

Screening for Strategic Environmental Assessment Determination

Under Article 8 (14A) (3) Planning and Development (Strategic Environmental Assessment) Regulations 2004 (SI No 436 of 2004), as amended by the Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations 2011 (SI No 201 of 2011) for the:

Draft Patrickswell Local Area Plan 2024-2030

The Screening for Strategic Environmental Assessment (SEA) determination regarding whether or not implementation of the Draft Patrickswell Local Area Plan 2024-2030 would be likely to have significant effects on the environment is being made under the above Regulations.

As part of this determination, the Council is considering whether or not implementation of the local area plan or amended plan would be likely to have significant effects on the environment, taking account of relevant criteria set out in Schedule 2A of the above Regulations. These criteria are taking into account as follows:

Criteria for determining whether the Draft Patrickswell LAP 2024-2030 is likely to have significant effects on the environment

1. The characteristics of the Plan having regard, in particular, to:

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

The Draft Patrickswell LAP 2024 2030 sits within the statutory planning hierarchy. The LAP is a statutory document prepared by the Planning Authority, in accordance with the requirements of the Planning and Development Act 2000 (as amended), thereafter referred to as “the Act”. The Draft Patrickswell LAP sets out a land use strategy for the proper planning and sustainable development of the village of Patrickswell, complying with the provisions of higher-level spatial plans.

The LAP consists of a written statement and maps indicating objectives for zoning of land, residential development, economic development, community infrastructure, built and natural heritage, open space and recreation, active travel and transport, environmental protection and climate action. This Plan also includes a Settlement Capacity Audit, which informed the quantum and location of the land zoned in the Plan.

The LAP must be read in conjunction with the higher-level statutory plan, the Limerick Development Plan 2022-2028, this sets out the proposed vision and objectives for the development of Limerick over a six-year period. These aim to plan for and support the sustainable long-term development of Limerick City and County; provide for the future wellbeing of the residents and promote an appropriate balance of development across Limerick. All planning proposals are assessed against the objectives of the Limerick Development Plan 2022-2028, and all lower plans of which Patrickswell LAP conforms, must be consistent with this Limerick Development Plan.

Any projects arising from the implementation of the Limerick Development Plan 2022-2028 and the Patrickswell LAP will have to comply, as relevant, with various legislation, policies, plans and programmes (including requirements for lower-tier Appropriate Assessment, Environmental Impact Assessment and other licencing requirements as appropriate) that form the statutory decision-making and consent granting framework.

the degree to which the Plan influences other plans, including those in a hierarchy,

The plan is statutory and sits beneath the statutory landuse plans namely the Limerick Development Plan 2022-2028. The LAP must be consistent with both the LDP and higher-level plans including the National Planning Framework and the Regional Economic and Spatial Strategy for the Southern Region.

The Limerick Development Plan 2022-2028 has undergone full SEA and AA and consultation with environmental bodies. All measures included in the SEA and AA of the Limerick Development Plan 2022 -2028 would apply, as appropriate.

The relevance of the Plan in the integration of environmental considerations in particular with a view to promoting sustainable development,

This plan is statutory and environmental protection measures and policies including lower tier assessments would apply should landuse projects arise. The LAP must be consistent and integrate environmental considerations including, *inter alia*, environmental legislation including the EIA Directive, the Flood Directive, Habitats Directive, Waste Directive, Water Framework Directive and national policy and legislation pertinent to environmental considerations.

Preparation of the Draft Patrickswell LAP has also been informed by Ministerial Guidelines, issued pursuant to Section 28 of the Act, together with EU requirements, regarding Strategic Environmental Assessment (SEA) and Appropriate Assessment (AA).

Environmental problems relevant to the plan

Key challenges in the plan area are

- Barnakyle River of moderate status and at risk of not meeting WFD 2027 objectives
- Ensuring service led development
- Encouraging a modal shift
- Addressing noise and air quality from the M20 and associated road network.

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

Proposals that may give rise to landuse effects would be subject to detailed design and requirements of the Limerick Development Plan 2022-2028 and the Draft Patrickswell LAP, and as the plan is required to be consistent with the above, it allows for the implementation, as relevant to European environmental legislation as established in the Limerick Development Plan.

These include, *inter alia*, the EU Habitats Directive (92/43/EEC), the EU Birds Directive (2009/147/EC), the EU Water Framework Directive (2006/60/EC), the EU Groundwater Directive 92006/118/EC), the European Communities (Water Policy) Regulations 2014 S.I. 350 of 2014 and national legislation including the Wildlife Act 1976, as amended, and Flora Protection Order 1999.

Should development arise, the application of appropriate legislation such as the Water Framework Directive, the Habitats Directive, the SEA directive and the EIA Directive, will apply as appropriate.

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,

Land use activities are likely to be associated with or supported by many of the specific landuse zoning and objectives that will arise out of the LAP.

The SEA Screening and AA screening has evaluated these landuse zoning and objectives and these are presented in Annex A.

Subject to the full adherence and implementation of environmental protection policies and measures from the Limerick Development Plan 2022, and the draft LAP, no significant effects are identified.

the cumulative nature of the effects,

Subject to the full adherence and implementation of environmental protection policies and measures from the Limerick Development Plan 2022 - 2028, and the draft LAP, no significant effects are identified.

the trans boundary nature of the effects

No transboundary effects are identified at this stage.

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

No such risks are identified as arising from the plan at this stage.

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

At this scale, no such effects are identified.

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

(d) special natural characteristics or cultural heritage:

A screening statement in support of Appropriate Assessment has also been prepared for this plan in line with Article 6(3) of the EU Habitats Directive (92/43/EEC). The AA screening report has concluded that no likely significant effects are identified for European Sites arising from the Draft Patrickswell LAP 2024 -2030.

(b) exceeded environmental quality standards or limit values:

In order to be realised, potential projects or proposals arising from the LAP will have to comply, as relevant, with various legislation, policies, plans and programmes (including requirements for lower-tier Appropriate Assessment, Environmental Impact Assessment and other licencing

requirements as appropriate) that form the statutory decision-making and consent granting framework.

Such legislation, policies, plans and programmes include lower tier environmental assessment including Environmental Impact Assessment and Appropriate Assessment. Should projects arise from the plan, the statutory consent process as outlined above will apply.

(c) intensive land-use:

No specific areas are identified for landuse effects or development activities in the plan and at this juncture no such effects are identified.

(d) the effects on areas or landscapes which have a recognised national, European Union or international protection status:

A Screening report for Appropriate Assessment has been undertaken and accompanies this strategy and SEA Screening report. The AA screening report has concluded that no likely significant effects are identified for European Sites arising from the Draft Patrickswell LAP 2024-2030.

With reference to the foregoing information, it is determined that the plan would not be likely to result in significant effects and that SEA is not required to be undertaken on the Draft Patrickswell Local Area Plan 2024 to 2030. This draft SEA Determination will be finalised following the consultation period.

Signed



Position:

DIRECTOR OF SERVICES

Date:

1st SEPTEMBER 2023