

RATHDRUM LOCAL AREA PLAN 2017

APPENDIX A

SEA SCREENING REPORT



Wicklow County Council
June 2017

SEA SCREENING REPORT
RATHDRUM LOCAL AREA PLAN 2017

PLANNING AND DEVELOPMENT ACT 2000 (AS AMENDED)
PLANNING AND DEVELOPMENT (STRATEGIC ENVIRONMENTAL ASSESSMENT)
REGULATIONS 2004 (AS AMENDED)
REPORT PURSUANT TO ARTICLE 14A OF THE SEA REGULATIONS 2004 (AS AMENDED)

1. INTRODUCTION

In accordance with Article 14A of the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (as amended), the Planning Authority makes a determination of need for the environmental assessment of a local area plan. Article 14A applies to a local area plan for an area the population or the target population of which is less than 5000 persons or where the area covered by the local area plan is less than 50 square kilometres (5000ha). The proposed Rathdrum Local Area Plan 2017 has a total plan area of c.197ha and total target population of 3,500 in 2028. As such, Article 14A applies to the Rathdrum Local Area Plan 2017.

Where a Planning Authority proposes to make a local area plan under Section 20 of the Planning Act, it shall, before giving notice under Section 20 (3) of the Planning Act, consider whether or not the proposed local area plan would be likely to have significant effects on the environment, taking into account of relevant criteria set out in Schedule 2A of the SEA Regulations.

Where the Planning Authority, following this consideration, determines that the proposed local area plan would be likely to have significant effects on the environment, the proposed local area plan shall be accompanied by an Environmental Report which identifies, describes and evaluates the likely significant effects on the environment of implementing the proposed local area plan.

However, where the Planning Authority considers that the proposed local area plan would not be likely to have significant effects on the environment, the Planning Authority shall give notice to the environmental authorities and shall allow the environmental authorities 4 weeks within which to make a submission or observation in relation to whether or not, in their opinion, the proposed local area plan would be likely to have significant effects on the environment.

Following receipt of any submission or observation, the Planning Authority shall make a determination regarding whether or not the proposed local area 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 from the environmental authorities.

As soon as practicable after making a determination 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 authority during office hours, and (b) notify its decision to any environmental authorities.

The assessment set out to follow is the assessment carried out on the **draft** Local Area Plan. This assessment concluded that the draft LAP did not require to undergo full Strategic Environmental Assessment. As no amendments were made to the draft LAP on adoption, no further stages of assessment were required.

2. SUMMARY OF THE PROPOSED LOCAL AREA PLAN

The proposed Rathdrum Local Area Plan will set out a land-use framework for the period 2017 to 2023 and beyond to 2028. While the plan will have a duration of 6 years initially (2017-2023), the provisions of the Planning Act allow in certain circumstances for the duration of plans to be extended to 10 years i.e. up to 2027. In this context, it is considered appropriate at this stage that the plan shall put in place a structure to meet the 2025 population target with 3 years additional zoning ‘headroom’ to ensure that there will be no lack of zoned housing land.

The plan will make provision for the growth of the town, in accordance with the population and housing targets set out in the Core Strategy of the Wicklow County Development Plan 2016-2022. Under the Core Strategy, the population of Rathdrum is targeted to grow from 1,638 in 2011 to 2,843 in 2022, 3,171 in 2025 and 3,500 in 2028. To accommodate these targets, and in accordance with the Core Strategy, the plan accommodates zoned land to accommodate c. 1,045 housing units.

The following table sets out the key elements of the Core Strategy, as it applies to Rathdrum:

Core Strategy of the CDP	Application to Rathdrum
Settlement, Population & Housing Strategies	Level 5 settlements are designated ‘Small Growth Towns’ and generally have population targets in the range 1,500 – 5,000
Economic Development Strategy	The economic function of ‘Small Growth Towns’ is to be attractors for local investment and to target investment in the form of product and some ‘people’ intensive industries.
Retail Strategy	Rathdrum is designated a Level 3 retail centre which are defined as ‘sub County town centres’. Such centres will vary both in the scale of provision and the size of catchment, due to proximity to a Major Town / County Town centre. Generally where the centre has a large catchment (e.g. market town in a rural area) and is not close to a larger centre, there will be a good range of comparison shopping though no large department stores or centres, with a mix of retail types, leisure and cultural facilities and a range of cafes and restaurants. At least one supermarket and smaller scale department store are required to meet local needs. Such towns / centres would generally range in size from 10-25,000sqm of lettable retail space catering for a population of 10,000- 40,000.
Community Development Strategy	In accordance with the County community facilities hierarchy, Level 5 settlements generally fall into the 2,000-7,000 population range and should ideally be serviced by the following community infrastructure: community/parish hall, multi purpose community space and / or meeting rooms, local town park and open spaces/nature areas, outdoor multi-use games areas, playgrounds, playing pitches and a library.
Infrastructure Strategy	In accordance with the County Development Plan: Sufficient wastewater treatment capacity is required to cater for the projected population within the plan area Sufficient water supply is required capable of meeting the demands of projected population within the plan area. Measures to improve the capacity and efficiency of local roads and connections to national routes in close proximity to the plan area are required.
Environmental Strategy	To ensure the objectives of the plan are consistent with the conservation and protection of the environment.

A key aim of the local area plan is to set out the vision and overall strategy for the future development of the settlement and from this vision, all policies and objectives can be developed and implemented with the overall aim of achieving this vision.

The **working** overall vision and development strategy of the Rathdrum LAP is as follows¹:

The vision for Rathdrum is:

- To ensure a high quality living environment for existing and future residents.
- To provide a framework for the growth of the town, in order to provide housing for current and future generations, to revitalise the economy of the town and to allow improvements of social and community facilities.
- Sustain a revitalised core town centre with commercial, residential and community developments being consolidated and promoted within this area.
- Create increased connectivity between a revitalised town core and the existing and proposed residential areas within the town.
- Facilitate and encourage the development of the Avonmore River valley as a key tourism and recreation asset
- Promote and foster economic development
- Develop the tourism potential of the area as a visitor / tourist destination in itself and in its role as a 'gateway' to surrounding attraction such as Avondale House and the Wicklow Mountains
- Protect the built and natural heritage of the area.

In recognition of the historical pattern of development, the profile of the settlement, the demands of higher order strategies and the vision for the town set out above, the development strategy is as follows:

- To reinforce and improve the visual appearance of the central area of the town and encourage development that will enhance the town's vitality and vibrancy;
- To identify key sites suitable for development in the town centre and set out design criteria capable of meeting the overall vision for the town core area;
- To support and encourage actions to address congestion on the Main Street; in particular the development of alternative car parking arrangements around the town core and the development of alternative routes through the town, particularly from existing or planned new residential areas that avoid the need to use the Main Street to access essential services and to enter / exit the town;
- To encourage the regeneration of the Low Town area, to reduce the number of derelict and underutilised buildings and to protect and enhance the architectural character of this area;
- To plan for and encourage the provision of high quality housing, concentrated principally around Rathdrum town centre and lands within 1km of the town centre;
- To improve linkages between Rathdrum core town centre / existing community infrastructure and lands earmarked for future housing development;
- To plan for and encourage the development of new employment opportunities, in the form of both new mixed use developments in the town centre, at the Mill and old Railway Hotel sites, and the development of new employment lands on the R752 (Avoca Road);
- To identify and address deficits in social, community and recreational services; to require developers to provide such facilities in tandem with new housing development where appropriate and to require the payment of development levies for the provision of such facilities by the local authority.
- To ensure that only appropriate land uses are provided on lands identified as being at risk of flooding;
- To create functional public spaces and pedestrian routes linked to new development that maximise the natural features of the area;
- To ensure the protection and enhancement of natural habitats, cultural heritage, ecological resources and biodiversity and in particular, to safeguard the integrity of the Avonmore River.

¹ This screening assessment was carried out prior to the finalisation of the draft plan

The proposed local area plan will designate lands for new residential and employment development, community use, amenity and open space. The proposed local area plan **is likely to** designate:

- c. 16ha town centre/village centre
- c. 42ha new residential
- c. 37ha existing residential
- c. 10.5ha active open space
- c. 25ha other open space
- c. 4ha mixed use
- c. 19ha employment
- c. 22ha community and education
- c. 10.5ha for tourism

The Rathdrum local area plan is subsidiary to the Wicklow County Development Plan 2016-2022. All objectives and development management standards of the CDP apply to any development proposals within the plan area. The CDP is accompanied by a full Strategic Environmental Assessment, which concluded that environmental considerations were integrated into the plan (subject to 2 exceptions, not relevant to the Rathdrum LAP) and any potential adverse effects arising from the implementation of the plan could be reduced, offset or avoided by mitigation objectives within the plan.

The CDP sets out the high order development strategy for the future development and growth of Rathdrum under the Core Strategy. The Core Strategy was assessed as part of the SEA process for the CDP and found to be acceptable, subject to the integration of mitigation objectives.

3. ASSESSMENT IN TERMS OF SCHEDULE 2A

Characteristics of the plan, having regard, in particular to:

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 purpose of the proposed local area plan is to provide a framework to deliver development projects within the town including location, nature, and size and operating conditions and allocating the necessary resources. It is a land use plan within the terms of the Planning Act 2000 (as amended) which will seek to provide guidance using policies and objectives for the development of social, physical and environmental infrastructure in a sustainable manner for Rathdrum.

The degree to which the plan or programme influences other plans or programmes, including those in a hierarchy

The proposed Rathdrum local area plan would not significantly influence any other plans or programmes, as it operates on a principle of subsidiarity to the County Development Plan.

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

The proposed Rathdrum local area plan is prepared under the Planning and Development Act 2000 (as amended) and therefore must confine itself to the proper planning and sustainable development of the area. All policies and objectives must be informed by the principles of sustainable development.

The preparation of the plan is also guided by the overall vision and goals of the Wicklow County Development Plan:

Vision:

For County Wicklow to be a cohesive community of people enjoying distinct but interrelated urban and rural environments; where natural surroundings and important resources are protected; where opportunities abound to live and work in a safe atmosphere, allowing people to enjoy the benefits of well paid jobs, a variety of housing choices, excellent public services, ample cultural and leisure opportunities, and a healthy environment.

Key goals:

1. Consistency

To be consistent, as far as is practicable, with higher order national and regional development objectives set out in the National Spatial Strategy 2002-2020, the Regional Planning Guidelines for the Greater Dublin Area 2010-2022, the NTA GDA Draft Transport Strategy 2011-2030 and national rural housing policy, and manage the spatial organisation of the county in an efficient sustainable manner.

2. Employment

To facilitate and encourage the growth of employment, enterprise and economic activity in the county, across all economic sectors and in all areas.

3. Transport

To integrate land use planning with transportation planning, with the aims of reducing the distance that

people need to travel to work, shops, schools and places of recreation and social interaction, facilitating the sustainable transportation of goods and the delivery of improved public transport.

4. Housing

To enhance existing housing areas and to provide for high quality new housing, at appropriate locations and to ensure the development of a range of house types, sizes and tenures in order to meet the differing needs of all in society and to promote balanced communities.

5. Vibrant Settlements

To maintain and enhance the viability and vibrancy of settlements, to ensure that towns and villages remain at the heart of the community and provide a wide range of retail, employment, social, recreational and infrastructural facilities.

6. Enhance the rural area

To protect and enhance the county's rural assets and recognise the housing, employment, social and recreational needs of those in rural areas.

7. Infrastructure

To protect and improve the county's transport, water, waste, energy and communications and maritime infrastructure, whilst having regard to our responsibilities to respect areas protected for their important flora, fauna and other natural features.

8. Communities

To promote and facilitate the development of sustainable communities through land use planning, by providing for land uses capable of accommodating community, leisure, recreational and cultural facilities, accessible to and meeting the needs of all individuals and local community groups.

9. Heritage

To protect and enhance the diversity of the county's natural and built heritage, including the protection of the integrity of the Natura 2000 network, the protection of ecological corridors under Article 10 of the Habitats Directive and the protection of protected species.

10. Climate Change

To address the climate change challenge, as a plan dynamic, throughout the county plan, directly in the areas of flooding and renewable energy, and indirectly by integrating climate change and sustainable development into statements of plan policy, strategies and objectives.

11. Quality Design

To promote high quality design so that new developments complement their surroundings, are well connected to neighbourhoods, are functional and pleasant to experience, are accessible, attractive, secure and contribute to a 'sense of place'.

Environmental problems relevant to the plan or programme

The underlying environmental issues of the LAP relate to the provision of zoned areas to accommodate a target population of 3,500 by 2028 and zoning of lands to accommodate c. 1,045 additional housing units, the provision of zoned areas for employment purposes, the provision of water services infrastructure, and traffic management and linkages. The footprint of lands zoned is comparable, **but 15% smaller**, to that zoned under the 2006-2016 plan. At this point in time, no strategically significant environmental problems can be identified in relation to the above issues.

The proposed local area plan has been evaluated against the following environmental factors, as per the Strategic Environmental Assessment for the adopted County Development Plan:

Biodiversity, flora and fauna

Through the development of lands, the proposed local area plan may give rise to impacts on biodiversity, flora and fauna. However, through the implementation of the objectives of the proposed local area plan and the objectives of the adopted County Development Plan, which will apply to all development within the plan area (this plan being subsidiary to the County Development Plan) significant adverse impacts on biodiversity, flora and fauna are not considered likely.

There are no designated natural heritage sites within the plan area. The settlement boundary directly adjoins the Vale of Clara (Rathdrum Wood) SAC and pNHA, a protected oak woodland habitat. The Vale of Clara nature reserve is located within the SAC. Rathdrum is on the Avonmore River which flows through the SAC, downstream of same. There are no further Natura 2000 sites downstream of the settlement.

The AA Natura Impact Report on the County Development Plan 2016-2022 identifies the main threats to the site as follows: *"The main threat to the quality of habitats on the site is overgrazing by sheep, affecting the bog, heath and rocky habitats and both deer and sheep affecting the woodlands. Localised peat extraction and heavy burning is a threat to the blanket bog. The spread of non-native species is a threat to the quality of the woodlands. Many recreational activities occur within the site and some, such as hill walking and climbing, have potential for disturbance to habitats and species. Peat erosion is frequent on the peaks - this may be a natural process but is likely to be accelerated by activities such as grazing."*

The Rathdrum LAP will allow for the development of uses such as housing, tourism, employment, community and town centre etc. These uses do not threaten the characteristics of the Vale of Clara (Rathdrum Wood) SAC:

- No land is zoned for development in or immediately adjoining the SAC. The most proximate development zone likely to be included in the plan is the designation of lands more than 120m south of the SAC for low density residential development;
- The existing Rathdrum Rugby Club is located on lands adjoining the southern boundary of the SAC; it is proposed to zone these lands 'active open space' in recognition of the existing use. The purpose of such a zoning is not to encourage development but rather to support the existing use;
- The only other proximate zoning is the likely zoning of lands approximately 200m downstream of the SAC for tourism related uses. These lands are currently in use as the 'Hidden Valley' caravan park, a permitted development, which was subject to project Appropriate Assessment screening, whereby it was determined that the development would not result in direct or indirect impacts on the conservation objectives of the SAC (with particular regard to damage to the physical quality of the environment or disturbance to species or habitats).

<Working plan was attached to screening document when referred to environmental authorities>

Biodiversity objectives listed within Chapter 10: Heritage of the County Development Plan will ensure potential adverse effects on the SAC are mitigated, including objectives **NH1, NH2, NH3** and **NH4**.

The spread of non native species is listed as a threat. This threat is mitigated by the following additional objective: **NH9** To support, as appropriate, relevant public bodies (such as the National Parks and Wildlife Service), efforts to seek to control and manage alien / invasive species within the County.

The SAC is threatened by recreational activities – while the growth of the settlement may put increased pressure on the SAC, this threat is mitigated by the following additional objective: **NH39** To facilitate the use of natural areas for active outdoor pursuits, subject to the highest standards of habitat protection and

management and all other normal planning controls.

The key feature in the settlement is the Avonmore River. This river represents a significant salmonid catchment with significant populations of salmon, sea-trout, brown-trout and lamprey. Although not designated a candidate SAC for *Margaritifera margaritifera*, the system does contain populations of freshwater pearl mussel. It is proposed that other than the existing sports ground, caravan park and wastewater treatment plant further south, all lands along the river will be zoned 'open space' (OS2) where the objective is '*To protect, enhance and manage existing open, undeveloped lands that comprise flood plains, steep banks and buffer zones along watercourses and rivers, green and ecological corridors and areas of natural biodiversity*'.

Any potential adverse effects associated with development in proximity to the river will be offset by mitigation objectives included in the Wicklow CDP 2016-2022, in particular **NH3, NH20, NH21, NH22** and **NH23**.

Population and human health

The proposed local area plan and any development that arises therefrom would not result in any additional significant, adverse impacts on population and human health that were not already identified and addressed in the Strategic Environmental Assessment for the adopted County Development Plan, of which this plan forms part.

The SEA of the CDP concluded that, subject to the integration of mitigation measures², the potential adverse environmental effects which could arise as a result of implementing the County Development Plan population targets were likely to be avoided, reduced or offset. The SEA determined that the delivery of a strategy to target population growth in Rathdrum in accordance with the target in the Core Strategy of the County Development Plan would have no significant adverse effect, subject to the mitigation policies as included in the CDP.

The possible environmental impacts associated with the plan would result from the provision of land use designations and objectives which aim to accommodate future population growth targets. These objectives provide for the planning and management of land for a variety of uses including residential, retail, employment, community and recreational uses and incorporate conservation objectives to protect the integrity of the environment and guard it from significant adverse effects. Subject to adequate inclusion of appropriate policies and objectives which will result in the optimum location, layout and design of any new development resulting from this plan, it is considered that no significant environmental issues can be identified in relation to the target populations and associated designation of lands for particular uses.

Soil

The proposed local area plan and any development that arises therefrom would not result in any additional significant, adverse impacts on soil that were not already identified and addressed through appropriate mitigation measures in the SEA for the County Development Plan.

Water

The proposed local area plan and any development that arises therefrom would not result in any additional significant, adverse impacts on surface or ground waters or on the risk of flooding that were not already identified and addressed in the SEA for the County Development Plan. This is considered in detail below:

² List of objectives that comprise the mitigation measures are included in Appendix I attached.

Water services infrastructure

Wastewater: Rathdrum is served by a wastewater treatment plant that has a design capacity of 3,500pe (population equivalent). Irish Water indicates that the current flows into the plant are in the order of 2,200pe. While spare capacity is therefore available at the time of preparing this plan, additional capacity will be required in order to accommodate the full growth targets set out in the County Development Plan for Rathdrum.

Water: Rathdrum is served by a spring water supply located in the Ballinderry area to the west of Rathdrum. Water is stored in a reservoir at Ballinderry initially and thereafter at a reservoir in Ballygannon closer to Rathdrum. While this source appears to be adequately serving the town at present, the total yield of the spring is unknown and therefore it is not possible to determine if additional capacity would be available for the targeted growth. Irish Water has however prepared plans for a new water supply to Rathdrum from the Vartry Scheme subject to an upgrade to the Vartry waterworks. The delivery of this new Mid-Wicklow Regional Water Supply Scheme (Roundwood, Laragh, Rathdrum, Avoca/Ballinaclesh, Aughrim/Annacurragh and Redcross) would resolve any water supply constraints in the area into the future and would ensure that there would be sufficient treated water available to serve the population target and all associated community, employment and commercial demands.

Objectives included in the Wicklow CDP 2016 require Wicklow County Council to facilitate Irish Water in the delivery of water services infrastructure to serve all lands zoned for development and to secure necessary infrastructure. Mitigation objectives included in the CDP ensure the protection of water resources and ensure potential adverse environmental effects which could arise as a result of implementing the targets is likely to be avoided, reduced or offset.

EU Water Framework Directive

Under the River Basin Management Plan, the Avonmore River is of 'good' water quality status and thus in compliance with EU standards. The main threats to the status of the river attributed to the local area plan include the following:

- Discharge into waste water treatment plant. The plant operates to a high standard and no significant adverse effects are anticipated in relation to increased discharge.
- Urban run-off, e.g. run off from roads and overflowing sewers. Any potential adverse effects are mitigated by CDP objectives and development management standards that require implementation of SUDS and modern drainage systems including silt traps.
- Recreational use of rivers – any potential adverse effects are mitigated by CDP objectives.

Under the River Basin Management Plan, the ground water quality within the plan area is of 'good' status and thus is in compliance with EU standards. Within the plan area, ground water of lands to the east of the plan area is vulnerable. The main threat attributed to the local area plan is urban discharge to ground water. Any potential adverse effects are mitigated by CDP objectives and development management standards that require implementation of SUDS and modern drainage systems.

Flood risk

With respect to flood risk, a strategic flood risk assessment will be carried out for the proposed plan which will identify and address any possible impacts from flooding. The working draft plan herewith attached has taken account of initial work completed on this assessment, which is a work in progress.

Construction management

Other risks to surface water that might arise on foot of this plan include contamination resulting from

inappropriate construction management, accidental spillages etc. However, through the implementation of the objectives, mitigation measures and development standards set out in the CDP, such risks are eliminated / reduced to the point where no residual impacts are likely to remain.

Material assets

The proposed local area plan and any development that arises therefrom would not result in any additional significant, adverse impacts on material assets that were not already identified and addressed in the Strategic Environmental Assessment for the adopted County Development Plan.

Air and climatic factors

The proposed local area plan and any development that arises therefrom would not result in any additional significant, adverse impacts on air and climatic factors that were not already identified and addressed in the Strategic Environmental Assessment for the adopted County Development Plan.

Cultural heritage

The proposed local area plan and any development that arises therefrom would not result in any additional significant, adverse impacts on cultural heritage that were not already identified and addressed in the Strategic Environmental Assessment for the adopted County Development Plan.

There are 9 buildings with the LAP area of Rathdrum recorded for heritage value and listed on the Wicklow Record of Protected Structures. There are two Architectural Conservation Areas in the settlement – the main town centre and ‘low town’.

Within the town, there is one national monument recorded – a graveslab at St. Saviour’s Church. Surrounding the plan area there are a number of additional recorded monuments such as an enclosure at Knockadosan, and raths and Glasnarget and Balleese.

It is not considered likely that the integrity of these structures/areas will be affected by the plan, subject to the implementation of the objectives, mitigation measures and development standards set out in this plan and the County Development Plan.

Landscape

The proposed local area plan and in particular, any development that arises therefrom, would not result in any additional significant, adverse impacts on landscape that were not already identified and addressed in the Strategic Environmental Assessment for the adopted County Development Plan. Rathdrum town is designated an ‘urban area’ in terms of the Landscape Characterisation of the County set out in the Wicklow County Development Plan. Lands outside of the current settlement boundary are identified as ‘Areas of High Amenity’. The proposed plan includes a revised settlement boundary, to reduce the urban footprint at some locations and expand it at others. Overall, the proposed plan has a positive impact on landscape quality, reducing the urban footprint on the hilly, visually exposed topography to the north of the plan area and along the river valley. The newly zoned lands, in particular the residential/active open space zonings at Knockadosan and Corballis Upper along the R755, have flatter topography, are of lower visual amenity.

There are a number of listed view and prospects in the area:

- From the R755 at Rathdrum Catholic Church; view across and along the Avonmore river, Rathdrum (View 37)
- From the R752-90 above Rathdrum Mills View across the Avonmore river valley, Rathdrum towards the town of Rathdrum (View 38)

- From the L2149 to the north of Avondale Forest Park, Parnell Drive; prospect towards Forest Park, Avonmore River Valley and Parnell quarry at Balleese (Prospect 39)
- From the R755 Vale of Clara Laragh to Rathdrum; prospect of the wooded valley of Clara Vale on both sides of valley and Clara bridge and church (Prospect 41)

It is not considered likely that the integrity of these views and prospect view will be affected by the plan, subject to the implementation of the objectives, mitigation measures and development standards set out in this plan and the County Development Plan; in particular the proposed zoning provisions of the draft plan do not provide for development that would block or obscure the listed views / prospect or significantly alter the view from the listed vantage point.

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).

Such EU plans, programmes and legislation are generally considered under the Wicklow County Development Plan 2016-2022 and will not be specifically addressed in this local area plan. The Rathdrum local area plan will therefore be guided and informed by waste management, water protection policies and objectives etc set out within the County Development Plan 2016-2022.

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

In the case of the proposed Rathdrum local area plan, environmental effects that may arise will generally result from the land use designation and development of land. The proposed plan includes a number of land use designations and related objectives as follows:

ZONING	OBJECTIVE	DESCRIPTION
RE: Existing Residential	<i>To protect, provide and improve residential amenities of existing residential areas</i>	<i>To provide for house improvements, alterations and extensions and appropriate infill residential development in accordance with principles of good design and protection of existing residential amenity. In existing residential areas, the areas of open space permitted, designated or dedicated solely to the use of the residents will normally be zoned 'RE' as they form an intrinsic part of the overall residential development; however new housing or other non-community related uses will not normally be permitted.</i>
R20: New residential	<i>To protect, provide and improve residential amenities at a density up to 20 units/ha.</i>	<i>To facilitate for the provision of high quality new residential developments at appropriate densities with excellent layout and design, well linked to the town centre and community facilities. To provide an appropriate mix of house sizes, types and tenures in order to meet household needs and to promote balanced communities.</i>
R10: New residential Rural Fringe	<i>To protect, provide and improve residential amenities at a lower density not exceeding 10 units/ha.</i>	<i>To facilitate for the provision of high quality new residential environments with excellent layout and design, reflecting the low-medium density character of the surrounding area.</i>
TC: Town Centre	<i>To provide for the development and improvement of appropriate town centre uses including retail, commercial, office and civic use, and to provide for 'Living Over the Shop' residential accommodation, or other ancillary residential accommodation.</i>	<i>To develop and consolidate the existing town centre to improve its vibrancy and vitality with the densification of appropriate commercial and residential developments ensuring a mix of commercial, recreational, civic, cultural, leisure, residential uses, and urban streets, while delivering a quality urban environment which will enhance the quality of life of resident, visitor and workers alike. The zone will strengthen retail provision in accordance with the County Retail Strategy, emphasise town centre conservation, ensure priority for public transport where applicable, pedestrians and cyclists while minimising the impact of private car based traffic and enhance and develop the existing centre's fabric.</i>
VC: Village Centre Low Town	<i>To provide for the development and improvement of appropriate village centre uses in the Low Town areas, including retail,</i>	<i>To develop and consolidate the Low Town area in an appropriate manner and to an appropriate scale given its role as a secondary or subsidiary area to the main town centre.</i>

	<i>commercial, office and civic use, and to provide for 'Living Over the Shop' residential accommodation, or other ancillary residential accommodation.</i>	
E: Employment	<i>To provide for the development of enterprise and employment</i>	<i>To facilitate the further development and improvement of existing employment areas and to facilitate opportunities for the development of new high quality employment and enterprise developments in a good quality physical environment.</i>
CE: Community & Education	<i>To provide for civic, community and educational facilities</i>	<i>To facilitate the development of necessary community, health, religious, educational, social and civic infrastructure.</i>
AOS: Active Open Space	<i>To protect and enhance existing and provide for new active open space</i>	<i>To facilitate the further development and improvement of existing active open spaces, formal exercise areas, sports grounds, playing pitches, courts and other games areas and to facilitate opportunities for the development of new high quality active recreational areas</i>
OS1: Open Space	<i>To protect and enhance existing and provide for recreational open space</i>	<i>To facilitate the further development and improvement of existing parks and casual play areas, to facilitate opportunities for the development of new high quality amenity open areas and to restrict developments / activities (such as the use or development of such lands for formal sports grounds for organisations that are not available for a broad range of the public) that would reduce the opportunities for use by the wider public.</i>
OS2: Passive Open Space	<i>To protect existing open, undeveloped lands</i>	<i>To protect, enhance and manage existing open, undeveloped lands that comprise flood plains, buffer zones along watercourses and rivers, steep banks, green breaks between built up areas, green corridors and areas of natural biodiversity.</i>
PU: Public Utility	<i>To maintain lands providing services infrastructure</i>	<i>To allow for lands to be designated for public utilities such as waste water treatment plants, large ESB sub-stations, gasworks etc</i>
T: Tourism	<i>To provide for tourism related development</i>	<i>To provide for the sustainable development of tourism related structures, uses and infrastructure. To provide for the development of tourism facilities including accommodation of an excellent sustainable design and aesthetic quality. Tourism related office, civic and cultural and commercial development will be facilitated.</i>
MU – Mixed Use	<i>To provide for mixed use development</i>	<i>The nature of the mixed use development envisaged for any particular site is set out in the text of the plan.</i>

This plan is subservient to the Wicklow County Development Plan 2016-2022 and as such where policies are not directly covered by this plan, the objectives and policies of the CDP apply. All development proposals shall comply with the qualitative and quantitative development objectives of the CDP.

Subject to the integration of the mitigation objectives (set out in Appendix I attached) of the CDP, it is considered that any potential adverse environmental effects resulting from implementing the plan are likely to be avoided, reduced or offset.

Development Objective/Land uses	Summary of Policies/Objectives Proposed	Effect on Environment
Extension of settlement boundary	<p>It is proposed that the boundary of the existing Rathdrum Local Area Plan be amended to account for the following zoning changes:</p> <ol style="list-style-type: none"> 1. Dezoning of c. 7ha from 'General Employment' to unzoned (outside plan boundary) at Corballis upper. 2. Dezoning of c. 11ha from CEI to unzoned (outside plan boundary) at Knockadosan. 3. Dezoning of c.10.5ha from AG to unzoned (outside plan boundary) at Ballygannon and Rathdrum townland on the northern side of the plan area. 4. Dezoning of c. 2.4ha from R2 to unzoned (outside plan boundary) at Rathdrum townland, just south of rugby club. 5. Dezoning of c.1.8ha from H (holiday homes) to unzoned (outside plan boundary) at Ballygannon 6. Boundary extension at Corballis to take in existing dwellings and Rathdrum GAA grounds along the R762 7. Boundary extension at Hidden Valley caravan park to take into account extension of permitted development at this location <p>In total, these changes have resulted in a net reduction in the plan area of c. 32ha and tightening of settlement boundary around the urban centre.</p>	<p>The revisions to the settlement boundary have a positive effect in the following regards:</p> <ul style="list-style-type: none"> ▪ Overall tightening of urban footprint with reduced impact on undeveloped landscape, associated habitats and views. ▪ Better promotion of built form that encourages sustainable transportation modes with reduced car use.
Residential	<p>The plan will make provision for the growth of the town, in accordance with the population and housing targets set out in the Core Strategy of the Wicklow</p>	<p>The environmental effect of growth targets is considered in the Environmental Report of the Wicklow CDP 2016-2022 SEA. This Assessment</p>

	<p>County Development Plan 2016-2022. Under the Core Strategy, the population of Rathdrum is targeted to grow from 1,638 in 2011 to 2,843 in 2022, 3,171 in 2025 and 3,500 in 2028. To accommodate these targets, and in accordance with the Core Strategy, the plan accommodates zoned land to accommodate an additional 1,045 housing units.</p> <p>Residential units are promoted within the residential and town centre zonings of the plan except where otherwise specified.</p>	<p>concluded that, subject to the integration of mitigation measures³ included in the CDP, the potential adverse environmental effects which could arise as a result of implementing the targets is likely to be avoided, reduced or offset.</p>
<p>Employment</p>	<p>The plan has proposed the following lands be reserved for employment purposes:</p> <ul style="list-style-type: none"> ▪ 4.5ha employment at Corballis Upper (existing timber plant) ▪ 12ha employment at Corballis Upper (new development) ▪ 0.7ha employment at Corballis Lower (existing industrial area) ▪ 5.7ha tourism at Corballis lower (new development) ▪ 5ha tourism at Hidden Valley caravan park (existing development) ▪ 1.4ha mixed use at old Mill (existing development) ▪ 2.25ha mixed use at old Railway Hotel (new development) <p>The town centre and village centre zones are also prioritised for employment generating development.</p> <p>In addition to the jobs currently available within the plan area (438 as of 2011) and in accordance with the employment growth strategy of the CDP, there is a need for the plan to be capable of accommodating jobs growth of 780 by 2028 compared to 2011 levels. Of this requirement, 25% is targeted to occur in new town / village centre developments or in the densification of existing</p>	<p>No significant effect on the environment, subject to compliance with development management / mitigation objectives as set out in the CDP.</p>

³ List of objectives that comprise the mitigation measures are included in Appendix I attached.

	employment sites, while the balance shall be accommodated on lands identified for new employment and commercial / tourism development.	
Retail	Promote a range of retail uses within the town centre zoned lands, commensurate with Level 3 designation under retail hierarchy.	No significant effect on the environment, subject to compliance with development management / mitigation objectives as set out in the CDP.
Community	To facilitate the development of community facilities on designated lands, facilitating the expansion of the existing schools as required and meeting the future community needs of the projected population.	No significant effect on the environment, subject to compliance with development management / mitigation objectives as set out in the CDP.
Recreation	Preserve and improve public and private open space and recreation provision on lands designated as Open Space and Active Open Space.	Positive and durable subject to compliance with development management / mitigation objectives as set out in the County Development Plan: <ul style="list-style-type: none"> ▪ Opportunities for recreation promotes health and wellbeing, ▪ Benefits biodiversity.
Infrastructure	<p>Ensure that a reliable and effective wastewater, water, drainage, energy, waste management and communications infrastructure is put in place to service the existing and future development needs of the settlement, in a manner that protects the quality of the environment, and to allow for the improvement of public services and public utility installations.</p> <p>A number of objectives are included to promote transportation and movement within the town and out of the town.</p> <ul style="list-style-type: none"> ▪ Likely objective to provide a new street to the east of Main Street linking the northern and southern ends of the town centre. ▪ Likely objectives for vehicular access routes to be constructed as part of new housing areas allowing for access from the Ballintombay Road, through to the Greenane Road and Avoca Road. ▪ Likely objectives for the improvements of footways and cycleways throughout 	<p>Positive and durable subject to compliance with development management / mitigation objectives as set out in the County Development Plan:</p> <ul style="list-style-type: none"> ▪ improve human health and safety; ▪ reduce risk of accidents and accidental emission of pollutants; ▪ promote good ecological/water quality; ▪ reduce demand for vehicular travel thereby reducing CO₂ emissions. <p>The new vehicular access routes are essential to facilitate growth in car numbers attributed to increased population and economic development. The main street in Rathdrum is narrow, with inadequate provision of pedestrians and cyclists and congestion is common. The introduction of the new routes will promote ease of access, a more permeable urban environment and provide more options walking and cycling.</p>

	the settlement.	
Water Quality	Water quality is considered above under 'Environmental problems relevant to the plan or programme'.	No significant effects subject to compliance with development management / mitigation objectives as set out in the County Development Plan.
Built & Natural Heritage	Continued protection of all identified buildings, features and sites of heritage value, including Rathdrum ACA	Positive and durable effect subject to compliance with development management / mitigation objectives as set out in the County Development Plan.
Flood Risk	Flood Risk Assessment has been carried out in accordance with 'The Planning System and Flood Risk Management: Guidelines for planning authorities' (2009)	As part of the plan preparation process, a flood risk assessment has been carried out. It is considered that the plan will have a neutral effect, subject to objectives which are included to mitigate risks from flooding.
Regeneration	Encourage the redevelopment/regeneration of vacant, derelict underutilised sites, and to particularly promote the development of the following opportunity sites: <ul style="list-style-type: none"> - Market Square - Lands to the east of Main Street - Old Mill and old Railway Hotel 	Positive and durable effect subject to compliance with development management / mitigation objectives as set out in the County Development Plan: <ul style="list-style-type: none"> ▪ Promotes maximum use of central lands for mixed use development; ▪ Reduced demand for travel; ▪ Regeneration and public realm improvements.

The cumulative nature of the effects

No significant adverse effects have been identified.

The cumulative effects of the implementation of the above development objectives / land uses has been considered and it is concluded that the preparation of the proposed Rathdrum local area plan will overall have a positive environmental effect, as it will enable the development of the town to proceed in an orderly and sustainable manner, whereby potential adverse environmental effects can be avoided, reduced or offset through the introduction of mitigation measures.

The transboundary nature of the effects

Wicklow County Council is preparing this plan. The plan has no national, regional or inter-county transboundary effects.

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

No significant adverse effects on human health have been identified.

Any future development arising on foot of the proposed local area plan will require to conform to the development standards set out in the Wicklow County Development Plan.

There are no designated SEVESO sites within the plan area. Schering Plough-Rathdrum was delisted as a Seveso site in 2016.

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

No significant adverse effects have been identified.

With respect to positive effects, the proposed local area plan will affect an area of c. 200ha and a planned future population of 3,500 persons.

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

a) special natural characteristics or cultural heritage,

There are a number of areas in County Wicklow that are considered to have special natural characteristics, and these are designated Natura 2000 and / or NHA sites. A number of these sites are considered highly valuable and vulnerable to effects from development. No significant adverse effects on these sites as a result of the proposed plan have been identified (with respect to Natura 2000 sites, the impacts of the proposed plan on such sites is being further examined in a separate Appropriate Assessment exercise).

There are a number of landscapes in County Wicklow that are considered to have special natural characteristics, and are considered highly valuable and vulnerable to effects from development. No significant adverse effects on these areas have been identified.

With respect to cultural heritage, no significant, unmitigatable adverse effects on cultural heritage are likely to arise from the proposed local area plan through the implementation of the development control policies and objectives of the proposed plan, the Wicklow County Development Plan and the mitigations measures set out in the plan SEA.

b) exceeded environmental quality standards or limit values,

None identified

c) intensive land-use,

The proposed local area plan would not result in more intensive land use and any impacts associated with same that were not already identified and addressed in the Strategic Environmental Assessment for the County Development Plan.

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

There are a number of areas or landscapes in Wicklow which have a recognised national, European Union or international protection status. No significant adverse effects on these sites resulting from the proposed local area plan have been identified.

All development that arise on foot of the proposed local area plan will be bound by the development control policies and objectives of the Wicklow County Development Plan and the mitigations measures set out in the plan Strategic Environmental Assessment concerning to protection and enhancement of such areas.

4. PRELIMINARY CONCLUSION OF PLANNING AUTHORITY FOLLOWING ASSESSMENT IN TERMS OF SCHEDULE 2A

It is considered that the proposed local area plan is not likely to have new significant adverse effects on the environment and therefore Strategic Environmental Assessment is not warranted for the proposed local area plan.

5. CONSULTATION WITH STATUTORY SEA ENVIRONMENT AUTHORITIES

The preliminary conclusion of the Planning Authority following assessment in terms of SCHEDULE 2A was issued to all of the statutory Strategic Environmental Assessment Environmental Authorities, namely:

- The Environmental Protection Agency
- The Minister for Housing, Planning, Community and Local Government
- The Minister for Communications, Climate Action and Environment
- Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs
- Any adjoining Planning Authority whose area is continuous to the area of the Planning Authority which prepared the proposed plan

All consultees were afforded not less than 4 weeks to respond, as provided in Section 14A(4) of the SEA Regulations.

Responses were received from:

Environmental Protection Agency
<p>Issues raised:</p>
<p>SEA Determination</p> <p>We note your position with regard to the need for Strategic Environmental Assessment (SEA) of the Rathdrum Local Area Plan 2017-2023 (the Plan).</p>
<p>Specific Comments on the Plan</p> <p>The Plan should consider including a commitment to take into account a number of key national / regional plans and programmes that will be implemented within the lifetime of the Plan, as appropriate and relevant. In this context, we refer you to:</p> <ul style="list-style-type: none">- National Planning Framework (under preparation by DHPCLG)- Regional Spatial & Economic Strategies (under preparation by DHPCLG)- 2nd Cycle of Water Framework Directive River Basin Management Plans (under preparation by DCCAE)- National CFRAMS Programme (Eastern CFRAMS) (under preparation by OPW)- Eastern / Midlands Regional Waste Management Plan (adopted)
<p>In relation to the identification of freshwater pearl mussels within the Avonmore River, the mitigation measures contained within the relevant Freshwater Pearl Mussel Sub-basin management plan should be taken into account, as appropriate.</p>
<p>Additionally, the recommendations of the AA Screening Report should also be incorporated into the preparation of the Plan.</p>

Assessment:

1. The EPA's acknowledgment of Wicklow County Council's finding that Strategic Environmental Assessment is not warranted is noted.
2. The Rathdrum LAP is a subsidiary plan for the County Development Plan, which has been prepared in accordance with the current National Spatial Strategy and Regional Plan. In the event that these higher order plans / strategies are updated / replaced, the County Development Plan and any subsidiary plans that flow from it will be accordingly updated.
3. With regard to National CFRAMS Programme (Eastern CFRAMS) this draft plan is accompanied by a strategic flood risk assessment prepared in accordance with 'The Planning System and Flood Risk Management: Guidelines for Planning Authorities' (2009) which has addressed fully the CFRAM programme.
4. With respect to freshwater pearl mussels within the Avonmore River and integration of mitigation measures contained within the relevant Freshwater Pearl Mussel Sub-basin management plan, this is provided for in Objective NH3 of the County Development Plan (see below).
5. This draft plan is accompanied by an Appropriate Assessment screening report and any recommendation contained in that report is addressed in the draft plan.
6. The Rathdrum LAP is a subsidiary plan for the County Development Plan, and all objectives contained within the County Development Plan are directly applicable to Rathdrum. In particular, the following objectives will apply in Rathdrum:

NH3 *To contribute, as appropriate, towards the protection of designated ecological sites including candidate Special Areas of Conservation (cSACs) and Special Protection Areas (SPAs); Wildlife Sites (including proposed Natural Heritage Areas); Salmonid Waters; Flora Protection Order sites; Wildfowl Sanctuaries (see S.I. 192 of 1979); Freshwater Pearl Mussel catchments; and Tree Preservation Orders (TPOs). To contribute towards compliance with relevant EU Environmental Directives and applicable National Legislation, Policies, Plans and Guidelines, including the following and any updated/superseding documents:*

- *EU Directives, including the Habitats Directive (92/43/EEC, as amended)⁴, the Birds Directive (2009/147/EC)⁵, the Environmental Liability Directive (2004/35/EC)⁶, the Environmental Impact Assessment Directive (85/337/EEC, as amended), the Water Framework Directive (2000/60/EC) and the Strategic Environmental Assessment Directive (2001/42/EC).*
- *National legislation, including the Wildlife Act 1976⁷, the European Communities (Environmental Impact Assessment) Regulations 1989 (SI No. 349 of 1989) (as amended), the Wildlife (Amendment) Act 2000, the European Union (Water Policy) Regulations 2003 (as amended), the Planning and Development Act 2000 (as amended), the European Communities (Birds and Natural Habitats) Regulations 2011 (SI No. 477 of 2011) and the European Communities (Environmental Liability) Regulations 2008⁸.*
- *National policy guidelines (including any clarifying Circulars or superseding versions of same), including the Landscape and Landscape Assessment Draft Guidelines 2000, the Environmental Impact Assessment Sub-Threshold Development Guidelines 2003, Strategic Environmental Assessment Guidelines 2004 and the Appropriate Assessment Guidance 2010.*
- *Catchment and water resource management Plans, including Eastern and South Eastern River Basin Management Plan 2009-2015 (including any superseding versions of same).*
- *Biodiversity Plans and guidelines, including Actions for Biodiversity 2011-2016: Ireland's 2nd National Biodiversity Plan (including any superseding version of same).*
- *Ireland's Environment 2014 (EPA, 2014, including any superseding versions of same), and to make provision where appropriate to address the report's goals and challenges.*

⁴ Including Annex I habitats, Annex II species and their habitats and Annex IV species and their breeding sites and resting places (wherever they occur).

⁵ Including Annex I species and other regularly occurring migratory species, and their habitats (wherever they occur).

⁶ Including protected species and natural habitats.

⁷ Including species of flora and fauna and their key habitats.

⁸ Including protected species and natural habitats.

- NH20** To facilitate the implementation of the EU Water Framework Directive and associated River Basin and Sub-Basin Management Plans and the EU Groundwater Directive to ensure the protection, improvement and sustainable use of all waters in the County, including rivers, lakes, ground water, coastal and estuarine waters, and to restrict development likely to lead to a deterioration in water quality.
- NH21** To resist development that would interfere with the natural water cycle to a degree that would interfere with the survival and stability of natural habitats.
- NH22** To prevent development that would pollute water bodies and in particular, to regulate the installation of effluent disposal systems in the vicinity of water bodies that provide drinking water or development that would exacerbate existing underlying water contamination
- NH23** To minimise alterations or interference with river / stream beds, banks and channels, except for reasons of overriding public health and safety (e.g. to reduce risk of flooding); a buffer of generally 10m along watercourses should be provided (or other width, as determined by the Planning Authority) free from inappropriate development, with undeveloped riparian vegetation strips, wetlands and floodplains generally being retained in as natural a state as possible. In all cases where works are being carried out, to have regard to Regional Fisheries Board "Requirements for the protection of fisheries habitat during the construction and development works at river sites"
- NH24** To ensure that any development or activity with the potential to impact on ground water has regard to the GSI Groundwater Protection Scheme (as shown on Map 10.09).
- FL2** To implement the 'Guidelines on the Planning System and Flood Risk Management' (DoEHLG/OPW, 2009).
- FL3** The zoning of land that has been identified as being at a high or moderate flood risk (flood zone A or B) shall be in accordance with the requirements of the Flood Risk Guidelines and in particular the 'justification test for development plans' (as set out in Section 4.23 and Box 4.1 of the guidelines).
- FL4** Applications for new developments or significant alterations/extension to existing developments in a flood risk area shall comply with the following:
- Follow the 'sequential approach' as set out in the Flood Risk Guidelines.
 - Flood risk assessments will be required with all planning applications proposed in areas identified as having a flood risk, to ensure that the development itself is not at risk of flooding and the development does not increase the flood risk in the relevant catchment (both up and down stream of the application site).
 - Where a development is proposed in an area identified as being at low or no risk of flooding, where the planning authority is of the opinion that flood risk may arise or new information has come to light that may alter the flood designation of the land, an appropriate flood risk assessment may be required to be submitted by an applicant for planning permission.
 - Restrict the types of development permitted in Flood Zone A and Flood Zone B to that are 'appropriate' to each flood zone, as set out in Table 3.2 of the guidelines for Flood Risk Management (DoEHLG/OPW, 2009).
 - Developments that are an 'inappropriate' use for a flood zone area, as set out in Table 3.2 of the guidelines, will not be permitted, except where a proposal complies with the 'Justification Test for Development Management', as set out in Box 5.1 of the Guidelines.
 - Flood Risk Assessments shall be in accordance with the requirements set out in the Guidelines.
 - Generally a Flood Impact Assessment will be required with all significant developments and a certificate (from a competent person stating that the development will not contribute to flooding within the relevant catchment) will be required with all small developments of areas of 1 hectare or less.
- FL5** To prohibit development in river flood plains or other areas known to provide natural attenuation for floodwaters except where the development can clearly be justified with the Flood Risk Guidelines 'Justification test'.
- FL6** To limit or break up large areas of hard surfacing in new developments and to require all surface car parks to integrate permeability measures such as permeable paving.
- FL7** Excessive hard surfacing shall not be permitted for new, or extensions to, residential or commercial developments and all applications will be required to show that sustainable drainage techniques have been employed in the design of the development.

- FL8** To require all new developments to include proposals to deal with rain and surface water collected on site and where deemed necessary, to integrate attenuation and SUDS measures.
- FL9** For developments adjacent to all watercourses of a significant conveyance capacity or where it is necessary to maintain the ecological or environmental quality of the watercourse, any structures (including hard landscaping) must be set back from the edge of the watercourse to allow access for channel clearing/ maintenance / vegetation. A minimum setback of up to 10m (or other width, as determined by the Council) will be required either side depending on the width of the watercourse.
- WE1** To require all developments likely to give rise to significant quantities of waste, either by virtue of the scale of the development or the nature of the development (e.g. one that involves demolition) to submit a construction management plan, which will outline, amongst other things, the plan for the safe and efficient disposal of waste from the site.
- WE2** To require all new developments, whether residential, community, agricultural or commercial to make provision for storage and recycling facilities (in accordance with the standards set out in Development & Design Standards of this plan).
- WE3** To facilitate the development of existing and new waste recovery facilities and in particular, to facilitate the development of 'green waste' recovery sites.
- WE4** To facilitate the development of waste-to-energy facilities, particularly the use of landfill gas and biological waste.
- WE5** To have regard to the Council's duty under the 1996 Waste Management Act (as amended), to provide and operate, or arrange for the provision and operation of, such facilities as may be necessary for the recovery and disposal of household waste arising within its functional area.
- WE6** To facilitate the development of sites, services and facilities necessary to achieve implementation of the objectives of the Regional Waste Management Plan.

Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs

Issues raised:

The archaeological heritage is discussed in the scoping document. Draft archaeological objectives are outlined in the Cultural Heritage section. It is recommended that the following observations and objectives also be taken into consideration by the Local Authority when preparing the Local Area Plan for Rathdrum.

Details of proposed developments which occur within or in the vicinity of monuments and sites included in the Record of Monuments and Places, those that are extensive in terms of area (1/2 hectare ground disturbance or more) or length (1 kilometre or more) and developments that require an Environmental Impact Statement should be referred to the Department of Arts, Heritage, Regional, Rural & Gaeltacht Affairs for advice and recommendations. The Department shall provide advice and recommendations regarding the appropriate treatment of archaeology as an integral part of the development process.

A standard basic objective for the protection of the archaeological heritage:

- *It will be an objective of the planning authority to secure the preservation (i.e. preservation in-situ or, as a minimum, preservation by record) of all archaeological monuments included in the Record of Monuments and Places as established under Section 12 of the National Monuments (Amendment) Act, 1994, and of sites, features and objects of archaeological interest generally.*
- *In securing such preservation the planning authority will have regard to the advice and recommendations of the Department of Arts, Heritage, Regional, Rural & Gaeltacht Affairs, in respect of whether or not to grant planning permission, request further archaeological assessment in advance of a planning decision and/or the archaeological conditions to which permission, if granted, should be subject.*

Any development either above or below ground, within the vicinity of a site of archaeological interest including monuments identified on the Record of Monuments & Places, shall not be detrimental to the character of the archaeological site or its setting.

Under the National Monuments Acts 1930-1994 all shipwrecks over one hundred years old, underwater archaeological structures, features and objects are protected. The National Shipwreck Inventory indicates areas of high archaeological potential within marine environments. The Record of Monuments and Places does not include all underwater archaeological sites. As a result the potential exists for development to impact negatively on our underwater cultural resource. Development Plans should therefore take account of any development and constructional impacts on riverine, lacustrine, intertidal and sub-tidal environments.

Assessment:

1. Development applications that fulfil the criteria for referral to the Department under the provisions of the Planning Act and Regulations are sent to the Department as a matter of course in accordance with statutory requirements. This is not a matter for the LAP or the Strategic Environmental Assessment screening process.

2. With regard to the recommended objectives:

(a) The County Development Plan includes the following provision which will apply in Rathdrum:

BH1 *No development in the vicinity of a feature included in the Record of Monuments & Places (RMP) will be permitted which seriously detracts from the setting of the feature or which is seriously injurious to its cultural or educational value.*

BH2 *Any development that may, due to its size, location or nature, have implications for archaeological heritage (including both sites and areas of archaeological potential / significance as identified in Schedule 10.01 & 10.02 and Map 10.01 & 10.02 of this plan) shall be subject to an archaeological assessment. When dealing with proposals for development that would impact upon archaeological sites and/or features, there will be presumption in favour of the 'preservation in situ' of archaeological remains and settings, in accordance with Government policy. Where permission for such proposals is granted, the Planning Authority will require the developer to have the site works supervised by a competent archaeologist.*

BH3 *To protect previously unknown archaeological sites and features, including underwater sites, where they are discovered during development works.*

(b) The Planning Act, in particular Sections 34 (2), (3) and (4) set out the matters for be considered in making the decision on a planning application, as follows:

(2) (a) When making its decision in relation to an application under this section, the planning authority shall be restricted to considering the proper planning and sustainable development of the area, regard being had to —

(i) the provisions of the development plan,

(ia) any guidelines issued by the Minister under section 28,

(ii) the provisions of any special amenity area order relating to the area,

(iii) any European site or other area prescribed for the purposes of section 10(2)(c),

(iv) where relevant, the policy of the Government, the Minister or any other Minister of the Government,

(v) the matters referred to in subsection (4), and

(vi) any other relevant provision or requirement of this Act, and any regulations made thereunder.

(aa) When making its decision in relation to an application under this section, the planning authority shall apply, where relevant, specific planning policy requirements of guidelines issued by the Minister under section 28.

(b) In considering its decision in accordance with paragraph (a), a planning authority shall consult with any other planning authority where it considers that a particular decision by it may have a significant effect on the area of that authority, and the authority shall have regard to the views of that other authority and, without prejudice to the foregoing, it shall have regard to the effect a particular decision by it may have on any area outside its area (including areas outside the State).

(ba) Where specific planning policy requirements of guidelines referred to in subsection (2)(aa) differ from the provisions of the development plan of a planning authority, then those requirements shall, to the extent that they so differ, apply instead of the provisions of the development plan.

(c) Subject to section 99F of the Environmental Protection Agency Act 1992, and section 54 (as amended by section 257 of this Act) of the Waste Management Act, 1996, where an application under this section relates to development which comprises or is for the purposes of an activity for which an integrated pollution control licence or a waste licence is required, a planning authority shall take into consideration that the control of emissions arising from the activity is a function of the Environmental Protection Agency.

(d) In this subsection 'specific planning policy requirements' means such policy requirements identified in guidelines issued by the Minister to support the consistent application of Government or national policy and principles by planning authorities, including the Board, in securing overall proper planning and sustainable development.

(3) A planning authority shall, when considering an application for permission under this section, have regard to—

(a) in addition to the application itself, any information relating to the application furnished to it by the applicant in accordance with the permission regulations,

(b) any written submissions or observations concerning the proposed development made to it in accordance with the permission regulations by persons or bodies other than the applicant.

(4) Conditions under subsection (1) may, without prejudice to the generality of that subsection, include all or any of the following—

(p) conditions for requiring, in any case in which the development authorised by the permission would remove or alter any protected structure or any element of a protected structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest—

(i) the preservation by a written and visual record (either measured architectural drawings or colour photographs and/or audio-visual aids as considered appropriate) of that structure or element before the development authorised by the permission takes place, and

(ii) where appropriate, the architectural salvaging of any element, or the reinstatement of any element in a manner specified by the authority;

Therefore is a matter of statute, and indeed matter of normal and sound planning practice, that the Planning Authority in its decision making process has regard to the advice and recommendations of the Department of Arts, Heritage, Regional, Rural & Gaeltacht Affairs in relation to archaeological matters. There is therefore no requirement to include an additional stipulation in the LAP that applications will be assessed in accordance with statute and normal good practice.

The issue with regard to shipwrecks, archaeological structures, features and object, it is noted that such items are protected and it is considered that the provision of the County Development Plan as well as other legislation will provide for adequate protection for any such discoveries.

6. FINAL CONCLUSIONS

Having assessed the draft Local Area Plan in accordance with Schedule 2A and having consulted with the statutory SEA Environmental Authorities, it has been concluded that the draft LAP, including all mitigation measures contained therein as well as in the County Development Plan to address any potential environmental impacts, is not likely to have new significant adverse effects on the environment and therefore Strategic Environmental Assessment is not warranted for the draft LAP.

APPENDIX 1 – MITIGATION MEASURES, WICKLOW COUNTY DEVELOPMENT PLAN 2016-2022

Environmental Component	Potential Effect, if unmitigated	Mitigation Measures, including
Biodiversity and Flora and Fauna	<ul style="list-style-type: none"> • Arising from both construction and operation of development and associated infrastructure: loss of/damage to biodiversity in designated sites (including Natura 2000 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 • Disturbance (e.g. due to noise and lighting along transport corridors) and displacement of protected species and coastal squeeze 	<ul style="list-style-type: none"> • Natural Heritage Strategy • Objectives NH1 to NH19, NH44, CZM1, CZM2, CZM6, CZ1, CZ2, CZ5, CZ6, CZ7, CZ8, CZ9, CZ10, WE16, CCE6 and CCE11
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 	<ul style="list-style-type: none"> • Objective WE8 • Various provisions under the environmental components of soil, water, air and material assets
Soil	<ul style="list-style-type: none"> • Damage to the hydrogeological and ecological function of the soil resource 	<ul style="list-style-type: none"> • Objectives including NH25 to NH30 and FTY1 • See also various provisions under the environmental components of water and material assets
Water	<ul style="list-style-type: none"> • Adverse impacts upon the status of water bodies, including bathing waters, arising from changes in quality, flow and/or morphology • Increase in the risk of flooding 	<ul style="list-style-type: none"> • Water Infrastructure and Flooding Strategy, Objectives WI2, WI4, NH3 and NH20 • See also various provisions under the environmental components of soil and material assets
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 mitigation of potential conflicts) • 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"> • Water Infrastructure and Flooding Strategy, Objectives WI1, WI3 to WI12, FL1 to FL9, WE1 to WE7
Air and Climatic Factors	<ul style="list-style-type: none"> • Emissions to air including greenhouse gas emissions and other emissions 	<ul style="list-style-type: none"> • Objectives WE9 to WE15, CCE1 to CCE5, CCE22 to CCE24 • Overall approach by the Plan and all provisions 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 	<ul style="list-style-type: none"> • Built Heritage Strategy, Objectives BH1 to BH25
Landscape	<ul style="list-style-type: none"> • Occurrence of adverse visual impacts and conflicts with the appropriate protection of statutory designations relating to the landscape 	<ul style="list-style-type: none"> • Objectives NH49, NH50, NH51, NH52 and CCE6 • Strategic Objectives for Tourism and Recreation

Source: Table 9.1 Integration of Environmental Considerations into the plan, SEA Environmental Report for the Wicklow County Development Plan 2016-2022