

Forward Planning Section  
Offaly County Council  
Áras an Chontae  
Charleville Road  
Tullamore  
Co. Offaly

7<sup>th</sup> October 2020

Our Ref: SCP190502.2

**Re. Draft Offaly County Development Plan 2021-2027 and SEA Environmental Report**

Dear Sir / Madam,

We acknowledge your notice, dated 17<sup>th</sup> July 2020, in relation to the Draft Offaly County Development Plan 2021-2027 (the 'Plan') and SEA Environmental Report.

The EPA is one of five statutory environmental authorities under the SEA Regulations. In our role as an SEA environmental authority, we focus on promoting the full and transparent integration of the findings of the Environmental Assessment into the Plan and advocating that the key environmental challenges for Ireland are addressed as relevant and appropriate to the plan. Our functions as an SEA environmental authority do not include approving or enforcing SEAs or plans.

As a priority, we focus our efforts on reviewing and commenting on key sector plans. For land use plans at county and local level, we provide a 'self-service approach' via the attached guidance document '*SEA of Local Authority Land Use Plans – EPA Recommendations and Resources*'.

This document is updated regularly and sets out our key recommendations for integrating environmental considerations into Local Authority Land Use Plans. We suggest that you



take this guidance document into account and incorporate the relevant recommendations, in finalising and implementing the Plan.

Offaly County Council should also ensure that the Plan aligns with key relevant higher-level plans and programmes and is consistent with the relevant objectives and policy commitments of the National Planning Framework and the Eastern and Midlands Regional Spatial and Economic Strategy.

### **Comments on the Plan**

We acknowledge the inclusion of the various environmental commitments in the Plan, including those related to the protection of water quality, biodiversity and climate adaptation / mitigation. It is clear that the findings of the SEA have been incorporated to a large degree into the Plan.

There are, however, a number of additional aspects, that should be given further consideration, and a number of SEA recommendations that still need to be reflected in the Plan, or alternatively reasons provided for not doing so.

Offaly County Council should ensure that the Plan aligns with key relevant higher-level plans and programmes and is consistent with the relevant objectives and policy commitments of the National Planning Framework and the Eastern and Midlands Regional Spatial and Economic Strategy.

In *Section 8.4 – Members’ Amendments and Environmental Consequences*, we note that the SEA has identified the potential for likely significant effects that may arise from implementing the motions described. In considering implementing these motions, we recommend that they conform with the principles of proper planning and sustainable development and remain aligned with national policy commitments, such as the National Planning Framework and Regional Spatial and Economic Strategies and the Climate Action Plan 2019.

Additional specific comments on the Plan are provided in Appendix I of this submission, while Appendix II includes some comments to consider in relation to the SEA Environmental Report.

### **Content of the Environmental Report**

The SEA Regulations set out the information to be contained in an Environmental Report.

We welcome the use of environmental sensitivity mapping to help inform the areas needing greater levels of protection to help avoid potential cumulative adverse environmental effects.

### *Assessment of Alternatives*

We acknowledge the approach taken in the consideration of alternatives for the development of the Plan area.

### *Mitigation Measures*

Where you have identified the potential for likely significant effects, you should provide appropriate mitigation measures to avoid or minimise these. You should also ensure that the Plan includes clear commitments to implement the mitigation measures.

### *Monitoring*

The Monitoring Programme should be flexible to take account of specific environmental issues and unforeseen adverse impacts should they arise. It should consider and deal with the possibility of cumulative effects. Monitoring of both positive and negative effects should be considered. The monitoring programme should set out the various data sources, monitoring frequencies and responsibilities.

If the monitoring identifies adverse impacts during the implementation of the Plan, Offaly County Council should ensure that suitable and effective remedial action is taken. We suggest that you consider publishing monitoring reports alongside the interim review of the Plan over its lifetime.

Guidance on SEA-related monitoring is available on the EPA website at <https://www.epa.ie/pubs/advice/ea/guidanceonseastatementsandmonitoring.html>

### ***State of the Environment Report – Ireland’s Environment 2016 / 2020***

In finalising the Plan and integrating the findings of the SEA into the Plan, the recommendations, key issues and challenges described in our most State of the Environment Report [Ireland’s Environment – An Assessment 2016](#) (EPA, 2016) should be considered, as relevant and appropriate.

We also bring to your attention that the EPA will be finalising and publishing the next iteration of this four year reporting series before the end of the year. Once published, we recommend that you review the key findings and recommendations and integrate these into the Draft Plan, as relevant and where appropriate.

### **Future Amendments to the Plan**

You should screen any future amendments to the Plan for likely significant effects, using the same method of assessment applied in the “environmental assessment” of the Plan.

### **SEA Statement – “Information on the Decision”**

Once the Plan is adopted, you should prepare an SEA Statement that summarises:

- How environmental considerations have been integrated into the Plan;
- How the Environmental Report, submissions, observations and consultations have been taken into account during the preparation of the Plan;
- The reasons for choosing the Plan adopted in the light of other reasonable alternatives dealt with; and,

- The measures decided upon to monitor the significant environmental effects of implementation of the Plan.

You should send a copy of the SEA Statement with the above information to any environmental authority consulted during the SEA process.

Guidance on preparing SEA Statements is available on the EPA website at the following link: <https://www.epa.ie/pubs/advice/ea/guidanceonseastatementsandmonitoring.html>

### **Environmental Authorities**

Under the SEA Regulations, you should also consult with:

- The Minister for Housing, Planning and Local Government,
- The Minister for Agriculture, Food and the Marine, and the Minister for the Environment, Climate and Communications, where it appears to you as the competent authority that the plan or programme, or modification to a plan or programme, might have significant effects on fisheries or the marine environment,
- The Minister for Culture, Heritage and the Gaeltacht where it appears to you as the competent authority that the plan or programme, or modification to a plan or programme, might have significant effects in relation to the architectural or archaeological heritage or to nature conservation, and
- any adjoining planning authority whose area is contiguous to the area of a planning authority which prepared a draft plan, proposed variation or local area plan.

If you have any queries or need further information in relation to this submission, please contact me directly. I would be grateful if you could send an email confirming receipt of this submission to: [sea@epa.ie](mailto:sea@epa.ie).

Yours Sincerely,

A handwritten signature in blue ink, appearing to read 'Cian O'Mahony'.

Cian O'Mahony  
SEA Section  
*Office of Evidence and Assessment*

## Appendix I - Specific Comments on the Plan

### Section 2 – The Draft Plan

In *Section 2.3 Strategic Vision*, we suggest that the objective (ii) for the County be amended as follows “*Consolidate settlements ~~to-by avoid~~ ~~ing~~ undesirable and inefficient sprawl...*”

*Section 2.7 – Relationship with other relevant Plans and Programmes*, the second last paragraph could strengthen the role of the Plan in informing lower level plans and programmes by amending it as follows “*The County Development Plan ~~may~~ will, in turn, guide lower level strategic actions...*”

### Chapter 3 – Climate Action and Energy

In *Section 3.7 Peatlands*, we note the intention of Offaly County Council to support the preparation of a “*comprehensive after use framework plan for the industrial peatlands*”. (Policy CAEP-13). The requirements of the SEA and Habitats Directives should be taken into consideration also, as appropriate.

### Chapter 4 – Biodiversity and Landscape

We acknowledge the intention for Offaly County Council (in Policy BLP-15) to work with adjoining local authorities and relevant stakeholders, including the NPWS, to promoting a National Park designation for peatlands in the midlands. We also note the proposed ‘Regional Peatway’, connecting natural and cultural attractions. The requirements of the SEA and Habitats directives should be taken into account for both of these proposals as appropriate and where relevant.

In relation to Policy BLP-21, we note the intention of the policy to have regard to a ‘*Waterways Corridor Study 2002*’. Given that this strategy predates more recent environmental legislation (including the SEA Directive) and environmental policy commitments, any recommendations or findings within this study should be carefully considered. We also suggest the merit in reviewing this strategy in the context of ensuring that any recommendations contained within this strategy conform with national and international commitments with regards environmental protection.

### Chapter 8 – Sustainable Mobility and Accessibility

In relation to *Section 8.6 – Air Transport*, while we note the intention of Offaly County Council to support the location of an airport within the county or within the midlands. This should be considered in the context of existing national airport infrastructure and continued improvements to transport and road infrastructure servicing those airports. No information is provided regarding the type of airport considered, or how potential significant environmental affects would be considered in this regard. Any proposal should be subject to the relevant environmental assessments.

In *Section 8.8 – Sustainable Mobility and Accessibility Objectives*, the objective to prepare a local transport plan for Tullamore (SMA-O-02), should take into account the requirements of the SEA and Habitats Directives.

## **Chapter 11 – Water Services and Environment**

We welcome the range of policies and objectives contained in this chapter related to environmental protection and supporting sustainable development.

In *Section 11.5.2 Waste Management*, there is merit in referring to the Draft National Hazardous Waste Management Plan 2021-2027, which is currently being prepared by the EPA.

## **Appendix II – Specific Comments on the SEA Environmental Report**

### **Section 4 – Environmental Baseline**

*Section 4.18 -Overlay of Environmental Sensitivity Mapping*, there is also merit in referring to the EPA-funded Environmental Sensitivity Mapping Web Tool [www.enviromap.ie](http://www.enviromap.ie) , which could also assist in this regard.

### **Section 5-Strategic Environmental Objectives**

In *Table 5.1 – Strategic Environmental Objectives (SEOs), Indicators and Targets*, consider the following aspects

- The second bullet point target associated with the Water SEO should also refer to subsequent iterations of the River Basin Management Plan.
- The third bullet point target associated with the Water SEO, related to flooding, should also look to avoid inappropriate zoning or development of lands in areas at risk of significant flooding. Development of lands should be consistent with the flood risk management guidelines.

### **Section 8 – Evaluation of Plan Provisions**

In *Section 8.2 Cumulative Effects*, we suggest that the EPA guidance note '[Good Practice Guidance note on cumulative effects assessment in SEA](#)' could also be referred to.

In *Table 8.5 Presence of Interrelationships between Environmental Components*, given the amount of peatlands within the plan area, there is merit in recognizing the interrelationship between Soil and Air and Climatic Factors. Where peat rich soils are allowed to dry out, they can release CO<sub>2</sub> and act as carbon sources, while wet peat soils act as carbon sinks.