



SEA Screening Determination Report

for

Variation No. 1

of the

Offaly County Development Plan 2014-2020

February 2018

1. Introduction

1.1 Background

Offaly County Council has prepared Variation No. 1 to the Offaly County Development Plan 2014-2020. Variation no. 1 of the Offaly County Development Plan 2014-2020 seeks, in accordance with the provisions of the Urban Regeneration and Housing Act 2015 (Vacant Site Levy) to:

- (a) integrate specific objective(s) for the development and renewal of identified areas in need of regeneration or residential development and,
- (b) specify the areas identified in need of regeneration or residential development.

The variation has been prepared in accordance with the provisions of section 13(2) of the Planning and Development Act 2000 (as amended).

This variation is without prejudice to the assessment of any planning application and the full range of issues which are required to be examined and decided upon during the course of any planning application.

This report constitutes the SEA Screening Determination Report of Variation No. 1 and follows on from the preparation of a SEA Screening Report (November 2017) which was prepared in order to assist the Environmental Authorities, in the preparation of submissions/observations, on whether or not Variation No. 1 would be likely to have significant effects on the environment.

2. Strategic Environmental Assessment Screening

2.1 Initial determination and recommendation under Article 13K of the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (as amended by SI 201/2011)

During this part of the SEA process it was noted that Variation No. 1 will be implemented in accordance with the principles of sustainable development and with the commitment to the enhancement and protection of the natural and man-made environment, as set out in the Offaly County Development Plan 2014-2020, which was subject to a full SEA and AA in 2014.

On the basis of the assessment undertaken and consideration of the criteria as set out in Schedule 2A of the Regulations, it was considered that the variation is unlikely to give rise to significant environmental effects, once the environmental policies and objectives within the Offaly County Development Plan 2014-2020 are adhered to and implemented; and therefore does not require an SEA.

2.2 Consultation with the Environmental Authorities

SEA Screening Consultation

As required by Article 13K (3) of the Planning and Development (Strategic Environmental Assessment) Regulations 2004, as amended by SI 201/2011, the SEA Screening Report was forwarded to the following Environmental Authorities on bodies on the 10th November 2017, as part of the SEA Screening process.

- Environmental Protection Agency (EPA)
- Department of Housing, Planning and Local Government (DHPLG)
- Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs (DAHRRGA)
- Department of Communications, Climate Change and Environment (DCCE)
- Department of Agriculture, Food and the Marine (DAFM)
- Adjoining Planning Authorities.

The above bodies were invited to make a submissions or observations, in relation to whether or not Variation No. 1 to the Offaly County Development Plan 2014-2020 would be likely to have significant effects on the environment.

Of the 12 bodies consulted, two submissions were received:

- Meath County Council
- Environmental Protection Agency.

Meath County Council submission 28th November 2017 - No comments to make on the SEA Screening of the proposed variations.

Environmental Protection Agency (EPA) submission dated 28th November 2017.

The main comments received from the EPA are outlined below:

SEA Determination

- *Noted the position with regards for need for SEA of the proposed variations.*

Comments on the Variation

- *Where any brownfield lands are proposed for reuse / regeneration, these should be appropriately remediated to avoid or minimise any potential significant environmental impacts or human health impacts that may arise. The development of these areas, should be carried out in a manner that is consistent with the County Core Strategy and with the principles of sustainable development.*
- *The assessments should consider and provide information on aspects such as contaminated soil removal / remediation, noise and air quality, waste management, possible service infrastructure provision issues,*

possible presence of invasive species and ensuring appropriate management / control, implications for biodiversity etc.

- *Where the above aspects are already provided for in the County Development Plan, including a table showing the key policies/objectives would be useful to include. This would clearly show the how the proposed re-use/re-development of these lands/vacant sites would take account of the any environmental sensitivities identified.*
- *There a few key significant plans currently (and undergoing SEA), which should be considered in implementing the Variation which include the following:*
 - o *Draft National Planning Framework (DHPLG)*
 - o *Draft National River Basin Management Plan for Ireland (DHPLG)*

Future Modifications to the Variation

Where changes to the Variation are made prior to finalisation, or where modifications to the Plan are proposed following its adoption, these should be screened for potential for likely significant effects in accordance with the criteria as set out in SEA Regulations Schedule 2A Criteria (S.I. No. 436 of 2004).

Infrastructure Planning

In proposing the Variation, and any related amendments, variations etc. of the Plan, and in implementing the Variation, adequate and appropriate infrastructure should be in place, or required to be put in place, to service any development proposed and authorised during the lifetime of the Plan.

Environmental Authorities

Under the SEA Regulations (S.I. No. 436 of 2004), as amended by S.I. No. 201 of 2011, notice should also be given to the Environmental Authorities.

EPA Submission inserted at the back of this report.

The comments by the EPA are acknowledged and noted. In particular, taking on board the EPA's comments the Council:

- Included suggested comments on the variation in relation to brownfield lands, and remediation of same by way of additional policies **RTCP 19 & 20** for incorporation into Chapter 5 Retail and Town Centre Strategy (section 5.5) to reflect these additional environmental measures.
- Noted, acknowledge and have considered the draft National Planning Framework and the Draft National River Basin Management Plan for Ireland in making the proposed variation.
- Note the requirement for screening of any future modifications to the variation.
- Is satisfied that requirements on infrastructure planning are set out by way of the policies and objectives of the core strategy of the Offaly County Development Plan 2014 -2020.
- Notes and will comply with the requirement to send notice of environmental authorities.

Any development arising from this Variation will be required to confirm to National and European regulations and legislation for the prevention of environmental effects which would adversely impact on designated sites and all developments will be required to adhere to all environmental protection policies and objectives contained within the development plan. This will ensure that no development is permitted that will significantly adversely impact on the sensitive.

3. Final Determination Subsequent to Consultation with the Environmental Authorities

Having had regard to the requirements of the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (as amended by S.I. No. 201 of 2011), and having consulted with the Environmental Authorities and considered the submission received, it is the final determination of the Planning Authority under Article 14 A (5) of the Regulations that a Strategic Environmental Assessment is not required in respect to Variation No. 1 of the Offaly County Development Plan 2014-2020.

This decision has been taken having regard to the EU Strategic Environmental Assessment Directive (2001/42/EC) and the Strategic Environmental Assessment Guidelines for Regional Authorities and the Planning Authorities (November 2004) (DoEHLG).