

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

LARAGH-GLENDALOUGH SETTLEMENT AND TOURISM 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 (Laragh-Glendalough Settlement and Tourism 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 the relevant criteria set out in Schedule 2A of the Regulations. This assessment was carried out by the Planning Authority. 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 11th May 2011. The authorities were invited to make a submission to the Planning Authority between the period 11th May 2011 to 1st June 2011. The responses of the environmental authorities are summarised below:

2.1 The Environmental Protection Agency (EPA)

Submission received 27 May 2011. The submission is essentially made up of three parts:

- (a) A comment on the Strategic Environmental Assessment Screening Report for the Laragh-Glendalough Settlement Plan;
- (b) Comments on the contents of the Laragh-Glendalough Settlement and Tourism Plan with regard to environmental issues.
- (c) General Issues

Summary of Submission

(a) The planning Authority's position with regard to the need for SEA of proposed variation is noted. The EPA have welcomed and acknowledged the approach taken by the planning authority in the preparation of the plan.

(b) The following issues should be taken into consideration in the preparation of the Plan:

- Where connection to main sewage infrastructure is not feasible, the EPA's Code of Practice: Wastewater Treatment and Disposal Systems Serving Single Houses (EPA, 2009) should be taken into consideration.
- Regard shall be paid to Eastern River Basin District Management Plan for the protection of water quality in the plan area.
- Have regard to the fact that significant concentrations of radon have been identified in the plan area.
- Amend LG6 as follows: *"Increase the quality and range of employment opportunities by facilitating **sustainable** developments.."*
- Amend LG7 as follows: *"Provide for an **appropriate** expansion in the variety of retail facilities..."*
- Regarding LG21 for community forest – consideration should be given to the following: (i) ensuring NPWS are consulted, (ii) the Habitats Directive is complied with, (iii) requiring the submission of a Visual Impact Assessment.
- In assessing the likely significant effects on the environment and in particular to cumulative effects, there are merits to identifying the following on the map: Laragh Castle, Derrybawn House, Old Mill Building, environmental sensitivities and transport infrastructure.
- The amount of additional lands resulting from the extension of boundaries should be clarified.
- Take account of the Greater Dublin Area Draft Transport Strategy (NTA), as appropriate.

(c) Regard is to be paid to the following general issues regarding the preparation and processes of the plan:

- SEA Assessment shall be carried out in accordance with the SEA Regulations (2004)
- Ensure that infrastructure is in place to provide for projected growth.
- Ensure compliance with Article 6 Habitats Directive – Appropriate Assessment
- Ensure compliance with national and EU legislation.

Evaluation

(a) It is noted that the Environmental Protection Agency does not raise any objection with regard to the consideration of the planning authority that Strategic Environmental Assessment is not required for the Laragh-Glendalough Settlement and Tourism Plan.

(b) The following evaluation is in response to the specific comments raised by the EPA on the plan:

- The plan is to form part of the Wicklow County Development Plan 2010-2016. Objective WW3 of Chapter 12 requires permissions for private wastewater treatment plants for single rural houses to comply with a number of requirements, including compliance with EPA Waste Water Treatment Manuals.
- The plan is to form part of the Wicklow County Development Plan 2010-2016. Objective WT1 of Chapter 17 requires the implementation of the EU Water Framework Directive and associated River Basin and Sub-Basin Management Plans.
- The issue of radon is not a matter of consideration for a land use plan. The Radiological Protection Institute of Ireland (RPII) is the national organisation responsible for regulating, monitoring and advising on matters relating to ionising radiation. Under the Building Regulations, all new buildings must incorporate radon protection measures.

- It is considered that the proposed amendment to LG6 is not necessary. All objectives in the plan are underpinned by an overarching objective to promote the principle sustainable development.
- LG7 is to be amended in accordance with the EPA recommendation.
- LG21 is to be amended to include the requirement that the NPWS are consulted and Visual Impact Assessment is undertaken, as appropriate. LG12 requires any proposed development with potential to impact on a Natura 2000 site to be subject to an Appropriate Assessment.
- The maps are to be updated to include reference to tourist infrastructure, environmental sensitivities and transport infrastructure, as appropriate.
- The extension of the settlement boundary results in the addition of approximately 9.7 ha of land within the settlement boundary. The introduction of a development boundary results in the addition of approximately 200ha within the boundary (excluding land within the settlement boundary).
- Under the GDA Draft Transport Strategy (NTA), Laragh-Glendalough is located in the hinterland of the GDA and is not the subject of any specific policy. In keeping with the Strategy, the Laragh-Glendalough Settlement and Tourism Plan is underpinned by objectives that promote a more sustainable pattern of travel and landuse. A number of objectives are included to reduce car-borne travel and to promote walking and cycling.

(c) The planning authority is satisfied that the proposed variation is being prepared in accordance with the statutory requirements of the Planning and Development SEA Regulations (2004) and Article 6 of the Habitats Directive. The preparation of the plan and the objectives included therein comply with national and EU environmental legislation, insofar as what is the remit of a land use plan.

Consideration regarding Significant Environmental Effect in light of Comments Received

The proposed variation (Laragh-Glendalough Settlement and Tourism 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 31 May 2011.

Summary of Submission

The DoEHLG submits that there is a potential for impacts on archaeology arising from developments within the context of the plan. If it is decided not to carry out an SEA then the potential archaeological impacts should be addressed in the plan.

Evaluation

The planning authority is satisfied that the plan will not be detrimental to the archaeological heritage of the area. Objectives LG11 and LG15 ensure the protection of archaeological heritage. In addition, objectives set out under '16.3: Archaeology' of Chapter 16 of the Wicklow County Development Plan ensure the protection of archaeological heritage.

Consideration regarding Significant Environmental Effect in light of Comments Received

The proposed variation (Laragh-Glendalough Settlement and Tourism 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 27 May 2011.

Summary of Submission

No comments/observations

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 (Laragh-Glendalough Settlement and Tourism 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 (Laragh-Glendalough Settlement and Tourism Plan) to the Wicklow County Development Plan 2010-2016.