

Kildare County Council and Meath County Council

# Maynooth and Environs Joint Local Area Plan 2025-2031

Appropriate Assessment Concluding Statement

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# 1. Introduction

This Statement forms part of the Appropriate Assessment (AA) of the adopted Maynooth and Environs Joint Local Area Plan 2025-2031 (the Joint LAP 2025-2031). This Concluding Statement is the final stage of the AA process.

The purpose of this Concluding Statement is to summarise how AA was integrated with the various stages of the plan-making process in order to ensure that the ecological implications of the Plan do not impact upon any areas designated as European sites.

# 2. Legislative Background

Article 6(3) of the Council Directive 92/43/EEC of 21 May 1992 on the Conservation of Natural Habitats and of Wild Fauna and Flora (as amended) (hereafter referred to as the Habitats Directive) sets out the requirement for Appropriate Assessment (AA). The Habitats Directive has been transposed into Irish domestic legislation through the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011) (as amended).

An AA is an assessment that determines the precise nature and extent of the potential impacts of the plan or programme and whether, alone, or in combination with other plans or programmes, the plan or programme will have adverse effects on the integrity of any European site which can be described as the coherent sum of the site's ecological structure, function and ecological processes, across its whole area, which enables it to sustain the habitats, complex of habitats and/or populations of a species for which the site is designated.

# 3. The Maynooth and Environs Joint Local Area Plan 2025-2031

The Joint LAP 2025-2031 has been prepared in accordance with the requirements and provisions of the Planning and Development Act 2000 (as amended). It sets out an overall strategy for the proper planning and sustainable development of Maynooth and Environs in the context of the Kildare County Development Plan (CDP) 2023–2029, the Meath CDP 2021–2027 and the Regional Spatial and Economic Strategy (RSES) 2019–2031 for the Eastern and Midland Regional Assembly.

It is also informed by Ministerial Guidelines issued pursuant to Section 28 of the Planning and Development Act 2000 (as amended) together with EU requirements regarding SEA and Appropriate Assessment (AA).

The Joint LAP provides the main public statement of planning policies and objectives for Maynooth and Environs for the plan duration (2025–2031). The policies and objectives are critical in determining the appropriate location and form of different types of development as the Joint LAP is the primary statutory land use policy framework against which planning applications are assessed. This Joint LAP will set out an overarching land use strategy for the proper planning and sustainable development of Maynooth and Environs over the life of the Joint LAP to 2031.

The Joint LAP incorporates a framework for guiding the future development of transportation, housing, retail, heritage, employment, and social and community infrastructure in Maynooth (KCC, MCC, 2022).

The objectives of the Joint LAP are also used by Kildare County Council (KCC) and Meath County Council (MCC) to guide their activities and to indicate priority areas for action and investment by the local authorities such as focusing on attracting employment into the town or enhancing Maynooth as a centre for education and tourism.

The Joint LAP is a key document for setting out a vision for how Maynooth and Environs should develop over the years 2025-2031.

## 4. Appropriate Assessment of the Draft Plan

In 2022, KCC and MCC both commenced preparation of the Draft Maynooth and Environs Joint Local Area Plan 2025-2031 ('the Draft Plan'), as it lies within the functional areas of both local authorities.

An AA screening exercise of the Draft Maynooth and Environs Joint Local Area Plan 2025-2031 ('the Draft Plan') was carried out to identify whether or not elements of the Draft Plan had the potential to result in likely significant effects to European sites. The Source-Pathway-Receptor model was used to carry out the screening assessment.

- The **Source** of the impacts are the 25 Draft Plan objectives taken forward to AA which were determined to give rise to potential impacts relating to construction (e.g., accidental pollution incidents, noise, vibration and light emissions);
- The **Pathways** for effect by which implementation of the Draft Plan can impact relevant Qualifying Interests (QI) / Special Conservation Interests (SCI) were determined to be aerial and hydrological connectivity; and
- The **Receptor** is the Rye Water Valley / Carton SAC, which overlaps with the northeast of the draft Plan area, and its QIs of petrifying springs with tufa formation (Cratoneurion), narrow-mouthed whorl snail, and Desmoulin's whorl snail.

The potential for in-combination impacts with other projects and plans was also assessed. It was determined that potential likely significant effects do exist as a result of several objectives within the draft Plan that would result in adverse effects upon the integrity of the Rye Water Valley / Carton SAC. The requirement for an AA was therefore concluded and a combined AA Screening and AA Report was prepared.

Mitigation measures were considered necessary to avoid adverse effects on the integrity of the Rye Water Valley / Carton SAC and were recommended as part of the AA report. With the implementation of these mitigation, there was considered to be sufficient evidence for the AA to conclude that the implementation of the Draft Plan would not result in adverse effect on the integrity of the Rye Water Valley / Carton SAC, either alone or in-combination with other plans or projects.

The Draft Plan, the pre-consultation combined AA Screening and full AA Report and the SEA Environmental Report were subject to public consultation from 19<sup>th</sup> June – 1<sup>st</sup> August 2024.

## 5. How the Findings of the Appropriate Assessment Were Factored into the Plan

In identifying the potential issues which could affect the integrity of European sites, a range of factors were taken into account, including the possibility of effects manifesting themselves in the short, medium and long-term, in combination effects and the potential impacts of climate change. In addition, the precautionary principle was adhered to in the carrying out of this assessment.

Where potential effects were identified, the following solutions were considered:

- Amending an objective or policy of the Draft Plan so that significant effects on European sites are avoided.
- Including a caveat or conditional approach to indicate that before certain policies or objectives are implemented certain things have to happen so that when implemented, will have no significant effect, or adversely impact on the integrity of a European site.

- Recommending that additional mitigation policies be included or that certain objectives/policies be rejected so as to ensure that significant adverse effects on the Conservation Objectives of European sites are avoided.

## 6. Proposed Material Alterations to the Draft Plan

Following a period of public consultation, a report with submissions/observations, opinions, and recommended amendments to the Draft Plan was submitted to the Elected Members of Clane-Maynooth Municipal District and Meath County Council on 10<sup>th</sup> September 2024. This report was considered at two KCC and MCC meetings held on the 21<sup>st</sup> October 2024. At these respective meetings, the Elected Members resolved that as these amendments constitute material alterations to the Draft Plan.

These Proposed Material Alterations (MAs) and were put on public display from 8<sup>th</sup> November to 6<sup>th</sup> December 2024, as required by Section 20 of the Planning and Development Act 2000 (as amended).

An AA Screening exercise of the Proposed MAs was carried out and it was determined that the potential for likely significant effects arising from the implementation of the Proposed MAs, alone or in combination with other projects or plans, would not arise. This conclusion was informed by the fact that no new or additional mitigation would be required to eliminate or reduce potential for likely significant effects arising from the Proposed MAs whilst also acknowledging that mitigation has been proposed within the AA report to the Draft Plan.

An AA Screening Report was prepared and put on public display alongside the Proposed Material Alterations from 8<sup>th</sup> November to 6<sup>th</sup> December 2024.

Having considered the Proposed Material Alterations to the Draft Maynooth and Environs Joint Local Area Plan 2025 – 2031 and the Chief Executives Report on submissions/observations received dated 10<sup>th</sup> January 2025 in relation to the Draft Maynooth and Environs Joint Local Area Plan 2025 – 2031 and pursuant to Section 20 of the Planning and Development Acts 2000 (as amended), incorporating the MAs proposed and agreed by the Members of Clane Maynooth Municipal District, Kildare County Council at their Special Planning Meeting on 17<sup>th</sup> February 2025 and the members of Meath County Council at their Special Planning Meeting on 19<sup>th</sup> February 2025 resolved that the Maynooth and Environs Joint Local Area Plan 2025 – 2031 be made.

The AA Screening Report prepared on the Proposed Material Alterations was then further updated to take account of these final Material Alterations.

Following review of these Proposed MAs it was determined that the potential for likely significant effects arising from the implementation of the Proposed MAs, alone or in combination with other projects or plans, would not arise. This conclusion was informed by the fact that no new or additional mitigation is required to eliminate or reduce potential for likely significant effects arising from the Proposed MAs whilst also acknowledging that mitigation has been proposed within the AA report to the Draft Plan.

Following their review of the findings of the AA Screening Report, KCC and MCC, as the competent authorities for AA prepared an Appropriate Assessment (AA) Screening Determination in accordance with the EU's Habitats Directive Article 6(3) and the Section 177U of the Planning and Development Act 2000 (as amended).