and appropriate waste water treatment; water services infrastructure and capacity is needed to ensure the mitigation of potential conflicts)</li> <li>○ Failure to comply with drinking water regulations and serve new development with adequate drinking water that is both wholesome and clean; water services infrastructure and capacity is needed to ensure the mitigation of potential conflicts)</li> <li>○ Increases in waste levels</li> </ul>
Air and Climatic Factors	<ul style="list-style-type: none"> <li>○ Failure to contribute towards sustainable transport and associated impacts; transport infrastructure investment is needed to ensure the mitigation of potential conflicts)</li> </ul>
Cultural Heritage	<ul style="list-style-type: none"> <li>○ Effects on entries to the Record of Monuments and Places and other archaeological heritage</li> <li>○ Effects on entries to the Records of Protected Structures and other architectural heritage</li> </ul>
Landscape	<ul style="list-style-type: none"> <li>○ Occurrence of adverse visual impacts</li> </ul>

**Table 3-2 Comparative Evaluation of Alternative Development Strategies**

	Likely to <b>Improve</b> status of SEOs to a <b>greater</b> degree	Likely to <b>Improve</b> status of SEOs to an <b>intermediate</b> degree	Likely to <b>Improve</b> status of SEOs to a <b>lesser</b> degree	<b>Least Potential Conflict</b> with status of SEOs - likely to be mitigated to greater degree, significant adverse effects <b>less likely</b>	<b>More Potential Conflict</b> with status of SEOs - likely to be mitigated to an intermediate degree, significant adverse effects <b>more likely</b>	<b>Most Potential Conflict</b> with status of SEOs - likely to be mitigated to lesser degree, significant adverse effects <b>more likely</b>
<b>Scenario 1:</b>	This scenario will place most pressure on environmental resources throughout the County due to the dispersed and uncoordinated expenditure on important infrastructure – which will lessen its effectiveness. Further environmental pressure would result from the overwhelming of the provisions of Local Area Plans by excess (unplanned) and inappropriate development within the immediate environs of larger settlements. This will lead to increasing development taking place outside a strong and well-regulated planning framework. These factors would lead to mixed – occasionally poor – environmental outcomes in other areas – especially in more rural or underdeveloped settlements.					
			<b>B1 B2 B3 PHH1 S1 W1 W2 W3 M1 M2 M3 C1 CH1 CH2 L1</b>			<b>B1 B2 B3 PHH1 S1 W1 W2 W3 M1 M2 M3 C1 CH1 CH2 L1</b>
<b>Scenario 2:</b>	Along with Scenario 3, Scenario 2 results in least pressure on environmental resources in the north-east and within the immediate environs of larger settlements because development will take place within a strong and well-regulated planning framework.					
	Environmental outcomes would be mixed in other areas – especially in more rural or underdeveloped settlements. In these areas development, would be less orderly and not accompanied by relevant services.					
		<b>B1 B2 B3 PHH1 S1 W1 W2 W3 M1 M2 M3 C1 CH1 CH2 L1</b>			<b>B1 B2 B3 PHH1 S1 W1 W2 W3 M1 M2 M3 C1 CH1 CH2 L1</b>	
<b>Scenario 3:</b>	Strategic, planned concentrations of development would occur within established settlements results in: higher levels of sustainable development and environmental protection and management; least pressure on natural resources or water-based infrastructure throughout the County; and lowest overall impacts on other environmental resources (ranging from air quality and landscape through to cultural heritage) because development will take place within a strong and well-regulated planning framework.					
	<b>B1 B2 B3 PHH1 S1 W1 W2 W3 M1 M2 M3 C1 CH1 CH2 L1</b>			<b>B1 B2 B3 PHH1 S1 W1 W2 W3 M1 M2 M3 C1 CH1 CH2 L1</b>		

## 3.2 Considerations of Cumulative Impacts/In-Combination Effects

Both the SEA and NIR account for potential interactions with other Plans and Projects. These include interactions resulting from the Plan and Projects such as:

- Other land use Plans.
- Water services, transport and energy infrastructure plans (e.g. Irish Water's Water Services Strategic Plan and associated Capital Investment Plan 2014-2016, Grid25 and associated Implementation Programme) and the County Carlow 2021 Local Economic & Community Plan 2016-2021; and
- Environmental protection and management plans (e.g. South East River Basin Management Plans and flood risk management plans).

Such potential effects include the following (note that mitigation measure and provisions to account for these effects have been integrated into the Plan):

- Contributions towards reductions in travel related greenhouse gas and other emissions to air (in combination with plans and programmes from all sectors, including transport and land use planning) as a result of consolidating development and facilitating sustainable mobility/a shift from motorised transport modes to more sustainable and non-motorised transport modes.
- Contributions towards travel related greenhouse gas and other emissions to air (in combination with plans and programmes from all sectors, including transport and land use planning) as a result of facilitating development that must be accompanied by road capacity.
- Facilitation of new development that is accompanied by appropriate levels of water services thereby contributing towards environmental protection.
- Need for and use of water and wastewater treatment capacity arising from new developments and associated potential adverse effects.
- Potential cumulative effects upon surface and ground water status as a result of development including housing and employment – loadings and abstractions;
- Potential cumulative effects (habitat damage, enhancing ecological connectivity, contributing towards sustainable mobility) arising from linear developments, such as those relating to Green Infrastructure;
- Potential cumulative effects on flood risk by, for example, development of greenfield lands;
- Potential cumulative visual impact of development at the interface between the LAP boundary and the surrounding area of the County which is subject to the provisions of the County Development Plan; and
- In combination with plans and programmes from all sectors potential adverse effects on all environmental components arising from all development in greenfield and brownfield areas (e.g. infrastructural, residential, economic, agricultural etc.). The type of these effects is consistent with those described on Table 3-1. These plans and programmes from other sectors undergo SEA and comply with environmental legislation while projects are subject to EIA and AA, as relevant.

## 3.3 Emerging Preferred Option

Alternative Scenario 3 contributes the greatest extent towards sustainable development and environmental protection and management is the preferred and selected alternative scenario which has been developed for the strategy for the Plan which focuses on building strong urban centres while protecting the rural hinterlands. The focus which is provided for by the various provisions evaluated in Section 8 of this report is on achieving:

- Critical mass in the Metropolitan urban areas (Maynooth, Leixlip, Celbridge, Kilcock) and in key towns and villages in the Hinterland (Naas, Newbridge, Athy, Kildare, Monasterevin and Kilcullen);
- Establishing a hierarchy of smaller rural settlements to develop rural centres capable of providing a range of services and employment to their local populations;

- Managing development in rural areas with a focus on agricultural diversification, appropriate rural enterprise, (e.g. renewable energy production) and the strengthening of existing towns and villages;
- Protecting the environment by implementing an environmental protection policy which recognises the various environmentally sensitive zones within the county but not to mutually exclude appropriate and otherwise acceptable uses and development.

Table 3.3 details the overall findings of the assessment with respect to this preferred and selected alternative scenario.

By complying with appropriate mitigation measures - including those which have been integrated into the Plan – potentially significant adverse environmental effects which could arise as a result of implementing the Plan would be likely to be avoided, reduced or offset.

**Table 3.3 Overall Findings – Effects arising from the Preferred Alternative Scenario for the Plan**

<b>Environmental Component</b>	<b>Significant Positive Effect, likely to occur</b>	<b>Potential Effect, if unmitigated</b>	<b>Residual Adverse Effects</b>
Biodiversity and Flora and Fauna	<ul style="list-style-type: none"> <li>• Facilitates lower overall effects on ecology (including designated sites, ecological connectivity, habitats) – due to increased utilisation of lands within existing development boundaries and use of existing utilities and brownfield sites.</li> <li>• Facilitates protection of ecology with respect to the provision of water services.</li> </ul> <p>Facilitates contribution towards the protection of ecology as a result of contributing towards the protection of environmental vectors, including air and water.</p>	<ul style="list-style-type: none"> <li>• Arising from both construction and operation of development and associated infrastructure: loss of/damage to biodiversity in designated sites (including Natura 2000 Sites and Wildlife Sites) and Annexed habitats and species, listed species, ecological connectivity and non-designated habitats; and disturbance to biodiversity and flora and fauna</li> <li>• Habitat loss, fragmentation and deterioration, including patch size and edge effects.</li> </ul> <p>Disturbance (e.g. due to noise and lighting along transport corridors) and displacement of protected species.</p>	<ul style="list-style-type: none"> <li>• Loss of an extent of non-protected habitats and species arising from the replacement of semi-natural land covers with artificial surfaces.</li> </ul> <p>Losses or damage to ecology (these would be in compliance with relevant legislation).</p>
Population and Human Health	<ul style="list-style-type: none"> <li>• Facilitates protection of human health with respect to the provision of water services and the provision of transport infrastructure integrated with land use planning – and associated interactions with sustainable mobility, emissions and energy usage.</li> <li>• Facilitates contribution towards the protection of human health as a result of contributing towards the protection of environmental vectors, including air and water.</li> </ul>	Potential interactions if effects upon environmental vectors such as water and air are not mitigated	Potential interactions with residual effects on environmental vectors. This has been mitigated by provisions which have been integrated into the Plan, including those relating to sustainable mobility and infrastructural provision.
<b>Environmental Component</b>	<b>Significant Positive Effect, likely to occur</b>	<b>Potential Effect, if unmitigated</b>	<b>Residual Adverse Effects</b>
Soil	<ul style="list-style-type: none"> <li>• Facilitates lower overall effects on soil – due to increased utilisation of lands within existing development boundaries and use of existing utilities and brownfield sites.</li> </ul> <p>Facilitates protection of soil with respect to the provision of water services.</p>	Damage to the hydrogeological and ecological function of the soil resource.	Loss of an extent of soil function arising from the replacement of semi-natural land covers with artificial surfaces.

Water	Facilitates lower effects on ground and surface waters due to higher levels of development within established and serviced settlement centres that have installed/upgraded water services capable of delivering Water Framework Directive targets.	<ul style="list-style-type: none"> <li>• Adverse impacts upon the status of water bodies, including downstream bathing waters, arising from changes in quality, flow and/or morphology.</li> </ul> <p>Increase in the risk of flooding.</p>	<ul style="list-style-type: none"> <li>• Increased loadings as a result of development to be in compliance with River Basin Management Plans.</li> </ul> <p>Flood related risks remain due to uncertainty with regard to extreme weather events.</p>
Material Assets	<ul style="list-style-type: none"> <li>• Provides for planned infrastructure including water services infrastructure and transport infrastructure. Make most use of existing water services and drainage infrastructure.</li> </ul>	<ul style="list-style-type: none"> <li>• Failure to provide adequate and appropriate waste water treatment (water services infrastructure and capacity is needed to ensure the mitigation of potential conflicts).</li> <li>• Failure to comply with drinking water regulations and serve new development with adequate drinking water that is both wholesome and clean (water services infrastructure and capacity is needed to ensure the mitigation of potential conflicts)</li> <li>• Increases in waste levels</li> </ul>	<ul style="list-style-type: none"> <li>• Residual wastes to be disposed of in line with higher level waste management policies.</li> </ul>
Air and Climatic Factors	<ul style="list-style-type: none"> <li>• Facilitates contribution towards a shift from car to more sustainable and non-motorised transport modes.</li> <li>• Facilitates contribution towards reducing congestion and associated adverse effects on air quality.</li> <li>• Facilitates contribution towards reductions in travel related greenhouse gas and other emissions to air.</li> </ul>	<ul style="list-style-type: none"> <li>• Emissions to air including greenhouse gas emissions and other emissions.</li> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>• An extent of travel related greenhouse gas and other emissions to air. This has been mitigated by provisions which have been integrated into the Plan, including those relating to sustainable mobility.</li> </ul>
Cultural Heritage	<ul style="list-style-type: none"> <li>• Contribution towards the protection of cultural heritage by facilitating compliance with protection legislation.</li> </ul>	<ul style="list-style-type: none"> <li>• Potential effects on protected and unknown archaeology and protected architecture arising from construction and operation activities.</li> </ul>	<ul style="list-style-type: none"> <li>• Potential alteration to the context and setting of architectural heritage however these will occur in compliance with legislation.</li> <li>• Potential alteration to the context and setting of archaeological heritage however this will occur in compliance with legislation.</li> <li>• Potential loss of unknown archaeology however this loss will be mitigated by measures integrated into the Plan.</li> </ul>
Landscape	<ul style="list-style-type: none"> <li>• Contribution towards the protection of cultural heritage by facilitating compliance with objectives relating to landscape management and protection.</li> </ul>	<ul style="list-style-type: none"> <li>• Occurrence of adverse visual impacts and conflicts with the appropriate protection of statutory designations relating to the landscape.</li> </ul>	<ul style="list-style-type: none"> <li>• None. The Plan contributes towards the protection of landscape designations. The County's landscapes will change overtime as a result of natural changes in vegetation cover combined with new developments.</li> </ul>

## Section 4 Determination

**Appropriate Assessment Determination under:  
the Planning and Development Act 2000 (as amended)  
for the:  
Kildare County Development Plan  
2017-2023**

An Appropriate Assessment (AA) determination has been made by Kildare County Council regarding the Kildare County Development Plan 2017-2023.

Section 20 (3) (f) of the Planning and Development Act 2000 (as amended), requires, inter alia, a determination to be made as to whether County Development Plan warrant the undertaking of AA. An Appropriate Assessment determination [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 and the Planning and Development Act 2000 (as amended)] is being made by Kildare County Council.

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

- Written submissions made on the Plan and associated documents while they were placed on public display; and
- The Natura Impact Report (which considers other plans and projects and has taken into account changes arising from submissions and observations received during public display).

It is determined that the risks to the safeguarding and integrity of the qualifying interests, special conservation interests and conservation objectives of all European Sites have been addressed by the inclusion of achievable mitigation measures that will prioritise the avoidance of effects in the first place and will reliably mitigate these 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 relevant stages of Appropriate Assessment when further details of design and location are known.

Having incorporated these mitigation commitments; it is considered that the Kildare County Development Plan 2017-2023 is not foreseen to have any likely significant effects to the ecological integrity of any European Site<sup>1</sup>.

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<sup>1</sup> Except as provided for in Section 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.