

**Appropriate Assessment (AA) Screening Determination under the Planning and Development Acts 2000-2020 for:**

**Draft Joint Graiguenamanagh-Tinnahinch LAP 2020**

An Appropriate Assessment (AA) Screening determination has been made by Kilkenny and Carlow County Council regarding the Draft Graiguenamanagh-Tinnahinch Joint Local Area Plan 2020 in accordance with the EU's Habitats Directive 6(3) and Section 177U of the Planning and Development Act 2000 (as amended).

The Draft Joint LAP sets out the vision and direction for the future development of the Graiguenamanagh-Tinnahinch area. Proposed land use plans must undergo a formal 'test' or 'screening' to ascertain whether they are likely to result in any significant adverse effects on specific sites designated for their nature conservation importance. These sites are those designated under the European Commission's Natura 2000 network of sites (hereafter termed 'European sites'). European sites are designated on the basis of the presence of certain habitats and species that are deemed to be of international importance. The Irish Government, and planning authorities, have a legal obligation to protect these sites. The Habitats Directive requires the screening of plans and projects. If the screening process results in a judgement that likely significant effects cannot be ruled out, then a more detailed assessment is required.


The AA screening process for this Draft Joint LAP has found that proposals for works close to the Duiske River and River Barrow as well as in-stream works which leads to uncertainty on the potential for an impact on the River Nore/River Barrow SAC and it is therefore required that a full Appropriate Assessment be undertaken to demonstrate compliance with the Directive in accordance with the methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC.

Taking into account the findings of the AA process that are detailed in an AA Screening Report that accompanies this Determination, Kilkenny County Council and Carlow County Council have determined that due to uncertainty on potential impacts, the Draft LAP for Graiguenamanagh-Tinnahinch may, individually or in combination with other plans, potentially have effects on European Sites and consequently Stage 2 AA is required.

Signed 

Kilkenny County Council

Date 18/11/2020

Signed 

Carlow County Council

Date 18/11/2020