

Kilkenny County Council



THOMASTOWN LOCAL AREA PLAN 2019-2025

**Strategic Environmental Assessment
Screening Report
November 2018
Forward Planning**

1 INTRODUCTION

Kilkenny County Council intends to review the existing Local Area Plan (LAP) for Thomastown and make a new LAP under the Planning and Development Act 2000 (as amended). The purpose of this report is to set out the Planning Authority's consideration of whether the Draft Thomastown LAP requires a Strategic Environmental Assessment (SEA). SEA is the formal, systematic evaluation of the likely significant environmental effects of implementing a plan/programme before a decision is made to adopt the plan/programme.

2 MANDATORY REQUIREMENTS

2.1 The SEA Directive

The EU SEA Directive (Directive 2001/42/EC) on the assessment of the effects of certain plans and programmes on the environment requires that an environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment. The 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 and programmes in certain sectors with a view to promoting sustainable development. It is the responsibility of competent authorities in relation to each sector to undertake an environmental assessment. For the Town and Country Planning or Land use sector, which an LAP falls under, the competent authority is the local planning authority.

In Ireland, the SEA Directive has been transposed into national legislation through the following regulations:

- S.I. No. 435 of 2004 (European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004, as amended by S.I. No. 200 of 2011 (European Communities (Environmental Assessment of Certain Plans and Programmes) (Amendment) Regulations 2011)
- S.I. No. 236 of 2004 (Planning and Development (Strategic Environmental Assessment) Regulations 2004, as amended by S.I. No. 201 of 2011 (Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations 2011)

The 2011 amending SEA Regulations reduced in the mandatory SEA population threshold for Local Area Plans from 10,000 to 5,000 persons. Local Area Plans covering an area greater than 50km² also now require mandatory SEA. Below these thresholds, Local Area Plans are required to be screened for SEA.

2.2 Screening Procedure

The thresholds and procedure for screening for SEA is set out in S.I. No. 236 of 2004 (Planning and Development (Strategic Environmental Assessment) Regulations 2004, as amended by S.I. No. 201 of 2011 (Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations 2011). In accordance with these Regulations a full SEA is not mandatory for the draft Thomastown LAP as it is below the specified population and area thresholds.

In any case, the Planning Authority must determine whether or not the implementation of the LAP would be likely to have significant effects on the environment and would therefore require an SEA. Screening is the process for determining whether a particular plan or programme, other than those for which SEA is mandatory, would be likely to have significant environmental effects, and would thus warrant SEA.

Under the SEA Regulations, where a Planning Authority proposes to make a new LAP, it shall, before giving notice of making a development plan as required under Section 20(3) of the Planning and Development Act 2000, as amended, consider whether or not implementation of the draft plan would be likely to have significant effects on the environment, taking into account relevant criteria set out in Schedule 2A of the Planning and Development Regulations, 2001, as amended ('the Regulations').

SEA and AA Screening will continue throughout the Draft LAP preparation process.

The SEA Screening process has been informed by a submission made by the Environmental Protection Agency (EPA) on foot of an SEA Screening notice which was sent to the EPA with an earlier version of this report. Section 4 details the relevant text of the EPA's submission and provides responses to the issues raised.

2.3 Contents of Report

Section 3 of this Report is the screening report for the Draft Thomastown LAP which has been prepared pursuant to Article 14A of the SEA Regulations. It examines the characteristics of the plan and the characteristics of the effects and of the area likely to be affected as set out in Schedule 2A of the Regulations.

Section 4 of this Report presents the findings from consultations with the relevant environmental agencies pursuant to the Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations 2014 (as amended).

Section 5 of this Report presents the findings of the screening determination made after consideration of the relevant criteria set out in Schedule 2A of the Regulations, and the submissions or observations received from the environmental authorities.

3 ASSESSMENT OF LIKELY SIGNIFICANT ENVIRONMENTAL EFFECTS

The likely significant environmental impacts of the draft Thomastown LAP are now assessed.

3.1 Characteristics of the Plan

- i. **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**

It is intended that the Draft Thomastown LAP will provide a framework for the planned, coordinated and sustainable development of Thomastown. The Draft LAP will set out the policies and objectives of Kilkenny County Council for the sustainable development of Thomastown over a six year period from 2019 - 2025. The key policies and objectives of the plan will be informed by the principles of sustainable development. The previous Thomastown LAP 2009 – 2015 was amended in April 2012 to update the core strategy of the Plan in line with updated population estimates, adopting a phased approach to development of land for residential use, introducing a new agricultural zoning, and incorporating a strategic flood risk assessment. The Thomastown LAP 2009 – 2015 was extended in February 2014 to 2020.

The Draft Thomastown LAP 2019 – 2025 will allocate land for future development will provide a framework for development. The Draft LAP will facilitate a significant reduction in the quantum of land available within the plan area for new residential development. These allocations will take place within the existing settlement boundary, outlined below in red. Therefore, having regard to the reduction in lands zoned for new development, the potential for significant effects on the environment is substantially reduced from that proposed under previous plans. Previous plans were not considered to significantly impact the conservation objectives of any proximate Natura 2000 site.

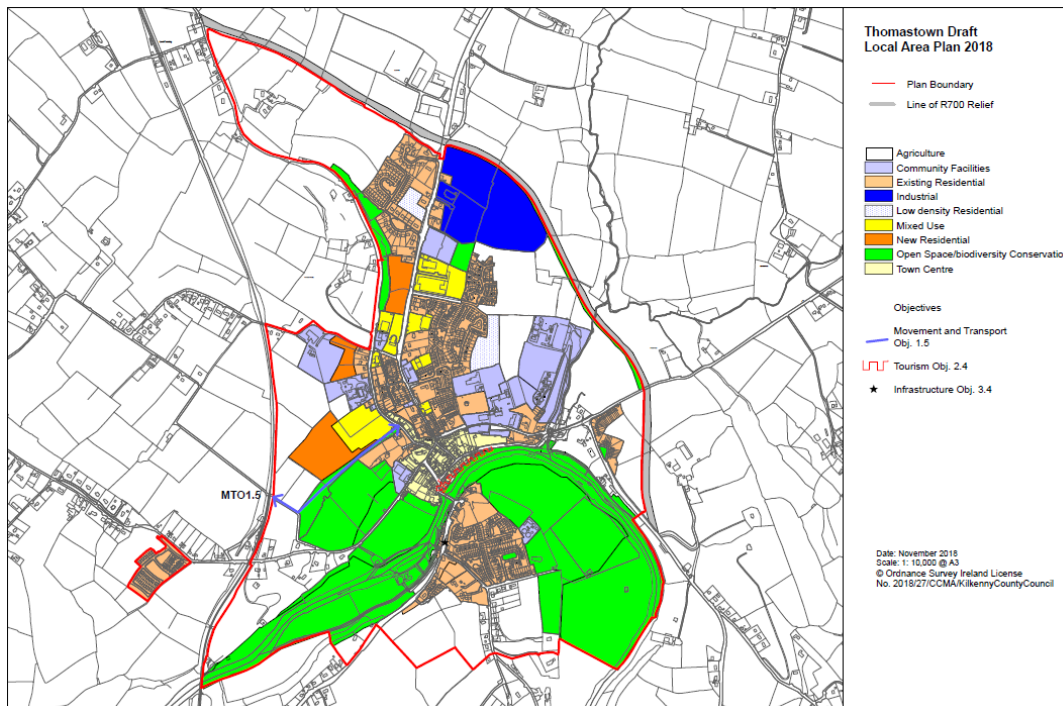


Figure 3.1 Proposed Zoning Map Draft Thomastown Local Area Plan 2019-2025

It should be noted that an Appropriate Assessment Screening Report also accompanies this LAP which concluded as follows;

A review of conservation objectives and threats to site integrity of any Natura site within 15 km of the Draft Plan area was undertaken to identify sites that may be impacted by the Draft Plan. This found that the site most likely to be affected is the River Barrow/Nore cSAC. The main threat identified is to water quality. The completed upgrade of the Thomastown wastewater treatment plant will maintain the quality of water in the River Nore and thereby potentially improve the conservation status of aquatic species. The upgrade works to the WWTP in Thomastown has also increased capacity for the existing population and future growth.

It is concluded that this Draft Plan (either individually or in combination with other plans or projects) shall not give rise to significant effects on the integrity of any Natura 2000 sites and can proceed as proposed, without a need for full Appropriate Assessment.

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

The Draft Thomastown LAP is set within the context of the current Kilkenny County Development Plan 2014-2020 (CDP) and the Regional Planning Guidelines for the South-East Region 2010-2022. The Regional Spatial Economic Strategy for the Southern Region (RSES) and Kilkenny County Development Plan 2020-2026 are being prepared to accord with the newly adopted National Planning Framework (NPF) and associated Roadmap (July 2018). At the present time, it is not anticipated that the plan will have a significant environmental effect on any other plans. Once the new RSES and CDP are adopted it may be necessary to review, and amend where necessary, the adopted Thomastown LAP. Any amendment to the adopted Thomastown LAP will be subject to separate Strategic Environmental Assessment Screening.

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

The Draft Thomastown LAP will be made pursuant to the provisions of Section 19 of the Planning and Development Act 2000, as amended and accordingly sets out to achieve the proper planning and sustainable development of the town.

iv. Environmental problems relevant to the plan

Previously, the environmental assessment for the adopted Thomastown LAP highlighted the following key environmental problems for Thomastown.

- The presence of a regionally important aquifer and the prevalence of high groundwater vulnerability
- The replacement of natural and semi-natural habitats and loss of soil resulting from development on greenfield sites
- The presence of areas liable to flooding
- Possible impacts on areas of archaeological potential, structures on the record of protected structures and national inventory of architectural heritage
- The presence of designated biodiversity sites which may be sensitive to impacts of future development

In addition to the above, additional potential environmental problems have been identified during the preparation of the Draft Thomastown LAP.

This section provides a brief overview of potential environmental problems relevant to the Draft Thomastown LAP.

1. Water

The Thomastown WWTP was upgraded in 2011 to provide for improved treatment and discharge. The upgraded plant includes nutrient removal and the design capacity is 7500pe. There is sufficient capacity available in this WWTP for the expansion of the town under this plan. In addition, it should be noted that individual construction projects will be subject to their own environmental assessment, which will ensure that any proposal which may have an effect on water quality in the plan area will be subject to assessment at project level stage.

Irish Water is now the responsible authority for such upgrades, and as of November 2014. Irish Water recently prepared a Regional and County Wastewater Capacity Register for which Thomastown was included. The Thomastown WWTP overall design capacity in population equivalents has a capacity for 7,500 p/e following an upgrade in recent years. The current loading is ca. 3,500 p/e which indicates adequate capacity for the projected growth within the over the plan period. Consultation with Irish Water regarding the capacity and operation of the WWTP in Thomastown has taken place throughout the LAP and associated environmental assessment processes. Indicators of water quality are available as part of the Water Framework Directive (WFD), which established a framework for the protection of all waters including rivers, lakes, estuaries, coastal waters, groundwater, canals and other artificial bodies for the benefit of everyone.

Regular assessments of the waste water output and capacity of the Treatment Plants are undertaken by the local authorities. This will provide an indication of the potential significant effects resulting from the plan.

In light of these factors it is believed that the potential for negative impacts on water quality are not significant and that there will be no changes to the sites.

1(a) - Water Framework Directive

The Water Framework Directive (WFD) establishes a framework for the protection of all waters including rivers, lakes, estuaries, coastal waters, groundwater, canals and other artificial bodies for the benefit of everyone. Under the 2nd Cycle of the WFD good ecological and chemical status for all waters must be achieved by 2027 with no deterioration in existing status in the meantime. Ireland's River Basin Management Plan 2018 – 2021¹ is putting in place a new framework for improving the quality of waters. This includes significant changes in the organisation and governance structures related to water quality, giving local communities a greater role, and updating the evidence base for monitoring water quality.

For the 2nd Cycle, the Eastern, South Eastern, South Western, Western and Shannon River Basin Districts are merged to form one national River Basin District (RBD). Kilkenny County Council along with Tipperary County Council is jointly co-ordinating the work of the Water and Communities Office. Areas for Action, targeting direct and in-direct pollution sources, have been identified for catchments around the country.² There are no Areas for Action in the Nore catchment.

¹ Department of Housing, Planning and Local Government, <https://www.housing.gov.ie/water/water-quality/river-basin-management-plans/river-basin-management-plan-2018-2021>, 17th April 2018.

² The Local Authority Waters and Communities Office, Areas for Action mapping, <http://watersandcommunities.ie/areas-for-action/>, accessed 5th July 2018.

1(b) - Drinking Water/Water Supply

Capacity and future requirements

The area is served by the Thomastown WSS which has adequate capacity available according to the Irish Water Summary Sheet for Water Supplies in Settlements in County Kilkenny (June 2018) with Inistioge to be connected shortly. A report on the Provision and Quality of Drinking Water in Ireland – A Report for the Year 2017³, (Office of Environment Enforcement- EPA, 2017) contains detail on water quality with no incidences reported for Thomastown. Water quality is monitored on a daily basis in accordance with the EPA requirements. This is carried out by the Council on behalf of Irish Water, which monitors the results and refers them to the EPA. The HSE also monitors water supply.

1(c) Waste Water Treatment

The area is served by the Thomastown WwTP which has capacity available estimated at approx. 4000p/e according to the Irish Water Summary Sheet for Wastewater treatment plants Settlements in County Kilkenny (June 2018). The LAP will not increase the amount of land available for development, noting the significant reduction in the quantum of lands zoned for development. Future development will be connected to the existing water mains and public sewer and such developments will only be undertaken where sufficient capacity in the system exists.

1(d) Groundwater Protection

All new developments will be connected to the public water and wastewater network. The existing wastewater treatment facility for Thomastown was upgraded in 2016 to enable development as proposed in this plan period and beyond. The upgrade will ensure that significant adverse impacts on the ground water resource are avoided.

2. Biodiversity

Undeveloped areas of Thomastown are mainly characterised by agricultural grasslands and pastures bordered by hedgerows and backland areas. Although undesignated, these areas contribute to the overall levels of biodiversity in the town. Large mature trees are also found on pasture lands adjacent to the river and also around the many castle features within the town.

3. Flood Prevention and Management

A Strategic Flood Risk Assessment has been carried out for the Draft Thomastown LAP. Any potential for flooding has been mitigated or justified in accordance with the Flood Risk Management Guidelines. The Strategic Flood Risk Assessment is attached to this screening document.

4. Population and Human Health

Thomastown is designated as a 'District Town' in the Settlement Strategy of the Kilkenny County Development Plan 2014-2020 and statistics collected over the past 5 census periods have recorded consistent levels of population growth since 1996.

	1996	2002	2006	2011	2016
Population in Thomastown	1,581	1,600	1,837	2,273	2,445

³ Environmental Protection Agency

<https://www.epa.ie/pubs/reports/water/drinking/drinkingwaterreport2017.html>

v. The relevance of the plan for the implementation of EU legislation on the environment

Objectives relating to EU legislation on the environment are addressed in the CDP as outlined in this screening report. The draft Thomastown LAP will ensure the continued implementation of these objectives.

Table 3.1 Detail of potential effects, if unmitigated, mitigation measures for potential effects and residual adverse effects

Environmental Component	Potentially Significant Adverse Environmental Effects, if unmitigated	Mitigating Measures from the Draft Plan and the County Development Plan	Residual Non-Significant Adverse Effects
Biodiversity and Flora and Fauna	<p>Arising from both construction and operation of development and associated infrastructure:</p> <ul style="list-style-type: none"> Loss of/damage to biodiversity in designated sites (including European Sites and Wildlife Sites) and Annexed habitats and species, listed species, ecological connectivity and non-designated habitats; and disturbance to biodiversity and flora and fauna; Habitat loss, fragmentation and deterioration, including patch size and edge effects; and Disturbance (e.g. due to noise and lighting along transport corridors) and displacement of protected species. 	<p>Measures from the Draft Plan</p> <ul style="list-style-type: none"> Policy NH1 Policy Objective NHO1.1, 1.2 & 1.3 Policy GI1 Policy Objective GIO1.1 & 1.2 <p>Measures from the County Development Plan</p> <ul style="list-style-type: none"> Objective 8B Objective 8C Objective 8D Objective 8E Objective 8F 	<ul style="list-style-type: none"> Loss of an extent of non-protected habitats and species arising from the replacement of semi-natural land covers with artificial surfaces. Losses or damage to ecology (these would be in compliance with relevant legislation).
Population and Human Health	<ul style="list-style-type: none"> Potential interactions if effects upon environmental vectors such as water and air are not mitigated. 	<p>Measures from the Draft Plan</p> <ul style="list-style-type: none"> Policy Objective NHO1.1, 1.2 & 1.3 <p>Measures from the County Development Plan</p> <ul style="list-style-type: none"> Objective 9B Objective 9C Objective 9D Objective 9F 	<ul style="list-style-type: none"> Potential interactions with residual effects on environmental vectors. This has been mitigated by provisions which have been integrated into the Plan, including those relating to sustainable mobility and infrastructural provision.
Soil	<ul style="list-style-type: none"> Damage to the hydro geological and ecological function of the soil resource. 	<p>Measures from the County Development Plan</p> <ul style="list-style-type: none"> Objective 8F Objective 8G 	<ul style="list-style-type: none"> Loss of an extent of soil function arising from the replacement of semi-natural land covers with artificial surfaces.
Water	<ul style="list-style-type: none"> Adverse impacts upon the status of water bodies arising from changes in quality, flow and/or morphology. Increase in the risk of flooding. 	<p>Measures from the Draft Plan</p> <ul style="list-style-type: none"> Policy NH1 Policy Objective NHO1.1, 1.2 & 1.3 Policy INF3 Policy Objective INFO3.1, 3.2, 3.3, 3.4 & 3.5 <p>Measures from the County Development Plan</p> <ul style="list-style-type: none"> Objective 9B Objective 9D Objective 9F 	<ul style="list-style-type: none"> Increased loadings as a result of development to be in compliance with River Basin Management Plan. Flood related risks remain due to uncertainty with regard to extreme weather events.
Material Assets	<ul style="list-style-type: none"> Failure to provide adequate and appropriate waste water treatment (water services infrastructure and capacity is needed to ensure the 	<p>Measures from the Draft Plan</p> <ul style="list-style-type: none"> Policy INF1 	<ul style="list-style-type: none"> Residual wastes to be disposed of in line with higher level waste management policies.

	<p>mitigation of potential conflicts).</p> <ul style="list-style-type: none"> • Failure to comply with drinking water regulations and serve new development with adequate drinking water that is both wholesome and clean (water services infrastructure and capacity is needed to ensure the mitigation of potential conflicts). • Increases in waste levels. 	<ul style="list-style-type: none"> • Policy Objective INFO1.1 <p>Measures from the County Development Plan</p> <ul style="list-style-type: none"> • Objective 9B • Objective 9D • Objective 9F • Objective 9H • Objective 9I 	
Air and Climatic Factors	<ul style="list-style-type: none"> • Emissions to air including greenhouse gas emissions and other emissions. • Climate adaptation interactions. 	<p>Measures from the Draft Plan</p> <ul style="list-style-type: none"> • Policy INF4 • Policy Objective INFO4.2 	<ul style="list-style-type: none"> • An extent of travel related greenhouse gas and other emissions to air. This has been mitigated by provisions which have been integrated into the Plan, including those relating to sustainable mobility.
Cultural Heritage	<ul style="list-style-type: none"> • Potential effects on protected and unknown archaeology and protected architecture arising from construction and operation activities. 	<p>Measures from the Draft Plan</p> <ul style="list-style-type: none"> • Policy PS1 • Policy Objective PSO1.1, 1.2, 1.3, 1.4 & 1.5 • Policy ACA1 • Policy Objective ACAO1.1, 1.2 & 1.3 • Policy ARC1 • Policy Objective ARCO1.1 & 1.2 <p>Measures from the County Development Plan</p> <ul style="list-style-type: none"> • Objective 8I • Objective 8N • Objective 8O • Objective 8Q 	<ul style="list-style-type: none"> • Potential alteration to the context and setting of architectural heritage however these will occur in compliance with legislation. • Potential alteration to the context and setting of archaeological heritage however this will occur in compliance with legislation. • Potential loss of unknown archaeology however this loss will be mitigated by measures integrated into the Plan.
Landscape	<ul style="list-style-type: none"> • Occurrence of adverse visual impacts and conflicts with the appropriate protection of designations relating to the landscape, especially with regard to the County's landscapes which are designated as highly scenic/visually pleasing and protected views. 	<p>Measures from the County Development Plan</p> <ul style="list-style-type: none"> • Objective 8G • Objective 8H 	<ul style="list-style-type: none"> • The Plan contributes towards the protection of County landscape designations. The County's landscapes will change overtime as a result of natural changes in vegetation cover combined with new developments.

3.2 Characteristics of the Effects and of the Area Likely to be Affected

The significance of the environmental problems identified is now assessed in accordance with the requirements of Schedule 2A of the Regulations.

(i) The probability, duration, frequency and reversibility of the effects

The development of lands in Thomastown would result in impacts on environmental resources. However, given that the Draft Thomastown LAP will significantly reduce the amount of land available for residential development and therefore the potential level of development is substantially reduced from that proposed under previous plans. Previous plans were not considered to significantly impact the conservation objectives of any proximate Natura 2000 site and the AA screening report for the Draft LAP concluded that this Draft Plan (either individually or in combination with other plans or projects) shall not give rise to significant effects on the integrity of any Natura 2000 sites. The lifetime of the Thomastown LAP is until early 2025, unless it is extended under Section (19)(1)(d) of the Planning and Development Act, as amended.

(ii) The cumulative nature of the effects

No cumulative negative effects are anticipated given that the Draft Thomastown LAP will focus on the principles of sustainable development and the considerations of the future development of the town. It is anticipated that the cumulative effects on the environment will be positive and that with every development and redevelopment that the area will be rejuvenated with an improved physical and visual environment.

(iii) The transboundary nature of the effects

The LAP will have no national, regional or inter-county transboundary effects.

(iv) The risk to human health or the environment (e.g. due to accidents).

The implementation of the LAP will not result in any risks to human health.

(v) The magnitude and spatial extent of the effect (geographical area and size of the population likely to be affected)

In 2016, the population of Thomastown town was 2,445. The LAP 2019-2025 requires zoning for ca. 130 new households. The plan area extends to approximately 212.7 hectares and capacity to provide for this additional requirement of ca. 6.7 ha is provided for within this boundary.

(vi) The value and vulnerability of the area likely to be affected due to:

a) Special natural characteristics or cultural heritage

EU Protected Habitats and Species

There is one Special Area of Conservation, the River Nore/Barrow SAC, site code 002162 and one Special Protection Area River Nore SPA, site code 0004233 located within the plan area. There is also an SAC located north of plan area Thomastown Quarry, site code 002252.

A separate Appropriate Assessment Screening of the Draft Thomastown LAP has been carried out in accordance with the requirements of Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC).

Landscape Designations

It is not anticipated that the value and vulnerability of the special natural characteristics or cultural assets in the area will be negatively affected through implementation of the LAP, given their status and protection at both national level, in the CDP and in the LAP. The development

management process will ensure that any development proposal in the vicinity of these areas demonstrate, where necessary, how adverse impacts on natural or cultural heritage would be avoided or what mitigation measures are proposed. This will involve consultation with the Department of Housing, Planning, Community and Local Government, Department of Communication, Climate Action and the Environment, National Parks and Wildlife Service, Heritage Officer, or Conservation Officer as appropriate.

b) Exceeded environmental quality standards or limit values

It is not expected that environmental quality standards will be exceeded or that the value of vulnerable areas will be affected as a result of the Draft LAP. Development proposals will be subject to assessment as part of a planning application and will be required to demonstrate compliance with environmental quality standards and limits.

c) Intensive land use

Development will be focused around existing and underutilised sites and buildings. As such, future developments are unlikely to intensify land uses within the area to a degree that would significantly adversely impact upon the existing natural and built environment. Quality design standards and guidelines will be provided in the LAP with appropriate policies and objectives which seek to reduce the potentially negative impact of development proposals within the plan area. Individual applications will be subject to AA and EIA, where required.

(vii) The effects on areas or landscapes which have recognised national, European Union or international protection status

There are no landscapes of national, European or International protection status within or affected by the draft Thomastown LAP. There are two Natura sites located within the plan area: Site Code 002162, the River Barrow and River Nore and Site Code 0004233 the River Nore Special Protection Area. One cSAC is located adjoining the plan area; Site Code 002252, Thomastown Quarry. There is one additional Natura 2000 site within a 15 km radius from the LAP boundary; Hugginstown Fen, Site Code 000404. There are also a number of Recorded Monuments in the plan area. The LAP recognises the importance of sites with national and European designations, and the County Development Plan set out policies and objectives for their protection. The draft Thomastown LAP corresponds with those policies and objective and the Appropriate Assessment Screening Report which accompanies the Draft LAP concluded that the Draft Plan (either individually or in combination with other plans or projects) shall not give rise to significant effects on the integrity of any Natura 2000 sites

4 STATUTORY CONSULTATION

In accordance with the Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations 2014 (as amended), the specified environmental and planning authorities that shall be consulted, as appropriate, are:

- The Environmental Protection Agency (EPA)
- The Minister of Housing, Planning and Local Government
- Where it appears that the plan might have significant effects on fisheries or the marine environment, the Minister for Agriculture, Food and the Marine and the Minister for Communications, Climate Action and Environment
- Where it appears that the plan might have significant effects in relation to the architectural or archaeological heritage or to nature conservation, the Minister for Culture, Heritage and the Gaeltacht
- Any adjoining planning authority whose area is contiguous to the area of the planning authority which prepared the plan.

These listed authorities, and the adjoining planning authorities, were consulted under Article 14A(4) of the Regulations through correspondence sent on the 23rd of August 2018.

One response was received to the Section 14A Notice from the EPA.

EPA COMMENTS:

The submission from the EPA notes the proposed determination with regards to the need for SEA of the Thomastown Local Area Plan and advises that The EPA has published their latest 'State of the Environment Report' - Ireland's Environment 2016 – An Assessment (EPA, 2016). The submission advises that the recommendations, key issues and challenges described within this report should be considered, as relevant and appropriate to the Plan area. The submission also advises of the following tools which may be used during the preparation of the SEA:

- SEA WebGIS Search & Reporting Tool
- EPA WFS Application
- EPA AA GGeoTool

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

5 CONCLUSION

It is not anticipated that the Draft Thomastown LAP will have likely significant environmental effects and at this stage in the process it is considered that an SEA will not be required. The likely positive and negative effects are addressed through policies and objectives in the County Development Plan and this Local Area Plan will contribute to these positive effects however; will not give rise to significant effects, positive or negative, on the environment. Localised environmental effects as a result of any proposed development carried out on the land within the plan area can be dealt with through the assessment of individual planning applications through the development management process. In terms of the provisions of Article 14A(4) and (5) of the Regulations, following the appropriate consultation period the Planning Authority shall make a determination whether or not implementation of the policies and objectives of the Local Area Plan would be likely to have significant effects on the environment,

taking account of the relevant criteria set out in Schedule 2A of the Regulations (see Section 3 above) and any submission or observation received from the environmental authorities (see Section 4 above).

Having regard to the provisions of Article 14A(4) and (5) of the Regulations, the Planning Authority considers that implementation of the Draft LAP would not be likely to have significant effects on the environment. Please see the determination (Appendix 1) in this regard.

Appendix 1

SEA Determination

TO: SEAN MCKEOWN, DIRECTOR OF SERVICES
FROM: DENIS MALONE, SENIOR PLANNER
SUBJECT: STRATEGIC ENVIRONMENTAL ASSESSMENT DETERMINATION OF DRAFT THOMASTOWN LOCAL AREA PLAN

I refer to the requirement under article 14A(2) of the Planning and Development Regulations (Strategic Environmental Assessment) 2004 in relation to considering whether or not implementation of a local area plan would be likely to have significant effects on the environment.

In accordance with the requirements of Article 14A, a 'screening' of the proposed Draft Thomastown Local Area Plan was undertaken in respect of SEA. A letter setting out the Council's considerations with regard to the relevant criteria for determining whether the plan was likely to have significant impacts on the environment as set out in Schedule 2A of S.I. No. 436/2004 as amended was submitted to the following environmental authorities:

- The Environmental Protection Agency (EPA)
- The Minister of the Housing, Planning and Local Government
- The Minister for Culture, Heritage and the Gaeltacht
- The Minister for Communications, Climate Action & Environment

None of these authorities advised that a Strategic Environmental Assessment should be carried out.

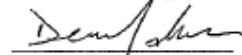
The information contained in the response received from the EPA has been taken into account.

Recommendation

Taking into account the information provided above, the information contained in the accompanying SEA Screening Report and the submission received from the EPA, it is determined that:

The Local Area Plan would not be likely to result in significant environmental effects; and, consequently, SEA is not required for the proposed Draft Thomastown Local Area Plan, as per the provisions of the Planning & Development Regulations 2001-2017.

The Environmental Authorities shall be informed of this decision, as per Article 14(A)(6)(b) of the 2001-2017 Regulations.



Denis Malone,
Senior Planner

Date: 6/11/2018