



Variation No.1 to the Wicklow County Development Plan 2022-2028

Strategic Environmental Assessment Screening Report



September 2023
Wicklow County Council

SEA SCREENING REPORT
PROPOSED VARIATION NO. 1 TO
WICKLOW COUNTY DEVELOPMENT PLAN 2022-2028

PLANNING AND DEVELOPMENT ACT 2000 (AS AMENDED)
PLANNING AND DEVELOPMENT (STRATEGIC ENVIRONMENTAL ASSESSMENT)
REGULATIONS 2004 (AS AMENDED)
REPORT PURSUANT TO ARTICLE 13K OF THE SEA REGULATIONS 2004 (AS AMENDED)

1.0 Introduction

Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment, henceforth referred to as the 'SEA Directive', sets out the framework for the environmental assessment of land-use and other plans in Ireland.

The SEA Directive is transposed into national legislation under the following Acts:

- The Planning and Development (Strategic Environmental Assessment) Regulations 2004, as amended by Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations 2011.
- The European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004, as amended by the European Communities (Environmental Assessment of Certain Plans and Programmes) (Amendment) Regulations 2011.

In the preparation of this report, regard has been had to additional guidelines, including the following:

- Environmental Protection Agency Guidelines '*SEA of Local Authority Land-Use Plans – EPA Recommendations and Resources*' January 2023.
- Department of Housing, Local Government and Heritage Section 28 Guidelines '*Strategic Environmental Assessment Guidelines for Regional Assemblies and Planning Authorities*' March 2022.
- Environmental Protection Agency Guidelines '*Good Practice Guidance on SEA Screening*' December 2021. (Note: These guidelines are not directed toward the preparation of land use plans but are referenced in the above Section 28 guidelines as further guidance.)

In accordance with the SEA Directive 2001/42/EC and Article 13K of the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (as amended), prior to the giving of notice under Section 13 (2) of the Planning and Development Act of the proposal to make a variation to a development plan, the Planning Authority shall consider 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.

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

However, where the Planning Authority considers that the proposed variation 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 3 weeks within which to make a submission or observation in relation to whether or not, in their opinion, the proposed variation 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 variation 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.

2.0 Summary of Proposed Variation to the Wicklow County Development Plan 2022-2028

In the preparation of the first set of maps for the Residential Zoned Land Tax (RZLT) in 2022/23 only, a landowner who has land that is considered to be 'in scope' for the tax on a draft or supplemental map may make a submission to request a change to the zoning of the land. Such requests are facilitated under Section 653I(1) of Part 22A of the Taxes Consolidation Act 1997 (as amended by the Finance Act 2022) in order to provide an opportunity for landowners to have the status of their land reviewed in light of the undertaking of the new taxation measure.

The final RZLT map shall reflect any changes in zoning since the draft or supplemental maps were published as a result of the adoption of a new development plan or variations made to the development plan as a consequence of the determination of any re-zoning requests made during the public notification process, where such changes to zoning result in the land no longer meeting the 'relevant criteria' for falling into scope.

Circular Letter NRUP 07/2022 on December 2022 provides guidance from the Minister with regard to the process of considering any such re-zoning requests.

Submission number WW-RZLT-14, in relation to 0.81ha of land in Rathdrum, was received on 20 December 2022. This submission sought to have this parcel of land rezoned. The site comprises a large 'back garden' to the rear of the landowners dwelling. There is a strip of Passive Open Space (OS2) zoned land to the rear of the site, which adjoins a stream to its southern boundary. The stream flows into the Avonmore River to the east, circa 1km from the site.

The Chief Executive has assessed the request and is of the opinion that a variation process should be commenced in relation to the subject lands in Rathdrum. It is proposed to re-zone the lands from 'RN – New Residential' to 'OS2 – Passive Open Space'.

This SEA screening report has been prepared on foot of this proposal to vary the Wicklow County Development Plan 2022-2028.

The full proposed variation is included for reference at the end of this report.

3.0 Screening Notice to Environmental Authorities

The Section 28 Guidelines 'Strategic Environmental Assessment Guidelines for Regional Assemblies and Planning Authorities' March 2022 state the following:

'Unless the regional assembly or planning authority has determined that SEA is mandatory for the plan concerned, it must issue a formal 'screening notice' to the relevant environmental authorities (including the adjacent planning authorities), consulting them on whether they consider significant effects on the environment are likely to arise. The detail of the content on the 'screening notice' is not set out in legislation, but as good practice it may include:

- *The geographic area of the plan (a suitably-scaled map should be included), where relevant;*
- *The purpose and overall objectives of the plan, to the extent known at the time;*
- *Its intended lifespan; and*
- *Responses to the screening criteria in Schedule 2A addressing the potential interactions between the plan and the environment. Appendix B gives further advice on this.'*

The good practise information set out above is contained within this report as follows:

- A suitably scaled map is included in the full variation, included with this report.
- The purpose and overall objectives of the Wicklow County Development Plan 2022-2028 are as follows:

'The County Development Plan (CDP) sets out a strategic spatial framework for the proper planning and sustainable development of County Wicklow for the period between 2022 and 2028. While the CDP is in place for a six year period, it is framed having regard to the long term development objectives of the County beyond 2028.

The CDP in the main focuses on 'big picture' planning issues. The plan sets out the policies and objectives to guide the future development of the County. The plan is not a 'spending plan', however it sets a framework within which developments could be undertaken, in the event that the public or private sectors have the finance to develop.

The CDP provides for, and controls, the physical, economic and social development of the County, in the interests of the overall common good and in compliance with environmental controls. It includes a set of development objectives and standards, which set out where land is to be developed, and for what purposes (e.g. housing, shopping, schools, employment, open space, amenity, conservation etc). It informs decisions on where public services such as roads and water infrastructure are to be provided, and affects the type of buildings that can be constructed and the use to which land can be put. It affects many facets of daily economic and social life, in terms of where you can live, what services and facilities are available and where job opportunities are to be sited.'

Further information in relation to the 3 No. cross-cutting themes of the County Development Plan, and the Strategic County Outcomes, are found below in table 1 under *'the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development'*.

- The lifespan of the Wicklow County Development Plan 2022-2028 is a six-year period, having being made by the Elected Members on the 12th September 2022.
- Responses to the screening criteria in Schedule 2A are set out below.

4.0 Assessment in terms of Schedule 2A

Under Article 13K of the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (as amended), the Planning Authority shall consider whether or not the proposed variation would be likely to have significant effects on the environment, taking into account of relevant criteria set out in Schedule 2A, as follows:

1. The characteristics of the plan or programme having regard, in particular, to:

— the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources:

The Wicklow County Development Plan 2022-2028, as adopted, sets a framework for projects and other activities and was subject to Strategic Environmental Assessment as part of the plan making and adoption process.

The proposed variation to the County Development Plan sets a framework for projects and other activities on the subject lands of 0.81ha alone, as the land use zoning on the site will differ from that in the adopted County Development Plan.

The zoning in question is proposed to be varied from 'RN – New Residential' to 'OS2 – Passive Open Space'.

The current zoning 'RN' allows for the following land uses: ***houses, apartments, residential open space, education, community facilities, retirement homes, nursing homes, childcare, health centres, guest house, bed and breakfast, places of public worship, home based economic activity, utility installations and ancillary development and other residential uses in accordance with the CDP.***

The proposed zoning OS2 would allow for the following land uses: ***uses that protect and enhance the function of these areas as flood plains, buffer zones along watercourses and rivers, green breaks between built up areas, green corridors and areas of natural biodiversity. The development of these lands for recreational uses may only be considered where such use is shown to not undermine the purpose of this zoning.***

The proposed land use would allow for a materially different and reduced scope of uses and uses likely to have a significantly lesser effect on the environment than that which underwent SEA as part of the adopted County Development Plan.

Taking into account the change in the zoning and the small area over which the variation will set out a framework for projects and other activities, it is assessed that there will be **no significant** effect on the environment arising from the variation.

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

The Wicklow County Development Plan 2022-2028 as adopted, and having undergone Strategic Environmental Assessment, influences plans at a lower level of the plan hierarchy, including Local Area Plans.

The proposed variation to the County Development Plan, however, is limited in its influence to the Level 4 Rathdrum Town Plan as contained in Volume 2 of the Wicklow County Development Plan 2022-2028. As such, the proposed variation does not influence other plans in the hierarchy of land use plans.

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

The Wicklow County Development Plan 2022-2028 is primarily a framework for land use. However, in line with national and regional policy, environmental considerations and the promotion of sustainable development have been integrated throughout, including within the below sections.

Section 1.3 'Strategic Context' of the Wicklow County Development Plan 2022-2028 states that regard has been had to the UN Sustainable Development Goals.

The second of the three overarching themes and strategic principles of the County Development Plan is 'Climate Action'. Section 2.2.2 'Integration of climate considerations into the County Development Plan' sets out that the below sectors will be addressed as follows:

Built Environment	<ul style="list-style-type: none"> ▪ Delivery of sustainable settlement patterns, with a focus on compact growth. ▪ Regeneration of town and village centres, with the prioritising of the development of underutilised and brownfield sites. ▪ Promotion of environmentally sustainable development in terms of location, layout, design and energy and water usage.
Sustainable Transport	<p>Provide policy, objectives and standards that promote and facilitate a sustainable approach to transportation with strategies and objectives in place to facilitate the necessary actions, including:</p> <ul style="list-style-type: none"> ▪ reduction in the need to use motorised vehicles, increased opportunities for walking and cycling ▪ reduction in journey length and times, reduction in congestion ▪ higher intensity of use of public transport ▪ development and increased usage of alternative vehicle fuel sources, such as electricity, hydrogen and biofuels
Energy & Waste	<ul style="list-style-type: none"> ▪ Provide policy, objectives and standards that promote and facilitate the development of alternative and renewable sources of electricity to meet the electricity demand with policy and objectives for reduction in electricity use, wind energy, solar energy, hydro energy, bio-energy and small scale renewable electricity generation. ▪ Support the development of enabling infrastructure, especially at the ports/harbours, for the off-shore wind energy sector. ▪ Support waste prevention, minimisation, reuse and recycling. ▪ Promote and support the circular economy and the 'just transition' to clean energy.
Flood resilience & water	<ul style="list-style-type: none"> ▪ Efficient and sustainable use and development of water resources and water services infrastructure. ▪ Conservation and enhancement of water resources including sea, rivers, lakes and groundwater. ▪ Effective and environmentally sound management of waste water. ▪ Reduction and management of flood risk. ▪ To build resilience to increased risks of extreme weather events, changes in sea level and patterns of coastal erosion to protect property, critical infrastructure and food security.
Natural Heritage & Green Infrastructure	<ul style="list-style-type: none"> ▪ To conserve and enhance biodiversity, protected habitats and species. ▪ To identify, protect and enhance Green Infrastructure and ecosystem services and promote the sustainable management of strategic natural assets such as coastlines, farmlands, peatlands, uplands woodlands and wetlands. ▪ Promote and facilitate an environmentally sustainable approach to practicing agriculture and forestry.

These principles informed the Strategic County Outcomes, of which the most relevant to environmental considerations are as follows:

SCO1 Sustainable Settlement Patterns & Compact Growth: *'The delivery of compact growth in all towns and villages by capitalising on the potential for infill and brownfield development, moving away from a reliance on greenfield development and creating places that encourage active lifestyles is essential for the successful delivery of the development plan strategy.'*

SCO5 Sustainable Mobility: *'The County Development Plan plays an important role in influencing a reduction*

in GHG emissions by guiding the sustainable growth of the County. The integration of land use and transportation planning, in order to support sustainable mobility and encourage a shift away from the private car to active travel (walking and cycling) and public transport, will deliver improvements in terms of quality of life and climate change.'

SCO6 Natural Heritage & Biodiversity: *'Natural heritage and biodiversity is the cornerstone of Wicklow's identity – 'The Garden of Ireland'. It is essential that we conserve and enhance the County's rich natural heritage and biodiversity for the benefit of current and future generations.'*

SCO7 Climate Resilience & the Transition to a Low Carbon Economy: *'Support the transition to low carbon clean energy by facilitating renewable energy use and generation at appropriate locations and supporting the development of off-shore renewable energy enabling infrastructure especially at ports and harbours. Facilitate the sustainable management of waste including the circular economy. Restrict development in areas that are at risk of flooding and protect the natural landscape and biodiversity.'*

Informed by the above, the County Development Plan includes a wide range of policies in relation to environmental considerations.

The proposed variation does not include changes to the above strategic principles, SCOs or any numbered objective or policy of the County Development Plan as adopted and which underwent Strategic Environmental Assessment. The variation of the zoning of the subject lands and minor amendment to the written statement of the Rathdrum Town Plan does not reduce or diminish the manner in which environmental considerations have been integrated into the County Development Plan.

The proposed change in zoning would likely enhance and improve the manner in which environmental considerations have been integrated into the County Development Plan.

— environmental problems relevant to the plan or programme:

Environmental Problems as raised under the Wicklow County Development Plan 2022-2028 Strategic Environmental Assessment:

The Strategic Environmental Assessment carried out as part of the preparation of the Wicklow County Development Plan 2022-2028 (as adopted) stated the following in relation to the key environmental sensitivities of the Level 4 settlement of Rathdrum:

(a) *'Wastewater - having regard to the population target set out in the plan, it would appear that no capacity issues are likely to arise during the plan period and beyond.'*

The varying of zoning on the subject lands from 'RN – New Residential' to 'OS2 – Passive Open Space' will not affect the population targets for the settlement having particular regard to the quantum of residential land zoned in Rathdrum in the Wicklow County Development Plan 2022-2028. Therefore the proposed variation will have an **imperceptible** effect on this key sensitivity.

(b) *'Water supply - 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. This water source is under pressure and Wicklow County Council is currently working with Irish Water to augment same to cater for the planned population increase.'*

The varying of zoning on the subject lands from 'RN – New Residential' to 'OS2 – Passive Open Space' will not affect the planned population increase for the settlement having particular regard to the quantum of residential land zoned in Rathdrum in the Wicklow County Development Plan 2022-2028. Therefore the

proposed variation will have an **imperceptible** effect on this key sensitivity.

(c) 'Public transport - improvement in these public transport services will be necessary to allow for a workable park and ride facility for the people of Rathdrum and surrounding hinterland.'

The varying of zoning on the subject lands from 'RN – New Residential' to 'OS2 – Passive Open Space' will not affect the provision of public transport for the settlement having particular regard to the quantum of residential land zoned in Rathdrum in the Wicklow County Development Plan 2022-2028. Furthermore, given that the proposed variation does not provide for an alternative replacement peripheral site zoned for residential purposes in lieu of the land proposed to be zoned OS2, the proposed variation would not adversely affect the efficient provision of public transport in the settlement or give rise to new, unsustainable transport patterns. Therefore the proposed variation will have an **imperceptible** effect on this key sensitivity.

(d) 'Walking and cycling - while the majority of the main routes in the town have footpaths, many are narrow and in need of enhancement to width and overall quality.'

The varying of zoning on the subject lands from 'RN – New Residential' to 'OS2 – Passive Open Space' will not affect the provision of quality footpaths along main roads within the settlement. The subject lands front onto a narrow laneway to the east, which is a cul-de-sac leading to a cluster of farm buildings. The ability to provide a footpath along this laneway is constrained due to existing buildings at the laneway entrance. Therefore the proposed variation will have an **imperceptible** effect on this key sensitivity.

(e) 'Vehicular movement - with increased population in the town and increased car ownership, traffic flows are steadily increasing and coupled with the lack of width on the main street due to on street car parking; congestion is common, particularly at busy times such as at school pick up time.'

The varying of zoning on the subject lands from 'RN – New Residential' to 'OS2 – Passive Open Space' is not likely to increase vehicular movement within the settlement having particular regard to the removal of potential to develop this site for residential purposes and the resulting reduction in new traffic movements likely to be generated from the land with the new zoning objective. Therefore the proposed variation will have an **imperceptible** effect on this key sensitivity.

(f) 'There are 9 buildings within the plan area of Rathdrum recorded for heritage value and listed on the Wicklow Record of Protected Structures.'

No structures listed on the Record of Protected Structures are located within or immediately adjacent to the subject lands. Therefore the proposed variation will have an **imperceptible** effect on this key sensitivity.

(g) 'There are two Architectural Conservation Areas in the settlement – the main town centre and 'Low Town''

The subject lands are not located within or immediately adjacent to either Architectural Conservation Area within the settlement, with poor lines of site to each. Therefore the proposed variation will have an **imperceptible** effect on this key sensitivity.

(h) '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 at Glasnarget and Balleese.'

The subject lands do not contain a national monument, nor are the lands located within the zone of notification of any national monument. Therefore the proposed variation would have an **imperceptible** effect on this key sensitivity.

(i) *'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 freshwater pearl mussel, the system does contain populations of the mussel.'*

There are no watercourses evident within the subject lands. There is a watercourse (EPA name 'Corballis Upper') to the immediate south of the subject lands. Considering the slope of the lands down towards this watercourse, this could provide a direct hydrological link to the Avonmore River. However, the varying of the zoning from 'RN – New Residential' to 'OS2 – Passive Open Space' would greatly reduce the potential of construction/operational run-off entering this watercourse and maintain the lands in their greenfield state in line with the objectives of the OS2 zoning. Therefore, the proposed variation would have a **positive** effect on this key sensitivity.

Environmental Receptors as set out under Annex 1(f) of the SEA Directive:

The Environmental Protection Agency Guidelines 'Good Practice Guidance on SEA Screening' December 2021 recommends that the environmental receptors specified in Annex 1(f) of the SEA Directive (where not already listed above) be used in the screening process.

Biodiversity, Fauna, & Flora:

In relation to biodiversity, fauna & flora within the boundaries of the subject lands:

The Rathdrum Local Biodiversity and Habitats Networks Report 2006, as referred to in the Rathdrum Town Plan 2022-2028, identified Local Biodiversity Areas (LBAs) and potential habitat networks linking these LBAs with nearby designated sites.

The Report did **not** identify the site as a LBA or make specific reference to the site in relation to the occurrence of flora or fauna that warrant specific protection under the Wicklow County Development Plan.

The report sets out a site evaluation scheme from 'A - Internationally Important' to 'E - Low value, Locally Important'. The lowest rated sites that were included as LBAs were rated 'D – Moderate Value, Locally Important'. The subject lands were not rated in the report. However, it could be inferred that the subject lands, due to not being designated as a LBA, has a rating not greater than D, or has the lower rating of E (or indeed is ranked somewhere between the two ratings).

The Description of Rating 'D – Moderate Value, Locally Important' is as follows:

'Sites containing some semi-natural habitat or locally important for wildlife.

Small water bodies with some coarse fisheries value or some potential salmonid habitat.

Any water body with unpolluted water (Q-value rating 4-5)

The Description of Rating 'E – Low Value, Locally Important' is as follows:

'Artificial or highly modified habitats with low species diversity and low wildlife value.

Water bodies with no current fisheries value and no significant potential fisheries value'

While it is not possible to assign a rating to the subject lands outside the remit of a previously carried out biodiversity report, it would appear that the semi-wooded and greenfield nature of the subject lands more closely resembles the 'semi-natural habitat' described under rating D than the 'artificial' habitats under rating E.

Development on the site under the current residential zoning would render the character of the lands closer to the artificial or highly modified habitat of low wildlife value as described in rating E, i.e. a likely overall

decrease in the biodiversity value of the subject lands.

The varying of the zoning of the subject lands from 'RN – New Residential' to 'OS2 – Passive Open Space' would maintain the current biodiversity value of the subject lands and contribute toward the achievement of the County's biodiversity goals. The varying of the zoning to 'OS2 – Passive Open Space' could also facilitate development on the subject lands such that the biodiversity value within its boundaries is improved.

On the basis of:

- The current biodiversity value of the subject lands,
- The diminishment of this value were development to occur under the current 'RN – New Residential' zoning, and
- The maintenance or improvement of this value under the proposed zoning,

It is likely that the proposed variation would have a **positive** effect on biodiversity within the boundaries of the subject lands.

In relation to local biodiversity, fauna & flora in the settlement of Rathdrum:

The Rathdrum Local Biodiversity and Habitats Networks Report 2006 identified 5 No. Local Biodiversity Areas and 5 No. Habitat Networks within Rathdrum (see figure below).

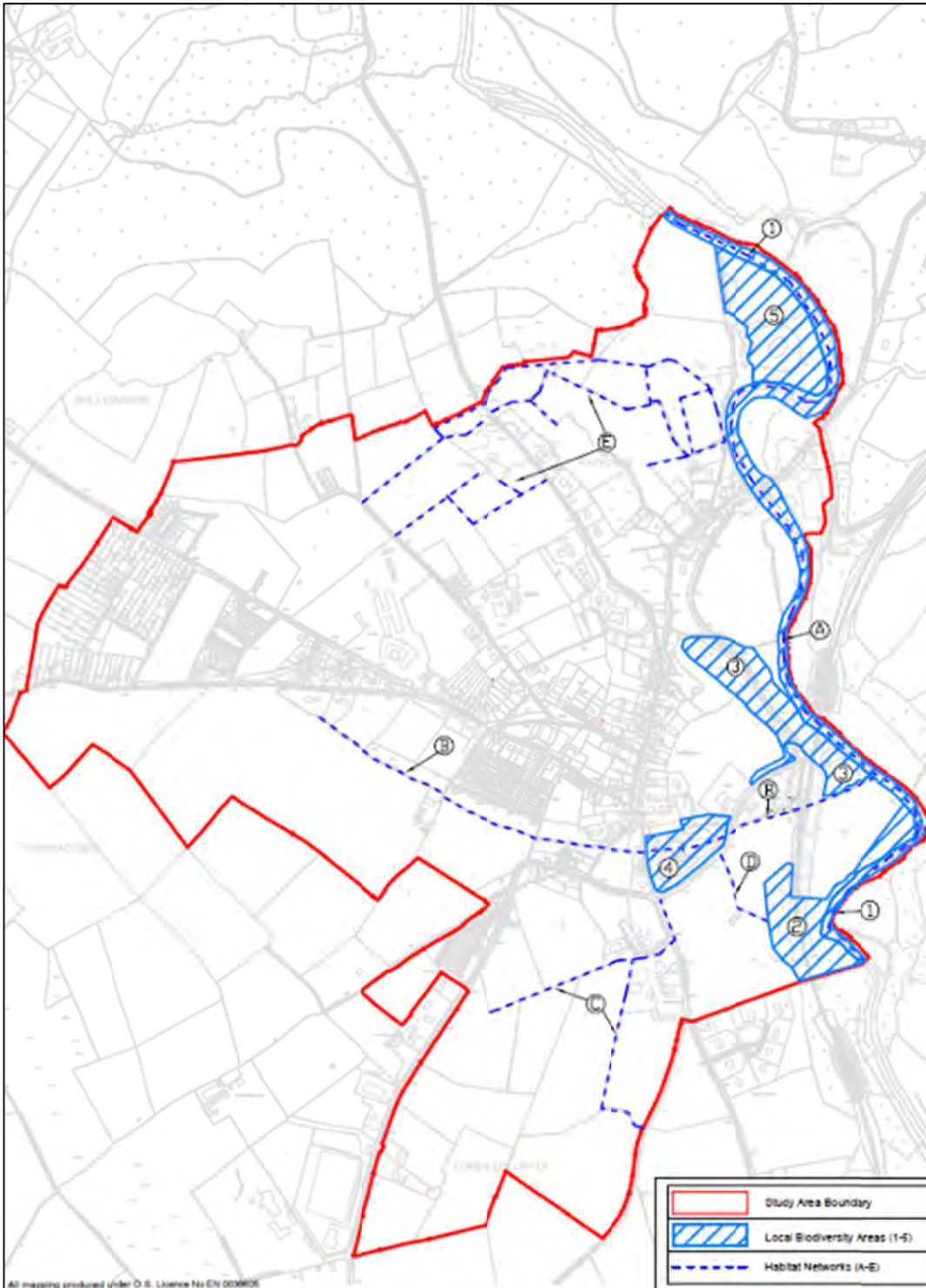


Figure 4.0: Local Biodiversity Areas and Habitat Networks as identified in The Rathdrum Local Biodiversity and Habitats Networks Report 2006

Habitat Network B 'Tributary stream south of Town' is located immediately adjacent to the subject lands to the south, and is described as follows:

Habitats Present: FW2: Depositing lowland stream.

Species likely to use habitat networks: Typical riparian birds, Bat species, Otter, Salmon and trout passage.

Linkages: Links Parnell Memorial Park (LBA 4) and small area of gorse scrub to woodland north of railway station (LBA 3) and Avonmore River (LBA 1).

Vulnerability (threats): High: Water pollution Clearance of bankside vegetation'

This habitat network, based around a watercourse (EPA name 'Corballis Upper') would provide a hydrological source-receptor-pathway to LBAs 1, 3, and 4.

Development on the subject lands under the current 'RN – New Residential' zoning could present a risk of both construction-stage run-off (soil particles, construction materials/waste, fuel, etc.) and operation-stage run-off (pesticides, domestic waste, fuel, etc.) entering these LBAs via this watercourse.

- **LBA 1** 'Avonmore River and Banks' is stated as having a high vulnerability to water pollution.
- **LBA 3** 'Woodland North of Railway Station' is not stated as having a vulnerability to water pollution.
- **LBA 4** 'Parnell Memorial Park' is stated as having a moderate vulnerability to water pollution.
- Habitat Network B is itself listed as having a high vulnerability to water pollution.

The varying of the zoning of the subject lands from 'RN – New Residential' to 'OS2 – Passive Open Space' would significantly reduce this risk of construction and operation run-off by maintaining the subject lands in their current state and by restricting development in line with the OS2 zoning.

On the basis of:

- The risk of run-off from the subject lands entering LBAs via development under the current RN zoning,
- The stated vulnerability to water pollution of Local Biodiversity Areas 1 and 4 and Habitat Network B.
- The significantly reduced risk of run-off entering LBAs via the maintenance of the current state of the subject lands under the proposed OS2 zoning, and
- The significantly reduced risk of run-off entering LBAs via development under the proposed OS2 zoning,

It is likely that the proposed variation would have a **positive** effect on local biodiversity, fauna & flora in the settlement of Rathdrum

In relation to designated sites of biodiversity/natural heritage value (excluding European sites) in the vicinity of the subject lands:

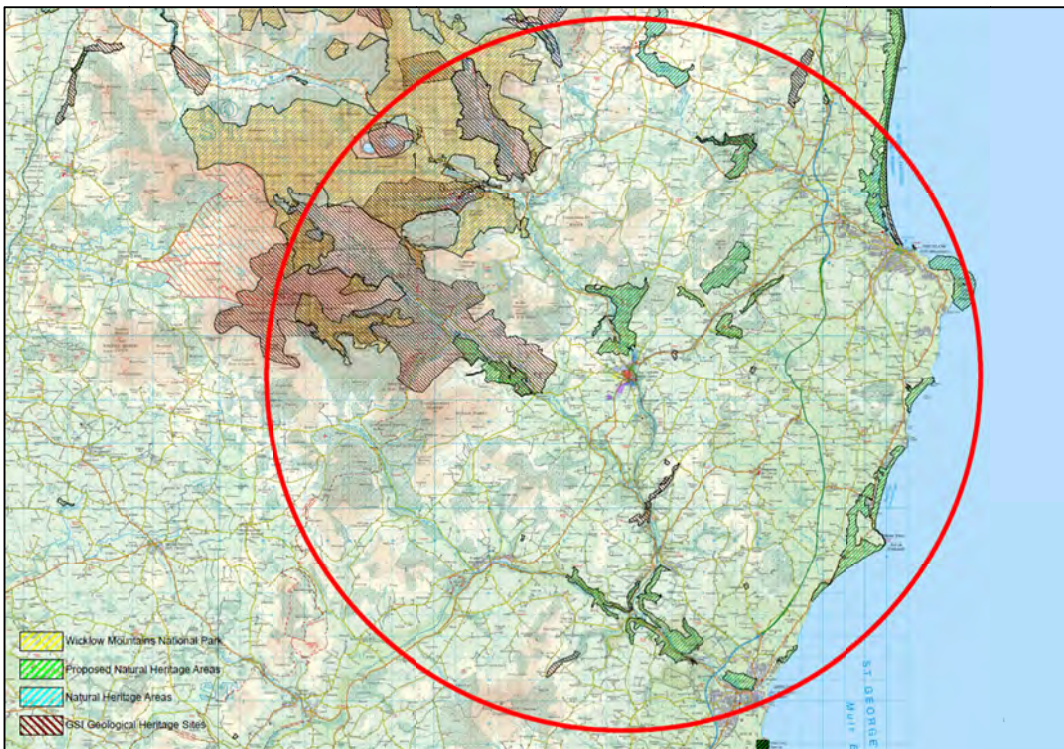


Figure 4.1: Designated sites (excluding European sites) within 15 km of the subject lands (Rathdrum Town Plan zoning shown in centre of 15km boundary). (Also see map attached to SEA document)

The subject lands are not within the boundary of a National Park, Natural Heritage Area/proposed Natural Heritage Area, Nature Reserve or County Geological Site.

Within 15km of the subject lands are the following designated sites (excluding European sites) of biodiversity and/or natural heritage value:

- Wicklow Mountains National Park
- Vartry Reservoir pNHA
- The Murrrough pNHA
- Wicklow Head pNHA
- Devil's Glen pNHA
- Glenealy Woods pNHA
- Magherabeg Dunes pNHA
- Buckronev-Brittis Dunes and Fen pNHA
- Vale of Clara (Rathdrum Wood) pNHA
- Arklow Sand Dunes pNHA
- Arklow Town Marsh pNHA
- Avoca River Valley pNHA
- Ballinacor Wood pNHA
- Deputy's Pass Nature Reserve
- Vale of Clara Nature Reserve
- Glendalough Nature Reserve
- Glenealo Valley Nature Reserve
- Dunran Channel County Geological Site
- Wicklow Service Area County Geological Site
- Wicklow-Greystones Coast County Geological Site

- Devil's Glen County Geological Site
- Kilmacurra Quarry County Geological Site
- Slieveroe Lane and Rail Cutting County Geological Site
- Avoca-Sroughmore County Geological Site
- Avoca-Connary County Geological Site
- Avoca-Cronebane County Geological Site
- Mottee Stone County Geological Site
- Avoca-Tigroney East County Geological Site
- Avoca-Tigroney West County Geological Site
- Avoca-West Avoca County Geological Site
- Woodenbridge Wellfield County Geological Site
- Snugborough County Geological Site
- Aughrim Quarry County Geological Site
- Goldmines River County Geological Site
- Lugnaquilla County Geological Site
- Glenmalure County Geological Site
- Glendalough County Geological Site
- Camaderry Appinite County Geological Site
- Glendasan-Luganure County Geological Site
- Glendasan-Hero County Geological Site
- Glendasan-Foxrock County Geological Site
- Glendasan-St. Kevin's County Geological Site
- Glendasan-Ruplagh County Geological Site
- Lough Nahanagan County Geological Site
- Glenmacnass Valley County Geological Site
- Lough Dan, Lough Tay and Cloghogue River County Geological Site

The closest designated site (excluding European sites) is the Vale of Clara (Rathdrum Wood) pNHA. Considering the distance between the subject lands and the pNHA, the local topology and lack of a direct hydrological pathway, there is no substantial source-receptor pathway between the two sites.

The watercourse (EPA name 'Corballis Upper') to the immediate south of the subject lands could provide a direct hydrological link and a potential source-receptor pathway between the subject lands and designated sites downstream of the Avonmore and Avoca rivers, including the Avoca River Valley pNHA and the Arklow Town Marsh pNHA.

National Parks and Wildlife Services (NPWS) Site Synopsis information for the Avoca River Valley pNHA indicates that it is largely comprised of mixed woodland on steep slopes along the river valley. It further states that *'small areas of wet woodland with Alder (Alnus glutinosa), Rusty Willow (Salix cinerea subsp. oleifolia) and Downy Birch occur on the lower gradients adjacent to the rivers'*. In terms of pollution risk, it is stated that *'this area has been subject to great disturbance from the mines at Avoca, the planting of conifers and from air pollution emanating from the fertiliser factory downstream, near Arklow. The eastern part of the site has been more affected by pollution than the western end.'*

NPWS Site Synopsis information for the Arklow Town Marsh pNHA states that it is the principal wetland area in Arklow. A variety of wetland flora is present, including the scarce Broad-leaved Cottongrass (*Eriophorum latifolium*). It is further stated that *'much of the willow has been defoliated, possibly due to atmospheric pollution from the nearby fertiliser factory'*.

While water pollution is not raised as a particular risk in the site synopses for each pNHA, the nature of wetland and wet woodland habitats would indicate that there is an intrinsic risk to each area from water pollution.

The varying of the zoning from 'RN – New Residential' to 'OS2 – Passive Open Space' would greatly reduce the potential of construction/operational run-off entering designated sites via the watercourse, and would maintain the lands in their greenfield state in line with the objectives of the OS2 zoning.

No flora or fauna on these lands has been identified in any local studies (such as local biodiversity, tree or hedgerow surveys) as being of sufficient value to warrant protection / preservation under the County Development Plan

On the basis of:

- The risk of construction/operation run-off entering downstream designated sites via development under the current RN zoning on the subject lands,
- The intrinsic sensitivity to water pollution of wetland and wet woodland habitats,
- The significantly reduced risk of construction/operation run-off entering downstream designated sites via maintenance of the subject lands in their current state under the proposed OS2 zoning, and
- The significantly reduced risk of construction/operation run-off entering downstream designated sites via development under the proposed OS2 zoning,

It is likely that the proposed variation will have a **positive** effect on the integrity of biodiversity value in designated sites downstream of the subject lands.

In relation to the biodiversity integrity of European sites in the vicinity of the subject lands:

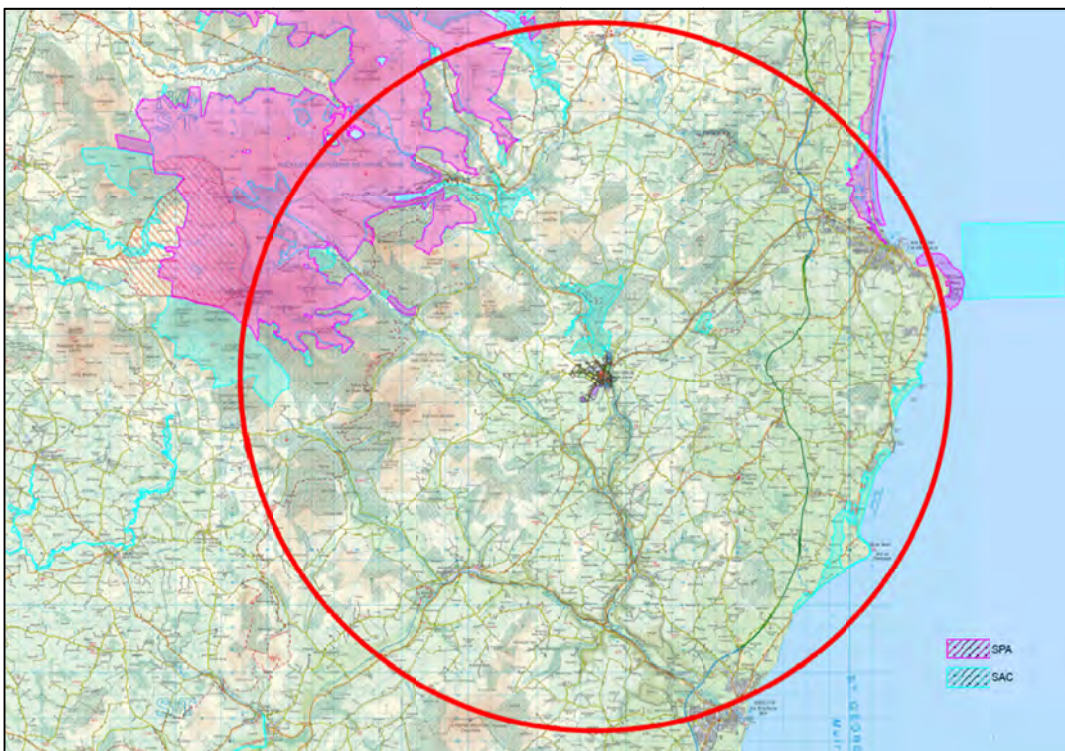


Figure 4.2: European sites within 15km of the subject lands (Rathdrum Town Plan zoning shown in centre of 15km boundary).

An Appropriate Assessment Screening Report has been prepared as part of the variation process alongside SEA Screening in line with the EPA guidelines on 'Integrated Biodiversity Impact Assessment: Streamlining AA, SEA, and EIA Processes Best Practise Guidance' 2012.

It is the conclusion of the AA screening statement that there will be no adverse impacts on the integrity of

any European sites located within 15km of the subject lands of Variation No.1 and that a Stage 2 Appropriate Assessment is not required.

Summary of effect of the proposed variation on biodiversity, fauna & flora:

In light of:

- The likely positive effect on biodiversity within the boundaries of the subject lands arising from the varying of zoning on the subject lands,
- The likely positive effect on local biodiversity within the settlement of Rathdrum arising from the varying of zoning on the subject lands,
- The likely positive effect on the biodiversity integrity of downstream designated sites arising from the varying of zoning on the subject lands, and
- The conclusion of the accompanying AA Screening Statement that there will be no adverse impacts on the integrity of any European sites arising from the varying of zoning on the subject lands,

It is likely that the proposed variation will have an overall **positive** effect on biodiversity, fauna & flora.

Population & Human Health:

The varying of the zoning of the subject lands from 'RN – New Residential' to 'OS2 – Passive Open Space' will likely result in an increase in the overall ratio of open space to population, as the settlement boundary will remain the same and no alternative site will be zoned 'RN – New Residential' to compensate for the removal of this zoning objective on the subject lands.

The resultant increase in the ratio of open space to population would likely result in an improvement in population & human health in terms of ecosystem services. Such ecosystem service benefits arising from the increase in the ratio of open space could include the following: increased air quality; increased water quality; reduced noise; increased green breaks within the built-up area; increased biodiversity (in light of the discussion above); and increased pollinator activity; i.e. an overall increase in the stability of the ecosystem from which humans derive benefits both tangible (e.g. food, etc.) and intangible (e.g. enjoyment of nature, sense of wellbeing, etc.).

The varying of the zoning on the subject lands could also provide an opportunity to increase access to natural areas (subject to landowner approval).

Therefore, the proposed variation will likely have a **positive** effect on population and human health.

Soil:

Soil Information System (SIS) National Soils data indicates that the subject lands are in an area of fine loamy drift with siliceous stones, while Teagasc Subsoil data indicates that the subject lands are in an area of sandstone and shale till (lower paleozoic).

Geological Survey Of Ireland (GSI) data on groundwater vulnerability, based on the type and thicknesses of subsoils and the presence (or lack thereof) of karst features, indicate that the subject lands are located within an area of high vulnerability.

NPWS National Ecosystem and Ecosystem Services mapped data indicates that the subject lands are in an area of medium soil carbon and medium vegetation carbon, which can contribute to the regulation of greenhouse gases.

Development under the current 'RN- New Residential' zoning could include the following effects on geology/geomorphology;

- Excavation of soil layers.
- Soil disturbance and compaction.
- Hard surfacing.
- Site levelling.
- Groundwater contamination due to type and thickness of subsoils.
- The release of sequestered carbon in the soil (and existing vegetation).
- Soil pollution (e.g. from fuel or pesticides) during either construction or operation of residential development.

The varying of the land use zoning on the subject lands from '*RN – New Residential*' to '*OS2 – Passive Open Space*' would substantially reduce the risk of the above effects occurring, through either the maintenance of the lands in their current state or through development in line with the objectives of the OS2 zoning. On this basis, the proposed variation would likely have a **positive** effect on soil within the subject lands.

Water:

The watercourse (EPA name '*Corballis Upper*') to the immediate south of the subject lands could provide a direct hydrological link to the Avonmore and Avoca rivers and on to the Irish Sea.

EPA data on the risk of waterbodies failing their Water Framework Directives objectives indicates that the Avonmore and Avoca rivers are not at risk.

The varying of the zoning from '*RN – New Residential*' to '*OS2 – Passive Open Space*' would greatly reduce the potential of construction/operational run-off entering these watercourses and will likely contribute to the maintenance of their '*not at risk*' WFD status. Therefore, the proposed variation will likely have a **positive** effect on this environmental receptor.

Air:

The varying of the zoning of the subject lands from '*RN – New Residential*' to '*OS2 – Passive Open Space*' will broadly maintain the subject lands in their current greenfield state, as per the objectives of the OS2 zoning. This will reduce construction-stage air pollution (e.g. construction dust) during any development of the lands for residential air purposes, while the maintenance of existing tree cover/vegetation on the lands will likely improve air quality in the locality. Therefore, the proposed variation will likely have a **positive** effect on the air.

Climatic Factors:

EPA guidelines '*Integrating Climatic Factors into the Strategic Environmental Assessment Process in Ireland*' sets out a range of climatic factors to be considered in the SEA process, as follows:

- Reduce all GHG emissions: the varying of the zoning of the subject lands would broadly maintain its green field state in line with the objectives of the OS2 zoning. This will likely greatly reduce the greenhouse gas emissions resulting from the construction and occupation of housing on these lands, while the existing trees and vegetation on the lands will likely act as carbon stores.
- Reduce impact of transport through reduction in the need to travel and modal shift: As discussed above, it has been assessed that there would be an imperceptible effect on the provision of public transport and vehicular movements arising from the proposed variation.
- Reduce energy use, increasing energy efficiency and enabling renewable energy generation: The varying of the zoning of the subject lands would have an imperceptible effect on energy use, in relation to the quantum of other residential zoned land within the settlement (such that the housing

target will likely be met) and the low likelihood of renewable energy generation under either the current or proposed zoning on the lands.

- Reduce resource use (e.g. reducing waste to landfill): The varying of the zoning of the subject lands would reduce the construction waste arising from residential development of the site. Note that the operational waste from residential development within the settlement would remain the same, due to the quantum of other land zoned residential such that the housing target will likely be met.
- Reduce carbon loss from soils: The varying of the zoning of the subject lands would reduce the construction impacts on soil within the subject lands and would have a positive effect on carbon loss from soil.
- Resilience to changed frequency and intensity of precipitation, flood risk and flooding: Though the subject lands are indicated as being within a flood zone C, the varying of the zoning of the subject lands would broadly maintain the subject lands within its greenfield state in line with the objectives of the OS2 zoning. As such, water retention and run-off rates into the watercourse below would remain at green field level. This will likely have a positive effect on the likelihood of downstream fluvial flooding during events of increased intensity, while the lands themselves will likely act as a flood plain (with no vulnerable land uses) were flooding to occur from the watercourse to the south. Therefore, the proposed variation will likely have a positive effect on this consideration. (See indicative Flood Zones Map for Flood Risk Assessment of subject lands at the end of this document).
- Resilience to changes in patterns of high winds and storminess: The subject lands are not located in a coastal area and therefore the proposed variation will have an imperceptible effect on this consideration. As discussed immediately above, the proposed variation will have a positive effect on the likelihood and impact of flooding during increased levels of storminess.
- Resilience to changes in patterns of droughts and heat waves: The varying of the zoning of the subject lands, being immediately adjacent to a watercourse/green corridor, would improve the ecological connectivity of the settlement and have a positive effect on reducing the fragmentation of habitats within the settlement. This increase in the contiguous area of green corridor potentially increases the refuge area for wildlife during drought events (whereby areas in a natural state may better retain water or reduce evaporation of surface water feeding into the watercourse). Furthermore, the maintenance of the subject lands in their green field state (within the built up area of the settlement) would have a positive effect on reducing the urban heat island effect.
- Resilience to changes in patterns of erosion and landslides: The varying of the zoning of the subject lands will maintain existing woodland cover on the subject lands and maintain current surface water run-off into the watercourse to the south at the green field level. Therefore the proposed variation will likely have a positive effect on patterns of erosion.

On the basis of the above, the proposed variation will likely have an overall **positive** effect on climatic factors (where effects are perceptible).

Material Assets;

The varying of the zoning of the subject lands from 'RN – New Residential' to 'OS2 – Passive Open Space' would broadly maintain the lands in their current greenfield state. Other than a small number of outbuildings, there is little in the way of material assets evident on the lands, with no public utilities passing through the site. On this basis, the proposed variation would have an **imperceptible** effect on material assets.

Cultural Heritage (including architectural and archaeological heritage):

As discussed above in relation to the Record of Protected Structures and Architectural Heritage Areas, the proposed variation will likely have an imperceptible effect on material assets including architectural heritage. Furthermore, as discussed above in relation to national monuments, the proposed variation will have an imperceptible effect. Furthermore, the varying of the zoning of the subject lands from 'RN – New

Residential' to 'OS2 – Passive Open Space' will result in the maintenance of the subject lands broadly in their current greenfield state in line with the objectives of the OS2 zoning. As such, any potential unknown archaeological remains will likely be preserved in-situ when compared to the development of the site for residential purposes. Therefore, the propose variation will have an overall **positive** effect on cultural heritage.

Landscape:

The Landscape Character Assessment carried out as part of the Wicklow County Development Plan 2016-2022, and remaining in force under the Wicklow County Development Plan 2022-2028, locates the subject lands within the 'Urban Areas' landscape area. In relation to development within the urban area, the LCA states that *'in terms of landscape classification, these settlements have already been deemed suitable for development (of the type allowed by the settlement strategy and the development standards of this plan) and the impacts on the wider landscape of such development has already been deemed acceptable. Therefore it will not be necessary for developments in urban areas to have regard to the surrounding landscape classification or to carry out landscape or visual impact assessment.'*

On this basis, the proposed variation will have an **imperceptible** effect on the landscape.

The interrelationship between the above factors:

It is considered above that the proposed variation will result in **positive** effects on the following environmental receptors as listed under Annex 1(f) of the SEA directive:

- Biodiversity, Fauna, & Flora
- Population & Human Health
- Soil
- Water
- Air
- Climatic Factors
- Cultural Heritage

The interrelationship between the positive effect on biodiversity, air and population & human health has been outlined above (in relation to a **positive** effect on ecosystem services and overall ecosystem stability).

The positive effect on soil (though lack of disturbance) will interact and contribute to the positive climatic effects on flood risk (arising from climate-change induce flood events of increased intensity) through maintained water retention on the subject lands in their current state. Furthermore, the positive effect of the soil in terms of retaining sequestered carbon within the soil/vegetation may contribute to a positive effect on climatic factors in terms of reduced carbon emissions. Reciprocally, the positive effect on climatic factors may reduce soil erosion on the subject lands were the severity of flood events to be reduced.

The positive effect on soil may also interact to contribute to the positive effect on water quality, with regard to the maintenance of soil on the subject lands filtering surface water before it enters the watercourse, in contrast to what filtration may take place in a residential surface water system.

The positive effect on cultural heritage may further contribute to the positive effect on population & human health. The positive effect on cultural heritage is slightly intangible in terms of the protection in-situ of any unknown archaeological remains. However, the awareness of this positive benefit in itself may contribute to the sense of well-being in the settlement.

Environmental Considerations as set out by the Environmental Protection Agency

The Environmental Protection Agency Guidelines 'SEA of Local Authority Land-Use Plans – EPA Recommendations and Resources' January 2023 recommends that the following criteria (where not already listed above) are addressed in the undertaking of Strategic Environmental Assessment. On this basis the proposed variation will be screened against these criteria.

Drinking Water:

See discussion on water supply above.

Waste Water:

See discussion on waste water above.

Water Framework Directive:

The Wicklow County Development Plan 2022-2028, as adopted and as underwent Strategic Environmental Assessment, contains a variety of policies and objectives in support of the Water Framework Directive and Groundwater Directive. The proposed variation does not alter these objectives as adopted and, as such, will have an **imperceptible** effect on this consideration.

Flooding:

See discussion on climate factors above. (See Map XX for Flood Risk Assessment of subject lands).

Climate Change/Climatic Factors:

See discussion on climate factors above.

Air:

See discussion on air above.

Noise:

The varying of the zoning of the subject lands from 'RN – New Residential' to 'OS2 – Passive Open Space' will result in the subject lands being broadly maintained in their current greenfield state in line with the objectives of the OS2 zoning. As such, there will likely be a decrease in noise levels arising from both the construction stage and operation stage of residential development on the lands. Therefore, the proposed development will have a **positive** effect on noise levels.

Waste Management:

The varying of the zoning of the subject lands from 'RN – New Residential' to 'OS2 – Passive Open Space' will not change objectives in the adopted County Development Plan in relation to waste management. The varying of zoning on the subject lands will significantly reduce the level of waste generated from the subject lands when compared to the construction and operation of residential development under its current zoning. Therefore, the proposed variation will have an **imperceptible** effect on waste management.

Radon:

The EPA's Radon Risk Map indicates that the subject lands are located in an area where about 1 in 10 homes are likely to have high radon. This is classified as an area of medium risk.

The varying of the zoning of the subject lands from 'RN – New Residential' to 'OS2 – Passive Open Space' will substantially restrict the possibility of permanent human habitation on the subject lands. This will likely significantly reduce the radon risk experienced with the boundaries of the subject lands

Therefore, the proposed variation will have a **positive** effect on radon risk.

Biodiversity:

See discussion on biodiversity above.

Energy Conservation & Renewable Energy:

See discussion on climatic factors above.

Landscape:

See discussion on landscape above.

Geology/Geomorphology:

In addition to the discussion on soil above, the following is of relevance to the proposed variation in relation to Geology and Geomorphology:

The discussion on biodiversity above lists all County Geological Sites within 15km of the subject lands. The subject lands are not located within the boundaries of a County Geological Site.

GSI data indicates that the subject lands are bisected at bedrock level, with dark blue-grey slate, phyllite and schists to the north-west, and green/red-purple/buff slate and siltstone to the south-east of the subject lands. It is further indicates that there is an area of outcropping just beyond the south-eastern boundary of the site.

Development under the current 'RN- New Residential' zoning could include site levelling and servicing that could include disturbance or excavation of bedrock, either from below soil level or if any outcropping is found to be present in the south-eastern corner of the site. Such disturbance of bedrock could have resultant effects on local drainage patterns, soil erosion, etc.

The varying of the land use zoning on the subject lands from 'RN – New Residential' to 'OS2 – Passive Open Space' would substantially reduce the risk of bedrock disturbance, through either the maintenance of the lands in their current state or through development in line with the objectives of the OS2 zoning. On this basis, the proposed variation would likely have a **positive** effect on geology and geomorphology within the subject lands.

Human Health/Quality of Life:

See discussion on human health above.

Transportation:

See discussion on public transport, walking and cycling, and vehicular movement above.

Infrastructure Planning:

The Rathdrum Town Plan, as adopted under the Wicklow County Development Plan 2022-2028 and having undergone Strategic Environmental Assessment, does not provide a specific infrastructural objective on the subject lands, other than its zoning. As such, the proposed variation would have an **imperceptible** effect on infrastructure planning within the settlement.

Environmental Impact Assessment (EIA):

The Wicklow County Development Plan 2022-2028, as adopted and as underwent Strategic Environmental Assessment, includes objectives towards compliance with the Environmental Impact Assessment Directive and associated national legislation. The proposed variation does not vary these objectives and, as such, will likely have an **imperceptible** effect on this consideration.

— the relevance of the plan or programme for the implementation of European Union legislation on the environment (e.g. plans linked to waste-management or water protection).

The Wicklow County Development Plan 2022-2028, as adopted and as underwent Strategic Environmental Assessment, includes objectives towards the implementation of European Union legislation on the environment. The proposed variation does not vary these objectives and, as such, will likely have an **imperceptible** effect on this consideration.

2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:

— the probability, duration, frequency and reversibility of the effects:

Identified effects are generally positive or imperceptible, with the positive effects having a high likelihood of occurrence as the proposed variation will broadly maintain the subject lands in their current state in line with the objectives of the OS2 zoning.

The duration of the proposed variation will be for the remaining lifetime of the Wicklow County Development Plan 2022-2028, with the frequency of identified perceptible effects being ongoing and constant in relation to the current state of the subject lands.

The proposed variation is highly reversible, as the current greenfield state of the lands and any development which may occur in line with the objectives of the OS2 zoning do not preclude the zoning of the lands for other uses under future iterations of the County Development Plan.

— the cumulative nature of the effects:

As the adopted Wicklow County Development Plan 2022-2028 underwent Strategic Environmental Assessment, and the proposed variation makes a change in zoning to one site only, no cumulative effects are identified.

— the transboundary nature of the effects:

Though there theoretically exists a hydrological link to the Irish sea, the scale and character of the proposed variation precludes the possibility of transboundary effects beyond the imperceptible.

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

The proposed variation would not give rise to greater risks to human health or the environment due to accident owing to the scale and character of the proposed zoning in relation to its adopted residential zoning. The possibility of construction accidents occurring during development, while not removed entirely, are greatly reduced with regard to the development possibilities under the OS2 zoning.

To the north of Rathdrum is Zoetis Rathdrum, which is listed as an Upper Tier site under the Seveso Directives. The subject lands are outside of the consultation distance indicated for the Seveso site. On this basis, the varying of the zoning of the subject lands will not affect the level of permanent residences within the consultation distance of the site or the risk of an accident on the subject lands affecting the Seveso site.

Due to the likely reduced risk of accidents via development under the OS2 zoning than under the current RN zoning, the proposed variation would likely have **positive** effects on risks to human health and the environment.

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

The Wicklow County Development Plan 2022-2028, as adopted and as underwent Strategic Environmental Assessment, affects the entirety of the Local Authority's area. However, the proposed variation effects only the subject lands of 0.81 ha, with positive environmental effects likely felt by the immediate surrounding population of the settlement of Rathdrum and, to a lesser extent, the designated sites and populations of downstream settlements, including Avoca and Arklow.

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

(a) special natural characteristics or cultural heritage:

The lands that are the subject of this variation exhibit the special natural characteristic of enhanced biodiversity through the actions of the landowner, compared to other urban open lands or actively farmed lands. It is not considered that the lands exhibit any special cultural heritage. There will be a positive effect on the special natural characteristics of the subject lands (through the maintenance of its current state under the proposed variation in line with the objectives of the OS2 zoning), with no significant effects identified on cultural heritage.

(b) exceeded environmental quality standards or limit values:

No significant impacts have been identified with regard to exceed environmental quality standards or limit values.

(c) intensive land-use:

No significant effects have been identified in relation to the vulnerability of the subject lands in relation to intensive land use.

— 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 variation have been identified.

All development that arises on foot of the proposed variation will be bound by the development management policies and objectives of the Wicklow County Development Plan 2022-2028 concerning the protection and enhancement of such areas.

5.0 Summary & Preliminary Screening Determination

The proposed variation to the Wicklow County Development Plan 2022-2028 proposes to vary the zoning on lands of 0.81 ha in Rathdrum from '*RN – New Residential*' to '*OS2 – Passive Open Space*'.

Screening for SEA under S.I. 435/2004, as amended, has been undertaken. With reference to the foregoing information it has been determined that:

The proposed variation to the Wicklow County Development Plan 2022-2028 does not satisfy the conditions for mandatory SEA under S.I. 435/2004, as amended.

With reference to Article 9(2), 9(3) or 9(4) of S.I. 435/2004, as amended, the proposed variation to the Wicklow County Development Plan 2022-2028 has not been shown to have significant effects on the environment with reference to the criteria laid out in Schedule 1 and therefore SEA is not required.

In particular, it was found that the proposed variation:

- Would result in imperceptible, not significant, or positive effects on the environment.
- Would broadly maintain the subject lands in their current green field state in line with the objectives of the OS2 zoning, with a likely positive effect on biodiversity.
- Would likely greatly reduce the potential for water pollution from construction run-off from the lands to a watercourse to the immediate south of the lands, and designated sites downstream.
- Would likely reduce the potential for increased air pollution or traffic demand.
- Would likely reduce the release of sequestered carbon from soil and vegetation were to development to occur on the subject lands.

Rathdrum Town Plan

Proposed Variation No.1 (2023)

Indicative Flood Zones



Legend

- Settlement Boundary
- Flood Zone A: High probability of flooding
Where the probability of flooding from rivers and the sea is highest (greater than 1% or 1 in 100 for river flooding or 0.5% or 1 in 200 for coastal flooding)
- Flood Zone B: Moderate probability of flooding
Where the probability of flooding from rivers and the sea is moderate (between 0.1% or 1 in 1000 and 1% or 1 in 100 for river flooding and between 0.1% or 1 in 1000 year and 0.5% or 1 in 200 for coastal flooding)
- Subject Lands

Disclaimer

These Indicative Flood Zones were based on information available at the time of drafting and amending this plan. Any new data and analysis carried out after this date has not been integrated into this map but should be used in conjunction with this map for development proposals. All information may be substantially altered in light of future data and analysis.

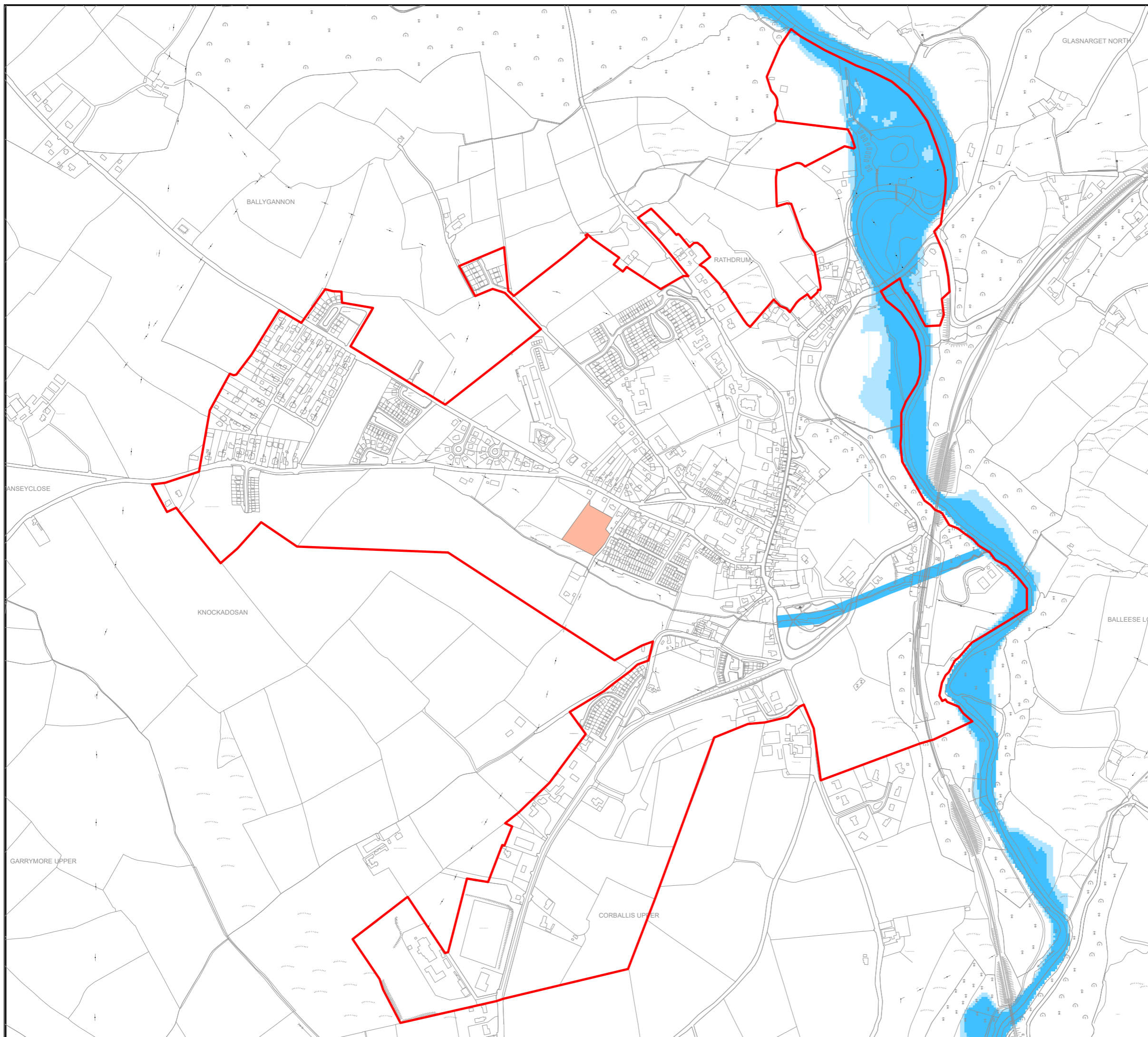
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WICKLOW COUNTY DEVELOPMENT PLAN 2022-2028

Wicklow County Council
Planning Department

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County Council

Scale 1:8,500 @ A3



**Concerning the proposed
Variation No.1 to the Wicklow County Development Plan 2022 – 2028 (Rathdrum Town Plan)**

Wicklow County Council (WCC) as the Competent Authority for the proposed Variation No.1 to the Wicklow County Development Plan 2022 – 2028 (Rathdrum Town Plan) has undertaken screening for SEA under Directive 2001/42/EC. The screening assessment was carried out using the criteria for determining the likely significance of effects as set out in Schedule 1 of S.I. 435/2004, as amended.

Following assessment of the criteria and having regard to the nature of the proposed Variation No.1 to the Wicklow County Development Plan 2022 – 2028 (Rathdrum Town Plan) and the potential for likely significant environmental effects from implementation of the proposed Variation No.1 to the County Development Plan 2022 – 2028 (Rathdrum Town Plan), WCC has determined that the proposed Variation No.1 to the County Development Plan 2022 – 2028 (Rathdrum Town Plan) will not give rise to likely significant effects on the environment.

This determination has been made following consideration of the information contained in the SEA Screening Report (attached to this determination), the criteria set out in Schedule 1 to S.I. 435/2004 as amended, and consultation feedback from Environmental Protection Agency (EPA) and the Department of Agriculture, Food and the Marine, as statutory Environmental Authorities for SEA.

The principal reasons the proposed Variation No.1 to the County Development Plan 2022 – 2028 (Rathdrum Town Plan) does not require an SEA are as follows:

- The proposed variation to the Wicklow County Development Plan 2022-2028 proposes to vary the zoning on lands of 0.81 ha in Rathdrum from 'RN – New Residential' to 'OS2 – Passive Open Space'.
- Screening for SEA under S.I. 435/2004, as amended, has been undertaken. With reference to the foregoing information it has been determined that:
 - The proposed variation to the Wicklow County Development Plan 2022-2028 does not satisfy the conditions for mandatory SEA under S.I. 435/2004, as amended.
 - With reference to Article 9(2), 9(3) or 9(4) of S.I. 435/2004, as amended, the proposed variation to the Wicklow County Development Plan 2022-2028 has not been shown to have significant effects on the environment with reference to the criteria laid out in Schedule 1 and therefore SEA is not required.
 - In particular, it was found that the proposed variation:
 - Would result in imperceptible, not significant, or positive effects on the environment.
 - Would broadly maintain the subject lands in their current green field state in line with the objectives of the OS2 zoning, with a likely positive effect on biodiversity.
 - Would likely greatly reduce the potential for water pollution from construction run-off from the lands to a watercourse to the immediate south of the lands, and designated sites downstream.
 - Would likely reduce the potential for increased air pollution or traffic demand.
 - Would likely reduce the release of sequestered carbon from soil and vegetation were to development to occur on the subject lands.

Signed: _____

SORCHA WALSH, SENIOR PLANNER

Date: 18th August 2023

Attached:

- The proposed Variation No.1 to the Wicklow County Development Plan 2022 – 2028 (Rathdrum Town Plan)
- Strategic Environmental Assessment Screening Report (July 2023)
- Appropriate Assessment Screening Report (July 2023)
- Correspondence from statutory consultees – Environmental Protection Agency, July 2023 and the Department of Agriculture, Food and the Marine, July 2023.

Bernadette Harvey
Senior Executive Planner
Forward Planning Team
Wicklow County Council
County Buildings
Wicklow Town
A67 FW96

13 July 2023

Our Ref: 230703.1

Re. SEA Screening for Variation 1 Wicklow CDP 2022-2028

Dear Ms Harvey,

We acknowledge your notice, dated 07th July 2023, in relation to the Variation 1 Wicklow CDP 2022-2028 and associated Strategic Environmental Assessment (SEA) screening.

The EPA is one of the statutory environmental authorities under the SEA Regulations. In our role as an SEA environmental authority, we focus on promoting the full and transparent integration of the findings of the Environmental Assessment into plans and programmes¹ and advocating that the key environmental challenges for Ireland are addressed as relevant and appropriate to the plan or programme. Our functions as an SEA environmental authority do not include approving or enforcing SEAs or plans or programmesⁱ.

As a priority, we focus our efforts on reviewing and commenting on key sector plans. For land use plans at county and local level, we provide a 'self-service approach' via our guidance document '[SEA of Local Authority Land Use Plans – EPA Recommendations and Resources](#)'. This document is updated regularly and sets out our key recommendations for integrating environmental considerations into Local Authority land use plans. In finalising your SEA screening determination, we suggest that you take this guidance

¹ 'Plan or programme' is defined in the SEA Directive as including modifications to plans or programmes, which in the Irish context, includes material amendments/alterations, variations etc.

document into account and incorporate the relevant recommendations as relevant and appropriate to the plan or programme.

SEA Determination

If a proposed SEA determination hasn't been made regarding the plan or programme, you should determine whether implementing the plan or programme would be likely to have significant effects on the environment.

The SEA Regulations, Schedule 2A (S.I. No. 436 of 2004, as amended) or Schedule 1 (S.I. No. 435 of 2004, as amended), as appropriate, set out the '*Criteria for determining whether a Plan is likely to have significant effects on the environment*' to use to determine whether the plan or programme would be likely to have significant effects on the environment.

Guidance on the SEA process, including an SEA pack and checklist, is available on our website at: <https://www.epa.ie/our-services/monitoring--assessment/assessment/strategic-environmental-assessment/sea-resources-and-guidance/>.

We recommend that you take the available guidance into account in making your SEA Screening Determination and incorporate the relevant recommendations as relevant and appropriate to the plan or programme.

EPA SEA Screening Guidance

Our [*Good Practice Guidance for Strategic Environmental Assessment \(SEA\) Screening*](#) (EPA, 2021) provides specific stand-alone guidance to assist plan or programme makers and SEA practitioners. It focuses primarily on plans/programmes in the non-land use sector in Ireland and includes an elaboration of the steps needed for screening, the legislative landscape underpinning SEA screening, and step-by-step process and templates to assist in preparing the required documentation.

Strategic Environmental Assessment: Guidelines for Planning Authorities

The [*Strategic Environmental Assessment: Guidelines for Regional Assemblies and Planning Authorities*](#) (DHLGH, 2022) provides advice on carrying out SEA in the land-use planning sector for those plans listed in S.I. No.436 of 2004, as amended. These plans comprise regional, county and local plans, including Regional Spatial and Economic Strategies, County or City Development Plans, variations of Development Plans, Local Area Plans and Planning Schemes for Strategic Development Zones. The Guidelines replace previous guidance for Regional Authorities and Planning Authorities published in 2004.

Sustainable Development

In proposing and in implementing the plan or programme, you should ensure that the plan or programme is consistent with the need for proper planning and sustainable development. Adequate and appropriate critical service infrastructure should be in place, or required to be put in place, to service any development proposed and authorised during the lifetime of the plan or programme.

In considering the plan or programme, you should take into account the need to align with national commitments on climate change mitigation and adaptation, as well as incorporating any relevant recommendations in sectoral, regional and local climate adaptation plans.

You should also ensure that the plan or programme aligns with any key relevant higher-level plans and programmes and is consistent with the relevant objectives and policy commitments of the National Planning Framework and the relevant Regional Spatial and Economic Strategy.

State of the Environment Report – Ireland’s Environment 2020

In preparing the plan or programme and associated SEA screening, the recommendations, key issues and challenges described in our published State of the Environment Report [Ireland’s Environment – An Integrated Assessment 2020](#) (EPA, 2020) should be considered, as relevant and appropriate to the plan or programme.

Available Guidance & Resources

Our website contains various SEA resources and guidance, including:

- [SEA process guidance and checklists](#)
- [SEA Spatial Information Sources Inventory](#)
- Topic specific SEA guidance (including [Good practice note on Cumulative Effects Assessment](#) (EPA, 2020), [Guidance on SEA Statements and Monitoring](#) (EPA, 2020), [Integrating climatic factors into SEA](#) (EPA, 2019), [Developing and Assessing Alternatives in SEA](#) (EPA, 2015), and [Integrated Biodiversity Impact Assessment](#) (EPA, 2012))

You can access these guidance notes and other resources at: <https://www.epa.ie/our-services/monitoring--assessment/assessment/strategic-environmental-assessment/sea-topic-and-sector-specific-guidance/>

Environmental Sensitivity Mapping (ESM) WebTool

This tool is a decision support tool to assist SEA and planning processes in Ireland. It is available at www.enviromap.ie. The tool brings together over 100 datasets and allows users to create plan-specific environmental sensitivity maps. These maps can help planners examine environmental considerations, anticipate potential land-use conflicts, and help identify suitable development locations while also protecting the environment.

EPA SEA WebGIS Tool

Our SEA WebGIS Tool has been updated recently and is now publicly available at <https://gis.epa.ie/EPAMaps/SEA>. It allows public authorities to produce an indicative report on key aspects of the environment in a specific geographic area. It is intended to assist public authorities in SEA screening and scoping exercises.

Catchments.ie

Our <https://www.catchments.ie/maps/> website provides a single point of access to water quality and catchment data from the National WFD monitoring programme.

Future amendments to the plan or programme

Where changes to the plan or programme are made prior to finalisation, or where modifications to the plan or programme are proposed following its adoption, these should be screened for potential for likely significant effects in accordance with the criteria set out in Schedule 2A (S.I. No. 436 of 2004, as amended) or Schedule 1 (S.I. No. 435 of 2004, as amended) of the SEA Regulations, as appropriate.

Appropriate Assessment

You should ensure that the plan or programme complies with the requirements of the Habitats Directive where relevant. Where an Appropriate Assessment is required, the key findings and recommendations should be incorporated into the SEA and the plan or programme.

EPA AA GeoTool

Our AA GeoTool application has been developed in partnership with the National Parks and Wildlife Service. It allows users to select a location, specify a search area and gather available information for each European Site within the area. It is available at: <https://gis.epa.ie/EPAMaps/AAGeoTool>.

Environmental Authorities

Under the SEA Regulations, prior to making your SEA determination you should consult with:

- Environmental Protection Agency;
- Minister for Housing, Local Government and Heritage,
- Minister for Environment, Climate and Communications; and,
- Minister for Agriculture, Food and the Marine.

For land use plans covered under S.I. No. 436 of 2004, as amended, you should also consult with:

- any adjoining planning authority whose area is contiguous to the area of a planning authority which prepared a draft plan, proposed variation or local area plan.

SEA Determination

As soon as practicable after making your determination as to whether SEA is required or not, you should make a copy of your decision, including, if appropriate, the reasons for not requiring an environmental assessment, available for public inspection in your offices and on your website. You should also send a copy of your determination to the relevant environmental authorities consulted.

If you have any queries or need further information in relation to this submission, please contact me directly. I would be grateful if you could send an email confirming receipt of this submission to: sea@epa.ie.

Yours sincerely,

A handwritten signature in black ink is displayed on a light beige rectangular background. The signature is cursive and appears to read "Lee Kelly".

Lee Kelly
Strategic Environmental Assessment Unit
Office of Radiation Protection and Environmental Monitoring

From: Environmental Co-ordination (Inbox) <Environmental_Co-ordination@agriculture.gov.ie>
Sent: Friday 28 July 2023 12:11
To: Planning - Plan Review
Subject: FW: 20230727 - MED East Resp: SEA Screen PropdVar No1 Wicklow CoDevPlan 2022-28

Good afternoon,

I refer to your recent correspondence concerning the above and wish to state that at this time the Department of Agriculture; Food and the Marine has no submissions or observations in regards to same.

Yours sincerely,

Environmental Co-ordination Unit

Sent: Friday, July 7, 2023 11:20 AM

To: sea@epa.ie; minister@housing.gov.ie; sea@housing.gov.ie; euplanningregulation@housing.gov.ie; manager.DAU@npws.gov.ie; minister.ryan@decc.gov.ie; PlanningNotifications@decc.gov.ie; customer.service@decc.gov.ie; charlie.mcconalogue@oireachtas.ie; Environmental Co-ordination (Inbox) <Environmental_Co-ordination@agriculture.gov.ie>; Info <Info@agriculture.gov.ie>; info@dlrcoco.ie; planning@dlrcoco.ie; info@sdblincoco.ie; planningdept@sdblincoco.ie; customerservice@kildarecoco.ie; plandept@kildarecoco.ie; planningdevman@carlowcoco.ie; customerservice@wexfordcoco.ie
Cc: Group - Forward Planning and Heritage <ForwardPlanningAndHeritage@wicklowcoco.ie>
Subject: SEA Screening for Proposed Variation No. 1 (2023) to the Wicklow County Development Plan 2022 - 2028

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Notice to Environmental Authorities under SEA Directive 2001/42/EC and Article 13K of the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (as amended)

SEA Screening for Proposed Variation No. 1 (2023) to the Wicklow County Development Plan 2022 - 2028

A Chara,

Wicklow County Council intends to vary the Wicklow County Development Plan 2022 – 2028, in respect to the following:

Proposed Variation No. 1

Rezone 0.81ha of land at Ballygannon, Rathdrum, from 'RN – New Residential' to 'OS2 – Passive Open Space' and amend the written text of the Rathdrum Town Plan to reflect the changes consequent from the rezoning.

Reasons for Proposed Variation

- a. *Having regard to Section 653 (1) (a) and (b) of the Taxes Consolidation Act 1997 (as amended) (Residential Zoned Land Tax), following receipt of a submission to the draft map, seeking a rezoning.*
- b. *Having considered the guidance set out in Circular Letter NRUP 07/2022, the Chief Executive is satisfied that:*
 - *The removal of the 'residential' zoning of these lands would not undermine the proper planning and sustainable development of the area, including the core strategy and housing supply targets for Rathdrum, having particular regard to the quantum of residential land zoned in Rathdrum in the Wicklow County Development Plan 2022-2028.*
 - *While these lands are located close to the core of Rathdrum, the removal of the 'residential' zoning of these lands would not conflict with the goals of compact growth and the 'sequential approach to zoning' set out in the Development Plan Guidelines. The purpose of the 'sequential approach' is to avoid development and zoning 'leapfrogging' to less centrally located areas; this would not arise in this case as (a) no alternative, more peripheral lands are proposed or are necessary for rezoning on foot of this potential de-zoning, (b) the lands beyond this site are already under development and (c) the recently adopted Rathdrum Town Plan provides for carefully calibrated residential zoning provisions that accord with the sequential approach.*
 - *The removal of the 'residential' zoning of these lands would not conflict with town centre regeneration aims. In order to achieve these aims, it is not essential that every piece of undeveloped land in a town be zoned for intensive / development use – towns require a range of uses and services, including open lands, in order to be sustainable.*
 - *An alternative 'biodiversity' related zoning would benefit the environment and the residents of Rathdrum and would contribute towards the achievement of the County's biodiversity and climate action goals.*

In accordance with the SEA Directive 2001/42/EC and Article 13K of the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (as amended), prior to the giving of notice under Section 13 (2) of the Planning and Development Act of the proposal to make a variation to a development plan, the Planning Authority shall consider 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.

Where the Planning Authority considers that the proposed variation 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 **3 weeks** within which to make a submission or observation in relation to whether or not, in their opinion, the proposed variation would be likely to have significant effects on the environment.

Your role/organisation is listed as an Environmental Authority under Article 13A(4) of the Planning and Development Regulations 2001 (as amended).

On this basis, please find attached the following for your review and response:

- Working draft proposed Variation No. 1 to the Wicklow County Development Plan 2022-2028
- Strategic Environmental Assessment Screening Report (including preliminary determination)
- Appropriate Assessment Screening Report (including preliminary determination)

Note: It has been determined that the proposed variation would not be likely to have significant effects on the environment.

Please revert to myself if you have any difficulty opening any of these documents.

We request your submission or observations, if any, within 3 weeks i.e. on or before Friday 28 July 2023. Please send your submission or observation by email to planreview@wicklowcoco.ie or write to Administrative Officer, Planning Section, Wicklow County Council, Station Road, Wicklow Town.

If you do not deal specifically with SEA consultation, please forward this email on to the relevant person.

Following receipt of any submission or observation, the Planning Authority shall make a determination regarding whether or not the proposed variation 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.

Is mise le meas,

Bernadette Harvey | Senior Executive Planner | Forward Planning Team |
Wicklow County Council | County Buildings | Wicklow Town | A67 FW96
Email: bharvey@wicklowcoco.ie | Tel: 0404 20148

Disclaimer:

Department of Agriculture, Food and the Marine

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An Roinn Talmhaíochta, Bia agus Mara

Tá an t-eolas sa ríomhphost seo, agus in aon cheangaltáin leis, faoi rún agus tá sé dírithe ar an bhfaighteoir/na faighteoirí beartaithe amháin agus níor cheart ach dóibh siúd é a úsáid. D'fhéadfadh an t-eolas seo a bheith faoi réir pribhléid dhlíthiúil agus ghairmiúil. Mura tusa faighteoir beartaithe an ríomhphost seo, níor cheart duit an teachtaireacht seo, nó aon chuid di, a úsáid, a nochtadh, a chóipeáil, a dháileadh nó a choinneáil. Má fuair tú an ríomhphost seo go hearráideach, cuir an seoltóir ar an eolas láithreach agus scríos gach cóip den ríomhphost seo ó chóra(i)s do ríomhaire, le do thoil.