



BRADY SHIPMAN MARTIN

**STRATEGIC ENVIRONMENTAL
ASSESSMENT SCREENING REPORT**

for

**PROPOSED VARIATION No. 1 OF THE MEATH COUNTY
DEVELOPMENT PLAN 2013- 2019**

for

MEATH COUNTY COUNCIL

August 2013

Brady Shipman Martin

Dundrum Business Park
Dundrum Road
Dublin 14
Phone: +353 (0)1 208 1900
Email: mail@bsmconsult.com

Contents Amendment Record

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1: INTRODUCTION

Meath County Council adopted the Meath County Development Plan 2013 – 2019 on December 17th 2012 and it took effect from January 22nd 2013. The purpose of the Plan is to promote sustainable development by encouraging economic development, protecting the environment and enhancing the social fabric of the area. Since its adoption the Local Authority has decided to vary the Plan under Section 13 of the Planning and Development Acts 2000-2013.

The adopted Plan underwent a detailed assessment of the likely effects of its implementation on the environment in accordance with the SEA Directive (2001/42/EEC). The SEA Directive came into force in 2004 and was subsequently transposed into Irish law through:

- The European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004, (S.I. No. 435 of 2004) as amended in 2011 and;
- Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations 2011, (S.I. No. 201 of 2011), amending the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (S.I. No. 436 of 2004).

The Directive requires Member States of the EU to assess the likely significant¹ environmental effects of plans and programmes prior to their adoption thus providing for the assessment of strategic environmental considerations at an early stage of the decision making process.

Article 1 of the SEA Directive states:

“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 Directive came into effect in an Irish context in July 2004. Since then SEA must be prepared for plans and programmes, including:

- Regional Planning Guidelines;
- City and County Development Plans;
- Development Plans made by Town Councils, where the population of the area is 10,000 or more; or
- Local Area Plans for towns with a population of 5,000 or more.

The Environmental Report, prepared for the Meath County Development Plan 2013-2019, concluded that the implementation of the Plan, including the various mitigation measures, would result, in general terms, in a neutral to positive impact on the environment as a whole.

Determination of the need for SEA and SEA Screening

The Regulations state that SEA is mandatory for certain plans while screening for SEA is required for other plans that fall below the specified thresholds. Where plans or programmes fall below or outside of the specified thresholds, a screening report is required to be carried out to determine whether the making and implementation of a particular plan will or will not, lead to significant environmental consequences for the plan area.

¹ “Significant Effects” – These effects include secondary, cumulative, synergistic, short, medium and long term, permanent and temporary, positive and negative effects.

Article 14A (2) of Planning and Development (Strategic Environmental Assessment) Regulations 2004 (as amended in 2011) states under Section 13 K “Where a planning authority proposes to make a variation of a development plan under section 13 of the Act, it shall, before giving notice under section 13(2) of the Act, consider whether or not the proposed variation would be likely to have significant effects on the environment, taking into account of relevant criteria set out in Schedule 2A”. The criterion against which this is required to be measured and screened is set out in Schedule 2A of the Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations 2011.

Under the terms of the provisions of Article 13K of the Regulations and following the appropriate consultation period, the planning authority shall determine whether or not implementation of the proposed variations would be likely to have significant effects on the environment, taking account of relevant criteria set out in Schedule 2A of the Regulations and any submission or observation received from the environmental authority.

Preliminary Report

In accordance with the above Regulations, the Local Authority conducted a Preliminary Screening exercise to determine the need or otherwise to instigate a Strategic Environmental Assessment of the likely impacts arising from the proposed variation to the adopted Plan. The Preliminary Screening Report considered whether the proposed amendments to the Development Plan required Strategic Environmental Assessment pursuant to Article 13K of the Planning and Development Strategic Environmental Assessment (SEA) Regulations 2004 (as amended in 2011). The factors considered in the screening process are detailed in Schedule 2A of the Planning and Development (SEA) Regulations 2004. The Preliminary Screening Report was circulated to Environmental Authorities for comment.

2: PROPOSED VARIATION No.1 TO THE DEVELOPMENT PLAN

The Meath County Development Plan 2013-2019 was prepared by Meath County Council under the provisions of the Planning and Development Act, 2000-2013. The Plan is the guiding statutory document for the proper planning and sustainable development of the Plan area for a period of six years from the date of its adoption.

The Core Strategy of the County Development Plan requires the realisation of a number of stated objectives within specified periods, mainly within one year of adoption of the County Development Plan. The stated objectives seek to ensure that the development frameworks and land use zoning objectives of individual centres adhere to the settlement strategy and core strategy, particularly Table 2.4, of the Development Plan. This requires a review of the existing land use zoning objectives to ensure compliance with the new land use zoning objectives contained in the County Development Plan and to ensure that the quantum of lands identified for residential development adheres to the household allocation for each centre.

In order to bring forward this review of the existing land use zoning objectives, it is necessary to provide an “Enabling Variation” (*i.e.* this Variation No.1), firstly to clearly define the manner in which this process was envisaged and presented in the adopted County Development Plan. The primary purpose is to provide clarity with regard to the intentions of the Planning Authority in their subsequent work programme to give effect to the new County Development Plan.

Variation No. 1 proposes to make amendments to the following Objectives in the Core Strategy:

- Clarify the relationship between CS OBJ 1 and CS OBJ 3 which seeks to incorporate development objectives for a number of centres into the County Development Plan.
- Enable the incorporation of land use zoning objectives, inclusive of an order of priority, for those centres (5 no.) which will retain their individual Local Area Plans (CS OBJ 2 refers).
- Clarify as part of CS OBJ 3 that following the making of the variation which will incorporate development and zoning objectives for the 29 no specified centres which currently have Local Area Plans in place that the revocation process of their respective Local Area Plans will be commenced.
- Clarify the wording of CS OBJ 4 to make it clear that the Planning Authority will prepare a variation only to the Navan Development Plan 2009 - 2015.
- Provide greater certainty with regard to the sites within development centres across the county with the benefit of planning permission for multiple residential units. This certainty relates to the retention of the land use zoning objective applicable to such sites and the manner in which applications seeking to extend the appropriate period under Section 42 of the Planning & Development Act, 2000 – 2011 shall be dealt with. This element of the variation seeks to limit the period for which such extension of durations can be considered to be contemporaneous to the timeframe of the County Development Plan.
- Enable Meath County Council to prepare a new LAP for Bettystown/Laytown /Mornington East/ Donacarney/Mornington within one year of the adoption of the Meath County Development Plan 2013-2019 (CS OBJ 8).

3: ASSESSMENT OF LIKELY SIGNIFICANT EFFECTS

The following assessment has been conducted in accordance with the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (SI No. 436 of 2004). Thus the Screening of the proposed variations utilises specified criteria for determining the likely significant environmental impacts of the proposed variations as set out in Schedule 2 (A) of SEA Regulations 2004 (see Appendix 1).

1.0 THE CHARACTERISTICS OF THE PLAN HAVING REGARD IN PARTICULAR TO:	
1.1	<p>The degree to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions, or by allocating resources;</p> <p>The proposed Variation is consistent with the objectives of the County Development Plan which has undergone full Strategic Environmental Assessment. There are no zoning changes proposed as part of this Variation.</p> <p>The Core Strategy is being varied to clearly define the manner in which the process regarding the review of the existing land use zoning objectives was envisaged and presented in the adopted County Development Plan. The primary purpose is to provide clarity with regard to the intentions of the Planning Authority in their subsequent work programme to give effect to the new County Development Plan.</p> <p>The proposed Variation to the County Development Plan is primarily intended to amend and provide clarification where required. The proposed amendments do not materially alter the overall framework for development as set out in the Plan.</p>
1.2	<p>The degree to which the plan influences other plans, including those in a hierarchy.</p> <p>The proposed Variation is consistent with the objectives of the County Development Plan which has undergone full Strategic Environmental Assessment.</p> <p>The Core Strategy is being varied to clearly define the manner in which the process regarding the review of the existing land use zoning objectives was envisaged and presented in the adopted County Development Plan. The primary purpose is to provide clarity with regard to the intentions of the Planning Authority in their subsequent work programme to give effect to the new County Development Plan.</p> <p>Any future variations or amendemnts to the development plan or local area plans are subject to the requirements relating to SEA as provided for by the Planning and Development (SEA) Regulations, as amended.</p>
1.3	<p>The relevance of the plan for the integration of environmental considerations, in particular with a view to promoting sustainable development.</p> <p>The preparation of the new County Development Plan, which underwent full SEA, integrated environmental considerations into the Plan and concluded that the Plan is based on the principles of sustainable development. The proposed variation does not in itself propose changes to</p>

environmental considerations and seeks to clarify and define intentions and process in relation to the subsequent work programme of the Planning Authority in giving effect to the new County Development Plan.

1.4 Environmental problems relevant to the plan.

The proposed variation is wholly consistent with the objectives of the County Development Plan and will incorporate into the County Development Plan which has undergone full SEA. The Environmental Report, prepared for the Meath County Development Plan, concluded that the implementation of the Plan, including the various mitigation measures, would result, in general terms, in a neutral to positive impact on the environment as a whole. No significant environmental problems are identified in relation to the proposed Variation.

1.5 The relevance of the plan for the implementation of European Union legislation on the environment (e.g. plans linked to waste management or water protection).

Issues relating to European Union Legislation on the environment are provided for in the Meath County Development Plan 2013-2019. This proposed Variation is consistent with the policies and objectives of the Plan which itself was the subject of an SEA. This proposed Variation will therefore be guided and informed by the relevant European legislation on the environment including; waste management and water protection policies and objectives as set out in the Meath County Development Plan 2013-2019.

2.0 CHARACTERISTICS OF THE EFFECTS AND OF THE AREA LIKELY TO BE AFFECTED HAVING REGARD IN PARTICULAR TO:

2.1 The probability, duration, frequency and reversibility of the effects:

The Core Strategy is being varied to clearly define the manner in which the process regarding the review of the existing land use zoning objectives was envisaged and presented in the adopted County Development Plan. The primary purpose is to provide clarity with regard to the intentions of the Planning Authority in their subsequent work programme to give effect to the new County Development Plan.

The Environmental Report, carried out on the County Development Plan, outlined the characteristics of the effects likely to be affected by the Plan's implementation. The proposed variation will not alter the assessment including the characteristics of the effects on the receiving environment.

2.2 The cumulative nature of the effects:

It is considered that there will be no significant cumulative effects on the environment arising from the implementation of the proposed amendments.

2.3 The trans-boundary nature of the effects:

It is considered that there will be no trans-boundary effect on the environment arising from the implementation of the proposed amendments.

<p>2.4 The risks to human health or the environment (e.g. due to accidents):</p> <p>No risks to human health or the environment due to accidents have been identified.</p>
<p>2.5 The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected):</p> <p>The proposed variation will not result in any increase in the magnitude or spatial extent of the effects which have been addressed in the SEA of the adopted County Development Plan.</p>
<p>2.6 The value and vulnerability of the area likely to be affected due to:</p> <p>a) special natural characteristics or cultural heritage;</p> <p>No effects have been identified.</p> <p>b) exceeded environmental quality standards or limit values, and;</p> <p>No effects have been identified.</p> <p>c) Intensive land-use.</p> <p>No effects have been identified.</p>
<p>2.7 The effects on areas or landscapes which have a recognised national, European Union or international protection status:</p> <p>Under the Habitats Directive an Appropriate Assessment Screening has been undertaken on the proposed Variation and it has found that significant adverse impacts would not be likely due to the benign nature of the Variation and the protective policies engrained within Meath County Development Plan 2013-2019.</p>

4: CONSULTATION WITH ENVIRONMENTAL AUTHORITIES

An important and significant element to the Screening process is consultation with the Environmental Authorities. In accordance with SI No. 436 of 2004, the Local Authority entered into a consultation period and invited comment/submissions from the relevant environmental authorities on the determination that Variation No. 1 would not have a significant effect on the environment. Submissions and observations were invited for a period of three weeks from 1st of August to 22nd August 2013. Submissions were received from the Environmental Protection Agency (EPA) and the Department of Communications, Energy and Natural Resources (DECNR). A copy of the submissions is attached as Appendix 2 and a summary provided below.

Environmental Protection Agency (EPA)

The EPA submission noted the position with regard to the need for Strategic Environmental Assessment (SEA) of the Variation. Additionally guidance and specific comments were provided in relation to potential subsequent variations facilitated by this proposed variation. These comments are noted and will be considered in any future variations.

Department of Communications, Energy and Natural Resources (DECNR)

The Department of Communications, Energy and Natural Resources made a submission on behalf of Inland Fisheries Ireland (IFI) which stated that the IFI had no observations to make on the proposed variation.

5: DETERMINATION UNDER ARTICLE 13K

Following careful review and consideration of the issues concerning the variation, it is concluded that the proposed variation to the adopted Meath County Development Plan 2013-2019 will not in themselves result in a significant adverse environmental effect and will therefore not require a detailed assessment of their effect upon implementation through the SEA process.

This conclusion has been drawn based through consideration of the following factors:

- The proposed variation as presented;
- The existing and adopted safeguarding policies on environmental protection; and
- The existing and adopted County Development Plan, and associated SEA Statement, SEA Environmental Report and Appropriate Assessment.

It is considered that the proposed variation will be an improvement on the adopted Plan as it seeks to provide further clarity and definition of processes in the management of development and zoning generally and specifically within Local Area Plans. In this manner the proposed variation can be viewed as positive.

The screening process has determined that there will not be any significant environmental effects due to the adoption of the proposed amendments. As a result, there is no requirement to proceed beyond Stage 1 of the SEA process.

It is considered that proposed Variation No. 1 as detailed above is not likely to have significant or strategic effects on the environment.

In view of the above it is currently considered that a Strategic Environmental Assessment is not required in respect of proposed Variation No. 1 of the Meath County Development Plan 2013-2019.

6: RECOMMENDATION

It is determined that the SEA Screening process concludes on circulation of this report and no further detailed strategic assessment on the likely impact of implementing the proposed variation is necessary. In accordance with current government guidance the proposed variation has been subject to Appropriate Assessment Screening and the recommendations contained within that report should be implemented in full.

Pursuant to Article 13 K of the Regulations notice will issue to the Environmental Authorities previously consulted of the Planning Authority's determination in this matter. Furthermore a copy of this report will be made available for inspection at the office of the Planning Authority.

Appendix 1: Schedule 2A

PLANNING AND DEVELOPMENT (STRATEGIC ENVIRONMENTAL ASSESSMENT) REGULATIONS 2004

CRITERIA FOR DETERMINING WHETHER A PLAN IS LIKELY TO HAVE SIGNIFICANT EFFECTS ON THE ENVIRONMENT

1. *The characteristics of the plan having regard, in particular, to*
 - *the degree to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources,*
 - *the degree to which the plan influences other plans, including those in a hierarchy,*
 - *the relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development,*
 - *environmental problems relevant to the plan,*
 - *the relevance of the plan for the implementation of European Union legislation on the environment (e.g. plans linked to waste-management or water protection).*
2. *Characteristics of the effects and of the area likely to be affected, having regard, in particular, to*
 - *the probability, duration, frequency and reversibility of the effects,*
 - *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:*
 - (a) special natural characteristics or cultural heritage,*
 - (b) exceeded environmental quality standards or limit values,*
 - (c) intensive land-use,*
 - *the effects on areas or landscapes which have a recognised national, European Union or international protection status.*

Appendix 2: Submissions

From: CorporateSupport.Unit [mailto:CorporateSupport.Unit@dcenr.gov.ie]
Sent: 21 August 2013 11:45
To: Caroline Power
Cc: Teresa O'Halloran; Pat Smyth
Subject: SEA Screening for Proposed Variation to the Meath County Development Plan 2013-2019

21st August 2013

Ms. Caroline Power
Planning Department
Meath County Council
Abbey Mall
Abbey Road
Navan
County Meath

Re: SEA Screening for Proposed Variation to the Meath County Development Plan 2013-2019

Dear Ms. Power,

I refer to your letter of the 1st August 2013 in the above regard.

The Department of Communications, Energy and Natural Resources on behalf of Inland Fisheries Ireland wish to bring to your attention the following comments at this time;

IFI have no observations to make on the above proposed variations.

Kind regards,

Frances Dunne,
Corporate Support Unit,
DCENR,
Phone 01 6783084.



Ms Caroline Power
Planning Department
Meath County Council
Abbey Mall
Abbey Road
Navan
Co. Meath

20th August 2013

Our Ref: 130802.1

Re. SEA Screening for Proposed Variation to the Meath County Development Plan 2013-19

Dear Ms Power,

The Environmental Protection Agency (EPA) acknowledges your notice, dated 1st August 2013, regarding the above and notes its contents.

SEA Determination

Your position with regard to the need for Strategic Environmental Assessment (SEA) of the Variation is noted.

Specific Comments on the Variation

The intention to establish a proposed new LAP for Bettystown/Laytown/Mornington East/Donacorney/Mornington is acknowledged. It should be noted that mandatory SEA is required for this proposed LAP, given that the population threshold for which SEA is required has been met. Specific comments on the proposed new LAP will be made during the SEA Scoping consultation phase for that particular plan.

In relation to *section 2.3.4 Guidelines for the Review of Local Area Plans/Development Plans*, the intention to consider the appropriateness of each option (Prioritisation/Phasing of Development, Alternative Land Use Zoning Objectives/Discontinuing the Land Use Zoning Objective) on an individual basis in each settlement is noted. Consideration however, should be given how the potential for cumulative effects has been taken into account. It should be ensured that the development of each settlement does not conflict with the Regional Planning Guidelines and also is consistent with the Core Strategy for the County.

The re-zoning / de-zoning considered as part of the proposed Variation is noted. It should however, be ensured that the *Planning System and Flood Risk Management – Guidelines for Planning Authorities* (DEHLG/OPW, 2009) are fully integrated as appropriate. In particular, development/land use zoning should be appropriate to the risk of flooding identified.

Future Amendments to the Draft Variation

It is a matter for Meath County Council to determine whether or not any future proposed Amendments/Variations would be likely to have significant effects on the environment. This assessment should take account of the 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 particular Variation.

Updated SEA Regulations / Circular

Amending SEA Regulations were signed into Irish law on 3rd May 2011, amending the original SEA Regulations, and should be referenced and integrated into the Plan and SEA process as appropriate:



- Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations 2011, (S.I. No. 201 of 2011), amending the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (S.I. No. 436 of 2004).

The recent DoECLG Circular (PSSP 6/2011) '*Further Transposition of the EU Directive 2001/42/EC on Strategic Environmental Assessment (SEA)*' which should also be referred to and integrated into the Variation.

Your attention is also brought to the recent DoECLG Circular (Circular PL 9 of 2013) '*Article 8 (Decision Making) of EU Directive 2001/42/EC on Strategic Environmental Assessment (SEA) as amended*' which should be taken into account during the preparation of the Draft Plan and in undertaking the SEA process.

European Communities (Birds and Natural Habitats) Regulations 2011

The requirements of the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011), should also be taken into account in implementing the Variation.

Environmental Authorities

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

- The Environmental Protection Agency
- The Minister for the Environment, Community & Local Government
- Minister for Agriculture, Marine and Food, and the Minister for Communications Energy and Natural Resources, where it appears to the planning authority that the plan or programme, or modification of the plan or programme, might have significant effects on fisheries or the marine environment
- where it appears to the competent authority that the plan or programme, or amendment to a plan or programme, might have significant effects in relation to the architectural heritage or to nature conservation, the Minister for Arts, Heritage and Gaeltacht Affairs, and
- any adjoining planning authority whose area is continuous to the area of a planning authority which prepared a draft plan, proposed variation or local area plan.

A copy of your decision regarding the determination should be made available for public inspection at your offices, local authority website and should also be notified to any Environmental Authorities already consulted.

Should you have any queries or require further information in relation to the above please contact the undersigned.

I would be grateful if an acknowledgement of receipt of this submission could be sent electronically to the following address: sea@epa.ie.

Yours sincerely,



Cian O'Mahony
Scientific Officer
SEA Section
Office of Environmental Assessment
Environmental Protection Agency
Regional Inspectorate
Inniscarra, County Cork