



Draft Wicklow Town - Rathnew LAP Submission - Report

Who are you:	State Body
Name:	Environmental Protection Agency
Reference:	DWTRLAP-160737
Submission Made	October 24, 2024 3:09 PM

Topic

Strategic Environmental Assessment (LAP)

Submission

Please find attached the EPA's SEA Screening submission in relation to the proposed Variation.

File

240302.2 EPA Submission-Var2-WicklowCDP2022-28.pdf, 0.28MB

Variation No.2,
Administrative Officer,
Planning Section,
Wicklow County Council,
Station Road,
Wicklow Town

24th October 2024

Our Ref: 240302.2

Re. SEA Screening for Proposed Variation No. 2 Wicklow County Development Plan 2022-2028

Dear Ms Harvey,

We acknowledge your notice, dated 8th October 2024, in relation to the Proposed Variation No. 2 Wicklow County Development Plan 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

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.

take this guidance 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.

The Plan should also align with the OPW's '[The Planning System and Flood Risk Management Guidelines for Planning Authorities](#)' (OPW, 2009), as relevant and appropriate, in the zoning and development of lands.

Ireland's State of the Environment Report 2024

In October 2024, the EPA published the latest iteration of our 4-yearly State of the Environment Report. This report should be considered and integrated as appropriate, in implementing the plan or programme over its lifetime. It is available at: <https://www.epa.ie/our-services/monitoring--assessment/assessment/state-of-environment-report/>.

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/>

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,



Cian O'Mahony
Strategic Environmental Assessment Unit
Office of Radiation Protection and Environmental Monitoring
