

# Strategic Environmental Assessment Screening Report

PRESENTED TO

**Offaly County Council**

**Noise Action Plan 2024 - 2028**

DATE

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## DOCUMENT CONTROL SHEET

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## 1 INTRODUCTION

### 1.1 Background

Enviroguide Consulting was commissioned by Offaly County Council to carry out a strategic environmental impact assessment (SEA) screening assessment in relation to Offaly County Council's Noise Action Plan 2024.

### 1.2 Quality Assurance and Competence

This report has been prepared by Lakshmi Moha Priya, Claire Fagan and Harry Parker of the EIA Team at Enviroguide.

Lakshmi has a Master of Science degree in Environmental Science degree from University College Dublin, Master of Science degree in Zoology from Ethiraj College for Women, India, and Bachelor of Science in Zoology from Madras Christian College India.

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Harry is a Technical Director at Enviroguide. Harry is a Chartered Environmentalist with an MA in Environmental Impact Assessment and Management from the University of Manchester, UK. Harry has 17 years' experience working within the EIA for residential, commercial and infrastructure projects.

## 2 LEGISLATIVE CONTEXT

### 2.1 Overview of Strategic Environmental Assessment

Strategic Environmental Assessment (SEA) is the formal, systematic evaluation of the likely significant environmental effects of implementing a plan or program, or variation to a plan or program, before a decision is made to adopt it.

The purpose is to ensure that the environmental consequences of a plan or program, are assessed both during their preparation and prior to adoption. The SEA process also gives interested parties an opportunity to comment on the environmental impacts of the proposed a plan or program, and to be kept informed during the decision-making process.

### 2.2 The SEA Directive

The European Directive (2001/42/EC) on the Assessment of the Effects of Certain Plans and Programmes on the Environment (the SEA Directive), was transposed into national legislation in Ireland by the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (S.I. 435/2004, as amended by S.I. 200/2011) and the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (S.I. 436/2004, as amended by S.I. 201/2011).

Article 1 of the SEA Directive states that:

*“The objective of this directive is to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development, by ensuring that, in accordance with this directive, an environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment”.*

The SEA Directive applies to a plan or program which are (i) prepared or adopted by a national, regional or local level and (ii) required by legislative, regulatory or administrative provisions.

Mandatory SEA is required for a plan or program that (i) are prepared for certain sectors and (ii) set the framework for future development consent of projects listed in Annexes I and II to the EIA Directive OR which require assessment under the EU Habitats Directive (92/43/EEC) (and which are not small area/local or minor modifications etc).

The screening stage of SEA is primarily addressed through Article 2 and Article 3 of the SEA Directive and Annex II which sets out the considerations in relation to determining significant environmental effects.

Article 2(a) of the SEA Directive establishes two cumulative conditions which a plan or programme must satisfy in order for the further elements of the SEA Directive to be applicable to them:

- They must have been prepared and/or adopted by an authority at national, regional or local level or prepared by an authority for adoption, through a legislative procedure, by a parliament or government; and
- They must be required by legislative, regulatory or administrative provisions. If these conditions are not satisfied, the measure is not regarded as a P/P which comes within the scope of the SEA Directive

Once a plan or programme has been determined to be within the scope of the SEA Directive, Article 3 sets out the criteria for determining which a plan or programme require environmental assessment. A plan or programme must (a) belong to the list of sectors and (b) set the framework for future development consent of projects listed in Annexes I and II to the EIA Directive, or (c) require an AA under the EU Habitats Directive (92/43/EEC).

Annex II of the SEA Directive presents the criteria for determining the likely significant effects referred to in Article 3(5) of the Directive. The significance of effects is determined with reference to the type and nature of plan or programme. It also has regard to the nature of the effects and the sensitivity of the receiving environment as well as the magnitude and spatial extent of the effects. Cumulative and transboundary issues must also be considered.

### **2.3 The Environmental Noise Directive**

Directive 2002/49/EC of the European Parliament and of the Council relates to the assessment and management of environmental noise and is commonly referred to as the Environmental Noise Directive or END. The aim of the Directive is:

*“to define a common approach intended to avoid, prevent or reduce on a prioritised basis the harmful effects, including annoyance, due to exposure to environmental noise”.*

Statutory Instrument No. 140 of 2006, also known as The Environmental Noise Regulations, was transposed into Irish Law by The Minister for the Environment, Heritage and Local Government, for the purpose of giving effect to in 2004 the European Community Directive 2002/49/EC. The regulations provide for the implementation in Ireland of a common approach within the European community-ty intended to avoid, prevent or reduce on a prioritised basis the harmful effects, including annoyance, due to exposure to environmental noise.

The Environmental Protection Agency (EPA) is the national authority responsible for overseeing the implementation of the Regulations. The EPA is required by the regulations to provide advice and guidance to the relevant noise mapping bodies and action planning authorities. The EPA is responsible for reporting to the European Commission information relating to strategic noise mapping and action planning in accordance with Article 10(2) of the Directive.

### **3 DESCRIPTION AND BACKGROUND TO THE OFFALY COUNTY COUNCIL DRAFT NOISE ACTION PLAN 2024 - 2028**

Offaly's Noise Action Plan has been developed in response to Offaly's County Council role as designated Planning Authority under Article 7 of the Environmental Noise Regulation 2006. Statutory Instrument No. 140 of 2006. These Regulations give effect to the EU Directive 2002/49/EC relating to the assessment and management of environmental noise.

The Noise Action Plan 2024 - 2028 represents an update to a plan previously prepared in 2018 (2018 - 2023) and has been prepared by Offaly County Council.

#### **3.1 Objectives and Actions**

The objectives of the Offaly County Council Noise Action Plan are to avoid, prevent and reduce, where necessary, on a prioritised basis, the harmful effects, including annoyance, due to long term exposure to environmental noise. This will be achieved by taking a strategic approach to managing environmental noise.

This approach promotes action on environmental noise through three avenues:

1. Noise reduction at source;
2. Land use planning adapted to noise goals; and
3. Procedures to reduce noise impact.

Noise Action Plan 2024-2028 represents an update to the noise action plan previously prepared in 2018 (2018 - 2023) by Offaly County Council.

It is Offaly County Council's goal to adopt a strategic approach to the management of environmental noise with a view of preventing and reducing, where necessary, and in particular, where exposure levels can induce harmful effects on human health, and to promote a high level of environmental protection.

Noise Action Plan is supported by a four-year programme for implementation, with progress reported to the EPA on an annual basis. The Noise Action Plan is to be implemented through a staged process over a period of 4 years.

The Noise Action Plan 2024-2028 is supported by a four-year programme for implementation, with progress reported to the EPA on an annual basis. The following actions (set out in Section 10.1.8 of the Noise Action Plan 2024-2028) will be employed to meet the Noise Action Plan objectives:

- Review of the County Development Plan 2021-2027 to include noise control and management. The County Development Plan includes noise considerations based on the 2013-2018 Noise Action Plan. This was considered to be an important step in the ongoing implementation of the Council's Noise Action Plan aimed at protecting the population from the harmful effects of environmental noise.
- Include Noise Assessment and Control in the County Planning Guidance. The consideration of environmental noise at the planning stage of developments will allow for significant improvement in the acoustic quality of existing and future developments by providing planners with greater tools to assess and control the potential noise impact in sensitive areas.
- New Developments: below the threshold for EIA requirements, will require noise impact assessment; and
- New Developments close to Noise Sensitive Buildings (identified as part of the Noise Action Plan) within the vicinity of a significant noise source will be required to include noise insulation and control measures. Noise maps produced by TII will be available on Offaly County Council website. This will inform the public if there are noise considerations local to the area where a proposed planning is being sought. This allows for noise attenuation measures to be included in the design of the project and create a healthier environment for occupants.

### 3.2 Consultation

< Update here >

## 4 STRATEGIC ENVIRONMENTAL ASSESSMENT SCREENING

To determine if this strategy is considered a plan or programme under Article 3 of the SEA Directive, a pre-screening check is necessary.

Figure 1 provides details of the pre-screening checklist; this checklist is based on the decision tree published by the Environmental Protection Agency (EPA) in the development of SEA methodologies for plans and programmes in Ireland<sup>1</sup>.

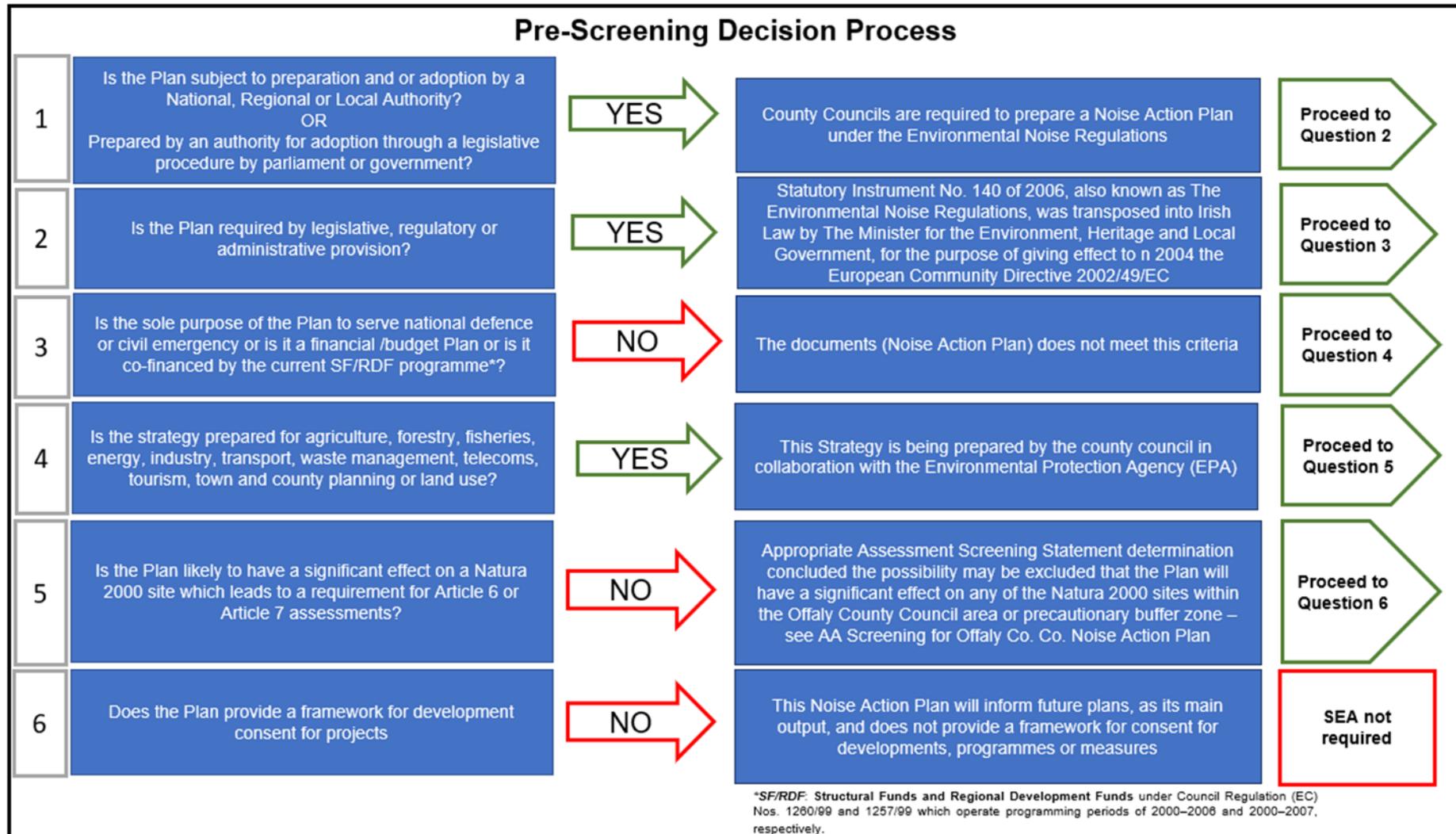
This SEA screening assessment report is consistent with the process as recommended by The Department of Environment, Heritage and Local Government guidance document entitled

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<sup>1</sup> P. Scott & P. Marsden., 2001-EEP/DS-2/5 *Development of Strategic Environmental Assessment (SEA) Methodologies for Plans and Programmes in Ireland* Synthesis Report © Environmental Protection Agency 2003

Implementation of SEA Directive 2001/42/EC Assessment of the Effects of Certain Plans and Programmes on the Environment November 2004, specifically Chapter 3 (SEA: Screening and Scoping) and furthermore uses the criteria for screening criteria set out in the SEA Directive.

Figure 1 Pre-SEA Screening Decision Process



## 4.1 SEA Screening Determination

The Noise Action Plan was screened using the criteria contained in Annex II of the SEA Directive. Table 1 details the screening assessment using the criteria for determining the likely significance of effects as set out in the SEA Directive, Annex II.

*Table 1 Criteria for Determining the Likely Significance of Environmental Effects - Characteristics of the Plan*

Potential Significant Effects	
Characteristics of the plan or programme having regard, in particular to:	
The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	<p>The purpose of the Noise Action Plan 2024-2028 is to identify areas at risk from environmental noise in Offaly County, it also looks to set strategic objectives with an aim to avoid, prevent and reduce the harmful effects of environmental noise from traffic on a prioritised basis.</p> <p>Offaly County Council's Noise Action Plan 2024-2028, if adopted, will not set a framework for future development consent of projects, i.e. projects listed in both Annex I and Annex II of the Environmental Impact Assessment Directive.</p>
The degree to which the plan or programme influences other plans and programmes including those in a hierarchy	<p>This Noise Action Plan 2024-2028 will inform other future plans or programmes, as its main output, to ensure that Offaly County Councils planning policies and guidelines must be informed and take account of the issues around environmental noise, irrespective of the size of the development or plan.</p> <p>Future individual planning policies, strategies, plans and projects must be considered under the SEA, Environmental Impact Assessment (EIA) and/or Appropriate Assessment (AA) process, when sufficient detail arises.</p>
The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	<p>As the Noise Action Plan 2024-2028 is aimed at integrating Environmental Noise considerations into Offaly County Councils planning procedures as, the specific actions will be implemented via future plans and policies.</p> <p>This Noise Action Plan 2024-2028 main output is to ensure planning determinations by Offaly County Council are conscious of environmental noise constraints and potential design mitigation measures.</p> <p>Individual county development policies, strategies, plans and projects must be considered individually under the Strategic</p>

Potential Significant Effects	
	Environmental Assessment (SEA), EIA and/or AA process.
Environmental problems relevant to the plan or programme	<p>The Noise Action Plan looks to integrate Environmental Noise adaptation into Offaly County Council as a planning function and/or an important criterion to be considering in forward planning plans, projects or strategies.</p> <p>Individual county development policies, strategies, plans and projects must be considered individually under the SEA, EIA and/or AA process.</p>
The relevance of the plan or programme for the implementation of European Union legislation on the environment (e.g., plans linked to waste management or water protection)	The Noise Action Plan 2024 - 2028 is aimed at integrating Environmental Noise adaptation into identified Offaly County Councils planning policies, with some specific actions to integrate noise impact assessments into planning requirements under the EIA threshold. It does not set community legislation as such.

*Table Criteria for Determining the Likely Significance of Environmental Effects - Characteristics of the Effects*

Potential Significant Effects	
Characteristics of the Effects and the Area likely to be affected, having regard in particular to:	
The probability, duration, frequency and reversibility of the effects	<p>Environmental noise policy adaptation into the plans, strategies and the planning application procedure will help reduce environmental noise nuisance.</p> <p>An Appropriate Assessment Screening Report has prepared for this Noise Action Plan in line with Article 6(3) of the EU Habitats Directive (92/43/EEC). This concluded there will be no likely adverse effects identified to any Natura 2000 site as a result of the Noise Action Plan 2024-2028</p> <p>The Noise Action Plan 2024-2028 will influence policies, strategies, and planning procedures developed and enforced by Offaly County Council to assess for noise impact, in particular areas identified as noise sensitive, for developments.</p>
The cumulative nature of the effects	
The transboundary nature of the effects	
The risks to human health or the environment (e.g., due to accidents)	
The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	
The value and vulnerability of the area likely to be affected due to:	
Special natural characteristics or cultural heritage;	
Exceeded environmental quality standards or limit values;	
Intensive land-use	
The effects on areas or landscapes which have a recognised national, community or international protection status	

Potential Significant Effects	
	Individual policies plans and projects must be considered individually under the EIA and/or AA process when sufficient details arises.

## 5 APPROPRIATE ASSESSMENT

An Appropriate Assessment Screening Report has prepared for this Noise Action Plan in line with Article 6(3) of the EU Habitats Directive (92/43/EEC) and a This concluded there will be no likely adverse effects identified to any Natura 2000 site as a result of the Noise Action Plan 2024-2028

## 6 CONCLUSION

This Strategic Environmental Assessment (SEA) Screening Report was carried out to determine the need for a Strategic Environmental Assessment for Offaly County Council Noise Action Plan prepared as a requirement of the Environmental Noise Regulations 2006.

It has been concluded following review against the environmental significance criteria as set out in Annex II of the SEA Directive and the EPA pre-decision screening process, that:

- The Noise Action Plan will inform future plans, as its main output, and does not provide a framework for developments, programmes or measures;
- The Appropriate Assessment Screening Assessment has concluded that the possibility may be excluded that the Plan will have a significant effect on any of the Natura 2000 sites within the Offaly County Council area or precautionary buffer zone.

It is concluded a Strategic Environmental Assessment is not required for the Noise Action Plan 2024-2028.

## **7 REFERENCES**

Offaly County Council, Draft Noise Action Plan 2024-2028

Environmental Assessments of Plans, Programmes and Projects – Rulings of the Court of Justice of the European Union (European Union 2017).

P. Scott and P. Marsden., 2001-EEP/DS-2/5 Development of Strategic Environmental Assessment (SEA) Methodologies for Plans and Programmes in Ireland Synthesis Report, copyright Environmental Protection Agency 2003.



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