

**PROPOSED VARIATION NO. 2(i) TO THE
WICKLOW COUNTY DEVELOPMENT PLAN 2010-2016**

KILMACANOGUE SETTLEMENT PLAN

**STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA)
SCREENING DETERMINATION**

1. INTRODUCTION

This statement sets out the Council's determination under Article 13K of the Planning and Development (Strategic Environmental Assessment) Regulations 2004, on whether or not a Strategic Environmental Assessment (SEA) is required for the proposed variation (proposed Kilmacanogue Settlement Plan) of the Wicklow County Development Plan 2010-2016.

2. THE SEA SCREENING PROCESS

The screening process has been carried out in accordance with Article 13K and has involved the following:

- i. A consideration of whether or not the proposed variation would be likely to have significant effects on the environment, taking into account of the relevant criteria set out in Schedule 2A of the Regulations. The Planning Authority carried out this assessment. It was the consideration of the Planning Authority that the proposed variation would not be likely to have significant effects on the environment, and a Strategic Environmental Assessment was not required for the plan. This consideration is set out in 'SEA Screening Report'.
- ii. Consultation with the following environmental authorities on whether or not the proposed variation would be likely to have significant effects on the environment: the Environmental Protection Agency (EPA), the Minister for Environment, Heritage and Local Government, and the Minister for Communications, Energy and Natural Resources.

The Planning Authority sent notice to the three environmental authorities on 13th May 2011. The authorities were invited to make a submission to the Planning Authority between the period 13th May 2011 to 3rd June 2011. The responses of the environmental authorities are summarised below:

2.1 The Environmental Protection Agency (EPA)

Submission received 27th May 2011 The submission is essentially made up of five parts:

- (a) A comment on the Strategic Environmental Assessment Screening Report for the Kilmacanogue Settlement Plan;
- (b) Comments on possible future amendments to the Draft Plan with regard to environmental issues;
- (c) Comments on Infrastructure Planning to service any development proposed and authorised during the lifetime of the plan;
- (d) Comments on the obligations with respect to Appropriate Assessment and consultation with the National Parks and Wildlife Services (NPWS);
- (e) Comments on the obligations with respect to national plans and policies and EU Environmental legislation.

Summary of issues raised:

- (a) Planning Authority's position with regard to the need for SEA of proposed variation is noted;
- (b) The EPA have advised that it is a matter for Wicklow County Council to determine whether or not any future proposed Amendments/Variations would be likely to have significant effects on the environments;
- (c) The EPA have advised that in proposing the plan and any related amendments, variations etc of the plan and implementing the subject plan that adequate and appropriate infrastructure should in place;
- (d) The EPA have advised that Wicklow County Council has responsibilities and obligation in accordance to Article 6 of the Council Directive 92/42/EEC in relation to the Appropriate Assessment;
- (e) The EPA have advised that Wicklow County Council has responsibilities and obligation in accordance with all national and EU environmental legislation.

Evaluation

All issues raised are duly noted

Consideration regarding Significant Environmental Effect in light of Comments Received

The proposed variation (proposed Kilmacanogue Settlement Plan) to the Wicklow County Development Plan 2010-2016 would not be likely to have a significant effect on the environment.

2.2 Minister for Environment, Heritage and Local Government

Submission received 3rd June 2011. The submission has been fully considered.

Summary of Submission

There is a potential for impacts on archaeology arising from developments within the context of the Kilmacanogue Plan. If a Strategic Environmental Assessment is not carried out then the potential archaeological impacts should be addressed in the plan itself

Evaluation

Noted. There are objectives contained in the Kilmacanogue Settlement plan that will mitigate against any potential archaeological impacts (objectives KM5).

Consideration regarding Significant Environmental Effect in light of Comments Received

The proposed variation (proposed Kilmacanogue Settlement Plan) to the Wicklow County Development Plan 2010-2016 would not be likely to have a significant effect on the environment.

2.3 Minister for Communications, Energy and Natural Resources

Submission received 3rd June 2011.

Summary of Submission

No comments/observations on the Strategic Environmental Assessment screen submitted. The submission does however include observations from the Inland Fisheries.

Evaluation

Noted. The same observations from the Inland Fisheries were made earlier in the plan preparation process and therefore have already being considered in the preparation of this settlement plan.

Consideration regarding Significant Environmental Effect in light of Comments Received

The proposed variation (proposed Kilmacanogue Settlement Plan) to the Wicklow County Development Plan 2010-2016 would not be likely to have a significant effect on the environment.

3. DETERMINATION

Having considered the relevant criteria set out in Schedule 2A of the Regulations and the submissions received from the environmental authorities in response to the notice issued under Article 13K(3), the planning authority determines that the proposed variation (proposed Kilmacanogue Settlement Plan) to the Wicklow County Development Plan 2010-2016 would not be likely to have a significant effect on the environment.

The planning authority has therefore determined that a strategic environmental assessment is not required for the proposed variation (proposed Kilmacanogue Settlement Plan) to the Wicklow County Development Plan 2010-2016.