



**Comhairle Contae
Dhún na nGall**
Donegal County Council

Appropriate Assessment Determination
in accordance with
**Section 177V(1) of the Planning and Development Act 2000(as
amended)**
with regard to the
**Variation to the County Donegal Development Plan 2018-
2024(as varied) in respect of the TEN-T Priority Route
Improvement Project, Donegal**

31st May 2021

Part XAB of the Planning and Development Act 2000(as amended) requires, inter alia, that an Appropriate Assessment shall include a determination by the competent authority under Article 6.3 of the Habitats Directive as to whether or not a draft land use plan¹ would adversely affect the integrity of a European site and that an appropriate assessment be carried out before such plan² is made.

Therefore, in accordance with Section 177V(1) of said Act Donegal County Council as the competent authority hereby determines that the Proposed Variation to the County Donegal Development Plan 2018-2024(as varied) in respect of the TEN-T Priority Route Improvement Project, Donegal will not, either individually or in combination with other plans and projects, adversely affect the integrity of any European site.

In carrying out Appropriate Assessment the Council has taken into account the relevant matters specified under Section 177V(2) of said Act including:

- The Natura Impact Report of the Proposed Variation in particular the conclusions contained therein.
- The Variation to the County Donegal Development Plan 2018-20142024.
- Written submissions and observations made regarding the Proposed Variation and associated Natura Impact Report during the public consultation process including submissions, information and advice from statutory consultees and prescribed authorities.
- The Strategic Flood Risk Assessment Report of the Proposed Variation.
- The Strategic Environmental Assessment Environmental Report including the assessment contained therein.

¹ Which includes a variation of a development plan in accordance with the definition of a “land use plan” per Section 177R(1) of the 2000 Act.

² Subject to the outcome of the earlier screening determination in accordance with Section 177U(4) of the 2000 Act which in this case determined that appropriate assessment was required.

The reasons for the abovementioned determination are as follows:

- The conclusions in the Natura Impact Report of the Proposed Variation including that:
 - The Proposed Variation will not, either individually or in combination with other plans and projects, adversely affect the integrity of any European site having regard to the mitigation measures outlined in the report.
 - Any potential impact on European sites shall be mitigated by a detailed avoidance and mitigation strategy including:
 - Avoidance: Potential impacts will be avoided by locating and designing the development in a manner which avoids adverse effects to the qualifying interests of the European sites.
 - Mitigation at the project level: Potential impacts will be mitigated during the detailed design of the project. This will include measures to avoid significant adverse effects on European sites. The project will also have to demonstrate compliance with other relevant national and European legislation, plans, and the Policies and Objectives of the CDP. Potential impacts will also be mitigated through detailed surveys, construction management plans and techniques, pollution control measures, monitoring and post construction reinstatement.
 - Mitigation through TII Guidance for Road Schemes: Potential impacts will be mitigated through adherence to a range of ecology related TII Planning and Construction Guidelines.