

# **Strategic Environmental Assessment Screening Report**

For the

**Proposed Variation No.4**

Of the

**Westport Town & Environs Development Plan  
2010-2016**

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**In accordance with Section 13 of the Planning and Development Act,  
2000 (as amended) and Article 13K of the Planning and Development  
Strategic Environmental Assessment (SEA) Regulations, 2004 (as  
amended)**



**Mayo County Council  
October 2016**

## **1. Introduction**

Westport Town & Environs Development Plan 2010-2016 was adopted on 28<sup>th</sup> January 2010 and took effect from 25<sup>th</sup> February 2010. The plan, as adopted, addressed the proper planning and sustainable development of the county and will envisaged to operate for a period of six years from the date it came into force. The plan sets out a strategy and framework for the future development of the county and provides the overall policies and objectives of Westport Town & Environs Development Plan 2010-2016 with regard to the future of the county in addition to more detailed objectives and standards for development control.

The adopted plan underwent a Strategic Environmental Assessment (SEA) in accordance with the SEA Directive (2001/42/EEC) and its transposed legislation Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations 2011, (S.I. No.401 of 2011), amending the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (S.I. No. 436 of 2004). The Directive requires Member States of the EU to assess the likely significantly environmental effects of plans and programmes prior to their adoption thus providing for the integration of strategic environmental considerations at an early stage of the decision making process.

The Environmental Report documenting the SEA concluded that, overall, the impact of implementation of many of the policies and objectives of the Westport Town & Environs Development Plan 2010-2016 would be positive for the environment

Article 7 (13K) of the Planning and Development (SEA) Regulations 2004 (SI No. 436 of 2004) as amended by the Planning and Development (SEA) (Amendment) Regulations 2011 (SI No.401 of 2011) states *“Where a planning authority proposes to make a variation of a development plan under section 13 of the Act, it shall, before giving notice under section 13(2) of the Act, 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”*. The criteria against which this is required to be measured and screened is set out in Schedule 2A of the Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations 2011.

Under the provisions of Article 13K of the Regulations and following the appropriate consultation period, Mayo County Council is required to determine whether or not implementation of the proposed variation of the Westport Town & Environs Development Plan 2010-2016 would be likely to have significant effects on the environment, taking account of relevant criteria set out in Schedule 2A of the Regulations and any submission or observation received from the environmental authorities.

Mayo County Council intends to initiate the procedures under Section 13 of the Planning & Development Acts(as amended ) to vary Westport Town & Environs Development Plan 2010-2016 to make provision for Section 28 of the Urban Regeneration and Housing Act 2015 which requires planning authorities to vary the development plan by amending the wording of objective 10(2)(h) in the mandatory objectives to be included in a development plan set out in Section 10 of the Planning & Development Acts 2000-2015 and to make

provision for the designation of lands within which a Vacant Sites Levy can be applied where it is determined that development of the site is beneficial towards securing the objectives of the core strategy, housing strategy and retail strategy of the county.

## **2. Proposed Variation No.4 of the Westport Town & Environs Development Plan 2010-2016**

The proposed wording of the Variation No.4 to Westport Town & Environs Development Plan 2010-2016 is

***“To incorporate provisions of the Urban Regeneration & Housing Act 2015 regarding the vacant site levy and renewal & regeneration into the development plan.”***

and will consist of:

- the inclusion of the amended wording of the mandatory objective set out in Section 10(2)(h) of the Planning & Development Acts 2000-2015 as follows;  
*“the development and renewal of areas, identified having regard to the core strategy, that are in need of regeneration, in order to prevent –*  
*(i) adverse effects on existing amenities in such areas, in particular as a result of the ruinous or neglected condition of any land,*  
*(ii) urban blight and decay,*  
*(iii) anti-social behaviour or*  
*(iv) a shortage of habitable houses or of land suitable for residential use or a mixture of residential and other uses”.*
- the incorporation of designated areas to which the Vacant Site Levy can be applied into the development plan for residential and regeneration lands. The proposed areas are shown on the attached maps in Appendix 1 of this report.

This Proposed Variation is to give effect to certain measures (the identification of designated lands zoned for residential or regeneration) to which a Vacant Sites levy may be applied) that will facilitate local authorities in achieving compact, sustainable urban settlements.

The development of sustainable urban settlements will reduce pressures on infrastructure including water, wastewater and roads in rural areas which would otherwise be likely to indirectly adversely affect European sites.

The lands to be designated as residential and/or regeneration have already been zoned in the development plan and have already been subject to SEA which concluded that no significant environmental effects would be likely as a consequence of the Westport Town & Environs Development Plan 2010-2016 with reference to the relevant criteria of Schedule 2A of S.I. No. 436 of 2004 (as amended).

While the Proposed Variation would therefore appear to be very positive from the perspective of the environment, it is still necessary to identify any significant effects the proposed variation could have on the environment as a consequence of making the variation.

### **3. Assessment of Likely Significant Effects**

In accordance with Article 13K (1), Mayo County Council must consider whether or not the proposed variation as described in Section 2 will be likely to have significant effects on the environment, taking account of relevant criteria set out in Schedule 2A of S.I. No. 436 of 2004 (as amended).

The following table illustrates how the Proposed Variation No.4 of the Westport Town & Environs Development Plan 2010-2016 has been assessed to determine whether or not it will be likely to have significant effects on the environment, taking account of relevant criteria set out in Schedule 2A of S.I. No. 436 of 2004 (as amended).

**Table 3.1 Determination of significant effects on the environment as a consequence of the proposed variation in accordance with Schedule 2A of the SEA Regulations.**

<b>1. The characteristics of the plan having regard, in particular, to;</b>
<p><b><i>- the degree to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.</i></b></p> <p>The Strategic Environmental Assessment of Westport Town &amp; Environs Development Plan 2010-2016 concluded that the plan sets out a framework for projects and other activities with regard to its location, nature, size and operating conditions or by allocating resources in a manner which would be consistent with best environmental practice and without causing significant effects on the environment.</p> <p>The Proposed Variation No.4 to the development plan is to give effect to certain measures (the identification of designated lands zoned for residential or regeneration to which a Vacant Sites levy may be applied).</p> <p>The Westport Town &amp; Environs Development Plan already provides for the development of land and sites for residential use and areas in need of development, regeneration and renewal - this variation to the plan change provides further detail on how what is already provided for in this regard will be achieved. There are no additional adverse effects arising from this change (significant, potential or uncertain) that were not envisaged and mitigated by the SEA of the development plan. The SEA process for the development plan successfully facilitated the integration of mitigation into the plan in order to contribute towards the protection of the environment.</p> <p>Positive effects arising from the development of land and sites for residential use and areas in need of development, regeneration and renewal (such as a reduced need to develop greenfield sites on the edge of the urban areas) have already been envisaged by the SEA of the Westport Town &amp; Environs Development Plan and will be further contributed towards.</p>

Taking into account the above and the degree to which the plan sets a framework for projects and other activities, the Proposed Variation No.4 would not be likely to result in significant environmental effects.

***- the degree to which the plan influences other plans, including those in a hierarchy,***

The Westport Town & Environs Development Plan already provides for the development of residential lands and areas in need of regeneration and renewal - the changes to the plan in Proposed Variation No.4 provides further detail on how what is already provided for in this regard will be achieved. There are no additional adverse effects arising from Proposed Variation No.4 (significant, potential or uncertain) that were not envisaged and mitigated by the SEA of the Westport Town & Environs Development Plan including the Town Function Policies and Objectives and Policy ODP-01 of that plan. That SEA process successfully facilitated the integration of mitigation into the plan in order to contribute towards the protection of the environment.

Positive effects (such as reducing the propensity for urban sprawl) arising from the development of residential lands and areas in need of development, regeneration and renewal have already been envisaged by the SEA of the Westport Town & Environs Development Plan and will be further contributed towards.

The proposed variation of the plan is envisaged to influence other plans and projects, in that it is a variation to a Statutory Development Plan and the policies and objectives of other development plans (ie Local Area Plans within the plan boundary) must be consistent with those of the Westport Town & Environs Development Plan 2010-2016.

Taking into account the above, arising from the degree to which the plan and Proposed Variation No.4 influence other plans, the Proposed Variation No.4 would not be likely to result in significant environmental effects.

***- the relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development.***

Westport Town & Environs Development Plan - to which Proposed Variation No.4 relates – has undergone SEA. This SEA process integrated environmental considerations into the plan and found that the plan contributes to environmental protection and management and sustainable development of the county.

Taking the above into account and having considered the constituent parts of the Proposed Variation No.4 it is considered that Proposed Variation No.4 is relevant for the integration of environmental considerations in particular with a view to promoting sustainable development, Proposed Variation No.4 would not be likely to result in significant environmental effects.

***- environmental problems relevant to the plan.***

Environmental problems arise where there is a conflict between current environmental conditions and legislative targets.

Through its provisions relating to environmental protection and management, the existing plan contributes towards ensuring that environmental conditions do not get worse and, where possible, it contributes towards their amelioration.

Taking the above into account and having considered the constituent parts of the Proposed

Variation No.4 it is considered that Proposed Variation No.4 will contribute to the improvement of environmental problems relevant to the plan area. Therefore Proposed Variation No.4 would not be likely to result in significant environmental effects.

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

A number of policies and objectives in Westport Town & Environs Development Plan focus on the implementation of EU environmental legislation and the plan was prepared with strict adherence to the SEA and Habitats Directives and as such the plan, as a whole, contains policies, objectives and a framework which promote implementation of EU legislation including those relating to the waste management and the Water Framework Directive.

Proposed Variation No.4 relates to the land use sector which underwent SEA in the development plan process.

Taking the above into account and having considered the constituent parts of the Proposed Variation No.4 it is considered that Proposed Variation No.4 will not affect the implementation of European Union legislation on the environment, therefore Proposed Variation No.4 would not be likely to result in significant environmental effects.

**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.***

The SEA undertaken on the development plan, as adopted, outlined the characteristics of the effects and of the area likely to be affected by the plan's implementation in terms of probability, duration, frequency and reversibility of effects.

The constituent parts of the Proposed Variation No.4 are legislative measures to give effect to a sustainable urban form as envisaged by the development plan itself therefore the characteristics of the effects of Proposed Variation No.4 in terms of probability, duration, frequency and reversibility will be the same as the adopted plan and are anticipated to be positive and of lengthy duration. In terms of reversibility and frequency, it is currently difficult to predict, but the effects, due to their positive nature should be regarded as beneficial for the environment therefore Proposed Variation No.4 would not be likely to result in significant environmental effects.

***- the cumulative nature of the effects.***

The proposed variation, because it is not envisaged to contribute to significant adverse effects on the environment, is therefore not anticipated to result in cumulative effects, in combination with other plans and programmes. It is possible that some positive effects as a consequence of the variation will result in positive cumulative effects on the environment due to the likelihood of positive effects on environmental aspects including water, biodiversity flora and fauna, population and the interrelationship between a number of environmental elements.

Taking the above into account it is considered that Proposed Variation No.4 would not be likely to result in significant environmental effects.

***- the transboundary nature of the effects.***

The SEA undertaken on the development plan as adopted, assessed trans-boundary effects on those

towns located close to adjoining authorities. The constituent parts of the Proposed Variation No.4 are legislative measures to give effect to a sustainable urban form as envisaged by the development plan itself therefore the characteristics of the trans-boundary nature of the effects of Proposed Variation No.4 will be the same as the adopted plan.

Proposed Variation No.4 would not be likely to result in significant environmental effects.

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

The SEA undertaken on the development plan as adopted, assessed risks to the environment and to human health. The constituent parts of the Proposed Variation No.4 are legislative measures to give effect to a sustainable urban form as envisaged by the development plan itself therefore the risks to the environment and to human health will be the same as the adopted plan.

Proposed Variation No.4 would not be likely to result in significant environmental effects.

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

Proposed Variation No.4 applies to the areas of land use contained in Westport Town & Environs Development Plan therefore the magnitude and spatial extent of the effects of Proposed Variation No.4 will be the same as the development plan, as a result Proposed Variation No.4 would not be likely to result in significant environmental effects.

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

***(a) special natural characteristics or cultural heritage,***

The plan area is considered to be of considerable value and vulnerable in terms of special natural characteristics and cultural heritage, and these features were considered in the SEA of the development plan as adopted. The constituent parts of the Proposed Variation No.4 are legislative measures to give effect to a sustainable urban form as envisaged by the development plan itself therefore the value and vulnerability of the plan in terms of area likely to be affected due to special natural characteristics or cultural heritage will remain the same as identified in the SEA of the development plan as adopted.

Proposed Variation No.4 would not be likely to result in significant environmental effects.

***(b) exceeded environmental quality standards or limit values,***

The SEA undertaken on the development plan, as adopted, identified that the plan would not result in outlined that environmental quality standards or limit values being exceeded.

The constituent parts of the Proposed Variation No.4 are legislative measures to give effect to a sustainable urban form as envisaged by the development plan itself therefore the proposed variation will not result in environmental quality standards or limit values being exceeded.

Proposed Variation No.4 would not be likely to result in significant environmental effects.

***(c) intensive land-use,***

The SEA undertaken on the development plan, as adopted, identified that the plan would not result the value and vulnerability of the area being affected by intensive land use.

The constituent parts of the Proposed Variation No.4 are legislative measures to give effect to a sustainable urban form as envisaged by the development plan itself therefore the proposed variation



will not result the value and vulnerability of the area being affected by intensive land use.

Proposed Variation No.4 would not be likely to result in significant environmental effects.

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

Proposed Variation No.4 applies only to zoned land in urban areas and therefore will not have any effect on areas or landscapes which have a recognised national, European Union or international protection status.

Proposed Variation No.4 would not be likely to result in significant environmental effects.

#### **4. Consultation**

In accordance with Article 13K (3)(a) of the Planning and Development (Strategic Environmental Assessment) Regulations, 2004 (as amended), Mayo County Council gave notice to the prescribed environmental authorities indicating that a submission or observation on whether the proposed variation would be likely to have significant effects on the environment could be made within a period of not less than three weeks from the date of notice.

During this period, two submissions were received from (a) the Environmental Protection Agency (EPA) on 05/10/2016 and on 09/10/2016 from the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs (DAHRRGA).

The EPA submission notes the position regarding an SEA determination and refers to an EPA Web GIS search which may assist in SEA Screening. The EPA also refers to future amendments of the development plan and the SEA Regulations and the need for adequate infrastructure to service developments in Variation No. 2.

Additionally, it was recommended that the requirements of Article 6 of Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, the Habitats Directive, should be taken into account and refers to the need to consult with the NPWS.

The submission concludes with a reminder of the obligation to make the SEA Determination available to the public on the council's website and to notify the Environmental Authorities consulted.

The DAHRRGA submission advises that Appropriate Assessment should be carried out before the SEA process is concluded as the AA Screening will determine whether SEA is required. The submission also refers to the fact that the variation relates to housing supply and land zoned for residential development and that the effects on bats, some nesting birds and natural/semi-natural habitats should be considered.



## **5. Conclusion**

It is considered that, with reference to the relevant criteria of Schedule 2A of S.I. No. 436 of 2004 (as amended), no significant environmental effects are likely as a consequence of the Proposed Variation No.4 to Westport Town & Environs Development Plan 2010 - 2016.

## Appendix 1

**Map of Lands Designated under Section 28 of the  
Urban Regeneration & Housing Act 2015**



