## Variation No. 1 of the County Wexford Development Plan 2007-2013

## Strategic Environmental Assessment Screening Determination Report





#### Introduction

Wexford County Council carried out a formal screening process of Proposed Variation No. 1 to determine whether a Strategic Environmental Assessment was required.

This document sets out the determination by Wexford County Council and the relevant supporting screening determination reports.

The determination is set out in Part 1 of this document.

The Screening Determination report relating to proposed Variation No. 1 (July 2011) is included in Part 2 of this document.

The Council subsequently made Material Alterations to the Variation (the Material Alterations to the Variation have been subsumed into the body of the Variation). These alterations were formally screened to determine whether a Strategic Environmental Assessment of the material alterations was required. This Screening Determination report, dated October 2011, forms an Addendum to the main screening report and is included in Part 3 of this document.

## Part 1

Determination as to whether or not Proposed Variation No. 1 of the Wexford County Development Plan 2007-2013 requires a Strategic Environmental Assessment

#### **Determination**

Wexford County Council, as the Planning Authority for the County of Wexford, determined not to undertake a Strategic Environmental Assessment of the Proposed Variation No. 1 of the Wexford County Development Plan 2007-2013: Core Strategy. The reasons for this decision are set out below.

The Planning and Development (Strategic Environmental Assessment)
Regulations 2004 (as amended) (S.I. No. 436 of 2004) require Strategic
Environmental Assessments in the case of Variations to development plans
where they are likely to give rise to significant environmental effects.

A formal "Screening" is required under the Regulations in the case of Variations of Development Plans to determine whether the policy changes would be likely to have significant effects on the environment. A screening involves formal consideration of;

- the characteristics of the Plan; and
- the characteristics of the environmental effects of the plan and the Area likely to be affected.

Having completed formal "Screening", and consulted with the relevant statutory environmental consultees, Wexford County Council has determined that a Strategic Environmental Assessment is not necessary for the Proposed Variation (No.1) of the Wexford County Development Plan 2007-2013: Core Strategy as it is considered that the implementation of the material amendment to the Development Plan would not be likely to have significant effects on the environment.

The 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) from the Department of the Environment, Heritage & Local Government.

The following documents have also been taken into account in the preparation of the Variation No 1: Departmental Circular PSSP 6/2011 European Communities (Environmental Assessment of Certain Plans and Programmes) (Amendment) Regulations 2011, (S.I. No. 200 of 2011), amending the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (S.I. No. 435 of 2004), and Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations 2011, (S.I. No. 201 of 2011), amending the Planning and Development (Strategic Environment Assessment) Regulations 2004 (S.I. No. 436 of 2004).

The Proposed Variation to the Wexford County Development Plan is considered to be a positive change to the planning policy framework for the county as a whole, and overall is considered to have a neutral impact on the environment.

Forward Planning Section
Wexford County Council
December 2011





## Part 2

# Strategic Environmental Assessment Screening Determination Report prepared by Wexford County Council



## **Wexford County Council**



## Wexford County Development Plan 2007-2013 Variation 1

## Strategic Environmental Assessment Screening Determination Report

DETERMINATION OF THE NEED FOR ENVIRONMENTAL ASSESSMENT
OF A VARIATION OF THE WEXFORD COUNTY DEVELOPMENT PLAN IN
TERMS OF THE PROVISIONS OF ARTICLE 13K OF THE PLANNING AND
DEVELOPMENT (STRATEGIC ENVIRONMENTAL ASSESSMENT)
REGULATIONS 2004

## **Glossary of Terms**

**Development Plan** – Wexford County Development Plan 2007-2013 **Proposed Variation** - Variation 1 of the Wexford County Development Plan 2007-2013

RPG's - South East Regional Planning Guidelines 2010-2022

**SEA** - Strategic Environmental Assessment

**SEA Directive** - DIRECTIVE 2001/42/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment

**SEA Regulations** - the Planning and Development (Strategic Environmental Assessment) Regulations 2004

**The Act** - the Planning and Development Act 2000 (as amended)

The Regulations - Planning and Development (Strategic

Environmental Assessment) Regulations 2004





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#### 1.0 INTRODUCTION

Wexford County Council (the Planning Authority) is proposing to initiate the procedures for the variation of the Wexford County Development Plan 2007-2013 to incorporate a Core Strategy, in accordance with the Planning & Development (Amendment) Act 2010.

Article 13K of the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (SEA Regulations) outlines the process by which determination of the need for environmental assessment of variations to development plans are made. Article 13K (1) to (6) of the SEA Regulations is contained in Appendix 1 of this report, for reference purposes.

This report constitutes a 'SEA Screening Determination Report' of the Proposed Variation and follows on from the earlier preparation of a 'SEA Screening Report'. The 'SEA Screening Report' was prepared in order to assist the Environmental Authorities, in the preparation of submissions / observations, on whether or not the Proposed Variation would be likely to have significant effects on the environment.

#### 2.0 PURPOSE OF PROPOSED VARIATION

#### 2.1 Background

The Wexford County Development Plan came into effect on the 30<sup>th</sup> April 2007. That document was subject to a Strategic Environmental Assessment (SEA) as per the requirements of the SEA Directive (2001/42/EEC).

#### 2.2 Geographical Location

County Wexford is located in the south east corner of the island of Ireland with direct sea links to the UK and Continental Europe. It is bounded by the sea on two sides, on the south by the Atlantic Ocean and on the east by the Irish Sea or George's Channel. The River Barrow forms its western boundary as do the Blackstairs Mountains and to the north are the southern edges of the Wicklow Mountains. The adjoining counties are Waterford, Kilkenny, Carlow and Wicklow. The county's four main towns are Wexford, Enniscorthy, New Ross and Gorey. The 2011 Census results indicate that the





population for the County is 145,273 compared to 2006 Census results, which indicated the population of the county was 131,749 showing an increase of 10.3%. The county is characterised by distinctive landscapes including the environmentally sensitive lagoons and lakes along the south coast, the Hook peninsula, the Slaney and Barrow river valleys, the Blackstairs Mountains and hills to the north-west, and the patchwork of fields and farms which make up the lowland areas. Wexford is predominantly a rural county with a strong well spread pattern of interdependent towns and villages connected by the national and regional road networks.

#### 2.3 Brief Outline of Proposed Variation

A complete version of the proposed variation is on public display in conjunction with this SEA Screening Determination Report.

The Proposed Variation involves the following;

- Incorporation of a Core Strategy, in accordance with the Planning & Development (Amendment) Act 2010, into the County Development Plan 2007-2013.
- Update of Census information (for 2006 Census-2011, inadequate information available for 2011) and references to policy documents.

The purpose of the Core Strategy is to set out a quantitatively based strategy for the spatial development of the area and in so doing to show that the development plan and its objectives are consistent with national and regional development objectives set out in the National Spatial Strategy and Regional Planning Guidelines (RPGs) and especially as regards:

- (1) the hierarchy and role of Gateways, Hub towns, county towns, other towns and villages and rural areas outlined in the documents above; and
- (2) the process of giving effect to the hierarchy above by setting regional and national population targets and associated requirements for housing land

The Core Strategy will:

 set out the vision for the County and the strategic aims to deliver this vision.





- provide details on how the Plan and the Housing Strategy conforms to the objectives of the NSS and RPGs.
- set out the Settlement Strategy and Settlement Hierarchy for the County.
- allocate population growth target to the towns, villages and the rural areas in the hierarchy. The population allocations will be based on the targets set out in the RPGs.
- provide details of the national and regional road network and the interurban and commuter rail routes in the County.
- provide details to show that the retail development objectives in the Plan have regard to the Government's Retail Development Guidelines, and
- provide details on rural areas in accordance with the Government's 'Sustainable Rural Housing Guidelines'.

The Core Strategy is supported by the various strategies, policies and objectives contained in the existing County Development Plan 2007-2013 such Transportation in Chapter 3, Economic Development in Chapter 4, the Housing Strategy in Chapter 5 and the Retail Strategy in Appendix 2.

#### 3.0 Strategic Environmental Assessment Screening

## 3.0 Preliminary determination and recommendation under Article 13K of the Planning & Development (Strategic Environmental Assessment) Regulation 2004.

The 'SEA Screening Report' associated with this proposed variation, concluded that significant environmental implications were not likely to arise as a result of the Proposed Variation and that a SEA was not required. (See Appendix 2 for Environmental Significance Screening)

#### 3.1 Consultation with the Environmental Authorities

As required by Article 13K(3) of the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (the Regulations), the 'SEA Screening Report' was forwarded to the Environmental Authorities; Environmental Protection Agency (EPA), Department of Environment, Communities and Local Government, Department of Arts, Heritage &





Gaeltacht, Department of Communications, Energy and Natural Resources (DCENR), and submissions and observations were invited.

#### **Environmental Authorities**

- Environmental Protection Agency (EPA)
- Department of Environment, Community and Local Government (DoECLG)
  - Copy also sent to Department of Arts, Heritage & the Gaeltacht, having regard to the recent transfer of Heritage and NPWS Section from former Department of Environment, Heritage and Local Government.
- Department of Communications, Energy and Natural Resources (DCENR)

#### 3.2 Submissions / Observations received from the Environmental Authorities

- Department of Communications, Energy and Natural Resources. The DCENR indicate that they have no comments or observations in relation to the proposed variation.
- 2. Department of Arts, Heritage & Gaeltacht The DoAHG indicate they have no comment to make on the SEA screening report with regard to built and natural heritage.
- Department of Environment, Communities and Local Government they
  have no comment to make on the SEA screening report with regard to
  built and natural heritage.
- 4. Environmental Protection Agency (EPA) The content of the EPA's submission is summarised as follows
- The Planning Authorities position with regard to the need for SEA of the Proposed Variation is noted.
- The amount of lands proposed to be rezoned/ dezoned/ phased/ strategic development land reservation, in implementing the Variation should be clarified.
- It should be ensured that adequate and appropriate critical service infrastructure (drinking water, wastewater, waste etc) is provided in advance of further development being granted.
- Consideration should be given to clarifying how the findings of flood risk assessments, carried out in accordance with Flood Risk Management Guidelines (DoEHLG/OPW, 2009), has influenced any re-zoning/dezoning of lands within the Plan area proposed, in implementing the Variation.





- Infrastructure Planning 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.
- Recommendations/requirements regarding Appropriate Assessment are outlined.
- Recommendations/requirements regarding Wexford County Council's responsibilities and obligations in accordance with all national and EU environmental legislation.
- Requirement to give notice to the Environmental Authorities when screening for SEA and also a copy of the Council's decision on whether or not SEA is required (Screening Determination Report).
- 3.3 Consideration of whether or not the proposed variation of the Wexford County Development Plan would be likely to have significant effects on the environment.

The submissions/observations received from the Environmental Authorities do not suggest that a SEA is warranted in this instance. Observations were made by the EPA, which were noted. In the interests of clarification it should be noted that there is no zoning in the current County Development Plan 2007-2013 and therefore there is no land being rezoned/dezoned/phased or reserved.

In accordance with Section 4.29 of The Planning and Flood Risk Management Guidelines for Planning Authorities 2009, the Screening Process is required to identify and take account of any significant flooding issues. The Proposed Variation is for the purposes of the inclusion of a Core Strategy, in the County Development Plan2007-2013. The Core Strategy will set out the framework and hierarchy for the management and control of land zoning in lower tier development plans within the county and doesn't include any land-use zoning itself; therefore it is not considered that the Proposed Variation would result in a flood risk which would trigger the need for a SEA.

With regard to infrastructure planning, in addition to the existing policies and objectives contained in the County Development Plan, Policy SS2 contained in the Proposed Variation ensures that adequate an appropriate infrastructure is provided in advance of further development being granted. It should also be





noted that an Appropriate Assessment Screening report has also been prepared with respect to the Proposed Variation.

The submissions from the environmental authorities have been considered and were taken into account in the making of the final SEA Screening decision below.

#### 3.4 Conclusion

The Proposed Variation supports, clarifies and reinforces sustainable development principles already contained in the Wexford County Development Plan 2007-2013.

Having regard to the geographical extent of Wexford and the environmental sensitive areas/features located therein (as highlighted in the SEA undertaken during the preparation of the Wexford County Development Plan 2007-2013), it is considered that the Proposed Variation, in combination with other plans and projects could have environmental implications but these are not likely to be significant in terms of the Annex II criteria (See Appendix 3) outlined in the SEA Directive.

Article 3 paragraph 3 of the SEA Directive states that 'minor modifications to plans and programmes referred to in paragraph 2 shall require an environmental assessment only where the Member States determine that they are likely to have significant environmental effects'. Further guidance in this regard is outlined in the Planning and Development (Strategic Environmental Assessment) Regulations, 2004.

In considering the above, the relevant criteria set out in Schedule 2A of the Planning & Development (SEA) Regulations 2004 (see Appendix 2 for Environmental Significance Screening), and the submissions or observations received in response to the notice issued under sub-article (3) of the said regulations, were all taken into account. This report concludes that significant environmental implications are not likely to arise as a result of the proposed variation and that a SEA is not required in this instance.





#### 4.0 Recommendation

It is recommended that the following determination be made by the Planning Authority;

Having regard to the requirements of the Planning and Development (Strategic Environmental Assessment) Regulations, 2004 and having consulted with the Environmental Authorities and considered their submissions, it is the determination of the Planning Authority under Article 13K(4) of the Regulations that a Strategic Environmental Assessment is not required in respect of Proposed Variation 1 (Core Strategy) to the Wexford County Development Plan 2007-2013.

In addition and in accordance with Article 13K(5) of the Regulations, it is required that a copy of the 'SEA Screening Decision' (See Appendix 5) including, as appropriate, the reasons for not requiring an environmental assessment, is made available for public inspection at the offices of Wexford County Council during office hours, and on Wexford County Council's website.

Pursuant to Article 13K(5) of the Planning and Development SEA Regulations 2004 a notice must also be issued to the Statutory Environmental Authorities of the Planning Authority's determination on this matter. The Statutory Environmental Authorities consulted (listed below Section 3.3) will be notified of the final decision regarding the Proposed Variation No.1 to the Wexford County Development Plan 2007-2013.

Signed <u>:</u>	Date:	
Niamh Lennon		
Executive Planner		
Approved:	Date:	<u>.</u>
Eamonn Hore		
Director of Services		







## **Appendix 1** Article 13K of SEA Regulations

## Article 13K (1) to (6) of the Planning and Development (Strategic Environmental Assessment) Regulations 2004.

Determination of need for environmental assessment of variation of development plan

- 13K. (1) 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.
  - (2) Where the planning authority, following consideration under sub-article (1), determines that the proposed variation would be likely to have significant effects on the environment, sub-articles (3) and (4) shall not apply.
  - (3) (a) Where, following consideration under sub-article (1), a determination under sub-article (2) has not been made by the planning authority, the authority shall give notice in accordance with paragraph (b) to the environmental authorities specified in article 13A(4), as appropriate.
    - (b) A notice under paragraph (a) shall
      - (i) state that the planning authority proposes to make a variation of the development plan



## SEA Screening Determination Report – Material Alterations to Variation 1 County Development Plan 2007-2013



under section 13 of the Act,

- (ii) state that the planning authority must determine whether or not the proposed variation would be likely to have significant effects on the environment and that, in so doing, it must take account of relevant criteria set out in Schedule 2A, and
- (iii)indicate that a submission or observation in relation to whether or not the proposed variation would be likely to have significant effects on the environment may be made to the authority within a specified period which shall be not less than 3 weeks from the date of the notice.
- (4) Following the period specified in sub-article 3(b)

  (iii), the planning authority shall determine whether or not the proposed variation of the development plan would be likely to have significant effects on the environment, taking account of relevant criteria set out in Schedule 2A and any submission or observation received in response to a notice under sub-article (3).
- (5) As soon as practicable after making a determination under sub-article (2) or (4), the planning authority shall
  - (a) make a copy of its decision, including, as appropriate, the reasons for not requiring an environmental assessment, available for public inspection at the offices of the planning



## SEA Screening Determination Report – Material Alterations to Variation 1 County Development Plan 2007-2013



### authority during office hours, and

- (b) notify its decision to any environmental authority which was notified under sub-article(3).
- (6) The provisions of articles 13L to 13R shall only apply where a planning authority determines under this article that a proposed variation would be likely to have significant effects on the environment.



### SEA Screening Determination Report – Material Alterations to Variation 1 County Development Plan 2007-2013





### APPENDIX 2 ENVIRONMENTAL SIGNIFICANCE SCREENING

## PROPOSED VARIATION NUMBER 1 TO THE WEXFORD COUNTY DEVELOPMENT PLAN 2007-2013

ASSESSMENT IN TERMS OF SCHEDULE 2A OF THE PLANNING AND DEVELOPMENT (STRATEGIC ENVIRONMENTAL ASSESSMENT) REGULATIONS 2004

- 1.0 THE CHARACTERISTICS OF THE PLAN HAVING REGARD IN PARTICULAR TO:
- 1.1 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 Proposed Variation, which is the subject of this screening process relates to the Development Plan 2007-2013 for the County of Wexford.

County development plans set out how the various geographical areas within the County will develop. They influence capital investment by both the public and private sectors, including capital projects by the local authority itself. These plans also give spatial expression to the economic, social and cultural needs of the community, in terms of influencing new development, enhancing valued amenities, and protecting the environment and heritage.

The development plan provides the strategic framework and policy context for all local planning decisions over the specified period of the plan. The Planning and Development Act 2000 (as amended) reinforces the role of development plans as the primary strategic statement on land use planning at city, town and county levels, and provides a clearly defined context for the formulation and content of planning applications.

The Proposed Core Strategy Variation will not directly lead to development or to specific environmental impacts. The Core Strategy will be given effect



## SEA Screening Determination Report – Material Alterations to Variation 1 County Development Plan 2007-2013



once incorporated into the County Development Plan and all development applications will be subject to the policies, objectives and strategies contained within the plan as a whole. The Core Strategy will provide a framework for more sustainable settlement patterns, and will also set a more sustainable framework for future projects and other activities in the County.

## 1.2 The degree to which the plan influences other plans, including those in a hierarchy.

The development plan is part of a systematic hierarchy of land use and spatial plans, including the National Spatial Strategy and Regional Planning Guidelines. It is also informed by the plans and strategies of the Government and other public agencies in general. Development plans influence lower level land use plans, namely Local Area Plans and Town & Environs Development Plans and which have there own Town Councils (Wexford, Enniscorthy & New Ross) are also influenced by the Wexford County Development Plan.

The purpose of the Core Strategy is to set out a quantitatively based strategy for the spatial development of the area and in so doing to show that the development plan and its objectives are consistent with national and regional development objectives set out in the National Spatial Strategy and Regional Planning Guidelines (RPGs) and especially as regards:

- (3) the hierarchy and role of Gateways, Hub towns, county towns, other towns villages and rural areas outlined in the documents above; and
- (4) the process of giving effect to the hierarchy above by setting regional and national population targets and associated requirements for housing land

The proposed variation will set a more sustainable framework for lower level land use plans in the County.



## 1.3 The relevance of the plan for the integration of environmental considerations, in particular with a view to promoting sustainable development.

County Development Plans are an important plan and are of high relevance for the integration of environmental considerations in particular with a view to promoting sustainable development. The Wexford County Development Plan 2007-2013 was subject to full Strategic Environmental Assessment (SEA) in accordance with the SEA Directive (Directive 2002/42/EC). It is noted that the proposed variation seeks to reduce the projected populations previously planned for in some of the town plans and local area plans and therefore reduce the likelihood of environmental effects.

The Core Strategy must also show consistency with higher-level plans and integrate other national planning policy guidance issued under Section 28 of the Act such as the Development Plans Guidelines for Planning Authorities (June 2007) and relevant EU Directive-related considerations that development plans must comply, with such as the Strategic Environmental Assessment (SEA) Directive (2001/42/EC), the Water Framework Directive (2000/60/EC) and the Habitats Directive (92/43/EEC).

It is considered that the proposed variation will further integrate environmental considerations into the overall County Development Plan with a view towards promoting sustainable development.

#### 1.4 Environmental problems relevant to the plan.

The SEA process undertaken during the preparation of the Wexford County Development Plan 2007-2013, identified the following as the main environmental parameters relevant to the plan:-

- Biodiversity Protection (Maintain and enhance biodiversity)
- Water (Prevent any deterioration in the status of any waters and to achieve at least 'good status' in all waters by 2015, promote sustainable



## SEA Screening Determination Report – Material Alterations to Variation 1 County Development Plan 2007-2013



#### flood risk management)

- Populations and Human Health (improve quality of life policies which promote high quality residential, working, and recreational environments an sustainable travel patterns, waste management, potable water)
- Geology and Soils (Maintain the quality of soils and conserve geological resources)
- Air and Climate (Reduce all forms of air pollution and control greenhouse gas emissions)
- Cultural Assets (including architecture, archaeology, history and language)
- Landscape (Conserve and enhance valued natural and historic landscapes and features within them)
- Material Assets (Maximise the use of existing infrastructure and plan for future needs)

The proposed variation was prepared having full regard to the above. The variation ensures that adequate and appropriate critical service infrastructure (drinking water, wastewater, waste etc) is provided in advance of permission for development being granted. The Core Strategy itself will not directly lead to development or to specific environmental impacts.

The Core Strategy will provide a framework for more sustainable settlement patterns, and will also set a more sustainable framework for future projects and other activities in the County.

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).

The County Development Plan informs and structures land use policies at the county level, which in turn provides a basis for day-to-day planning decisions. The plan is therefore of relevance for the implementation of European Union legislation on the environment, including waste management, water protection and biodiversity protection legislation.



## SEA Screening Determination Report – Material Alterations to Variation 1 County Development Plan 2007-2013



The proposed variation has been structured with due regard to the legislation mentioned which has already been addressed in the Wexford County Development Plan 2007-2013, which was subject to a full SEA but not specifically addressed in this proposed variation.

## 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.

It is considered that the characteristics of the effects are likely to increase the likelihood of the County of Wexford developing in a more sustainable manner over the lifetime of the plan (2007-2013).

The probability / frequency of effects will be dependent on the extent of development likely to be undertaken during the lifetime of the plan. Notwithstanding, the development targets outlined in the variation (which correspond or are lower than those outlined in the current plan) it is unlikely given the prevailing economic conditions that these targets will be reached by 2013.

Development by its nature often has a long duration and the effects can be difficult to reverse. In this regard the proposed variation which aims to reduce the population targets for some settlements and further integrates additional environmental considerations into the overall County Development Plan will ensure that the likelihood of significant effects occurring in Wexford as a result of development will be reduced. The Core Strategy itself will not directly lead to development or to specific environmental impacts.





#### 2.2 The cumulative nature of the effects.

The proposed core strategy as outlined in the variation provides a framework for more sustainable settlement patterns and future land use zonings in accordance with (a) the Settlement Strategy and population projections, (b)Capacity of Water, Drainage and Roads Infrastructure, (c) Supporting Infrastructure and Facilities and (d) Physical Suitability. The proposed variation ensures that new development takes place in appropriate strategic locations subject to adequate and appropriate infrastructure and facilities which will avoid negative impacts arising from cumulative effects.

It is considered that the cumulative nature of effects is likely to increase the likelihood of the County of Wexford developing in a more sustainable manner over the lifetime of the plan (2007-2013).

#### 2.3 The transboundary nature of the effects.

No significant transboundary effects are anticipated. The proposed variation, in line with the principles of sustainability promotes sustainable travel patterns and provides a framework for more energy efficient and sustainable communities. Such policies will help limit carbon emissions, which is an environmental issue of national and global concern.

#### 2.4 The risks to human health or the environment (e.g. due to accidents).

It is considered that the proposed variation would not pose any significant risk to human health or to the environment, particularly having regard to the environmental protection objectives contained in the current plan.

## 2.5 The magnitude and spatial extent of the effects (geographical area and size of population likely to be affected).



## SEA Screening Determination Report – Material Alterations to Variation 1 County Development Plan 2007-2013



While dependent on the level of development and economic activity likely to occur over the plan period (2007-2013), spatial effects resulting from the proposed variation may arise throughout the County of Wexford. However, as the population and economic growth targets set out in the proposed variation are in line with or lower than those currently contained in the County Development Plan and in with the Regional Planning Guidelines for the South East Region, it is considered that significant effects are not likely to occur. It is envisaged that any effects likely to arise as a result of the variation will be positive in nature, given that the overall aim of the proposed variation in conjunction with the existing plan is to promote sustainable growth and development.

- 2.6 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 existing plan steers development away from and provides additional safeguards for environmentally vulnerable areas in line with the SEA carried out as part of the original Wexford County Development Plan 2007-2013. It is considered that no policies / objectives are proposed as part of the variation, which would have significant negative effects on environmentally vulnerable areas. Intensive land use is directed to the hub town of Wexford, as per the policies and objectives of the South East Regional Planning Guidelines 2010-2022.

2.7 The effects on areas or landscapes which have a recognised national, European Union or international protection status.



## SEA Screening Determination Report – Material Alterations to Variation 1 County Development Plan 2007-2013



The existing County Development Plan which was subject to a full SEA and its associated environmental protection policies and Landscape Character Assessment ensures that landscapes considerations and areas with national, EU or international protection status, are taken in to account when zoning lands in the County. It is considered that no policies / objectives are proposed as part of the variation, which would have significant negative effects on areas, or landscapes which have a recognised national, European Union or international protection status.

#### Results of environmental significance screening

Development by its nature may impact on the environment, however it is considered that the proposed variation is in accordance with sustainable principles, which proposes reduced population targets for many settlements while seeking an efficient and economic use of urban serviceable lands, reduced energy consumption, and environmental protection.

The proposed variation supports, clarifies and reinforces sustainable principles already contained in the Wexford County Development Plan 2007-2013. The main trust of the County's settlement, economic, housing and transport strategies as set out in the current Wexford County Development Plan 2007-2013 remain. In this respect the proposed variation is considered to be a minor modification of the existing plan, within the context of Strategic Environmental Assessment.

Given the geographical extent of Wexford and the environmentally sensitive areas / features located therein (as highlighted in the SEA undertaken during the preparation of the Wexford County Development Plan 2007-2013), it is considered that the proposed variation, in combination with other plans and projects could have potential for environmental implications but these are not likely to be significant in terms of the Annex II criteria outlined in the SEA Directive.







#### Appendix 3 Annex II criteria

Schedule 2 A of the Planning & Development Strategic Environmental Assessment Regulations 2004 – reproduces the Annex II criteria.

DIRECTIVE 2001/42/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment

#### ANNEX II

Criteria for determining the likely significance of effects referred to in Article 3(5)

- 1. The characteristics of plans and programmes, 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,
  - the degree to which the plan or programme influences other plans and programmes including those in a hierarchy,
  - the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,
  - environmental problems relevant to the plan or programme,
  - the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g.
  - plans and programmes 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:
- 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





#### Appendix 4 Submissions Received

From: Coordination Unit [Coordination.Unit@dcenr.gov.ie] Sent: Mon 20/06/2011 12:21

To: Forward Planning

Cc:

Subject: SEA Screening for Variation No.1 (core strategy) of the Wexford County Dev Plan 2007-2013

Niamh Lennon Forward Planning Section Wexford County Council County Hall Wexford

Our Ref: 5979

#### SEA Screening for Variation No.1 (core strategy) of the Wexford County Dev Plan 2007-2013

Hi Niamh,

With reference to your correspondence dated 27th May 2011 re above.

The Department of Communications, Energy & Natural Resources has no comments/observations to make at this time.

This is without prejudice to any comments Inland Fisheries Ireland may have in this regard.

Kind Regards,

Carmel Conaty
Co-ord Unit
Dept of Communications, Energy
& Natural Resources
Elm House
Cavan





From: Cian O'Mahony [C.O'Mahony@epa.ie] Sent: Wed 22/06/2011 11:37

To: Niamh Lennon

Cc:

Subject: EPA Submission Re. SEA Screening for Variation 1 (Core Strategy) of the County Development Plan 2007-13

Attachments: 🔁 110513.1 EPA Submission VarNo1(CoreStrat) Wexford CDP 2007-13.pdf (176 KB)

Dear Ms Lennon.

The Environmental Protection Agency (EPA) acknowledges your notice, dated 27<sup>th</sup> May 2011, 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.

There are a number of issues (included as bullet points below) which should be taken into consideration in the making of the proposed Variation.

#### Specific Comments in relation to the proposed Variation

- The amount of lands proposed to be rezoned/dezoned/phased/strategic development land reservation, in implementing the Variation should be clarified.
- It should be ensured that adequate and appropriate critical service infrastructure (drinking water, wastewater, waste etc) is provided in advance of further development being granted.
- Consideration should be given to clarifying how the findings of flood risk assessments, carried out in accordance
  with Flood Risk Management Guidelines (DoEHLG/OPW, 2009), has influenced any re-zoning/dezoning of lands
  within the Plan area proposed, in implementing the Variation.

#### Future Amendments to the Draft Plan

You are reminded that it is a matter for Wexford 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) and should be subject to the same method of assessment as undertaken in the "environmental assessment" of the Draft Plan.

#### Infrastructure Planning

In proposing the Variation, and any related amendments, variations etc. of the Variation 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.

#### Appropriate Assessment

You are referred to the requirements of Article 6 of Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, the Habitats Directive. Appropriate Assessment, in accordance with the Directive, is required for:

"Any <u>plan or project</u> not directly connected with or necessary to the management of the site (Natura 2000 sites) but likely to have significant effect thereon, either individually or in combination with other plans or projects, shall be subject to Appropriate Assessment of its implications for the site in view of the sites conservation Objectives..."





From: Cian O'Mahony [C.O'Mahony@epa.ie] Sent: Wed 22/06/2011 11:37

To: Niamh Lennon

Cc:

Subject: EPA Submission Re. SEA Screening for Variation 1 (Core Strategy) of the County Development Plan 2007-13

Attachments: 🔼 110513.1 EPA Submission VarNo1(CoreStrat) Wexford CDP 2007-13.pdf (176 KB)

You should consult with the National Parks and Wildlife Service (NPWS) with regard to screening of the Variation for Appropriate Assessment. Where Appropriate Assessment is required, any findings or recommendations should be incorporated into the SEA and Variation, as appropriate.

#### Obligations with respect to National Plans and Policies and EU Environmental Legislation

You are referred to your responsibilities and obligations in accordance with all national and EU environmental legislation. It is a matter for Wexford County Council to ensure that, when undertaking and fulfilling their statutory responsibilities; they are at all times compliant with the requirements of national and EU environmental legislation.

#### **Environmental Authorities**

You are reminded of the requirement, where appropriate under the SEA Regulations, to give notice to the following:

- The Minister for the Environment, Heritage & Local Government where it appears to the Planning Authority that the
  proposed Variation might have significant effects in relation to architectural or archaeological heritage or to nature
  conservation, and
- The Minister for Communications, Energy and Natural Resource (formerly Communications, Marine and Natural Resource), where it appears to the Planning Authority that the proposed Variation might have significant effects on fisheries or the marine environment.

You are further reminded that a copy of your decision regarding the determination should be made available for public inspection at your offices 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

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





From: Yvonne Nolan [Yvonne.Nolan@environ.ie] Sent: Tue 21/06/2011 14:37

To: Niamh Lennon

Cc:

Subject: RE: Wex

Attachments: 🗐 ATT5630147.txt (1 KB)

Hi Niamh,

The Department of Arts, Heritage and the Gaeltacht has no comment to make on the SEA screening report with regard to built and natural heritage.

Kind regards,

Yvonne Nolan,
Development Applications Unit,
Built Heritage & Architectural Policy,
Dept. of Arts, Heritage and the Gaeltacht,
Newtown Road,
Wexford.

From: Devapp [Devapp.Devapp@environ.ie] Sent: Tue 28/06/2011 15:26

To: Niamh Lennon

Ph: (053) 9117382

Cc:

Subject: RE: SEA Screening Variation 1 (Core Strategy) Wexford County Developemnt PLan 2007-2013

Attachments: 🗐 ATT6212574.txt (1 KB)

Dear Ms Lennon,

The Department has reviewed the documentation associated with the above and has no observations to make on same on built or natural heritage grounds.

Regards,

Paul McMahon

Development Applications Unit



#### **Appendix 5 - SEA Screening Decision**

Proposed Variation (No.1) of the Wexford County Development Plan 2007-2013: Core Strategy

#### Strategic Environmental Assessment (Directive 2001/42/EC)

Wexford County Council as the Planning Authority for the county of Wexford, hereby publishes its decision not to undertake a Strategic Environmental Assessment of the Proposed Variation No.1 of the Wexford County Development Plan 2007-2013: Core Strategy. The reasons for this decision are set out below.

The Planning and Development (Strategic Environmental Assessment)
Regulations 2004 (SI No. 436 of 2004) require Strategic Environmental
Assessments in the case of Variations to development plans where they are likely to give rise to significant environmental effects. A formal "Screening" is required under the Regulations in the case of Variations of Development Plans to determine whether the policy changes would be likely to have significant effects on the environment. A screening involves formal consideration of;

- the characteristics of the Plan; and
- the characteristics of the environmental effects of the plan and the Area likely to be affected.

Having completed formal "Screening", and consulted with the relevant statutory environmental consultees, Wexford County Council has determined that a Strategic Environmental Assessment is not necessary for the Proposed Variation (No. 1) of the Wexford County Development Plan 2007-2013: Core Strategy as it is considered that the implementation of the material amendment to the Development Plan would not be likely to have significant effects on the environment.

The 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)





from the Department of the Environment, Heritage & Local Government. Wexford County Council consulted the Environmental Authorities as part of the "Screening" process and received no adverse comments regarding the environmental implications of the Proposed Variation.

The Proposed Variation to the County Development Plan is considered to be a positive change to the planning policy framework for the county as a whole, and overall is considered to have a neutral impact on the environment.

#### Part 3

### Material Alterations to Proposed Variation No. 1

# Strategic Environmental Assessment Screening Determination Report prepared by Wexford County Council

**Addendum** 





## County Development Plan 2007-2013 Material Alterations to Variation 1

## Strategic Environmental Assessment Screening Determination Report Addendum





Forward Planning Section
October 2011

#### **Glossary of Terms**

**Development Plan** – Wexford County Development Plan 2007-2013 **Proposed Variation** - Variation 1 of the Wexford County Development Plan 2007-2013

**Determination Report** - Determination of the need for environmental assessment of in terms of the provisions of article 13k of the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (as amended)

RPGs - South East Regional Planning Guidelines 2010-2022

**SEA** - Strategic Environmental Assessment

**SEA Directive** - DIRECTIVE 2001/42/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment

SEA Regulations - the Planning and Development (Strategic Environmental Assessment) Regulations 2004 as amended

The Act - the Planning and Development Act 2000 (as amended)

The Regulations - Planning and Development (Strategic Environmental Assessment) Regulations 2004 as amended





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#### 1.0 Introduction

A Strategic Environmental Assessment Screening Determination Report was prepared to accompany the proposed Variation 1 to the County Development Plan 2007-2013. This went on public display from the 20<sup>th</sup> July 2011 to the 16<sup>th</sup> August 2011 and was sent to bodies prescribed by the Planning and Development Regulations 2001 (as amended) and the Strategic Environmental Assessment Regulations 2004 (as amended). A number of submissions were received during the display period and as a result of these submissions it is proposed to make alterations to the draft Core Strategy. These changes are considered to be Material Alterations and as such are required to be placed on public display and sent to the authorities prescribed under the Planning and Development Regulations 2001 (as amended).

The conclusion of the July 2011 SEA Screening Determination Report was that 'significant environmental implications are not likely to arise as a result of the proposed variation and that a SEA is not required in this instance'. This addendum report does not review this conclusion. The scope of this report is limited to assessing whether the proposed Material Alterations to proposed Variation 1 would in themselves change the conclusion presented in the July 2011 SEA Screening Determination Report. The SEA Screening Determination Report with this Addendum Report on the material alterations and the proposed Variation itself would comprise the full set of documents for the proposed Variation. This current report therefore is limited to assessing the proposed material alterations to the proposed Variation.

#### 2.0 Relevant Material Alterations

#### 2.1 County Development Plan 2007- 2013

The Wexford County Development Plan came into effect on the 30<sup>th</sup> April 2007. That document was subject to a full Strategic Environmental Assessment (SEA) as per the requirements of the SEA Directive (2001/42/EEC).





#### 2.2 Brief Outline of Proposed Variation 1

The Proposed Variation involves the following;

- Incorporation of a Core Strategy, in accordance with the Planning & Development (Amendment) Act 2010, into the County Development Plan 2007-2013.
- Update of Census information (for 2006 Census-2011, inadequate information available for 2011) and references to policy documents.

#### 2.3 Evaluation of Material Alterations proposed

#### A) Add Objective CS1 & CS2 below to Section 2.3.3

#### Policy CS1

The Council shall support an integrated transportation strategy which recognises the relative strategic roles of the National, Regional and Local road network together with the public rail and bus network. The Councils will ensure that landuse and transport planning are integrated to maximise sustainable travel patterns.

#### **Objective CS1**

The Council shall prepare a Transport Plan for the County.

#### **Evaluation**

This amendment is considered positive as it promotes an integrated and sustainable transportation strategy for the county and also strengthens the plan from an environmental perspective.

#### B) Add the following line In Section 2.3.3 at the end of paragraph 2:

'The Regional Planning Guidelines for the South East Region 2010-2022 also identify the N30 as a Main Access Route'.

#### **Evaluation**

This amendment would not have any scope to have significant negative environmental impacts.



## C) Add footnote to 'Smaller Villages' Table 2.3 Table 2.3 Allocation of Population Growth to the Settlement Hierarchy

Settlement Type	Name	Projected Population 2010 2013 2016 2022			
Smaller Villages		17316	17829	18343	19287

<sup>&</sup>lt;sup>1</sup> The population allocation for Smaller Villages relates to the settlements listed in the Strategic Growth Areas and Local Growth Areas and also the smaller villages in the County which are not listed.

#### **Evaluation**

This amendment would not have any scope to have significant negative environmental impacts.



**D) Amend Table 2.4 as follows** (to amalgamate and rename the formerly named District Growth Areas, Local Growth Areas and Village Growth Areas)

**Table 2.4 County Wexford Settlement Strategy** 

Settlement Type	Settlement		
Hub	Wexford Town		
Larger Towns	Enniscorthy		
	New Ross		
	Gorey		
District Towns	Bunclody		
	Castlebridge		
	Rosslare Harbour		
	Courtown		
Strategic Growth Areas	Ferns	Bridgetown	
	Ballycullane	Wellingtonbridge	
	Clonroche	Campile	
	Camolin		
Local Growth Areas	Fethard	Kilmore Quay	
	Coolgreany	Taghmon	
	Kilmuckridge	Carrick on	
	Craanford	Bannow	
	Rosslare	Arthurstown	
	Bree	Duncannon	
	Duncormick	Curracloe,	
	Oilgate		
Rural Areas	Areas under Strong Urban Influence		
	Stronger Rural Areas		
	Structurally Weak	Areas	





#### **Evaluation**

This amendment would not have any scope to have significant negative environmental impacts.

#### E) Add Policy CS3 and CS4 to Section 2.4.2

#### Policy CS3

The population allocations contained in Table 2.3 shall form the framework for the Core Strategies to be prepared for the Town Development Plans and Local Area Plans in the County.

#### Policy CS4

The Council shall review and amend as appropriate existing Local Area Plans within one year of the adoption of the Core Strategy to ensure compliance with the objectives of the Core Strategy.

#### **Evaluation**

The inclusion of the above policies would not have any scope to have significant negative environmental impacts.

#### F) Replace Section 2.5.5 to 2.5.7 with:

#### 2.5.5 Local Growth Areas

'Local Growth Areas' cover a range of settlement types. The larger of these settlements are listed in Table 2.4 above. They also include a number of smaller settlements, too numerous to list, but which provide important local service functions such as shops, churches, community and sporting facilities and pubs. The functions of these settlements vary with some providing a wide range of services such as churches, post offices and small supermarkets. Others provide a lower range of services but perform an important function for the population of the immediate hinterland providing opportunities for social interaction and limited retail services. These settlements also provide an alternative location to the open countryside for persons seeking a rural lifestyle. The strategy recognises that vibrant communities living in these settlements have a major role in sustaining the rural population and economy.





Developments must have regard to the respective Village Design Statement. In accordance with the guidelines "Sustainable Residential Development in Urban Areas" (DEHLG, 2008), the scale and density of new residential schemes for development must be in proportion to the pattern and grain of the existing village.

#### **Evaluation**

This amendment would not have any scope to have significant negative environmental impacts.

#### G) Amend Section 2.6.5 Occupancy (to reflect renamed settlements)

All planning permissions granted for single houses on unzoned land in the areas identified as "Areas Under Strong Urban Pressure" and "Stronger Rural Areas", with the exception of development in the District Towns, Strategic Growth Areas and Local Growth Area settlements referred to in Table 2.4 and Section 2.5.5, shall be subject to an occupancy condition, pursuant to Section 47 of the Planning and Development Act 2000, as amended. The period of occupancy will be limited to a period of five years from the date of first occupation.

#### **Evaluation**

This amendment would not have any scope to have significant negative environmental impacts.

H) Add the following statement to the Strategic Environmental Assessment: Screening Determination Report and the SEA Section (Page 2) of the text of the Variation after the reference to the Directive and the Guidelines.

'The following documents have been taken into account in the preparation of the Variation No 1: Departmental Circular PSSP 6/2011 European Communities (Environmental Assessment of Certain Plans and Programmes) (Amendment) Regulations 2011, (S.I. No. 200 of 2011), amending the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (S.I. No. 435 of 2004), and Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations 2011, (S.I. No. 201 of 2011), amending the Planning and Development (Strategic Environment Assessment) Regulations 2004 (S.I. No. 436 of 2004).'



#### **Evaluation**

This amendment is considered positive as it strengthens the plan from an environmental perspective.

#### 3.0 Strategic Environmental Assessment Screening Conclusion

## 3.1 Recommendation under Article 13K of the Planning & Development (Strategic Environmental Assessment) Regulation 2004, as amended.

The policies and provisions contained in the Material Alterations to the proposed Variation 1, in themselves would not have any scope to have significant environmental impacts, and would therefore not have any scope to have significant strategic environmental effects on the environment. This 'SEA Screening Report' concludes that significant environmental implications were not likely to arise as a result of the proposed Material Alterations to the proposed Variation 1 and that a SEA is therefore not required.

#### 3.2 Consultation with the Environmental Authorities

This 'SEA Screening Report' will be forwarded to the Environmental Authorities outlined below; and submissions and observations are invited.

#### **Environmental Authorities**

- Environmental Protection Agency (EPA)
- Department of Environment, Community and Local Government (DECLG)
- Department of Arts, Heritage & the Gaeltacht
- Department of Communications, Energy and Natural Resources (DCENR)
- Department of Agriculture Fisheries and Food
- Adjoining Planning Authorities County Manager of Waterford County Council,
   County Manager of Kilkenny County Council, County Manager of Carlow County
   Council and County Manager of Wicklow County Council.





#### 4.0 Determination

Having regard to the requirements of the Planning and Development (Strategic Environmental Assessment) Regulations, 2004, as amended, the EU Strategic Environmental Assessment Directive (2001/42/EC) and the Strategic Environmental Assessment Guidelines for Regional Authorities and Planning Authorities (2004) from the Department of Environment, Heritage and Local Government, Wexford County Council concludes that a Strategic Environmental Assessment is not required, as significant environmental implications are not likely to arise as a result of the material alterations to the Proposed Variation 1 (Core Strategy) to the Wexford County Development Plan 2007-2013.

It is recommended that a copy of this 'SEA Screening Report' is made available for public inspection at the offices of Wexford County Council during office hours, and on Wexford County Council's website.

The Statutory Environmental Authorities (listed in Section 3.2) should also be consulted through including a copy of this SEA Screening Report along with the Material Alterations to the Proposed Variation No.1 to the Wexford County Development Plan 2007-2013.

<u>-</u> _

Email: <a href="mailto:deirdre.kearns@wexfordcoco.ie">deirdre.kearns@wexfordcoco.ie</a>

Phone: 053 9196480



