

Strategic Environmental Assessment

Screening Assessment

Final Determination For the

South Dublin County Council Local Economic and Community Plan (LECP)



October 2015

1.0 Introduction

South Dublin County Council is responsible for preparing a Local Economic and Community Plan (LECP) in accordance with Section 66C of the Local Government Reform Act 2014. The purpose of the LECP is to identify objectives and implement actions to strengthen and develop the economic and community dimensions of South Dublin over a six year period. In this regard delivery of objectives and/or actions will be through partnership with economic and community stakeholders, via the programmes of other stakeholders as well as South Dublin County Council.

This report constitutes the SEA Screening Determination Report of the LECP and follows on from the preparation of a SEA Screening Statement (March 2015) which was prepared in order to assist the Environmental Authorities, in the preparation of submissions/observations, on whether or not the South Dublin LECP would be likely to have significant effects on the environment.

2.0 Strategic Environmental Assessment Screening

2.1 Initial determination and recommendation under Article 9(2) of the SI No. 435/2004 EC Environmental Assessment of Certain Plans and Programmes Regulations 2004 (as amended by SI No. 200/2011)

On the basis of the Screening Assessment and consideration of the criteria as set out in Schedule 2A of the Regulations, it was considered that significant environmental implications were not likely to occur as a result of the implementation of the LECP.

During this part of the SEA process it was noted that the LECP must be consistent with the South Dublin County Development Plan (and other relevant local development plans) that defines the overall spatial framework for the sustainable growth and development of the County. The LECP will not conflict with, present alternative or competing proposals nor will it seek to duplicate the policies and objectives of any development plan in the county. The LECP will be implemented in accordance with the principles of sustainable development and with the commitment to the enhancement and protection of the natural and manmade environment as set out in the current South Dublin County Development Plan 2010-2016 (and the Draft South Dublin County Development Plan 2016-2022), which have been subject to Strategic Environmental and Habitats Directive Assessments.

In summary, the SEA Screening Statement associated with the LECP (see **Appendix 1**), concluded that significant environmental implications were not likely to arise as a result of the implementation of the LECP and that a SEA was not required.

2.2 Consultation with the Environmental Authorities

The high level goals of the LECP was forwarded to the relevant Government Department in May 2015, as part of the LECP consultation process.

The relevant bodies were invited to make a submissions or observations, on or before the June 5th 2015. No submission was received from the bodies consulted.

3.0 Final Determination Subsequent to Consultation with the Environmental Authorities

Having had regard to the requirements of SI No. 435/2004 EC Environmental Assessment of Certain Plans and Programmes Regulations 2004 (as amended by SI No. 200/2011), and having consulted with the Environmental Authorities, it is the final determination of the Planning Authority that a Strategic Environmental Assessment is not required in respect to the South Dublin LECP. This determination is made taking into consideration the following:

- The LECP will be implemented in accordance with the principles of sustainable development and with the commitment to the enhancement and protection of the environment. The LECP will be consistent with the strategic planning frameworks and policies and objectives of the South Dublin Development Plan 2010-2016, which have been subject to Strategic Environmental and Habitats Directive Assessments.

Appendix 1
SEA Screening Statement
March 2015

PLANNING AND DEVELOPMENT (STRATEGIC ENVIRONMENTAL ASSESSMENT) REGULATIONS 2004-2011

South Dublin County Council Local and Economic Community Plan

DETERMINATION OF THE NEED FOR ENVIRONMENTAL ASSESSMENT OF THE SOUTH DUBLIN COUNTY COUNCIL LOCAL AND ECONOMIC COMMUNITY PLAN (LECP)

1.0 Introduction

1.1 Background

South Dublin County Council is preparing a Local and Economic Community Plan (LECP) for the whole South Dublin County area, in accordance with Section 66B of the Local Government Reform Act 2014. The Local Government Reform Act 2014 provides a stronger and clearer role for local government in economic development and community development which is a key element in achieving the vision set out in the Action Programme for Effective Local Government: *'that local government will be the main vehicle of governance and public service at local level, leading economic, social and community development'*.

This report is a Strategic Environmental Assessment Screening of the LECP to determine whether or not a full Strategic Environmental Assessment is required.

1.2 Description and Purpose of the LECP

The purpose of the LECP is to identify objectives and implement actions to strengthen and develop the economic and community dimensions of South Dublin over a six year period. In this regard delivery of objectives and/or actions may be through partnership with economic and community stakeholders, via the programmes of other stakeholders as well as South Dublin County Council.

The main features of the overall LECP will be high level goals for the integrated plan. These will be supported by specific objectives under their respective streams:

- Economic, and
- Community.

Each objective within the economic and community elements will be achieved through the implementation of specific, time bound and measurable actions. As a framework for the economic development and local community development of South Dublin, the LECP will sit as part of a series of plans and strategies that have been developed at national, regional and local level. The principles and objectives of these plans and strategies will feed into the objectives and specific actions of the LECP. The LECP will be the primary mechanism at local level to bring forward relevant action from measures arising from Government policy.

The LECP is a central component of the local authority's role in economic and community development. It is recognised that local authorities already perform many functions in relation to economic and community development; the provisions of the Local Government Reform Act 2014 however are seeking to provide a clearer and more defined role for local government in these two areas. The expansion and the strengthening of local authority functions are considered an important means to advance the overarching purpose of local government. The LECP is charged as the primary mechanism at local level to bring forward relevant action arising from varying measures included in government policy.

Section 66B of the Local Government Reform Act 2014 provides that the LECP shall be for –

- "(a) The promotion of economic development in its functional areas, and
(b) The promotion of local and community development in its functional area. "*

Every LECP, in accordance with Section 66B (4) of the Local Government Reform Act 2014, is required to be consistent with (a) the core strategy and objectives of the development plan and (b) any regional spatial and economic strategy.

1.3 LECP – Legislative framework

The Local Government Reform Act 2014 (Section 66B) sets out extensive detail on what is required to be included in the LECP. Guidelines issued by the Department of Environment, Community and Local Government in January 2015 elaborate and supplement the required provisions of the Act further. For the purposes of this screening report, the provisions of the Local Government Reform Act as they are required and as they apply to the content of LECP's, will be assessed.

A summary of the key requirements of Section 66B (Local Economic and Community Plan) of the Act are set out below:

Section 66B (1)

Each local authority shall make, a 6 year local and economic community plan for:

- (a) the promotion of economic development in its functional area, and*
- (b) the promotion of local and community development in its functional area*

Section 66B (2): Promotion of Economic Development includes, but is not limited to:

- (a) Creating and sustaining jobs,*
- (b) Promoting the interests of the community, incl:*
 - (i) enterprise and economic development across economic sectors,*
 - (ii) foreign direct investment,*
 - (iii) indigenous industry,*
 - (iv) micro-enterprises and small and medium sized enterprises,*
 - (v) tourism, and*
 - (vi) agriculture, forestry and the marine sectors, and other natural resource sectors,*
- (c) identifying local attributes essential to:*
 - (i) enhancing local economic performance, e.g. quality of the environment, qualities of cities, towns and rural areas, including;*
 - (I) accessibility, physical character, and infrastructure,*
 - (II) employment opportunities and quality of life,*
 - Enhancement of competitiveness, investment decisions relating to economic infrastructure (including transportation, water services, energy, communications and waste mgmt), with social and cultural facilities, and*
 - (ii) promoting local economic activities,*
- (d) supporting enhancement of local innovation capacity, including investment in research and development capacity, technology transfer, up-skilling and re-skilling,*
- (e) identifying, for existing and prospective businesses, opportunities to engage with local government on relevant matters in setting up and managing their businesses and to ensure speedy and coordinated access and response,*
- (f) identifying local strengths, opportunities, weaknesses and deficiencies relevant to economic performance and—*
 - (i) in relation to such strengths and opportunities having regard to economic and employment trends, the means of maintaining and augmenting them, and*
 - (ii) in relation to such weaknesses and deficiencies, the means of addressing or rectifying them, and*
- (g) identifying economic potential and the requirements to realise it.*

Section 66B (3): Promotion of Local and Community Development includes, but is not limited to:

(a) promoting and supporting the interests of local communities, or any part of a community or group within a local community, including measures to enhance quality of life and well-being of communities and measures aimed at:

- (i) tackling poverty, disadvantage and social exclusion through support for basic services and other initiatives,
 - (ii) supporting training and up-skilling, creating and sustaining employment and self-employment opportunities, and investing in local development through community-focused supports and services, and
 - (iii) the provision of infrastructure and community facilities and investment in physical regeneration and environmental improvements,
- (b) supporting the capacity of local communities to improve their quality of life,
- (c) supporting social enterprise, social capital, volunteering and active citizenship,
- (d) developing integrated and evidenced-based approaches to local service planning and delivery,
- (e) identifying the needs and priorities of local communities to enhance their well-being, and developing sustainable solutions that make the best use of local assets, strengths and opportunities to address those needs and priorities,
- (f) exploiting and coordinating funding sources from the public, private and community and voluntary sectors to stimulate and support local development and sustainability, and
- (g) promoting, supporting and facilitating community involvement in policy development and decision-making processes related to the planning, development and delivery of services.

1.4 The LECP and the County Development plan

The LECP does not sit directly within the hierarchy of spatial planning policy but sits as an entity considerate of the spatial framework endorsed by the County Development Plan and as a strategy in its own right that must *'be consistent with the core strategy and the objectives of the development plan...'* This is detailed further in the Guidelines on Local Economic and Community Plans issued by the Department of the Environment, Community and Local Government on 21st January 2015 in paragraph 20, Spatial Planning Dimension, (Part 1) which states:

'The LECP is an important implementation vehicle for national and regional policy on economic development and local/community development. It is required to complement the County Development Plans that set important statutory frameworks in relation to, for example, appropriate locations for new development such as business parks, retail development and industry. The LECP needs to be consistent with the broad locational policies of the Development Plan and not present alternative or competing proposals that would lead to inconsistency...'

The South Dublin County Development Plan 2010-2016, as a strategic land use and development plan, sets out the framework for the growth of the County over a six year period. It is currently under review and the next County Development Plan will cover the six year period, 2016-2022. The South Dublin County Development Plan 2010-2016 was subject to a Strategic Environmental Assessment (SEA) in 2010 which assessed all policies and objectives to establish if they *'are likely to have significant environmental effects'*. This process provided for the inclusion and integration of relevant and important environmental considerations in order to promote and encourage sustainable development. The review of the County Development Plan which is presently underway will also be subject to a full SEA being carried out.

The Planning and Development Act 2000-2010 sets out a requirement to undertake and incorporate a Core Strategy into the written statement of the Development Plan. The core strategy of the South Dublin County Development Plan 2010-2016 sets out a clear spatial framework for the growth of South Dublin over the plan period. It also considers the location of economic and commercial development and how transport and other infrastructure (including social infrastructure) can be provided, maintained or enhanced in order to support the projected population growth. The strategy for the growth of the County is set within the wider

agenda of protecting the environment and the continuation of improving quality of life for all people in South Dublin. This enables all development to take place in a planned and sustainable way.

The core strategy comprises a number of key strategic objectives which best summarise the overall approach taken by the Development Plan. The premise of each strategic objective is embedded within the plan and would serve also as the parameters for the LECP. The County Development Plan sets out a holistic and considered spatial planning framework for the County with its core strategic aim being to promote a more consolidated and compact urban form for the County. This will entail the following:

- The consolidation/strengthening of our designated town centres particularly the County Town of Tallaght;
- Supporting our county villages, including supporting and encouraging the participation of local communities, in the preservation and maintenance of our traditional villages consistent with their continued function and the existing zoning of the lands concerned;
- Supporting our existing urban areas including the redevelopment of brownfield lands;
- The promotion of significant new economic development along defined economic corridors based on fixed and developing public transport corridors;
- Supporting continued agricultural activity in the west of the County and facilitating new activities including market gardening;
- Identifying and maintaining our green infrastructure;
- Promoting and supporting more sustainable forms of transport particularly public transport;
- Supporting, promoting and actively developing sources of renewable energy and
- Promoting equality, diversity and social inclusion through the delivery of quality services for all.

Development Plans by legislative context, with the inclusion of a core strategy are required to be consistent with objectives set out in higher order national and regional spatial plans i.e. National Spatial Strategy and Regional Planning Guidelines. In order to ensure effectiveness, each layer of the planning system must reinforce and support others and most importantly, be consistent. The LECP is prescribed also to be consistent with the core strategy and objectives of the development plan as well as the regional planning guidelines.

Therefore, in its role and purpose, it is important to note that the LECP will not be seeking to take on the role of a development framework plan in order to achieve objectives or priorities contained therein. The LECP will be directed and guided by the core strategy and the objectives of the County Development Plan and will remain consistent with same as well as the regional planning guidelines.

In the event that consistency with the spatial plans contained within the planning hierarchy is uncertain, this will require an examination of both the provisions of the LECP (in draft form - prior to its adoption) and the spatial plans to establish the issue in question. It will be further established how best to deal with the issue be it through amending the LECP to bring back in line the objectives of the development plan or perhaps to alter/vary the development plan to accommodate or make provision for the issue arising (if considered necessary or appropriate).

For clarity it must be noted that there are a number of other land use plans for specific towns/villages/areas within South Dublin that provide more specific objectives for the larger settlements in the County and these are:

- Fortunestown Local Area Plan 2012-2018
- Newcastle Local Area Plan 2012-2018
- Ballycullen Oldcourt Local Area Plan 2014-2020
- Liffey Valley Town Centre Local Area Plan 2008 (In Force until 2018)
- Tallaght Town Centre Local Area Plan 2006 (In Force until 2016)
- Adamstown SDZ Planning Scheme 2003 (Amended, 2014)
- Clonburris SDZ Planning Scheme and Local Area Plan 2008

As per the South Dublin County Development Plan 2010-2016– all of these local plans have been subject to SEA to establish if they *'are likely to significant environmental effects'*. The LECP will also be required to be consistent with such land use plans.

2.0 Screening Methodology

Articles 2 and 3 of the SEA Directive set out the criteria to be used to determine the need for a SEA. Article 2 of the SEA Directive details the characteristics that 'plans and programmes' must possess for the SEA Directive to apply and include those:

- *'which are subject to preparation and/or adoption by an authority at national, regional or local level or which are prepared by an authority for adoption, through a legislative procedure by parliament or Government, and*
- *which are required by legislative, regulatory or administrative provisions.'*

As competent authority, South Dublin County Council is satisfied that the LECP comes within the scope of Article 2 of EU Directive 2001/42/EC as it is a plan that is (a) subject to adoption by a Local Authority and (b) is directed by the legislative and regulatory provisions (i.e. Section 66B of the Local Government Reform Act 2014).

Article 3 of the SEA Directive sets out the scope of application. This Article expresses the requirement for an environmental assessment of certain plans which are likely to have significant environmental effects. It also defines the classes of plans which require assessment. According to this Article environmental assessment is required for plans or programmes which:

- *'are likely to have significant environmental effects'*
- *'are prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or landuse and which set the framework for future development consent of projects listed in Annexes I and II to Directive 85/337/EC' (the EIA Directive) or*
- *'in view of the likely effect on sites, have been determined to require an assessment pursuant to Article 6 or 7 of Directive 92/43/EEC'*

Article 3 provides for a determination on a case by case basis as to whether plans are likely to have significant environmental effects taking into account the criteria of Annex II of the Directive (transposed into Irish Law this refers to Schedule 1, SI No. 435/2004 EC (Environmental Assessment of Certain Plans & Programmes) Regulations 2004 (as amended by SI No. 200/2011).

As competent authority, South Dublin County Council will be using the criteria set out in Annex II of the Directive (transposed into Irish Law this refers to Schedule 1, SI No. 435/2004 EC (Environmental Assessment of Certain Plans & Programmes) Regulations 2004 (as amended by SI No. 200/2011) to evaluate how likely the LECP is to have significant environmental effects. An assessment of the content of the LECP in terms of the criteria set out in Schedule 1 of the Regulations is set out in **Section 3** below.

The LECP is a multi-faceted plan focusing on a number of sectors including some of those listed in Article 3 such as agriculture, energy, telecommunications and tourism. However the plan will **NOT** set the framework for future development consent of projects listed in the EIA Directive in Annex I and II. In this regard, the LECP will not be placing limits on activities or development, influence location, nature, size or operating conditions nor will it dictate or specifically direct the allocation of resources.

3.0 SEA Screening

3.1 Assessment in terms of Schedule 1, SI No. 435/2004 EC (Environmental Assessment of Certain Plans & Programmes) Regulations 2004 (as amended by SI No. 200/2011).

An assessment of the LECP in terms of the criteria set out in the above-mentioned Regulations is set out below and is carried out in the order in which the criteria have been laid out in that schedule. This assessment takes cognisance of all of the legislatively required content of LECP's in accordance with Section 66B of the Local Government Reform Act 2014 to determine whether elements of the plan would be likely to have significant effects on the environment.

1.0 THE CHARACTERISTICS OF THE PLAN HAVING REGARD IN PARTICULAR TO:

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

The LECP, although primarily a culmination of Economic and Community aspects, will fundamentally be a multi-sectorial plan. The LECP will consist of high level goals supported by specific objectives under the respective economic and community streams. It is envisaged that each objective within the economic and community element will be achieved through the implementation of specific, time bound and measurable actions including the identification of the body, group or organisation responsible for delivery of those actions. The LECP will establish and co-ordinate funding sources from public, private, community and voluntary sectors to stimulate and support local development and sustainability. The LECP will not deal explicitly with the application or allocation of specific resources as this is largely an unknown variable subject to and reliant on various budgetary considerations by various groups, funding organisations and government departments etc.

The LECP is recognised as an important implementation vehicle for national and regional policy on economic and community development. It relies on the County Development Plan (and other relevant Local Development Plans) to define the overall statutory spatial framework and set out the most appropriate locations for new developments, projects and activities. The LECP under section 66B (4), is legislatively required to be:

*"Consistent with:
(a) the core strategy and the objectives of the development plan... and
(b) any regional spatial and economic strategy or, as appropriate, regional planning
Guidelines"*

The LECP is required to ensure consistency with the policies and objectives of the core strategy of the development plan and to include objectives for sustainable development. To ensure consistency and in recognition of the SEA process previously undertaken, the LECP will at all time refer and direct towards the South Dublin County Development Plan 2010-2016 or other local development plans as is relevant with particular regard to the consideration of any matter relating to the development location or land uses. Also the LECP must ensure that it remains consistent with the objectives of the core strategy which sets out clearly the strategy for growth within South Dublin. The LECP will not conflict with, present alternative or competing proposals nor will it seek to duplicate the policies or objectives of any development plan in South Dublin.

The LECP will not set a framework for projects and other activities with regard to location, nature, size and operating conditions or by allocating resources. The South Dublin County Development Plan and other local development plans set out clearly the spatial framework for development location and land use in South Dublin and will be referenced as required and appropriate.

1.2 The degree to which the plan influences other plans, including those in a hierarchy.

The role of the LECP is to set out the framework for economic and local community development of a local authority area. It is recognised that the LECP will be developed and implemented within an evolving national policy context and should endeavour to ensure that all relevant policies are reflected in the plan. The LECP must acknowledge and be consistent with the policies and objectives of Development Plans and Regional Planning Guidelines (or their replacements Regional Spatial and Economic Strategies) and the new National Planning Framework which will be replacing the National Spatial Strategy.

Although the LECP does not directly influence other plans and strategies in a significant manner, it is recognised as the primary mechanism at local level to bring forward relevant action arising from measures identified in a number of government policy documents and strategies such as *'Action Plan for Jobs' Our Sustainable Future: A Framework for Sustainable Development for Ireland (2012)* and *Construction 2020 – A Strategy for a Renewed Construction Sector (2014)*.

It is not anticipated that the LECP will have a significant environmental effect on any other Plans; it will seek to directly influence future actions and draw together the actions with the body, group or organisation responsible for their delivery.

1.3 The relevance of the plan for the integration of environmental considerations, in particular with a view to promoting sustainable development.

The South Dublin County Development Plan 2010-2016 was subject to a detailed SEA in accordance with the SEA Directive (2001/42/EEC) in 2010 (and the next Development Plan which is currently under review for the period 2016-2022 will also be subject to a full SEA and an AA screening). This process allowed for consideration of the environmental implications of implementing the Plan. The SEA Environmental Report highlighted a number of issues or concerns in relation to the local environment, and in response a variety of protection policies and objectives were considered and incorporated within the Plan. Such issues highlighted included flooding, water quality, landscape sensitivity *etc.* The assessment process concluded that full implementation of the Plan, particularly its environmental protection policies and objectives coupled with the mitigation measures included in the environmental report would result in a neutral impact overall on the various environmental receptors.

The LECP is legislatively required to be prepared in a manner that is consistent with the South Dublin County Development Plan and other higher level plans. The LECP will seek to be consistent with the policies and objectives of SDCC Development Plan and not conflict with the plan in any way with the view towards promoting sustainable development.

1.4 Environmental problems relevant to the plan.

There are numerous areas of environmental sensitivity within the county. These include designated nature conservation sites (e.g. SAC, pNHA), views and prospects, areas of high amenity, protected structures and recorded and national monuments. Details of all of these are set out in the South Dublin County Development Plan 2010-2016 and in the SEA report of the County Development Plan.

The Environmental Report conducted as part of the SEA process on the entire content of the South Dublin County Development Plan 2010-2016 discussed various issues of concern in the plan area and provided various mitigating measures to decrease impacts considered to be severe or significant.

As stated above, the LECP must ensure consistency with the County Development Plan which sets out the framework for development and land use. It should be noted specifically that the South Dublin County Development Plan sets out an employment and enterprise strategy (Theme 3, Section 2) and addresses Community Facilities and Recreation and Social Inclusion development (Theme 1, Section 3). These two chapters and specifically the policies and objectives contained therein as well as the core strategy of the

plan provide the premise and the framework from which the LECP will be based upon. The South Dublin County Development Plan 2010-2016 was subject to assessment pursuant to the SEA Directive. Specific issues of concern were raised at the outset during the scoping phase and assessed throughout the SEA included;

- Bio-diversity (flora and fauna).
- Population and Human Health
- Geology and Soils.
- Water Resources including flooding
- Climate and Air Quality
- Material Assets including Energy & Renewable Energy, Waste Management, Water Services & Wastewater, Transport, and Noise.
- Cultural Heritage – archaeology and built heritage.
- Landscape

The LECP will not be in conflict with the policies or objectives of the Development Plan with regard to the environmental decisions. In utilising the Development Plan as the framework from which to develop the LECP, the policies and objectives seeking to protect and conserve environmental sensitive areas within South Dublin will not be in any way altered or affected by the LECP.

1.5 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).

Issues relating to European Union Legislation on the environment are provided for in the South Dublin County Development Plan 2010-2016. The LECP must be consistent with the policies and objectives of this Development Plan which itself was the subject of an SEA and AA in 2010. Hence, the LECP and any development which will be guided by it, will therefore be directed and informed by the relevant European legislation on the environment including waste management and water protection policies and objectives.

2.0 CHARACTERISTICS OF THE EFFECTS AND OF THE AREA LIKELY TO BE AFFECTED, HAVING REGARD, IN PARTICULAR, TO:

2.1 The probability, duration, frequency and reversibility of the effects.

Generally, it is considered that the characteristics of the effects are likely to increase the likelihood of South Dublin to develop in a more sustainable manner over the lifetime of the plan by reinforcing and implementing some of the strategic objectives and principles of the core strategy for South Dublin.

The probability, duration, frequency and reversibility of effects will be dependent on the extent of development likely to result from the promotion of economic and community development during the lifetime of the plan. The Development Plan, however, with its robust core strategy includes appropriate policies and objectives to minimise the overall impact on Biodiversity, Flora and Fauna and all environmental aspects (e.g. Landscape, Water and Cultural Heritage etc.). It is considered that there will be no significant negative effects arising from implementing the LECP as any development proposed will have to comply with the Development Plan's protection policies and objectives.

It is important the LECP remains consistent at all times with the County Development Plan to provide a positive and sustainable approach to development set within a defined framework. If consistency is achieved it is expected that the positive effects would be permanent and therefore irreversible

2.2 The cumulative nature of the effects.

The two key aspects to the LECP are to promote economic development and promote local and community development. The LECP, in the interest of consistency, will promote both of these within the framework and the policies and objectives set out by County Development Plan.

The provisions of the LECP will be formulated using the strategic objectives, the principles and the policies and objectives of the South Dublin County Development Plan 2010-2016 (for which a full SEA was prepared and published in 2010). This will ensure that any actions that are identified in the LECP resulting in new development will take place in accordance with the framework set out by the Development Plan, in line with current environmental and planning legislation and guidance *e.g.* Section 28 Guidelines, Water Framework Directive and Habitats Directive), in accordance with the principles of the core strategy, with the establishment of appropriate facilities and infrastructure thereby promoting sustainable development in the county.

Ultimately the cumulative effects of the LECP will be positive in terms of generating economic activity and required community development in South Dublin. Once the environmental protection measures within the County Development Plan are followed, adhered to and implemented, it is predicted that the LECP will not compromise the quality of the receiving environment.

2.3 The transboundary nature of the effects.

In terms of negative transboundary environmental effects/impacts it is considered that with proper regard and consistency with the environmental protection policies and objectives contained in the 2010-2016 Development Plan and the completion of appropriate environmental assessments and planning process for any proposed development arising from the LECP, no negative transboundary environmental effects are predicted.

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

There are three Seveso sites located within South Dublin, all in the northeast part of the county; one at Bluebell Industrial Estate (BOC Gases) and two on Robinhood Road (Irish Distillers Ltd and Tibbett and Britten Group Ireland). As noted in the County Development Plan, should new Seveso sites be identified in South Dublin, the Health and Safety Authority (HSA), as the designated authority for Seveso sites, will notify the Council. The Council will continue to work in co-operation with the HSA when dealing with applications relating to Seveso sites and land use plans in vicinity of such sites.

South Dublin County Development Plan 2010-2016 provides for a number of policies relating to the Major Accidents Directive including:

PolicyEE45 Seveso Developments- *..." policy of the Council to permit Seveso development only in low risk locations away from vulnerable residential, retail and commercial development..."*

PolicyEE46- Extension to Established Seveso Sites- *..." policy of the Council to prohibit new extensions to long established Seveso sites at undesirable locations, where they pose an unacceptable risk to the public..."*

PolicyEE48 Clustering of Seveso Sites- *..." policy of the Council to encourage clustering of Seveso sites in order to minimise impact but only where it is demonstrated that there is no increased risk of an accident occurring or of the consequences being more damaging"*

PolicyEE50 Risk Assessment- *"...policy of the Council to require applicants/developers to submit a detailed consequence and risk assessment with all EIS's and /or legislative licence applications for developments to which the Seveso Directive applies"*

Policies of the South Dublin County Development Plan 2010-2016 (as detailed above) demonstrates South Dublin County Council's commitment in ensuring and safeguarding the public health of the people of South Dublin. The LECP will not conflict with the County Development Plan's policies and will therefore not result

in any risks to human health.

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

South Dublin's has a land extent of approximately 223sq.kilometres (223,000 hectares). The population of South Dublin as defined in the Census in 2011 was 265,205 persons. This amounts to a 7.4% increase in its population since 2006 (246,935). The South Dublin County Development Plan 2010-2016 through its core strategy provides and has set the framework for a population increase of approximately 22,136 persons over the lifetime of the plan (6 years).

The quantity of land zoned and particularly residentially zoned land contained within the South Dublin County Development Plan is predicated by the projected population figures. The LECP will be working within these projected population figures in accordance with the core strategy of the Development Plan. The LECP must also have regard to the revised projected population figures in the new Development Plan which is currently being reviewed for the period 2016-2022.

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

(a) special natural characteristics or cultural heritage;

The areas of special natural characteristics and cultural heritage in South Dublin are set out in the South Dublin County Development Plan 2010-2016 (Theme 4, Sections 1-4) and in the associated SEA Environmental Report.

The policies and objectives of the County Development Plan provide that inappropriate development is directed away from environmentally sensitive areas and towards environmentally robust areas. In steering inappropriate development away from these environmentally sensitive areas, the additional safeguards as directed by the SEA of the County Development Plan are carried out.

The LECP will not conflict with the policies and objectives of the Development Plan which seek to protect the special natural characteristics and cultural heritage of the South Dublin.

(b) exceeded environmental quality standards or limit values;

It is anticipated that environmental quality standards will not be exceeded by the LECP. The LECP will be consistent and will comply with the Development Plan's environmental protection policies and objectives.

(c) intensive land use

The LECP will be consistent with the policies and objectives of the County Development Plan and in particular the core strategy of the plan, the purpose of which is to:

- (a) rationalise land use planning and population distribution,
- (b) align investment with infrastructural services and facilities and
- (c) enhance sustainability and ensure quality of life and protection of the environment.

The South Dublin County Development Plan 2010-2016 was subject to a full SEA and AA in 2010 and the next Development Plan which is currently under review for the period 2016-2022 will also be subject to a full SEA and an AA screening. The LECP will not be seeking for the intensification of land uses beyond what has been set out in the County Development Plan.

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

The South Dublin County Development Plan 2010-2016 recognises the importance of sites with National and European designations and sets out policies and objectives for their protection. It is considered the implementation of the LECP, in line with sustainable development and consistent with the policies and objectives of the plan, will not have significant negative effects on areas or landscapes which have recognised national, European Union or international protection status.

Each development arising from the LECP will be subject to an appropriate project level environmental assessment and Habitats Directive assessment (where necessary). This, along with the continued implementation of the Development Plan's environmental policies and objectives, will ensure that any developments emanating from the LECP will not significantly impact on the receiving environment, including areas or landscapes which have recognised national, European Union or international protection status.

4.0 Statutory Consultation

An important and significant element to the SEA Screening process is consultation with the Environmental Authorities. In line with Article 9(5) of the Regulations (S.I. No. 200 of 2011), the specified environmental authorities which will be consulted in relation to the LECP are;

- Environmental Protection Agency (EPA);
- Department of Environment, Community and Local Government (DoECLG);
- Department of Agriculture, Marine and Food (DoAMF);
- Department of Communications, Energy and Natural Resources (DCENR);
- Department of Arts, Heritage and Gaeltacht Affairs (DoAHG);

5.0. Determination in Accordance with Article 9 (2) of the SEA Regulations 2004-2011

The LECP will be implemented in accordance with the principles of sustainable development and with the commitment to the enhancement and protection of the natural and man made environment, as set out in the South Dublin County Development Plan 2010-2016, which was subject to SEA and AA in 2010 to which the LECP must be consistent.

On the basis of the above assessment and consideration of the criteria as set out in Schedule 1 of the Regulations, it is considered that the LECP is unlikely to give rise to significant environmental effects, once the environmental policies and objectives within the South Dublin County Development Plan 2010-2016 are adhered to and implemented; and therefore does not require an SEA.

A final determination however will not be made until the specified environmental authorities have been consulted.