

Variation No. 4 to the Meath  
County Development Plan 2013-2019

Strategic Environmental Assessment  
Screening Report

**BSM**

Est.  
1968

**Brady Shipman  
Martin**

**Built.  
Environment.**

Strategic  
Assessment  
**Built  
Environment**

CLIENT: **Meath County Council**

DATE: **September 2017**

## Contents Amendment Record

This report has been issued and amended as follows:

Issue	Revision	Description	Date	Prepared by	Checked by
01	00	RP-MCDP-SCR_WIP	06-09-2017	LO'G	TB

## Table of Contents

<b>1.0</b>	<b>Introduction</b> .....	<b>1</b>
<b>2.0</b>	<b>Environmental Assessment</b> .....	<b>2</b>
<b>3.0</b>	<b>Proposed Variation No. 4</b> .....	<b>3</b>
<b>4.0</b>	<b>Screening for Strategic Environmental Assessment</b> .....	<b>13</b>
<b>5.0</b>	<b>Recommendation under Article 13K of the Planning and Development (Strategic Environmental Assessment) Regulations 2004, as amended.</b> .....	<b>17</b>

## 1.0 Introduction

### 1.1 Introduction and Background

The Urban Regeneration and Housing Act 2015 was signed into law on 28<sup>th</sup> July 2015. The Act has a number of components, all of which are collectively intended to incentivise urban regeneration and address housing supply related issues. The Act has six parts:

- Part 1 - Preliminary and General
- Part 2 – Vacant Site Levy
- Part 3 – Amendment to Section 23 of the Derelict Sites Act 1990
- Part 4 – Development Plans and Development Contributions
- Part 5 – Amendment of Part V of the Act of 2000 (Housing Supply)
- Part 6 – Amendment of Housing (Miscellaneous Provisions) Act 2009

The Urban Regeneration & Housing Act 2015 is cited as:

*‘An Act to make provision with respect to land in areas in which housing is required and in areas which are in need of renewal to prevent it lying idle or remaining vacant, to establish a register of vacant sites in those areas, to provide for a vacant sites levy, to amend the Derelict Sites Act 1990, to amend Parts II, III and V of the Planning and Development Act 2000, to amend the Housing (Miscellaneous Provisions) Act 2009 and to provide for related matters.*

The overall vacant site levy mechanism, which will primarily be orchestrated through the planning process, is intended to stimulate site activation in urban areas, which will “bring underutilised vacant sites and buildings into beneficial use, ensuring more sustainable urban development and an efficient return on state investment in enabling infrastructure.”<sup>1</sup>

Meath County Council (the Planning Authority) is proposing Variation No.4 to the Meath County Development Plan 2014-2020 to incorporate objectives that will provide for the renewal of areas in need of regeneration as defined under Section 10(2)(h) of the Planning and Development Act 2000, as amended.

### 1.2 The Meath County Development Plan (CDP) 2013-2019

The Meath County Development Plan (CDP) came into effect on the February 2013 and they set the agenda for the development, over a six year period, at a county level.

The Meath CDP and its area plans underwent Strategic Environmental Assessment (SEA) as part of the making of this plan and the Environmental Report documenting it concluded that, overall, the impact of implementation of many of the policies and objectives of the Meath County Development Plan (CDP) and the area plans would be positive for the environment.

Within the hierarchy of land use plans, the proposed Variation No. 4 should comply with the aims and objectives of the Meath CDP, as well as the Regional and National Government Plans and Guidelines.

---

<sup>1</sup> Circular letter PL6/2015, 31 August 2015.

## 2.0 Environmental Assessment

### 2.1 Strategic Environmental Assessment

Strategic Environmental Assessment (SEA) is a process for assessing the environmental consequences of implementing particular Plans or Programmes (PPs). The key focus of SEA is to ensure that environmental issues and in particular 'likely significant environmental effects' of a Plan or Programme are appropriately considered during the plan or programme-making process.

The requirement for SEA derives from the provisions of Directive 2001/42/EC (Assessment of the Effects of Certain Plans and Programmes on the Environment) – also known as the 'SEA Directive' – as transposed into Irish legislation by:

- S.I. No. 435 of 2004 European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations, as amended by S.I. No. 200 of 2011 (European Communities (Environmental Assessment of Certain Plans and Programmes) (Amendment) Regulations
- and
- S.I. No. 436 of 2004 Planning and Development (Strategic Environmental Assessment) Regulations, as amended by S.I. No. 201 of 2011 Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations.

The overall objective of the SEA 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, programme or variations with a view to promoting sustainable development.

Article 13K of S.I. 436 of the Planning and Development (Strategic Environmental Assessment) Regulations (as amended by S.I. No. 201 of 2011) sets out the process by which a determination of the need for strategic environmental assessment of a variation to a development plan is made. In particular, Article 13K of the regulations states that:

*'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'*

Therefore, as Strategic Environmental Assessment (SEA) is not a mandatory requirement for a variation to a Development Plan, this report comprises a screening of the requirement for SEA for Variation No.4 of the Meath CDP and its area plans, to incorporate the Urban Regeneration and Housing Act 2015.

### 2.2 Appropriate Assessment

The Habitats Directive (92/43/EEC) requires that proposed plans and programmes (including amendments or variations) undergo screening for likely or potential effects on European Sites (also Natura 2000 sites) arising from their implementation.

Screening of the Draft Variation for Appropriate Assessment has been undertaken and determined that a full Stage 2 AA of the Variation will not be required for the proposed Variation No. 4.

An Appropriate Assessment Screening Report accompanies this document.

## **3.0 Proposed Variation No. 4**

### **3.1 Reading of the Proposed Variation No.4**

This section sets out the relevant chapter title and section heading in which proposed changes to the Plan are located. The proposed text is shown in blue font.

Please note that this screening report for Proposed Variation No. 4 shows only the relevant section of the Meath County Development Plan (CDP) which it is proposed to change, not the entire Plan. Therefore it is advised that it is read in conjunction with the current Meath CDP.

### **3.2 SEA Screening Analysis of Proposed Variation No. 4**

Table 3.1 examines whether the proposed Variation would be likely to have significant environmental effects and thus would have warranted the undertaking of SEA which provides details on the likely significant effects, if unmitigated, of implementing the Proposed Variation No.4. The full range of environmental effects, including cumulative effects are considered by this assessment.

**Table 3.1 SEA Screening of the Proposed Variation of Meath CDP**

Proposed Variation	Strategic Environmental Assessment (SEA) Screening
<p><u>Section 3.6.2 Housing Strategy Vision and Aim</u></p> <p><b>Insert a new paragraph at the end of Section 3.6.2 as follows:</b></p> <p>The Urban Regeneration and Housing Act 2015 aims to incentivise urban regeneration and facilitate increased activity in the housing construction sector. Under the Urban Regeneration and Housing Act 2015, the Planning Authority is required to identify vacant sites that fall within the definition set by the Act, maintain a register of vacant sites and apply a levy in respect of such sites. The sustainable development of vacant sites in Meath will be promoted through the targeted application of the Urban Regeneration and Housing Act, 2015 (Vacant Site Levy) in the following areas: Navan, Southern Environs of Drogheda, Maynooth Environs, Kilcock Environs, Dunboyne, Ashbourne, Kells, Trim and Dunshaughlin. It is proposed to optimise the impact of this initiative, by adopting a focused approach in these identified centres in Meath.</p>	<p>Urban regeneration and renewal of areas that are in need of regeneration will contribute towards sustainable mobility, minimising increases in energy usage and emissions to air, including greenhouse gas emissions and other emissions. Such development would also avoid the need to develop more sensitive greenfield lands elsewhere in the County and beyond, thereby avoiding potential adverse effects on various environmental components.</p>
<p><u>Chapter 3 – Settlement Strategy and Housing</u></p> <p>Insert new objective on page 72 as follows:</p> <p>HS OBJ6 - To promote the sustainable development of vacant residential and regeneration sites in Navan, Southern Environs of Drogheda, Maynooth Environs, Kilcock Environs, Dunboyne, Ashbourne, Kells, Trim and Dunshaughlin through the application of the Urban Regeneration and Housing Act 2015, Vacant Site Levy, on lands zoned for Town Centre, Regeneration and Residential uses.</p>	<p>The proposed changes will identify land use areas that should be encouraged for reuse and regeneration recognising the need for regeneration in areas of vacant residential and town centre uses. Positive effects will arise from the development of these sites that should improve the vitality of these town centres.</p> <p>As these changes would not result in significant environmental effects, SEA is not required.</p>

## 4.0 Screening for Strategic Environmental Assessment

### 4.1 Introduction

‘Screening’ is a process for deciding whether a particular plan, variation or amendment, other than those for which SEA is mandatory, would be likely to have significant environmental effects, and would warrant SEA<sup>2</sup>. The criteria for determining whether a particular plan is likely to have significant environmental impacts, regard must be made to the criteria set out in Annex II of the SEA Directive. These criteria are reproduced in Schedule 2A of the Planning and Development Regulations 2001, as inserted by Article 12 of the Planning and Development (Strategic Environmental Assessment) Regulations, 2004.

Schedule 2A of the Planning and Development Regulations 2001 set out two main criteria for determining whether a plan would be likely to have significant environmental effects:

- Characteristics of a Plan;
- Characteristics of the effects and of the area likely to be affected.

Section 4.2 below presents the SEA Screening Assessment by assessing the available information in relation to the Urban Regeneration and Housing Act 2015 against the criteria provided in Schedule 2A of the Planning and Development (Strategic Environmental Assessment) Regulations 2001-2011.

### 4.2 The Characteristics of the Plan

The following assessment (Table 4.1) has been conducted in accordance with the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (SI No. 436 of 2004). Thus the screening provides an assessment as to whether, having regard to the characteristics of the plan, the incorporation of the Urban Regeneration and Housing Act for the Meath CDP is likely to have significant impacts on the environment.

---

<sup>2</sup> Implementation of the SEA Directive (2001/42/EC): Assessment of the Effect of Certain Plans and Programmes on the Environment – Guidelines for Regional Authorities and Planning Authorities (DECLG, 2004)

**Table 4.1: Assessment of proposed Variation No. 4 of Meath County Development Plan 2013-2019 against Schedule 2a of S.I. 436 Of 2004 Planning And Development (Strategic Environmental Assessment) Regulations 2004, as amended.**

Assessment Criterion	Description
<p><b>The characteristics of the plan or programme having regard, in particular, to:</b></p>	
<p>— the degree to which the plan or programme (variation) 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 No.4 to the Meath CDP incorporates objectives to provide for the renewal of areas in need of regeneration as defined under Section 10(2)(h) of the Planning And Development Act 2000, as amended. The amendments proposed concerns the introduction of the Vacant Site Register and Site Levy recommended in the Urban Regeneration and Housing Act 2015.</p> <p>The Meath CDP 2013-2019 already provides for the development of lands for residential use, business use, commercial and retail etc. This proposed variation to the Meath does not alter the zoning of lands and simply identifies the areas within the county which will be subject to the Vacant Sites Levy may apply to “regeneration” and “residential” lands. It also encourages the renewal and regeneration of lands within the County. There are no additional adverse effects arising from this change.</p> <p>Taking the above and the examination of the Proposed Variation No. 4 provided under Chapter 3 and Section 3.6.2 into account, and considering the Meath CDP and Area Plans set a framework for projects and development within the County, the proposed Variation will positively contribute to that end and would not be likely to result in significant environmental effects.</p>
<p>— the degree to which the plan or programme influences other plans, including those in a hierarchy</p>	<p>The proposed Variation is being made to the existing County Development Plan which is influenced by higher level legislation, plans and programmes and can influence lower tier action plans, frameworks or strategies. Considering the Meath CDP set a framework for projects and development within the County, the proposed Variation will positively contribute to that end and would not be likely to result in significant environmental effects.</p>
<p>— the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development</p>	<p>Environmental problems arise where there is a conflict between current environmental conditions and legislative targets.</p> <p>The Meath CDP to which the proposed Variation relates has undergone SEA. This process integrated environmental considerations into the Plan and found that the Plan contributes to environmental protection and management and sustainable development.</p>

Assessment Criterion	Description
<b>The characteristics of the plan or programme having regard, in particular, to:</b>	
	Taking the above and the examination of the proposed Variation provided under Section 3.6.2 into account, and considering the Meath CDP sets a framework for projects and development within the County, the proposed Variation will positively contribute to that end and would not be likely to result in significant environmental effects.
— environmental problems relevant to the plan or programme	<p>Environmental problems arise where there is a conflict between current environmental conditions and legislative targets.</p> <p>Taking the above and the examination of the proposed Variation provided under Section 3.2 into account, and considering the Meath CDP sets a framework for projects and development within the County, the proposed Variation will positively contribute to that end and would not be likely to result in significant environmental effects.</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).	<p>A number of policies and objectives in the Meath CDP and associated area plans focus on the implementation of EU environmental legislation, for example, those relevant to the Habitats Directives and the Water Framework Directive.</p> <p>Taking into account the constituent parts of the proposed Variation, it is considered that proposed Variation will not affect the implementation of European Union legislation on the environment and will therefore, not be likely to result in significant environmental effects.</p>
— the probability, duration, frequency and reversibility of the effects	The characteristics of the effects of Proposed Variation No.4 in terms of probability, duration, frequency and reversibility will be the same as the adopted plan and are anticipated to be positive and of lengthy duration. In terms of reversibility and frequency, the effects, due to their positive nature should be regarded as positive on the surrounding environment and therefore would not be likely to result in significant environmental effects.
— the cumulative nature of the effects	<p>The Proposed Variation is not envisaged to contribute to significant adverse effects on the environment, is therefore not anticipated to result in cumulative effects, in combination with other plans and programmes.</p> <p>As a consequence of the proposed Variation, it is possible that some positive effects will result in positive cumulative effects on the environment due to the preference to use vacant underutilised sites as well as to regenerate central brownfield sites over selecting greenfield areas, which are most likely to be in the</p>

Assessment Criterion	Description
<b>The characteristics of the plan or programme having regard, in particular, to:</b>	
	periphery of settlements. Therefore, taking the above into account it is considered that Proposed Variation No. 4 would not be likely to result in significant environmental effects.
— the transboundary nature of the effects,	The constituent parts of the Proposed Variation No.4 are legislative measures to give effect to a sustainable urban form. The characteristics of the trans-boundary nature of the effects of Proposed Variation No.4 will be the same as the adopted plan.  Proposed Variation No.4 would not be likely to result in significant environmental effects.
— the risks to human health or the environment (e.g. due to accidents),	The Proposed Variation No.4 comprises legislative measures to give effect to a sustainable urban form and therefore are not likely to result in significant environmental impacts or risks to human health.
— the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).	The Proposed Variation No.4 applies to lands already zoned in the Meath on CDP and associated plans and would not be likely to result in significant environmental effects.
special natural characteristics or cultural heritage,	The Proposed Variation No.4 would not be likely to result in significant environmental effects.
exceeded environmental quality standards or limit values	The Proposed Variation No.4 would not be likely to result in significant environmental quality standards or limit values being exceeded.
intensive land-use,	The Proposed Variation No.4 will not result in the value and vulnerability of the area being affected by intensive land use.
— the effects on areas or landscapes which have a recognised national, European Union or international protection status.	The Proposed Variation No.4 would not be likely to result in significant environmental effects.

## 5.0 Consultations

As part of the screening process, environmental authorities and a number of stakeholders were notified that a submission or observation in relation to whether or not implementation of the Proposed Variation would be likely to have significant effects on the environment could be made to the Council. The authorities were invited to make a submission to the Planning Authority between the period 4<sup>th</sup> October 2017 to 2<sup>nd</sup> November 2017.

Eight submissions were received during the draft display period set out in Table 5.1 below:

Number	Name
001	Northern & Western Regional Assembly
002	Eastern & Midland Regional Assembly
003	Louth County Council
004	Environmental Protection Agency
005	Health Service Executive
006	Transport Infrastructure Ireland
007	ILTP Consultants on behalf of Eamon Walsh
008	Department of Housing, Planning, Community & Local Government
009	Department of Education and Skills

Of the 8 submissions, only 4 submissions has specific observations that required further clarification. The main issues raised and responses can be summarised as follows:

### The Department of Housing, Planning and Local Government

- The Department considers that the proposed amendments provide a strong basis within the statutory development plan for the Council undertaking measures to implement the vacant site levy and other actions to assist in the development of underutilised and vacant sites within Meath.
- The Department of Housing, Planning and Local Government reminds the Planning Authority to have regard to any observations made by the Office of Public Works, the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs, the National Parks & Wildlife Service, the Environmental Protection Agency and Irish Water.

The Planning Authority acknowledged the comments in this submission.

### The Eastern and Midland Regional Assembly

- The Eastern and Midland Regional Assembly proposed in their submission that the draft variation could be strengthened through the inclusion of a statement indicating that the provisions of the Act will apply to all lands throughout the County identified as residential or regeneration land, in accordance with the requirements of the Urban Regeneration and Housing Act 2015.

In response to the submission, the Chief Executives Report noted that the approach as set out in the variation and acknowledged by the Department of Housing and Planning provides a strong basis for the Council to undertake measures in relation to the implementation of the vacant sites levy. Any expansion of the targeted approach of the proposed variation can be examined in the context of the preparation of the Draft County Development Plan 2019-2025.

### **Environmental Protection Agency**

- The EPA requested the Council to ensure that any brownfield land targeted by the proposed variation is remediated appropriately to avoid any significant adverse environmental impacts. The submission seeks that information regarding 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. be provided.
- The Draft National Planning Framework (DHPLG) and the Draft National River Basin Management Plan for Ireland (DHPLG) should both be considered in the implementation of the variation.
- The EPA's latest 'State of the Environment Report' - Ireland's Environment 2016 – An Assessment (EPA, 2016) provides key information on the environmental recommendations, key issues and challenges and should be taken into account, as relevant and appropriate.
- The likely potential environmental effects of any future proposed Variations/Amendments should be assessed taking account of the SEA Regulations Schedule 2A Criteria (S.I. No. 436 of 2004). The submission concludes with a reminder of the requirements pertaining to notification of the Council's decision regarding the SEA determination.

In response to the submission, the Chief Executives Report supports the request that brownfield land is appropriately remediated. The variation seeks to ensure that a robust policy basis is in place for the implementation of the requirements of the Urban Regeneration Act as it pertains to the vacant sites levy a targeted number of settlements. The site specific remediation details where applicable will be addressed as part of any redevelopment proposals.

### **ILTP on behalf of Eamon Walsh, Dunboyne**

- The submission sought an amendment to the variation which would exclude town centre lands in Dunboyne from the variation as it is submitted that putting Town Centre Zoned lands in Dunboyne on a Vacant Site Register, where there is no immediate proven demand for additional Town Centre development, would the submission considers not only serve to undermine the long term sustainable and orderly development of Dunboyne.

In response to the submission, the Chief Executives Report states the variation provides the policy basis for the introduction of the vacant sites levy. The next stage of the process will be the examination of sites which will focus on the identification of sites in the case of town centre development which are in need of regeneration and in particular those sites which are detracting from a particular area. Therefore, no change is currently required.

## 6.0 Recommendation under Article 13K of the Planning and Development (Strategic Environmental Assessment) Regulations 2004, as amended.

Having regard to the Criteria set out in Schedule 2A to the Planning and Development (Strategic Environmental Assessment) Regulations 2004, as amended, this screening assessment has concluded that no significant environmental effects are likely as a consequence of the proposed Variation No. 4 to the Meath CDP 2013-2019.

This screening assessment of the proposed Variation No. 4 is referred to Meath County Council for SEA Screening Determination.