

# STRATEGIC ENVIRONMENTAL ASSESSMENT SCREENING REPORT

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FOR

**VARIATION NO. 1(B)**

TO THE

**CARLOW COUNTY DEVELOPMENT PLAN 2015-2021**

**for: Carlow County Council**

Athy Road,  
County Carlow



**by: CAAS Ltd.**

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**JULY 2017**

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# Section 1 Introduction and Terms of Reference

## 1.1 Introduction

Carlow County Council has prepared and adopted Variation No. 1(b) to the Carlow County Development Plan 2015-2021<sup>1</sup> under Section 13 of the Planning and Development Act 2000 (as amended).

As the Council did not determine that the Proposed Variation No. 1(b) would be likely to have significant environmental effects, the Proposed Variation had to be screened for the need to undertake Strategic Environmental Assessment (SEA). Screening is the process for deciding whether a particular plan - or variation to a plan -, other than those for which SEA is mandatory, would be likely to have significant environmental effects, and would thus warrant SEA. This report provides the findings of the evaluation of the requirement for SEA to be undertaken on Variation No. 1 (b) to the Carlow County Development Plan 2015-2021.

There were no changes made to the Proposed Variation No. 1(a) that was placed on public display before adoption.

## 1.2 Strategic Environmental Assessment Legislative Requirements

SEA is the formal, systematic evaluation of the likely significant environmental effects of implementing a plan or programme, or variation to a plan or programme, before a decision is made to adopt it. The SEA Directive<sup>2</sup> requires, inter alia, that SEA is undertaken for certain plans, programmes or variations to these.

Under 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. 201 of 2011)<sup>3</sup>, Carlow County Council is required to determine whether any Proposed Variation needs to be subject to SEA. Screening is the process for determining whether a particular plan - or variation to a plan -, other than those for which SEA is mandatory, would be likely to have significant environmental effects, and would thus warrant SEA<sup>4</sup>.

Such a determination is required to take account of relevant criteria set out in Schedule 2A '*Criteria for determining whether a plan is likely to have significant effects on the environment*' of the SEA Regulations, as amended, and submissions or observations from relevant environmental authorities.

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<sup>1</sup> The Carlow County Development Plan 2015-2021 was subject to full SEA and Appropriate Assessment (AA) Screening and Stage 2 AA. The requirement for AA is provided under the EU Habitats Directive (Directive 1992/43/EEC). The AA concluded that the Plan will not affect the integrity of the Natura 2000 network.

<sup>2</sup> Directive 2001/42/EC of the European Parliament and of the Council of Ministers, of 27th June 2001, on the Assessment of the Effects of Certain Plans and Programmes on the Environment

<sup>3</sup> Both sets of Regulations are collectively referred to as 'the Regulations' in this report.

<sup>4</sup> It is noted that the SEA Directive requires that SEA is undertaken where Stage 2 AA is being undertaken however the AA screening process undertaken on the Variation has found that Stage 2 AA is not necessary (see Section 2.2).

### 1.3 Reasons for the Variation

Further to the enactment of the Urban Regeneration and Housing Act 2015, Carlow County Council is made Variation No. 1 (b) to the Carlow County Development Plan 2015-2021 to take account of the revised provisions for Part V (Social and Affordable Housing) in line with the Urban Regeneration and Housing Act 2015. Streamlining and enhancing the operation of Part V is required in order to:

- (1) Increase the level of social housing provided as an integral part of new housing developments, and
- (2) Improve the transparency of the process by 'frontloading' the Part V process at planning application stage and prior to the commencement of development.

### 1.4 Consultations

As part of the screening process, environmental authorities<sup>5</sup> were notified that a submission or observation in relation to whether or not implementation of the Proposed Variation would be likely to have significant effects on the environment may be made to the Council (a period of three weeks was allowed for the reply). In order to help facilitate the environmental authorities' response to this notice, a Draft version of the SEA Screening Report accompanied the notice.

A submission by the Environmental Protection Agency (EPA) was made within the three week consultation period. The EPA submission is responded to in Table 1.1 below.

**Table 1.1 Response to EPA Submissions**

Submission Text	Response
<p><b>SEA Determination</b> We note your determination with regard to the need for Strategic Environmental Assessment (SEA) of Variation No. 1(A) to the Carlow County Development Plan 2015-2017 and Variation No.1 (B) to the Carlow County Development Plan 2015-2021 (the Variations).</p> <p>The development of lands associated with these Variations should be linked to the ability to provide appropriate critical service infrastructure to support further development. Additionally, the Variations should ensure that environmental sensitivities/vulnerabilities are taken into consideration.</p> <p>A commitment should be made to ensure that the South East CFRAMS will be taken into account, and also that the requirements of the Planning System and Flood Risk Management- Guidelines for Planning Authorities (OPW / DEHLG, 2009) will also be reflected in the implementation of the Variations.</p> <p>It is worth noting that a number of key plans are currently being prepared (and undergoing SEA), which should be taken into account in implementing the Variations. These include:</p> <ul style="list-style-type: none"> <li>• National Planning Framework (DHPCLG)</li> <li>• Regional Spatial and Economic Strategies (Regional Authorities)</li> <li>• 2<sup>nd</sup> Cycle of Water Framework Directive River Basin Management Plans (DHPCLG)</li> </ul>	<p>These issues are noted. Further comments are provided in the same order as the submission below:</p> <p>The existing County Development Plan already provides for phasing and the provision of infrastructure. Various provisions relating to environmental protection and management have been integrated into this Plan, including through the SEA and AA processes that were undertaken alongside it.</p> <p>The existing Plan already includes a number of provisions relating to flood risk management including the Floods Directive and the Planning System and Flood Risk Management Guidelines.</p> <p>Implementation of the County Development Plan takes into account existing plans and programmes as relevant and will take into account the cited National Planning Framework, Regional Strategies and relevant River Basin Management Plan once adopted.</p>

<sup>5</sup> The following authorities were notified: Department of Agriculture, Food and the Marine; Department of Arts, Heritage and the Gaeltacht; Department of Communications, Department of the Environment, Community and Local Government; Environmental Protection Agency; Laois County Council; Wexford County Council; Kildare County Council; Wicklow County Council and Kilkenny County Council.

<b>Submission Text</b>	<b>Response</b>
<p><b>EPA State of the Environment Report 2016</b> The EPA has recently published our latest 'State of the Environment Report'- <i>Ireland's Environment 2016- An Assessment</i> (EPA, 2016). The Recommendations, key issues and challenges describes within this report should be taken into account, as relevant and appropriate to the Plan area. This report can be found at <a href="http://www.epa.ie/irelandsenvironment/stateoftheenvironmentreport/">http://www.epa.ie/irelandsenvironment/stateoftheenvironmentreport/</a></p>	Noted. This report has been taken considered in the preparation of the screening report.
<p><b>Future Amendments to the Plan</b> Carlow County Council should determine whether or not any future proposed Variations/Amendments would be likely to have significant effects on the environment. This assessment should take account of the SEA Regulations Schedule 2A Criteria (S.I. No. 436 of 2004).</p>	Noted. It is the practice of the Council to comply with the SEA Regulations as amended.
<p><b>Environmental Authorities</b> Under the SEA Regulations (S.I. No. 436 of 2004), as amended by S.I. No. 201 of 2011, notice should also be given to the following:</p> <ul style="list-style-type: none"> <li>• The Minister for the Environment, Community and Local Government</li> <li>• Minister for Agriculture, Marine and Food, and the Minister for Communications Energy and Natural Resources, where it appears to the planning authority that the plan or programme, or modification of the plan or programme, might have significant effects on fisheries or marine environment</li> <li>• Where it appears to the competent authority that the plan or programme, or amendment to a plan or programme, might have significant effects in relation to the architectural heritage or to nature conservation, the Minister for Arts, Heritage and Gaeltacht Affairs, and</li> <li>• Any adjoining planning authority whose area is continuous to the area of a planning authority which prepared a draft plan, proposed variation or local area plan.</li> </ul>	Noted - notice has already been provided to these authorities.
<p>A copy of your decision regarding the determination should be made available for public inspection at your offices, local authority website and should also be notified to any Environmental Authorities already consulted.</p> <p>Should you have any queries or require further information in relation to the above please contact the undersigned. I would be grateful if an acknowledgement of receipt of this submission could be sent electronically to the following address: <a href="mailto:sea@epa.ie">sea@epa.ie</a>.</p>	Noted - the SEA Screening Report and associated Determination are placed on public display with the Proposed Variation. Environmental authorities already consulted are notified.

## Section 2 SEA Screening

### 2.1 Introduction

The section examines whether each part of the Variation would be likely to have significant environmental effects (and thus would have warranted the undertaking of Strategic Environmental Assessment).

This examination takes account of relevant criteria set out in Schedule 2A '*Criteria for determining whether a plan is likely to have significant effects on the environment*' of the SEA Regulations, as amended, (see Section 2.4) and has been updated to take account of a submission made by an environmental authority during the SEA screening consultation process (see Section 1.4).

### 2.2 Appropriate Assessment

Appropriate Assessment (AA) screening has been undertaken on the Variation. AA is an impact assessment process concerning *Natura 2000*, or *European*, sites - these sites have been designated or proposed for designation by virtue of their ecological importance.

The Habitats Directive<sup>6</sup> requires, inter alia, that variations to plans undergo an AA process to establish the likely or potential effects arising from implementation of the Variation. If the effects are deemed to be *significant, potentially significant or uncertain* then the Variation must undergo Stage 2 AA.

The AA Screening undertaken on the Variation concluded that the Variation will not give rise to any adverse effects on designated European sites, alone or in combination with other plans or projects.

### 2.3 SEA Screening Analysis

Table 2.1 examines whether each part of the Variation No. 1 (b) would be likely to have significant environmental effects (and thus would have warranted the undertaking of Strategic Environmental Assessment) and is supplemented by Table 2.2 which provides details on the likely significant effects (if unmitigated), mitigating measure reference(s) from the County Development Plan and residual adverse effects.

The examination takes account relevant criteria set out in Schedule 2A '*Criteria for determining whether a plan is likely to have significant effects on the environment*' of the SEA Regulations, as amended, (see Section 2.4) and has been updated to take account of a submission made by an environmental authority during the SEA screening consultation process.

The full range of environmental effects<sup>7</sup>, including cumulative effects are considered by this assessment. This includes interactions with Variation 1(a) that has been prepared at the same time as Variation 1(b).

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<sup>6</sup> Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora

<sup>7</sup> These include secondary, cumulative, synergistic, short, medium and long-term permanent and temporary, positive and negative effects

**Table 2.1 SEA Screening of Variation**

<b>Variation</b>	<b>Strategic Environmental Assessment (SEA) Screening</b>
<p><u>Include additional text in Chapter 4 Housing, Section 4.1 Housing Strategy</u> Housing Strategy (CDP 2015-2021- Volume 1- Written Statement pg.94)</p> <p>Carlow Local Authorities have prepared a Housing Strategy for the Plan period 2015 – 2021 and this is an update of the County Carlow Housing Strategy 2009 - 2015. This Strategy is included in the appendices of this Plan. Part V of the Planning and Development Act 2000, <b>as amended</b>, requires that housing strategies be drawn up by Planning Authorities and integrated into their Development Plans.</p>	<p>This change clarifies the status of the legislation and would not interact with the environment. Therefore this change would not result in significant environmental effects and SEA is not required.</p>
<p><u>Alteration of text in Chapter 4 Housing, Section 4.1 Housing Strategy</u> Housing Strategy (CDP 2015-2021- Volume 1- Written Statement pg. 95) The Housing Strategy shall:</p> <ul style="list-style-type: none"> <li>• Include an estimate of, and provision for, the existing need and the likely future need for housing in the area covered by the development plan. The Planning Authority shall ensure that sufficient and suitable land is zoned in its development plan or Local Area Plans for residential use (or for a mixture of residential and other uses), to meet the requirements of the Housing Strategy and to ensure that a scarcity of such land does not occur at any time during the period of the Development Plan</li> <li>• Take into account the need to ensure that housing is available for persons who have different levels of income and in particular for those in need of social housing in the area. A Housing Strategy shall therefore provide that as a general policy a specified percentage, not being more than <del>15%</del> <b>10%</b> of the land zoned in the development plan for residential use, or for a mixture of residential and other uses, shall be reserved for social housing.</li> </ul>	<p>A percentage of land zoned in the development plan for residential use to be reserved for social housing is already provided for by the existing Plan.</p> <p>There are no additional positive or adverse effects arising from this change (significant, potential or uncertain) that were not envisaged and/or mitigated by the SEA of the Plan. The SEA process has successfully facilitated the integration of mitigation into the Plan in order to contribute towards the protection of the environment – see Table 2.2.</p> <p>As this change would not result in significant environmental effects, SEA is not required.</p>
<p><u>Alteration of text in Chapter 4 Housing, Hsg- Policy 2, second policy</u> Hsg- Policy 2 (CDP 2015-2021- Volume 1- Written Statement pg. 95)</p> <p>It is the policy of Carlow County Council to:</p> <ul style="list-style-type: none"> <li>• Implement the Housing Strategy contained in the appendices of the County Development Plan</li> <li>• Require <del>15%</del> <b>10%</b> of the land zoned for residential use, or for a mixture of residential and other uses, be made available for the provision of social housing</li> </ul>	<p>A percentage of land zoned in the development plan for residential use to be reserved for social housing is already provided for by the existing Plan.</p> <p>There are no additional positive or adverse effects arising from this change (significant, potential or uncertain) that were not envisaged and/or mitigated by the SEA of the Plan. The SEA process has successfully facilitated the integration of mitigation into the Plan in order to contribute towards the protection of the environment – see Table 2.2.</p> <p>As this change would not result in significant environmental effects, SEA is not required.</p>
<p><u>Alteration of text in Chapter 4 Housing, Section 4.2 Planning Permission</u> Planning Permission (CDP 2015-2021- Volume 1- Written Statement pg. 96)</p> <p>Conditions attached to certain planning permissions for residential development will require developers to enter into an agreement with the Council in relation to the provision of social housing in accordance with the Housing Strategy. The various options for compliance are set down in the <del>Planning and Development (Amendment) Act 2002</del> <b>Urban Regeneration and Housing Act 2015</b>. The following preferred options are available to satisfy the requirements of the Housing Strategy-</p> <ul style="list-style-type: none"> <li>• <del>Transfer of the required number of completed dwellings on the site</del></li> <li>• <del>Transfer of a portion of the site subject to the planning application</del></li> <li>• <del>Transfer of fully or partially serviced sites on the site which will enable the Council to provide the appropriate number of units thereon</del></li> <li>• <del>Payment of a monetary contribution</del></li> <li>• <del>Transfer of completed dwellings elsewhere</del></li> <li>• <del>Transfer of serviced sites at another location</del></li> <li>• <del>Transfer of land at another location</del></li> <li>• <del>Transfer of houses can be by purchase or lease depending on the availability of finance</del></li> </ul>	<p>Options for compliance with conditions for residential development in relation to the provision of social housing in accordance with the Housing Strategy are provided for by the existing Plan.</p> <p>There are no additional positive or adverse effects arising from this change (significant, potential or uncertain) that were not envisaged and/or mitigated by the SEA of the Plan. The SEA process has successfully facilitated the integration of mitigation into the Plan in order to contribute towards the protection of the environment – see Table 2.2.</p> <p>As this change would not result in significant environmental effects, SEA is not required.</p>

Variation	Strategic Environmental Assessment (SEA) Screening
<p><del>An agreement may provide for a combination of the above.</del></p> <p>a) Transfer to the ownership of the local authority of a part or parts of the land subject to the planning application;</p> <p>b) Build and transfer to the ownership of the local authority, or persons nominated by the authority, a number of housing units on the site subject to the planning application (up to 10% of the units in the development);</p> <p>c) Build and transfer to the ownership of the local authority, or persons nominated by the authority, a number of housing units on any other land in the functional area of the local authority;</p> <p>d) Grant a lease of housing units to the local authority, either on the site subject to the planning application or on any other land within the functional area of the local authority to the Council of houses either within the application site or on other land within the functional area of the Council; or</p> <p>e) A combination of the transfer of land under (a) above and one or more of the other options (b-d).</p> <p>f) A combination of two or more of the other options (b-d).</p>	
<p><u>Omission of text in Chapter 4 Housing, Section 4.3 Means of achieving Social Housing Needs</u> <u>Means of achieving Social Housing Needs (CDP 2015-2021- Volume 1-Written Statement pg. 96)</u></p> <p>Carlow County Council recognises the important role played by the voluntary sector in meeting social housing need and will support and facilitate the expansion of that role. Carlow County Council will seek to cater for social accommodation in a number of ways;</p> <ul style="list-style-type: none"> <li>• <del>Affordable housing</del>/joint venture schemes</li> <li>• The Local Authority's house building programme</li> <li>• The sale of sites scheme</li> <li>• The Voluntary Housing Sector, the Rental Subsidy Scheme and leasing schemes</li> <li>• The Capital Assistance scheme available to voluntary housing sector for people with special needs</li> <li>• Rental Accommodation Scheme</li> <li>• Leasing Scheme for Private Landlords</li> <li>• Housing Adaptation Grant</li> <li>• Mobility Aids Grant</li> <li>• Housing Aid for Older People Grant</li> </ul>	<p>The removal of affordable housing from this list would not result in additional positive or adverse effects (significant, potential or uncertain) that were not envisaged and/or mitigated by the SEA of the Plan. The SEA process has successfully facilitated the integration of mitigation into the Plan in order to contribute towards the protection of the environment – see Table 2.2.</p> <p>As this change would not result in significant environmental effects, SEA is not required.</p>
<p>Include additional text in <u>Chapter 4 Housing, Section 4.6.1 Requirement of Housing Strategy</u> <u>Requirement of Housing Strategy (CDP 2015-2021-Volume 1- Written Statement pg. 99)</u></p> <p><b>4.6.1 Requirement of Housing Strategy</b></p> <p>The Planning and Development Acts 2000 (as amended) requires each Local Authority to adopt a Housing Strategy for their administrative area. Further, the Housing Acts 1966 – 2009 <del>and</del>, the 2011 Housing Policy Statement and the Urban Regeneration and Housing Act 2015 serve as a framework for a sequence of legislative and policy initiatives in the short to medium term. Based on a number of fundamental principles and goals that will form the foundation of a substantial reform programme, the new framework of housing policy responds to current and emerging conditions in the housing sector, taking account of the dramatic cycle of rapid growth and sudden collapse in the residential property market. The centre piece of the approach is to chart a way forward for housing policy in Ireland by placing greater emphasis on: choice; equity across housing tenures; and delivering quality outcomes for the resources invested.</p> <p>A summary of the measures outlined include:</p> <ul style="list-style-type: none"> <li>• More equitable treatment of housing tenure</li> <li>• Transfer of responsibility for long term recipients of rent supplement to Local Authority housing</li> </ul>	<p>This change adds reference to the Urban Regeneration and Housing Act 2015 in text which forms the context for the Plans provisions and removes reference to "Formal review of Part V" as a measure of the framework for housing policy. This change would not result in additional positive or adverse effects (significant, potential or uncertain) that were not envisaged and/or mitigated by the SEA of the Plan. The SEA process has successfully facilitated the integration of mitigation into the Plan in order to contribute towards the protection of the environment – see Table 2.2.</p> <p>As this change would not result in significant environmental effects, SEA is not required.</p>



Variation	Strategic Environmental Assessment (SEA) Screening
<ul style="list-style-type: none"> <li>• New mechanisms for the delivery of permanent social housing</li> <li>• All affordable housing schemes stood down</li> <li>• <del>Formal review of Part V</del></li> <li>• Housing Strategy for People with Disabilities</li> </ul>	
<p><u>Omission of text in Chapter 4 Housing, Section 4.6.2 Future Part V Housing Development</u>  Future Part V Housing Development (CDP 2015-2021- Volume 1- Written Statement pg. 100)</p> <p><b>4.6.2 Future Part V Housing Development</b>  The Core Strategy sets out the framework for future housing development in Carlow. Part V housing refers to social <del>and affordable</del> housing provided in accordance with Part V of the Planning and Development Act 2000 (as amended) and is provided for as an integral part of the housing allocations prescribed for each of the settlement areas. The Core Strategy provides that through its projected population growth and alignment to appropriately zoned lands there are adequate lands zoned to provide for housing needs for Part V within the County over the plan period (2015-2021).</p>	<p>The removal of affordable housing from this context setting paragraph would not result in additional positive or adverse effects (significant, potential or uncertain) that were not envisaged and/or mitigated by the SEA of the Plan. The SEA process has successfully facilitated the integration of mitigation into the Plan in order to contribute towards the protection of the environment – see Table 2.2.</p> <p>As this change would not result in significant environmental effects, SEA is not required.</p>
<p><u>Alteration of text in Chapter 4 Housing, Section 4.6.3 Part V Provision</u>  Part V Provision (CDP 2015-2021- Volume 1- Written Statement pg. 100-101)</p> <p><b>4.6.3 Part V Provision</b>  As per the Planning and Development Act 2000 as amended by the Urban Regeneration and Housing Act 2015, the options open to negotiate between the Council and a developer for a 'Part V' agreement for the provision of Part V housing includes the following:</p> <ol style="list-style-type: none"> <li><del>1. Transfer of part of land subject of planning application</del></li> <li><del>2. Building and transfer on completion of houses on land subject of planning permission</del></li> <li><del>3. Transfer of fully or partially serviced sites on land subject to application for permission</del></li> <li><del>4. Transfer of the ownership of any other land within function area of Planning Authority</del></li> <li><del>5. Building and transfer on completion of houses on other land within functional area of Planning Authority</del></li> <li><del>6. Transfer of fully or partially serviced sites on other land within functional area of Planning Authority</del></li> <li><del>7. Payment of Money</del></li> <li><del>8. Provision of special needs accommodation via approved housing bodies under Capital Assistance Scheme, or other scheme as appropriate</del></li> <li><del>9. Rental accommodation agreement or leasing of houses agreement</del></li> <li><del>10. Combination of transfer of land subject to the conditions of planning application and any other option above</del></li> <li><del>11. Combination of two or more options</del></li> </ol> <ol style="list-style-type: none"> <li>a) Transfer to the ownership of the local authority of a part or parts of the land subject to the planning application;</li> <li>b) Build and transfer to the ownership of the local authority, or persons nominated by the authority, a number of housing units on the site subject to the planning application (up to 10% of the units in the development);</li> <li>c) Build and transfer to the ownership of the local authority, or persons nominated by the authority, a number of housing units on any other land in the functional area of the local authority;</li> <li>d) Grant a lease of housing units to the local authority, either on the site subject to the planning application or on any other land within the functional area of the local authority to the Council of houses either within the application site or on other land within the functional area of the Council; or</li> <li>e) A combination of the transfer of land under (a) above and one or more of the other options (b-d).</li> </ol>	<p>Options open to negotiate between the Council and a developer for a 'Part V' agreement for the provision of Part V housing are provided for by the existing Plan.</p> <p>There are no additional positive or adverse effects arising from this change (significant, potential or uncertain) that were not envisaged and/or mitigated by the SEA of the Plan. The SEA process has successfully facilitated the integration of mitigation into the Plan in order to contribute towards the protection of the environment – see Table 2.2.</p> <p>As this change would not result in significant environmental effects, SEA is not required.</p>

Variation	Strategic Environmental Assessment (SEA) Screening
<p>f) A combination of two or more of the other options (b-d).</p> <p><del>A 'Part V' agreement may provide for a combination of any of the above. The preferred option of Carlow County Council is the payment of money or for the transfer of lands for future development. However,</del> each proposal will be considered and assessed based on individual merit, in line with Council policy as contained in Carlow County Council, Guidelines for the Implementation of Part V of Planning and Development Act 2000 (as amended) <del>adopted in 2003 and revised in 2009</del> in January 2017, the Urban Regeneration and Housing Act 2015 and government policy.</p> <p>The Planning and Development (Amendment) (No. 3) Regulations 2015 has also introduced changes in terms of what is required to be submitted with a planning application for residential or mixed use development for the purpose of fulfilling the new Part V requirements. In broad terms, such details to be submitted with relevant planning applications must include:</p> <ul style="list-style-type: none"> <li>(a) How the applicant intends to discharge their Part V obligation as regards a selection of a preferred option from the options available under legislation</li> <li>(b) Details in relation to the housing units or land to be provided and</li> <li>(c) Financial aspects.</li> </ul> <p>Developers are advised to consult with the Planning and Housing Sections of Carlow County Council at <del>an</del> <b>early stage</b> pre-planning consultation stage in order to obtain up-to-date information on options in light of changing circumstances and policy. Both the Council and the developer would then have a common understanding of the nature of the likely agreement before a decision to grant is made. It is a requirement of the Urban Regeneration and Housing Act 2015 that a Part V agreement shall be reached between the developer and the Council prior to the lodgement of the commencement notice for a permitted development.</p> <p><del>15% of all lands zoned for residential use, or a mixture of residential and other uses, shall be reserved for Social Housing and all residential developments should ensure that a range of house sizes and types are provided in schemes.</del></p>	
<p><u>Alteration of text in Chapter 4 Housing, Section 4.6.4 Application for 'Part V' Exemption Certificate</u></p> <p>Application for Part V Exemption Certificate (CDP 2015-2021- Volume 1- Written Statement pg. 101)</p> <p><b>4.6.4 Application for 'Part V' Exemption Certificate</b></p> <p>In accordance with the Planning and Development Acts 2000 (as amended), an exemption from 'Part V' requirements may be sought from the Council in the case of small housing developments i.e. those of <del>four</del> nine or fewer houses, or on land of 0.1 hectares or less. <del>This may be subject to conditions, where necessary.</del></p>	<p>An exemption from Part V is already detailed in the existing Plan provisions.</p> <p>There are no additional positive or adverse effects arising from this change (significant, potential or uncertain) that were not envisaged and/or mitigated by the SEA of the Plan. The SEA process has successfully facilitated the integration of mitigation into the Plan in order to contribute towards the protection of the environment – see Table 2.2.</p> <p>As this change would not result in significant environmental effects, SEA is not required.</p>
<p><u>Alteration of text in Chapter 11 Design and Development Standards, Section 11.3.12 'Part V'</u></p> <p><b>11.3.12 Part V</b></p> <p>Part V as set out in Section 96 of the Planning and Development Act, 2000 (as amended) applies to lands zoned for residential use or a mixture of residential and other uses. The Planning Authority in implementing Part V will have regard to the Housing Strategy in place for the County at the time of implementation and the zoning objectives for the sites concerned. At pre-planning stage, discussions should take place regarding compliance with the requirements of Part V. <del>These guidelines recommend that an agreement in principle on compliance should be reached in advance of any planning application being lodged.</del> Details to be submitted with relevant planning applications must include:</p> <ul style="list-style-type: none"> <li>(a) How the applicant intends to discharge their Part V obligation as regards a selection of a preferred option from the options available under legislation</li> </ul>	<p>Part V is already provided for in the existing Plan provisions.</p> <p>There are no additional positive or adverse effects arising from this change (significant, potential or uncertain) that were not envisaged and/or mitigated by the SEA of the Plan. The SEA process has successfully facilitated the integration of mitigation into the Plan in order to contribute towards the protection of the environment – see Table 2.2.</p> <p>As this change would not result in significant environmental effects, SEA is not required.</p>

Variation	Strategic Environmental Assessment (SEA) Screening
(b) Details in relation to the housing units or land to be provided and (c) Financial aspects.	
<p><b>7.2 Housing Strategy Policies</b></p> <p>The Council will pursue the following policies</p> <p><i>7.2.1 Key Principle 1</i></p> <p>Housing Policy 1: Require that <del>15%</del> 10% of the land zoned for residential use, or for a mixture of residential and other uses, be made available for the provision of social and affordable housing.</p>	<p>A percentage of land zoned in the development plan for residential use to be reserved for social housing is already provided for by the existing Plan.</p> <p>There are no additional positive or adverse effects arising from this change (significant, potential or uncertain) that were not envisaged and/or mitigated by the SEA of the Plan. The SEA process has successfully facilitated the integration of mitigation into the Plan in order to contribute towards the protection of the environment – see Table 2.2.</p> <p>As this change would not result in significant environmental effects, SEA is not required.</p>
<p>Housing Policy 2: Consider each planning application on an individual basis using the mechanism set out by the Part V requirement to facilitate the development of mixed tenure and income communities. Part V should not add financial pressure on the Council's finance and options for delivery may include:</p> <p><del>→ Payment of a financial contribution to the Council.</del>  <del>→ Transfer of a reduced number of units or lands in lieu, at no cost to the Council. Transferred units must be located in areas with a recognised housing need.</del>  <del>→ Transfer of a reduced number of units which are specifically adapted for persons with one or more form of disability and who have specialised housing requirement, at no cost to the Council.</del></p> <p><del>→ A combination of two or more of the above.</del></p> <p>a) Transfer to the ownership of the local authority of a part or parts of the land subject to the planning application;  b) Build and transfer to the ownership of the local authority, or persons nominated by the authority, a number of housing units on the site subject to the planning application (up to 10% of the units in the development);  c) Build and transfer to the ownership of the local authority, or persons nominated by the authority, a number of housing units on any other land in the functional area of the local authority;  d) Grant a lease of housing units to the local authority, either on the site subject to the planning application or on any other land within the functional area of the local authority to the Council of houses either within the application site or on other land within the functional area of the Council; or  e) A combination of the transfer of land under (a) above and one or more of the other options (b-d).  f) A combination of two or more of the other options (b-d)</p>	<p>Part V is already provided for in the existing Plan provisions.</p> <p>There are no additional positive or adverse effects arising from this change (significant, potential or uncertain) that were not envisaged and/or mitigated by the SEA of the Plan. The SEA process has successfully facilitated the integration of mitigation into the Plan in order to contribute towards the protection of the environment – see Table 2.2.</p> <p>As this change would not result in significant environmental effects, SEA is not required.</p>
<p>Housing Policy 3: Promote the development of specialised housing units. Student accommodation is exempted from the reserved land policy. Applications for a change of use from student accommodation to any other type of accommodation shall be resisted unless it can be proven that there is an overhanging supply of student accommodation in County Carlow. If such applications are favourably considered, they will be subjected to Part V obligations.</p>	<p>Part V is already provided for in the existing Plan provisions. The removal of this provision in relation to Part V would not result in additional positive or adverse effects (significant, potential or uncertain) that were not envisaged and/or mitigated by the SEA of the Plan. The SEA process has successfully facilitated the integration of mitigation into the Plan in order to contribute towards the protection of the environment – see Table 2.2.</p> <p>As this change would not result in significant environmental effects, SEA is not required.</p>
<p>Housing Policy 4: - Ensure that sufficient land is zoned in County Carlow for residential use to ensure that a scarcity in such land does not occur and to offer choice in the market.</p> <p>Housing Policy 5: Make available housing to persons who have different levels of income.</p>	<p>Part V is already provided for in the existing Plan provisions. The removal of this provision in relation to Part V would not result in additional positive or adverse effects (significant, potential or uncertain) that were not envisaged and/or mitigated by the SEA of the Plan. The SEA process has successfully facilitated the integration of mitigation into the Plan in order to contribute towards the protection of the environment – see Table 2.2.</p>

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<b>Variation</b>	<b>Strategic Environmental Assessment (SEA) Screening</b>
<p>Housing Policy 6: Counteract undue segregation in housing between persons of different social background and different age groups.</p> <p>Housing Policy 7: Recognise the central role of voluntary housing bodies in providing for social and specialised housing. Continue to work closely with the voluntary housing bodies to address the social housing requirements of the area.</p> <p><del>Housing Policy 8: Invite developers to discharge their Part V obligations, if appropriate, by financial contribution in areas identified in the Town Development Plan and the Local Area Plans, where there is a high concentration of social housing or where there is no immediate demand for social housing.</del></p>	<p>As this change would not result in significant environmental effects, SEA is not required.</p>
<p>There are a number of consequent policy number changes to the existing 2015 Plan policies number 9 to 22 on foot of the deletion of Plan Policy 8.</p>	<p>As these changes would not interact with the environment or result in significant environmental effects, SEA is not required.</p>

**Table 2.2 Summary of current Plan Likely Significant effects (if unmitigated), Mitigation Measure Reference(s) from the Plan and Residual Adverse Effects**

<b>Environmental Components</b>	<b>Likely Significant Effect, if Unmitigated</b>	<b>Mitigation Measure Reference(s) from the Plan, including</b>	<b>Residual Adverse Effects</b>
Biodiversity and Flora and Fauna	<p>Loss of Biodiversity with regard to Natura 2000 Sites and Annexed habitats and species</p> <p>Loss of biodiversity with regard to designated sites including Wildlife Sites and listed species</p> <p>Loss of Biodiversity with regard to ecological connectivity and stepping stones</p>	<ul style="list-style-type: none"> <li>• Heritage Policy 1</li> <li>• Heritage Policy 2</li> <li>• E.D Policy 6</li> <li>• E.D Policy 10</li> <li>• E.D Policy 15</li> <li>• Trans Policy 2</li> <li>• Energy Policy 1</li> <li>• Rec. Policy 4</li> <li>• Env. Policy 4</li> <li>• Env. Policy 1</li> <li>• Env Policy 5</li> <li>• Env Objective 3</li> <li>• Heritage Objective 5</li> <li>• Heritage Objective 7</li> <li>• Heritage Objective 1</li> <li>• Heritage Objective 2</li> <li>• Heritage Objective 4</li> <li>• Heritage Objective 6</li> <li>• Heritage Objective 3</li> <li>• Objective SDO 6 Tourism</li> <li>• Objective CS8</li> </ul>	Loss of an extent of non-protected habitats arising from the replacement of semi-natural land covers with artificial surfaces
Population and Human Health	<p>Loss of population of the county involved in land management.</p> <p>Spatially concentrated deterioration in human health</p>	<ul style="list-style-type: none"> <li>• Heritage Objective 1</li> <li>• Heritage Objective 2</li> <li>• Heritage Objective 4</li> <li>• Heritage Objective 6</li> <li>• Heritage Objective 3</li> <li>• Env Policy 5</li> </ul>	None
Soil	Damage to the hydrological and ecological function of the soil resource	<ul style="list-style-type: none"> <li>• Env Policy 2</li> </ul>	Loss of extent of soil function arising from the replacement of semi-natural land covers with artificial surfaces
Water	<p>Adverse impacts upon the status and quality of water bodies</p> <p>Increase in the risk of flooding</p>	<ul style="list-style-type: none"> <li>• Env Policy 7</li> <li>• Policy IE51</li> <li>• Policy IE52</li> <li>• Action</li> <li>• Ensure the completion of the mapping of source protection areas</li> <li>• Env Objective 3</li> <li>• 5.5 Carlow Logistics Park</li> </ul>	Flood related risks remain due to uncertainty with regard to extreme weather events
Material Assets	Failure to provide adequate and appropriate waste water treatment and Failure to comply with drinking water regulations and serve new development with adequate drinking water that is both wholesome and clean	<ul style="list-style-type: none"> <li>• Env Policy 6</li> </ul>	Residual wastes to be disposed of in line with higher level waste management policies

<b>Environmental Components</b>	<b>Likely Significant Effect, if Unmitigated</b>	<b>Mitigation Measure Reference(s) from the Plan, including</b>	<b>Residual Adverse Effects</b>
Cultural Heritage	<p>Effects on entries to the Record of Monuments and Places and other archaeological heritage</p> <p>Effects on entries to the Records of Protected Structures, Architectural Conservation Areas and other architectural heritage</p>	<ul style="list-style-type: none"> <li>• Heritage Policy 3</li> <li>• Heritage Policy 4</li> </ul>	<p>Potential alteration to the context and setting of architectural heritages (Protected Structures) however these will occur in compliance with legislation</p> <p>Potential alteration to the context and setting of archaeological heritages (Record Monuments) however this will occur in compliance with legislation.</p> <p>Potential loss of unknown archaeological however this loss will be mitigated by measures integrated into the Plan.</p>
Climatic Factors	<p>Failure to contribute towards sustainable transport and associated impacts</p> <p>Increase in waste levels</p>	<ul style="list-style-type: none"> <li>• Trans Policy 6</li> <li>• Trans Policy 7</li> <li>• Trans Policy 8</li> <li>• Trans Policy 9</li> <li>• Trans Policy 10</li> <li>• Trans Policy 11</li> <li>• Trans Policy 12</li> </ul>	None
Landscape	Occurrence of adverse visual impacts	<ul style="list-style-type: none"> <li>• Heritage Policy 1</li> </ul>	None

## 2.4 Schedule 2A

### PART 1

**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 changes provided for by the Variation relate to the provisions of the Carlow County Development Plan which provides a framework for land use planning in County Carlow.

Taking the above and the examination of the various parts of the Variation provided under Section 2.3 into account, arising from the degree to which the Variation and existing 2015 County Development Plan set a framework for projects and other activities, the Variation would not be likely to result in significant environmental effects.

**2. *The characteristics of the plan having regard, in particular, to: the degree to which the plan influences other plans, including those in a hierarchy***

The Variation is being made to the existing 2015 County Development Plan. The County Development Plan is influenced by higher level legislation, plans and programmes and influences lower tier plans including Local Area Plans.

Taking the above and the examination of the various parts of the Variation provided under Section 2.3 into account, arising from the degree to which the Variation and existing 2015 County Development Plan influence other plans, the Variation would not be likely to result in significant environmental effects.

**3. *The characteristics of the plan having regard, in particular, to: the relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development***

The 2015 County Development Plan - to which the Variation relates - has undergone SEA. This process integrated environmental considerations into the Plan and found that the Plan contributes to environmental protection and management and sustainable development.

Taking the above and the examination of the various parts of the Variation provided under Section 2.3 into account, arising from the relevance of the Variation and existing 2015 County Development Plan for the integration of environmental considerations in particular with a view to promoting sustainable development, the Variation would not be likely to result in significant environmental effects.

**4. *The characteristics of the plan having regard, in particular, to: 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 2015 County Development Plan contributes towards ensuring that environmental conditions do not get worse and, where possible, it contributes towards its amelioration.

Taking the above and the examination of the various parts of the Variation provided under Section 2.3 into account, arising from environmental problems relevant to the Variation and associated 2015 County Development Plan, the Variation would not be likely to result in significant environmental effects.

**5. The characteristics of the plan having regard, in particular, to: 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)**

The 2015 County Development Plan relates to the land use sector and has undergone SEA. This process integrated considerations with regard to EU and national legislation on the environment into the Plan, including those relating to the waste management and the Water Framework Directive.

Taking the above and the examination of the various parts of the Variation provided under Section 2.3 into account, arising from the relevance of the Variation and associated 2015 County Development Plan for the implementation of European Union legislation on the environment, the Variation would not be likely to result in significant environmental effects.

**PART 2**

**1. 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 Variation would not be likely to result in significant environmental effects (see responses under Schedule 2A Part 1 above and the examination of the various parts of the Variation provided under Section 2.3).

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

The Variation would not be likely to result in significant environmental effects (see responses under Schedule 2A Part 1 above and the examination of the various parts of the Variation provided under Section 2.3).

**3. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to: the transboundary nature of the effects**

The Variation would not be likely to result in significant environmental effects (see responses under Schedule 2A Part 1 above and the examination of the various parts of the Variation provided under Section 2.3).

**4. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to: the risks to human health or the environment (e.g. due to accidents)**

The Variation would not be likely to result in significant environmental effects (see responses under Schedule 2A Part 1 above and the examination of the various parts of the Variation provided under Section 2.3).

**5. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to: the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)**

The Variation would not be likely to result in significant environmental effects (see responses under Schedule 2A Part 1 above and the examination of the various parts of the Variation provided under Section 2.3).



**6. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to: the value and vulnerability of the area likely to be affected due to:**

**a) special natural characteristics or cultural heritage;**

The Variation would not be likely to result in significant environmental effects (see responses under Schedule 2A Part 1 above and the examination of the various parts of the Variation provided under Section 2.3).

**b) exceeded environmental quality standards or limit values, and;**

The Variation would not be likely to result in significant environmental effects (see responses under Schedule 2A Part 1 above and the examination of the various parts of the Variation provided under Section 2.3).

**c) intensive land-use.**

The Variation would not be likely to result in significant environmental effects (see responses under Schedule 2A Part 1 above and the examination of the various parts of the Variation provided under Section 2.3).

**7. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to: the effects on areas or landscapes which have a recognised national, European Union or international protection status**

The Variation would not be likely to result in significant environmental effects (see responses under Schedule 2A Part 1 above and the examination of the various parts of the Variation provided under Section 2.3).

## **Section 3 Conclusion**

Screening is the process for deciding whether a particular plan - or variation to a plan -, other than those for which SEA is mandatory, would be likely to have significant environmental effects, and would thus warrant SEA. The purpose of the report is to provide the findings of the evaluation of the requirement for SEA to be undertaken on the Variation No. 1 (b) for the Carlow County Development Plan 2015-2021.

The potential effects arising from the Variation are either present already (beneficial) and will be further contributed towards or will be mitigated by provisions already in force so as not to be significant (adverse). On this basis, it was determined that SEA was not required to be undertaken on the Proposed Variation. There were no changes made to the Proposed Variation No. 1(b) that was placed on public display before adoption.

A one-page SEA determination that was made in April 2016, in advance of public display of the Variation accompanies this SEA Screening Report.

# Appendix I Plan/Variation Relationship with Legislation and Other Plans and Programmes

This appendix is not intended to be a full and comprehensive review of EU Directives, the transposing regulations or the regulatory framework for environmental protection and management. The information is not exhaustive and it is recommended to consult the Directive, Regulation, Plan or Programme to become familiar with the full details of each.

<b>European</b>				
<b>Directive/ Protocol/ Strategy/ Programme</b>	<b>High Level Aim/ Purpose/ Objective</b>	<b>Lower level objectives, actions etc.</b>	<b>Relevant legislation in Ireland</b>	<b>Relevance to the Plan being varied</b>
UN Kyoto Protocol and the Second European Climate Change Programme (ECCP II)	The UN Kyoto Protocol set of policy measures to reduce greenhouse gas emissions The Second European Climate Change Programme (ECCP II) aims to identify and develop all the necessary elements of an EU strategy to implement the Kyoto Protocol	<ul style="list-style-type: none"> <li>The Kyoto Protocol is implemented through the European Climate Change Programme (ECCP II)</li> <li>EU member states implement measures to improve on or complement the specified measures and policies arising from the ECCP</li> </ul>	National Policy Position and final Heads of the Climate Action and Low-Carbon Development Bill	To cumulatively contribute towards – in combination with other users and bodies – the achievement of the objectives of the regulatory framework for environmental protection and management
EU 2020 climate and energy package	<ul style="list-style-type: none"> <li>Binding legislation which aims to ensure the European Union meets its climate and energy targets for 2020</li> <li>Aims to achieve a 20% reduction in EU greenhouse gas emissions from 1990 levels</li> <li>Aims to raise the share of EU energy consumption produced from renewable resources to 20%</li> <li>Achieve a 20% improvement in the EU's energy efficiency</li> </ul>	Four pieces of complimentary legislation: <ul style="list-style-type: none"> <li>Reform of the EU Emissions Trading System (EU ETS) to include a cap on emission allowances in addition to existing system of national caps</li> <li>Member states have agreed national targets for non-EU ETS emissions from countries outside the EU</li> <li>Meet the national renewable energy targets of 16% for Ireland by 2020</li> <li>Prepare a legal framework for technologies in carbon capture and storage</li> </ul>	The Framework for Climate Change Bill European Communities (Renewable Energy) Regulations 2011 (S.I. No. 147/2011)	To cumulatively contribute towards – in combination with other users and bodies – the achievement of the objectives of the regulatory framework for environmental protection and management
Habitats Directive (92/43/EEC)	<ul style="list-style-type: none"> <li>Promote the preservation, protection and improvement of the quality of the environment, including the conservation of natural habitats and of wild fauna and flora</li> <li>Contribute towards ensuring biodiversity through the conservation of natural habitats and of wild fauna and flora</li> <li>Maintain or restore to favourable conservation status, natural habitats and species of wild fauna and flora of Community interest</li> <li>Promote the maintenance of biodiversity, taking account of economic, social, cultural and regional requirements.</li> </ul>	<ul style="list-style-type: none"> <li>Propose and protect sites of importance to habitats, plant and animal species</li> <li>Establish a network of Natura 2000 sites hosting the natural habitat types listed in Annex I and habitats of the species listed in Annex II, to enable the natural habitat types and the species' habitats concerned to be maintained or, where appropriate, restored at a favourable conservation status in their natural range</li> <li>Carry out comprehensive assessment of habitat types and species present</li> <li>Establish a system of strict protection for the animal species and plant species listed in Annex IV</li> </ul>	European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477/2011)  The Wildlife Act 1976 and the Wildlife (Amendment) Act 2000	The Council is obliged to comply with, as relevant and appropriate, the requirements of the Directive and transposing regulations

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<p>Birds Directive (2009/147/EC)</p>	<ul style="list-style-type: none"> <li>• Conserve all species of naturally occurring birds in the wild state including their eggs, nests and habitats</li> <li>• Protect, manage and control these species and comply with regulations relating to their exploitation</li> <li>• The species included in Annex I shall be the subject of special conservation measures concerning their habitat in order to ensure their survival and reproduction in their area of distribution</li> </ul>	<ul style="list-style-type: none"> <li>• Preserve, maintain or re-establish a sufficient diversity and area of habitats for all the species of birds referred to in Annex 1.</li> <li>• Preserve, maintain and establish biotopes and habitats to include the creation of protected areas (Special Protection Areas); ensure the upkeep and management in accordance with the ecological needs of habitats inside and outside the protected zones, re-establish destroyed biotopes and creation of biotopes</li> <li>• Measures for regularly occurring migratory species not listed in Annex I is required as regards their breeding, moulting and wintering areas and staging posts along their migration routes. The protection of wetlands and particularly wetlands of international importance.</li> </ul>	<p>European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477/2011)</p>	<p>The Council is obliged to comply with, as relevant and appropriate, the requirements of the Directive and transposing regulations</p>
<p>European Union Biodiversity Strategy to 2020</p>	<ul style="list-style-type: none"> <li>• Aims to halt or reverse biodiversity loss and speed up the EUs transition towards a resource efficient and green economy</li> <li>• Halting the loss of biodiversity and the degradation of ecosystem services in the EU by 2020, and restoring them insofar as feasible</li> </ul>	<ul style="list-style-type: none"> <li>• Outlines six targets and twenty actions to aid European in halting the loss to biodiversity and eco-system services</li> <li>• The six targets cover: <ul style="list-style-type: none"> <li>○ Full implementation of EU nature legislation to protect biodiversity</li> <li>○ Maintaining, enhancing and protecting for ecosystems, and green infrastructure</li> <li>○ Ensuring sustainable agriculture, and forestry</li> <li>○ Sustainable Management of fish stocks</li> <li>○ Reducing invasive alien species</li> <li>○ Addressing the global need to contribute towards averting global biodiversity loss</li> </ul> </li> </ul>		

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<p>The Clean Air for Europe Directive (2008/50/EC)</p> <p>Fourth Daughter Directive (2004/107/EC)</p>	<ul style="list-style-type: none"> <li>• The CAFE Directive merges existing legislation into a single directive (except for the fourth daughter directive)</li> <li>• Sets new air quality objectives for PM2.5 (fine particles) including the limit value and exposure related objectives</li> <li>• Accounts for the possibility to discount natural sources of pollution when assessing compliance against limit values</li> <li>• Allows the possibility for time extensions of three years (PM10) or up to five years (NO2, benzene) for complying with limit values, based on conditions and the assessment by the European Commission.</li> <li>• The Fourth Daughter Directive lists pollutants, target values and monitoring requirements for the following: arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air</li> </ul>	<ul style="list-style-type: none"> <li>• Sets objectives for ambient air quality</li> <li>• designed to avoid, prevent or reduce harmful effects on human health and the environment as a whole</li> <li>• Aims to assess the ambient air quality in Member States on the basis of common methods and criteria;</li> <li>• Obtains information on ambient air quality in order to help combat air pollution and nuisance and to monitor long-term</li> <li>• trends and improvements resulting from national and Community</li> <li>• measures;</li> <li>• Ensures that such information on ambient air quality is made available to the public;</li> <li>• Aims to maintain air quality where it is good and improving it in other cases;</li> <li>• Aims to promote increased cooperation between the Member States in reducing air pollution.</li> </ul>	<p>Air Quality Standards Regulations 2011 (S.I. No. 180 of 2011)</p> <p>Arsenic, Cadmium, Mercury, Nickel and Polycyclic Aromatic Hydrocarbons in Ambient Air Regulations 2009 (S.I. No. 58 of 2009)</p>	<p>The Council is obliged to comply with, as relevant and appropriate, the requirements of the Directive and transposing regulations</p>
<p>Noise Directive 2002/49/EC</p>	<p>Noise Directive - Directive 2002/49/EC relating to the assessment and management of environmental noise - is part of an EU strategy setting out to reduce the number of people affected by noise in the longer term and to provide a framework for developing existing Community policy on noise reduction from source.</p>	<p>Directive requires competent authorities in Member States to:</p> <ul style="list-style-type: none"> <li>• Draw up strategic noise maps for major roads, railways, airports and agglomerations, using harmonised noise indicators and use these maps to assess the number of people which may be impacted upon as a result of excessive noise levels;</li> <li>• Draw up action plans to reduce noise where necessary and maintain environmental noise quality where it is good; and</li> <li>• Inform and consult the public about noise exposure, its effects, and the measures considered to address noise.</li> </ul> <p>Directive does not set any limit value, nor does it prescribe the measures to be used in the action plans, which remain at the discretion of the competent authorities.</p>	<p>Environmental Noise Regulations 2006 (S.I. No. 140 of 2006)</p>	<p>The Council is obliged to comply with, as relevant and appropriate, the requirements of the Directive and transposing regulations</p>

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<p>Floods Directive (2007/60/EC)</p>	<ul style="list-style-type: none"> <li>Establishes a framework for the assessment and management of flood risks</li> <li>Reduce adverse consequences for human health, the environment, cultural heritage and economic activity associated with floods in the Community</li> </ul>	<ul style="list-style-type: none"> <li>Assess all water courses and coast lines at risk from flooding through Flood Risk Assessment</li> <li>Prepare flood hazard maps and flood risk maps outlining the extent or potential of flooding and assets and humans at risk in these areas at River Basin District level (Article 3(2) (b)) and areas covered by Article 5(1) and Article 13(1) (b) in accordance with paragraphs 2 and 3</li> <li>Implement flood risk management plans and take adequate and coordinated measures to reduce flood risk for the areas covered by the Articles listed above</li> <li>Inform the public and allow the public to participate in planning process</li> </ul>	<p>European Communities (Assessment and Management of Flood Risks) Regulations (S.I. 122/2010)</p> <p>European Union (Environmental Impact Assessment) (Flood Risk) Regulations 2012 (S.I. No. 470/2012)</p>	<p>The Council is obliged to comply with, as relevant and appropriate, the requirements of the Directive and transposing regulations</p>
<p>Water Framework Directive (2000/60/EC)</p>	<ul style="list-style-type: none"> <li>Establish a framework for the protection of water bodies to include inland surface waters, transitional waters, coastal waters and groundwater and their dependent wildlife and habitats</li> <li>Preserve and prevent the deterioration of water status and where necessary improve and maintain "good status" of water bodies</li> <li>Promote sustainable water usage</li> <li>The Water Framework Directive repealed the following Directives:             <ul style="list-style-type: none"> <li>The Drinking Water Abstraction Directive</li> <li>Sampling Drinking Water Directive</li> <li>Exchange of Information on Quality of Surface Freshwater Directive</li> <li>Shellfish Directive</li> <li>Freshwater Fish Directive</li> <li>Groundwater (Dangerous Substances) Directive</li> <li>Dangerous Substances Directive</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Protect, enhance and restore all water bodies and meet the environmental objectives outlined in Article 4 of the Directive</li> <li>Achieve "good status" for all waters by December 2015</li> <li>Manage water bodies based on identifying and establishing river basins districts</li> <li>Involve the public and streamline legislation</li> <li>Prepare and implement a River Basin Management Plan for each river basin districts identified and a Register of Protected Areas</li> <li>Establish a programme of monitoring for surface water status, ground water status and protected areas</li> <li>Recover costs for water services</li> </ul>	<p>European Communities (Water Policy) Regulations 2003 (S.I. No. 722 of 2003) (as amended)</p>	<p>The Council is obliged to comply with, as relevant and appropriate, the requirements of the Directive and transposing regulations</p>
<p>Groundwater Directive (2006/118/EC)</p>	<ul style="list-style-type: none"> <li>Protect, control and conserve groundwater</li> <li>Prevent the deterioration of the status of all bodies of groundwater</li> <li>Implements measures to prevent and control groundwater pollution, including criteria for assessing good groundwater chemical status and criteria for the identification of significant and sustained upward trends and for the definition of starting points for trend reversals.</li> </ul>	<ul style="list-style-type: none"> <li>Meet minimum groundwater standards listed in Annex 1 of Directive</li> <li>Meet threshold values adopted by national legislation for the pollutants, groups of pollutants and indicators of pollution which have been identified as contributing to the characterisation of bodies or groups of bodies of groundwater as being at risk, also taking into account Part B of Annex II</li> </ul>	<p>European Communities Environmental Objectives (Groundwater) Regulations 2010 (S.I. No. 9/2010) (as amended)</p>	<p>The Council is obliged to comply with, as relevant and appropriate, the requirements of the Directive and transposing regulations</p>

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<p>Drinking Water Directive (98/83/EC)</p>	<ul style="list-style-type: none"> <li>• Improve and maintain the quality of water intended for human consumption</li> <li>• Protect human health from the adverse effects of any contamination of water intended for human consumption by ensuring that it is wholesome and clean</li> </ul>	<ul style="list-style-type: none"> <li>• Set values applicable to water intended for human consumption for the parameters set out in Annex I</li> <li>• Set values for additional parameters not included in Annex I, where the protection of human health within national territory or part of it so requires. The values set should, as a minimum, satisfy the requirements of Article 4(1) (a)</li> <li>• Implement all measures necessary to ensure that regular monitoring of the quality of water intended for human consumption is carried out, in order to check that the water available to consumers meets the requirements of this Directive and in particular the parametric values set in accordance with Article 5</li> <li>• Ensure that any failure to meet the parametric values set in accordance with Article 5 is immediately investigated in order to identify the cause</li> <li>• Ensure that the necessary remedial action is taken as soon as possible to restore its quality and shall give priority to their enforcement action</li> <li>• Undertake remedial action to restore the quality of the water where necessary to protect human health</li> <li>• Notify consumers when remedial action is being undertaken except where the competent authorities consider the non-compliance with the parametric value to be trivial</li> </ul>	<p>European Union (Drinking Water) Regulations 2014 (S.I. No. 106 of 2007) (as amended)</p> <p>European Communities (Water Policy) Regulations 2003 (S.I. No. 722 of 2003)</p>	<p>The Council is obliged to comply with, as relevant and appropriate, the requirements of the Directive and transposing regulations</p>
<p>Urban Waste Water Treatment Directive (91/271/EEC)</p>	<ul style="list-style-type: none"> <li>• This Directive concerns the collection, treatment and discharge of urban waste water and the treatment and discharge of waste water from certain industrial sectors</li> <li>• The objective of the Directive is to protect the environment from the adverse effects of waste water discharges</li> </ul>	<ul style="list-style-type: none"> <li>• Urban waste water entering collecting systems shall before discharge, be subject to secondary treatment</li> <li>• Annex II requires the designation of areas sensitive to eutrophication which receive water discharges</li> <li>• Establishes minimum requirements for urban waste water collection and treatment systems in specified agglomerations to include special requirements for sensitive areas and certain industrial sectors</li> </ul>	<p>European Communities (Urban Waste Water Treatment) Regulations 2001 (S.I. No. 254/2001)</p>	<p>The Council is obliged to comply with, as relevant and appropriate, the requirements of the Directive and transposing regulations</p>

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<p>Environmental Liability Directive (2004/35/EC)</p>	<ul style="list-style-type: none"> <li>Establish a framework of environmental liability based on the 'polluter-pays' principle, to prevent and remedy environmental damage</li> </ul>	<ul style="list-style-type: none"> <li>Relates to environmental damage caused by any of the occupational activities listed in Annex III, and to any imminent threat of such damage occurring by reason of any of those activities; damage to protected species and natural habitats caused by any occupational activities other than those listed in Annex III, and to any imminent threat of such damage occurring by reason of any of those activities, whenever the operator has been at fault or negligent</li> <li>Where environmental damage has not yet occurred but there is an imminent threat of such damage occurring, the operator shall, without delay, take the necessary preventive measures</li> <li>Where environmental damage has occurred the operator shall, without delay, inform the competent authority of all relevant aspects of the situation and take all practicable steps to immediately control, contain, remove or otherwise manage the relevant contaminants and/or any other damage factors in order to limit or to prevent further environmental damage and adverse effects on human health or further impairment of services and the necessary remedial measures, in accordance with Article 7.</li> <li>The operator shall bear the costs for the preventive and remedial actions taken pursuant to this Directive</li> <li>The competent authority shall be entitled to initiate cost recovery proceedings against the operator</li> <li>The operator may be required to provide financial security guarantees to ensure their responsibilities under the directive are met</li> </ul>	<p>European Communities (Environmental Liability) Regulations, 2008</p>	<p>The Council is obliged to comply with, as relevant and appropriate, the requirements of the Directive and transposing regulations</p>
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<p>SEA Directive (2001/42/EC)</p>	<ul style="list-style-type: none"> <li>• Contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development</li> <li>• Provide for a high level of protection of the environment by carrying out an environmental assessment of plans and programmes which are likely to have significant effects on the environment</li> </ul>	<ul style="list-style-type: none"> <li>• Carry out an environmental assessment for plans or programmes referred to in Articles 2 to 4 of the Directive</li> <li>• Prepare an environmental report which identifies, describes and evaluates the likely significant effects on the environment of implementing the plan or programme and reasonable alternatives that consider the objectives and the geographical scope of the plan or programme</li> <li>• Consult with relevant authorities, stakeholders and public allowing sufficient time to make a submission</li> <li>• Consult other Member States where the implementation of a plan or programme is likely to have transboundary environmental effects</li> <li>• Inform relevant authorities and stakeholders on the decision to implement the plan or programme</li> <li>• Issue a statement to include requirements detailed in Article 9 of the Directive</li> <li>• Monitor and mitigate significant environmental effects identified by the assessment</li> </ul>	<p>European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (S.I. No. 435/ 2004) (as amended)</p> <p>Planning and Development (Strategic Environmental Assessment) Regulations 2004 (S.I. No. 436/2004) (as amended)</p>	<p>The Council is obliged to comply with, as relevant and appropriate, the requirements of the Directive and transposing regulations</p>
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<p>EIA Directive (2011/92/EU as amended by 2014/52/EU)</p>	<ul style="list-style-type: none"> <li>Requires the assessment of the environmental effects of public and private projects which are likely to have significant effects on the environment</li> <li>Aims to assess and implement avoidance or mitigation measures to eliminate environmental effects, before consent is given of projects likely to have significant effects on the environment by virtue, inter alia, of their nature, size or location are made subject to a requirement for development consent and an assessment with regard to their effects. Those projects are defined in Article 4</li> </ul>	<ul style="list-style-type: none"> <li>All projects listed in Annex I are considered as having significant effects on the environment and require an EIA</li> <li>For projects listed in Annex II, a "screening procedure" is required to determine the effects of projects on the basis of thresholds/criteria or a case by case examination. This should take into account Annex III.</li> <li>The environmental impact assessment shall identify, describe and assess in an appropriate manner, in the light of each individual case and in accordance with Articles 4 to 12, the direct and indirect effects of a project on the following factors: human beings, fauna and flora, soil, water, air, climate and the landscape, material assets and the cultural heritage, the interaction between each factor</li> <li>Consult with relevant authorities, stakeholders and public allowing sufficient time to make a submission before a decision is made</li> <li>The information to be provided by the developer in accordance with paragraph 1 shall include at least:             <ul style="list-style-type: none"> <li>a description of the project comprising information on the site, design and size of the project;</li> <li>a description of the measures envisaged in order to avoid, reduce and, if possible, remedy significant adverse effects;</li> <li>the data required to identify and assess the main effects which the project is likely to have on the environment;</li> <li>an outline of the main alternatives studied by the developer and an indication of the main reasons for his choice, taking into account the environmental effects;</li> <li>a non-technical summary of the information referred to each of the above</li> </ul> </li> </ul>	<p>European Communities (Environmental Impact Assessment) Regulations 1989 (S.I. No. 349/1989) (as amended)</p> <p>European Union (Environmental Impact Assessment) (Flood Risk) Regulations 2012 (S.I. No. 470/2012)</p>	<p>The Council is obliged to comply with, as relevant and appropriate, the requirements of the Directive and transposing regulations</p>
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<b>National</b>				
<b>Policy/ Framework / Initiative / Strategy</b>	<b>High Level Aim/ Purpose/ Objective</b>	<b>Lower level relevant objectives, actions etc.</b>	<b>Relevant legislation</b>	<b>Relevance to the Plan being varied</b>
Infrastructure and Capital Investment 2012-16: Medium Term Exchequer Framework	<ul style="list-style-type: none"> <li>Reviews infrastructure and capital spending over a medium timeframe to ensure investment is made in the best areas</li> <li>Identifies gaps in existing infrastructure that require addressing to aid economic recovery, social cohesion and environmental sustainability</li> </ul>	<p>The approach identifies four main components of the investment strategy as follows:</p> <ul style="list-style-type: none"> <li>Economic infrastructure- encompassing transport networks, energy provisions and telecommunications capacity</li> <li>Investment in the productive sector and human capital- such as direct supports for enterprise development; science, technology and innovation advancement; supports for tourism, agriculture, fisheries and forestry; and capital investment in education infrastructure</li> <li>Environmental Infrastructure- including our waste and water systems and investment for environmental sustainability</li> <li>Critical social investment- such as health service and social housing problems</li> </ul>	Not applicable	To cumulatively contribute towards- in combination with other users and bodies- the achievement of objectives of the regulatory framework for environmental and management
Smarter Travel – A Sustainable Transport Future – A New Transport Policy for Ireland 2009 – 2020 (2009)	<ul style="list-style-type: none"> <li>Outlines a policy for how a sustainable travel and transport system can be achieved</li> <li>Sets out five key goals: <ul style="list-style-type: none"> <li>To reduce overall travel demand.</li> <li>To maximise the efficiency of the transport network.</li> <li>To reduce reliance on fossil fuels.</li> <li>To reduce transport emissions.</li> <li>To improve accessibility to transport.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Others lower level aims include: <ul style="list-style-type: none"> <li>reduce distance travelled by private car and encourage smarter travel, including focusing population growth in areas of employment and to encourage people to live in close proximity to places of employment</li> <li>ensuring that alternatives to the car are more widely available, mainly through a radically improved public transport service and through investment in cycling and walking</li> <li>improving the fuel efficiency of motorised transport through improved fleet structure, energy efficient driving and alternative technologies</li> <li>strengthening institutional arrangements to deliver the targets</li> </ul> </li> </ul>	not applicable	In combination with this Policy the Plan as varied will contribute towards smarter travel and associated positive environmental effects.
Ireland's First National Cycle Policy Framework (2009)	<ul style="list-style-type: none"> <li>Outlines objectives and actions aimed at developing a strong cycle network in Ireland</li> <li>Sets out 19 specific objectives, and details the 109 actions, aimed at ensuring that a cycling culture is developed</li> </ul>	<ul style="list-style-type: none"> <li>Sets a target where 10% of all journeys will be made by bike by 2020</li> <li>Proposes the planning, infrastructure, communication, education and stakeholder participations measures required to implement the initiative</li> </ul>	not applicable	In combination with this Framework the Plan as varied will contribute towards smarter travel and associated positive environmental effects.

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Scoping Study for a National Cycle Network (NCN)	<ul style="list-style-type: none"> <li>Investigated the feasibility of developing a National Cycle Network for recreational routes in rural areas, urban areas and connecting larger urban areas</li> <li>The scoping study and subsequent workshops resulted in a recommended National Cycle Network</li> </ul>	not applicable	not applicable	In combination with this Study the Plan as varied will contribute towards smarter travel and associated positive environmental effects.
Strategic Framework for Integrated Land use and Transport (SFILT) – Department of Transport, Tourism And Sport	<ul style="list-style-type: none"> <li>Presents the findings and conclusions of a steering group which was convened and tasked with overseeing the preparation of an integrated, evidence-based framework that would guide key land transport investment decisions.</li> </ul>	Key features of the framework policy include the following: <ul style="list-style-type: none"> <li>Focus on economic growth</li> <li>Principles to frame future investment</li> </ul>	not applicable	In combination with this Study the Plan as varied will contribute towards smarter travel and associated positive environmental effects.
National Climate Change Strategy 2007 – 2012 (2007)	<ul style="list-style-type: none"> <li>Outlines measures to be undertaken to meet greenhouse gas emission commitments</li> </ul>	not applicable	not applicable	To cumulatively contribute towards – in combination with other users and bodies – the achievement of the objectives of the regulatory framework for environmental protection and management
Delivering a Sustainable Energy Future for Ireland – The Energy Policy Framework 2007 – 2020 (2007)	<ul style="list-style-type: none"> <li>White paper setting out a framework for delivering a sustainable energy future in Ireland</li> <li>Outlines strategic Goals for: <ul style="list-style-type: none"> <li>Security of Supply</li> <li>Sustainability of Energy</li> <li>Competitiveness of Energy Supply</li> </ul> </li> </ul>	The underpinning Strategic Goals are: <ul style="list-style-type: none"> <li>Ensuring that electricity supply consistently meets demand</li> <li>Ensuring the physical security and reliability of gas supplies to Ireland</li> <li>Enhancing the diversity of fuels used for power generation</li> <li>Delivering electricity and gas to homes and businesses over efficient, reliable and secure networks</li> <li>Creating a stable attractive environment for hydrocarbon exploration and production</li> <li>Being prepared for energy supply disruptions</li> </ul>	not applicable	To cumulatively contribute towards – in combination with other users and bodies – the achievement of the objectives of the regulatory framework for environmental protection and management
National Climate Change Adaptation Framework (DECLG, 2012)	National Climate Change Adaptation Framework provides a strategic policy focus to ensure adaptation measures are taken across different sectors and levels of government to reduce Ireland's vulnerability to the negative impacts of climate change.	Actions include those relating to: <ul style="list-style-type: none"> <li>Research and Knowledge Base</li> <li>Governance</li> <li>Local Plans</li> <li>Stakeholder Consultation</li> </ul>	not applicable	To cumulatively contribute towards – in combination with other users and bodies – the achievement of the objectives of the regulatory framework for environmental protection and management
National Renewable Energy Action Plan	<ul style="list-style-type: none"> <li>A strategic approach for Ireland including measures to meet European targets for 2020 including Ireland's 16% target of gross final consumption to come from renewables by 2020</li> </ul>	not applicable	Renewable Energy Directive 2009/28/EC	To cumulatively contribute towards – in combination with other users and bodies – the achievement of the objectives of the regulatory framework for environmental protection and management

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National Energy Efficiency Action Plan for Ireland 2007 – 2020 (2007)	<ul style="list-style-type: none"> <li>This is the second National Energy Efficiency Action Plan for Ireland</li> </ul>	<ul style="list-style-type: none"> <li>The Plan reviews the original 90 actions outlined in the first Plan and updates/renews/removes them as appropriate</li> </ul>	not applicable	To cumulatively contribute towards – in combination with other users and bodies – the achievement of the objectives of the regulatory framework for environmental protection and management
Sustainable Development – A Strategy for Ireland (1997)	<ul style="list-style-type: none"> <li>Provides an analysis and a strategic framework for sustainable development in Ireland</li> <li>Identifies the approaches required to support sustainable development</li> </ul>	not applicable	not applicable	To cumulatively contribute towards – in combination with other users and bodies – the achievement of the objectives of the regulatory framework for environmental protection and management
Wildlife Act of 1976 Wildlife (Amendment) Act, 2000	<ul style="list-style-type: none"> <li>The act provides protection and conservation of wild flora and fauna</li> </ul>	<ul style="list-style-type: none"> <li>Provides protection for certain species, their habitats and important ecosystems</li> <li>Give statutory protection to NHAs</li> <li>Enhances wildlife species and their habitats</li> <li>Includes more species for protection</li> </ul>	not applicable	The Council is obliged to comply with, as relevant and appropriate, the requirements of this legislation
Actions for Biodiversity 2011-2016 Ireland's National Biodiversity Plan, 2011	<ul style="list-style-type: none"> <li>Sets out strategic objectives, targets and actions to conserve and restore Ireland's biodiversity and to prevent and reduce the loss of biodiversity in Ireland and globally</li> </ul>	<ul style="list-style-type: none"> <li>To mainstream biodiversity in the decision-making process across all sectors</li> <li>To substantially strengthen the knowledge base for conservation, management and sustainable use of biodiversity</li> <li>To increase awareness and appreciation of biodiversity and ecosystems services</li> <li>To conserve and restore biodiversity and ecosystem services in the wider countryside</li> <li>To conserve and restore biodiversity and ecosystem services in the marine environment</li> <li>To expand and improve on the management of protected areas and legally protected species</li> <li>To substantially strengthen the effectiveness of international governance for biodiversity and ecosystem services</li> </ul>	not applicable	To cumulatively contribute towards – in combination with other users and bodies – the achievement of the objectives of the regulatory framework for environmental protection and management

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<p>The Planning System and Flood Risk Management – Guidelines for Planning Authorities (2009)</p>	<ul style="list-style-type: none"> <li>• Sets out comprehensive mechanisms for the incorporation of flood risk identification, assessment and management into the planning process</li> <li>• Ensures flood risk is a key consideration in preparing development plans and local area plans and in the assessment of planning applications</li> <li>• Implementation of the Guidelines is through actions at national, regional, local authority and site-specific levels</li> </ul>	<ul style="list-style-type: none"> <li>• Avoid inappropriate development in areas at risk of flooding</li> <li>• Avoid new developments increasing flood risk elsewhere, including that which may arise from surface water run-off</li> <li>• Ensure effective management of residual risks for development permitted in floodplains</li> <li>• Avoid unnecessary restriction of national, regional or local economic and social growth</li> <li>• Improve the understanding of flood risk among relevant stakeholders</li> <li>• Ensure that the requirements of EU and national law in relation to the natural environment and nature conservation are complied with at all stages of flood risk management.</li> </ul>	<p>Planning and Development Act 2000 (as amended)</p> <p>S.I. No. 122/2010 EC (Assessment and Management of Flood Risks) Regulations 2010</p> <p>S.I. No. 470/2012 European Union (Environmental Impact Assessment) (Flood Risk) Regulations 2012.</p>	<p>The Council is obliged to comply with, as relevant and appropriate, the requirements of these Guidelines</p>
<p>European Communities (Water Policy) Regulations of 2003 (SI 722 of 2003)</p> <p>European Communities (Water Policy) Regulations of 2003 (SI 350 of 2014)</p>	<ul style="list-style-type: none"> <li>• Transpose the Water Framework Directive into legislation</li> <li>• Outlines the general duty of public authorities in relation to water</li> <li>• Identifies the competent authorities in charge of water policy (amended to Irish Water in 2013) and gives EPA and the CER the authority to regulate and supervise their actions</li> </ul>	<ul style="list-style-type: none"> <li>• Implements River basin districts and characterisation of RBDs and River Basin Management Plans</li> <li>• Requires the public to be informed and consulted on the Plan and for progress reports to be published on RBDs</li> <li>• Implements a Register of protected areas, Classification systems and Monitoring programmes for water bodies</li> <li>• Allows the competent authority to recover the cost of damage/destruction of status of water body</li> <li>• Outlines environmental objectives and programme of measures and environmental quality standards for priority substances</li> <li>• Outlines criteria for assessment of groundwater</li> </ul>	<p>Water Framework Directive 2000/60/EC</p>	<p>The Council is obliged to comply with, as relevant and appropriate, the requirements of this legislation</p>
<p>European Communities Environmental Objectives (Surface waters) Regulations of 2009 (SI 272 of 2009)</p>	<ul style="list-style-type: none"> <li>• Transpose the requirements of the Water Framework Directive into Irish Legislation</li> </ul>	<ul style="list-style-type: none"> <li>• Outlines environmental objectives to be achieved for surface water bodies</li> <li>• Outlines surface water quality standards</li> <li>• Establishes threshold values for the classification and protection of surface waters against pollution and deterioration in quality</li> </ul>	<p>Water Framework Directive 2000/60/EC</p>	<p>The Council is obliged to comply with, as relevant and appropriate, the requirements of this legislation</p>
<p>European Communities Environmental Objectives (Groundwater) Regulations of 2010 (SI 9 of 2010)</p>	<ul style="list-style-type: none"> <li>• Transpose the requirements of the Groundwater Directive 2006/118/EC into Irish Legislation</li> </ul>	<ul style="list-style-type: none"> <li>• Outlines environmental objectives to be achieved for groundwater bodies of groundwater against pollution and deterioration in quality</li> <li>• Sets groundwater quality standards</li> <li>• Outlines threshold values for the classification and protection of groundwater</li> </ul>	<p>Water Framework Directive 2000/60/EC</p> <p>Groundwater Directive (2006/118/EC)</p> <p>European Communities Environmental Objectives (Groundwater) Regulations 2010 (S.I. No. 9/2010) (as amended)</p>	<p>The Council is obliged to comply with, as relevant and appropriate, the requirements of this legislation</p>

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<p>Water Pollution Acts 1977 to 1990</p>	<ul style="list-style-type: none"> <li>The Water Pollution Acts allow Local Authorities the authority regulate and supervise actions relating to water in their division</li> </ul>	<p>The Water Pollution Acts enable local authorities to:</p> <ul style="list-style-type: none"> <li>prosecute for water pollution offences;</li> <li>attach appropriate pollution control conditions in the licensing of effluent discharges from industry, etc., made to waters;</li> <li>issue notices ("section 12 notices") to farmers, etc., specifying measures to be taken within a prescribed period to prevent water pollution;</li> <li>issue notices requiring a person to cease the pollution of waters and requiring the mitigation or remedying of any effects of the pollution in the manner and within the period specified in such notices;</li> <li>seek court orders, including High Court injunctions, to prevent, terminate, mitigate or remedy pollution/its effects;</li> <li>prepare water quality management plans for any waters in or adjoining their functional areas</li> </ul>	<p>Water Services Act 2013</p>	<p>The Council is obliged to comply with, as relevant and appropriate, the requirements of this legislation</p>
<p>European Communities (Urban Waste Water Treatment) Regulations 2001 (S.I. No. 254/2001)</p>	<ul style="list-style-type: none"> <li>Transpose the Urban Waste Water Treatment Directive into Irish Legislation</li> <li>Aims to protect receiving waters from environmental damage arising from Urban Wastewater</li> </ul>	<ul style="list-style-type: none"> <li>Sets out the legislative requirements for urban waste water collection and treatment systems</li> <li>Provides for monitoring programmes of discharges</li> <li>Specifies threshold values and minimum standards for water quality</li> </ul>	<p>Urban Waste Water Treatment Directive (91/271/EEC)</p>	<p>The Council is obliged to comply with, as relevant and appropriate, the requirements of this legislation</p>

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<p>Water Services Act 2007</p> <p>Water Services (Amendment) Act 2012</p> <p>Water Services Act (No. 2) 2013</p>	<ul style="list-style-type: none"> <li>Provides the water services infrastructure</li> <li>Outlines the responsibilities involved in delivering and managing water services</li> <li>Identifies the authority in charge of provision of water and waste water supply</li> <li>Irish Water was given the responsibility of the provision of water and wastewater services in the amendment act during 2013, therefore these services are no longer the responsibility of the 34 Local Authorities in Ireland</li> </ul>	<p>Key strategic objectives include:</p> <ul style="list-style-type: none"> <li>Ensuring Irish Water delivers infrastructural projects that meet key public health, environmental and economic objectives in the water services sector.</li> <li>Ensuring the provision of adequate water and sewerage services in the gateways and hubs listed in the National Spatial Strategy, and in other locations where services need to be enhanced.</li> <li>Ensuring good quality drinking water is available to all consumers of public and group water supplies, in compliance with national and EU drinking water standards</li> <li>Ensuring the provision of the remaining infrastructure needed to provide secondary wastewater treatment, for compliance with the requirements of the EU Urban Wastewater Treatment Directive.</li> <li>Promoting water conservation through Irish Water's Capital Investment Plan, the Rural Water Programme and other measures.</li> <li>Monitoring the on-going implementation of septic tanks inspection regime and the National Inspection Plan for Domestic Waste Water Treatment Systems.</li> <li>Ensuring a fair funding model to deliver water services.</li> <li>Overseeing the establishment of an economic regulation function under the CER.</li> </ul>	<p>not applicable</p>	<p>The Council is obliged to comply with, as relevant and appropriate, the requirements of this legislation</p>
<p>Irish Water's Water Services Strategic Plan 2015 and associated Proposed Capital Investment Plan 2014-2016</p>	<ul style="list-style-type: none"> <li>This Water Services Strategic Plan sets out strategic objectives for the delivery of water services over the next 25 years up to 2040. It details current and future challenges which affect the provision of water services and identifies the priorities to be tackled in the short and medium term.</li> </ul>	<p>Six strategic objectives as follows:</p> <ul style="list-style-type: none"> <li>Meet Customer Expectations.</li> <li>Ensure a Safe and Reliable Water Supply.</li> <li>Provide Effective Management of Wastewater.</li> <li>Protect and Enhance the Environment.</li> <li>Support Social and Economic Growth.</li> <li>Invest in Our Future.</li> </ul>	<p>The Water Services (No. 2) Act (2013)</p>	<p>To cumulatively contribute towards – in combination with other users and bodies – the achievement of the objectives of the regulatory framework for environmental protection and management</p>
<p>National Spatial Strategy 2002-2020 (2002)</p>	<ul style="list-style-type: none"> <li>Planning framework for Ireland</li> <li>Aims to achieve a better balance of social, economic and physical development across Ireland, supported by effective planning</li> </ul>	<ul style="list-style-type: none"> <li>Proposes that areas of sufficient scale and critical mass will be built up through a network of gateways, hubs and key town</li> </ul>	<p>Planning and Development Act 2000 (as amended)</p>	<p>To cumulatively contribute towards – in combination with other users and bodies – the achievement of the objectives of the regulatory framework for environmental protection and management</p>



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Grid25 Implementation Programme	<ul style="list-style-type: none"> <li>Framework for the development of the electricity transmission grid in the short, medium and long terms, to support a long-term sustainable and reliable electricity supply</li> </ul>	<ul style="list-style-type: none"> <li>Seeks to implement the provisions of the 2007 Government White Paper on Energy - "Delivering a Sustainable Energy Future for Ireland" in terms of development of electricity transmission infrastructure</li> </ul>	not applicable	To cumulatively contribute towards – in combination with other users and bodies – the achievement of the objectives of the regulatory framework for environmental protection and management
Food Harvest 2020	<ul style="list-style-type: none"> <li>Food Harvest 2020 is a roadmap for the Irish food industry, as it seeks to innovate and expand in response to increased global demand for quality foods. It sets out a vision for the potential growth in agricultural output after the removal of milk quotas</li> </ul>	<ul style="list-style-type: none"> <li>Seeks for the improvement of all agricultural sectors at all levels in terms of sustainability, environmental consideration and marketing development.</li> </ul>	not applicable	To cumulatively contribute towards – in combination with other users and bodies – the achievement of the objectives of the regulatory framework for environmental protection and management
National Landscape Strategy 2015	<ul style="list-style-type: none"> <li>Aims to implement the European Landscape Convention in Ireland by providing for specific measures to promote the protection, management and planning of the landscape.</li> </ul>	<p>The objectives of the National Landscape Strategy are to:</p> <ul style="list-style-type: none"> <li>Recognise landscapes in law</li> <li>Develop a National Landscape Character Assessment;</li> <li>Develop Landscape Policies;</li> <li>Increase Landscape Awareness;</li> <li>Identity Education, Research and Training Needs; and</li> <li>Strengthen Public Participation.</li> </ul>	not applicable	To cumulatively contribute towards – in combination with other users and bodies – the achievement of the objectives of the regulatory framework for environmental protection and management
National Rural Development Programme (draft/in preparation)	<ul style="list-style-type: none"> <li>The National Rural Development Programme, prepared by the Department of Agriculture, Fisheries and Food, sets out a national programme based on the EU framework for rural development and prioritises improving the competitiveness of agriculture, improving the environment and improving the quality of life in rural areas</li> </ul>	<p>At a more detailed level, the programme also:</p> <ul style="list-style-type: none"> <li>Supports structural change at farm level including training young farmers and encouraging early retirement, support for restructuring, development and innovation;</li> <li>Aims to improve the environment, biodiversity and the amenity value of the countryside by support for land management through funds such as Natura 2000 payments etc.; and</li> <li>Aims to improve quality of life in rural areas and encouraging diversification of economic activity through the implementation of local development strategies such as non-agricultural activities</li> </ul>	not applicable	To cumulatively contribute towards – in combination with other users and bodies – the achievement of the objectives of the regulatory framework for environmental protection and management

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National Forestry Programme 2014-2020	<ul style="list-style-type: none"> <li>Represents Ireland's proposals for 100% State aid funding for a new Forestry Programme for the period 2014 – 2020.</li> </ul>	<p>Measures include the following:</p> <ul style="list-style-type: none"> <li>Afforestation and Creation of Woodland</li> <li>NeighbourWood Scheme</li> <li>Forest Roads</li> <li>Reconstitution Scheme</li> <li>Woodland Improvement Scheme</li> <li>Native Woodland Conservation Scheme</li> <li>Knowledge Transfer and Information Actions</li> <li>Producer Groups</li> <li>Innovative Forest Technology</li> <li>Forest Genetic Reproductive Material</li> <li>Forest Management Plans</li> </ul>	not applicable	To cumulatively contribute towards – in combination with other users and bodies – the achievement of the objectives of the regulatory framework for environmental protection and management
National Peatlands Strategy (draft/in preparation)	<ul style="list-style-type: none"> <li>This Draft Strategy, prepared by the National Parks and Wildlife Service, will, when finalised, establish principles in relation to Irish peatlands in order to guide Government policy. The Draft Strategy aims to provide a framework for which all of the peatlands within the State can be managed responsibly in order to optimise their social, environmental and economic contribution.</li> </ul>	not applicable	not applicable	To cumulatively contribute towards – in combination with other users and bodies – the achievement of the objectives of the regulatory framework for environmental protection and management
National Biodiversity Action Plan	<ul style="list-style-type: none"> <li>This Action Plan sets out an integrated strategy for collective delivery of the potential benefits of bioenergy resources across the agriculture, enterprise, transport, environment and energy sectors.</li> </ul>	Includes detailed actions for the electricity sector, transport fuel sector, heat sector, research and development sector.	not applicable	To cumulatively contribute towards – in combination with other users and bodies – the achievement of the objectives of the regulatory framework for environmental protection and management
Flood Risk Management Plans arising from National Catchment Flood Risk Assessment and Management Programme (draft/in preparation)	<ul style="list-style-type: none"> <li>The national Catchment Flood Risk Assessment and Management (CFRAM) programme commenced in Ireland in 2011 and is being overseen by the Office of Public Works. The CFRAM Programme is intended to deliver on core components of the National Flood Policy, adopted in 2004, and on the requirements of the EU Floods Directive.</li> </ul>	<p>CFRAM Studies are being undertaken for all River Basin Districts.</p> <p>The studies are focusing on areas known to have experienced flooding in the past and areas that may be subject to flooding in the future either due to development pressures or climate change. In 2014, draft Flood Maps will be published. The final output from the studies will be CFRAM Plans, to be published in December 2016. The Plans will define the current and future flood risk in the River Basin Districts and set out how this risk can be managed.</p>	not applicable	To cumulatively contribute towards – in combination with other users and bodies – the achievement of the objectives of the regulatory framework for environmental protection and management

<b>Regional and Inter-County</b>				
<b>Plan / Programme / Guidelines</b>	<b>High Level Aim/ Purpose/ Objective</b>	<b>Lower level relevant objectives , actions etc.</b>	<b>Relevant legislation in Ireland</b>	<b>Relevance to the Plan being varied</b>
Regional Planning Guidelines for the Regional Planning Guidelines for the Midland Region	<ul style="list-style-type: none"> <li>Provides a long-term strategic planning framework for the development of Midland Region</li> </ul>	<ul style="list-style-type: none"> <li>Aim to give regional effect to the National Spatial Strategy</li> <li>Guide the Development Plans and lower tier plans of planning authorities</li> </ul>	Requirement of the Planning and Development Act (2000), as amended	To cumulatively contribute towards – in combination with other users and bodies – the achievement of the objectives of the regulatory framework for environmental protection and management
South Eastern and Shannon River Basin Management Plans and associated Programmes of Measures	<ul style="list-style-type: none"> <li>Establish a framework for the protection of water bodies at River Basin District (RBD) level</li> <li>Preserve, prevent the deterioration of water status and where necessary improve and maintain “good status” of water bodies in that RBD before 2015</li> <li>Promote sustainable water usage</li> </ul>	<ul style="list-style-type: none"> <li>Aim to protect and enhance all water bodies in the RBD and meet the environmental objectives outlined in Article 4 of the Water Framework Directive</li> <li>Identify and manages water bodies in the RBD</li> <li>Establish a programme of measures for monitoring and improving water quality in the RBD</li> <li>Involve the public through consultations</li> </ul>	<p>Requirement of the Water Framework Directive (2000/60/EC)</p> <p>European Communities (Water Policy) Regulations, 2003 (SI No. 722) (as amended)</p> <p>Guidelines for the Establishment of River Basin District Advisory Councils (RBDAC)</p>	To cumulatively contribute towards – in combination with other users and bodies – the achievement of the objectives of the regulatory framework for environmental protection and management
Water Quality Management Plans	<ul style="list-style-type: none"> <li>Ensure that the quality of waters covered by the plan is maintained</li> <li>Maintain and improve the quantity and quality of water included in the Plan scope</li> </ul>	<ul style="list-style-type: none"> <li>Monitoring of water bodies against quality standards</li> <li>Outlines management programmes for water catchments</li> <li>Purpose is to maintain and improve the quantity and quality of groundwater</li> </ul>	Water Pollution Acts 1977 to 1990	To cumulatively contribute towards – in combination with other users and bodies – the achievement of the objectives of the regulatory framework for environmental protection and management
Management Plans for Natura 2000 sites	Article 6(1) of the Habitats Directive requires that Member States establish the necessary conservation measures for Special Area of Conservation involving, if need be, appropriate management plans specifically designed for the sites or integrated into other development plans.	egrated Management Plans can be practical, achievable and sustainable and have regard to all relevant ecological, cultural, social and economic considerations and with special regard to local communities.	Habitats Directive	To cumulatively contribute towards – in combination with other users and bodies – the achievement of the objectives of the regulatory framework for environmental protection and management

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<p>Greater Dublin Area Transport Strategy 2016</p> <p>Investing in our Transport Future – A Strategic Investment Framework for Land Transport</p> <p>Smarter Travel – A Sustainable Transport Future – A New Transport Policy for Ireland 2009 – 2020 (2009)</p> <p>Ireland’s First National Cycle Policy Framework (2009)</p>	<ul style="list-style-type: none"> <li>• Outlines policies for how a sustainable travel and transport system can be achieved</li> </ul>	<ul style="list-style-type: none"> <li>• Others lower level aims include: <ul style="list-style-type: none"> <li>○ reduce distance travelled by private car and encourage smarter travel, including focusing population growth in areas of employment and to encourage people to live in close proximity to places of employment</li> <li>○ ensuring that alternatives to the car are more widely available, mainly through a radically improved public transport service and through investment in cycling and walking</li> <li>○ improving the fuel efficiency of motorised transport through improved fleet structure, energy efficient driving and alternative technologies</li> <li>○ strengthening institutional arrangements to deliver the targets</li> </ul> </li> </ul>	<p>not applicable</p>	<p>In combination with this Policy the Plan as varied will contribute towards smarter travel and associated positive environmental effects.</p>
<p>Outputs from the South Eastern and Shannon Catchment Flood Risk Assessment and Management Programme</p>	<ul style="list-style-type: none"> <li>• The national Catchment Flood Risk Assessment and Management (CFRAM) programme commenced in Ireland in 2011 and is being overseen by the Office of Public Works. The CFRAM Programme is intended to deliver on core components of the National Flood Policy, adopted in 2004, and on the requirements of the EU Floods Directive. The Programme is being implemented through CFRAM Studies which are being undertaken for each of the six river basin districts in Ireland.</li> </ul>	<p>CFRAM Studies are being undertaken for all River Basin Districts. The studies are focusing on areas known to have experienced flooding in the past and areas that may be subject to flooding in the future either due to development pressures or climate change. In 2014, draft Flood Maps will be published. The final output from the studies will be CFRAM Plans, to be published in December 2016. The Plans will define the current and future flood risk in the River Basin Districts and set out how this risk can be managed.</p>	<p>not applicable</p>	<p>To cumulatively contribute towards – in combination with other users and bodies – the achievement of the objectives of the regulatory framework for environmental protection and management</p>
<p>Eastern-Midlands Regional Waste Management Plan 2015</p>	<p>The regional plan provides the framework for waste management for a period of six years and sets out a range of policies and actions in order to meet specified mandatory and performance targets. The strategic vision of the regional waste plan is to rethink our approach to managing waste, by viewing our waste streams as valuable material resources, leading to a healthier environment and sustainable commercial opportunities for our economy.</p>	<p>strategic objectives:</p> <ul style="list-style-type: none"> <li>• Policy &amp; Legislation</li> <li>• Prevention</li> <li>• Resource Efficiency</li> <li>• Coordination</li> <li>• Infrastructure Planning</li> <li>• Enforcement &amp; Regulations</li> <li>• Protection</li> <li>• Other Wastes</li> </ul>	<p>European Directive (2008/98/EC) on Waste (Waste Framework Directive); Council Decision (200/532/EC) establishing a list of wastes; and Regulation (1013/2006) on the shipments of waste</p>	<p>To cumulatively contribute towards – in combination with other users and bodies – the achievement of the objectives of the regulatory framework for environmental protection and management</p>

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Freshwater Pearl Mussel Basin Management Plans	<ul style="list-style-type: none"> <li>Identifies the current status of the species and the reason for loss or decline</li> <li>Identifies measure required to improve or restore current status</li> </ul>	<ul style="list-style-type: none"> <li>Identifies pressures on Freshwater Pearl Mussels for each of the designated populations in Ireland</li> <li>Outlines restoration measures required to ensure favourable conservation status</li> </ul>	Requirement of Water Framework Directive (2000/60/EC) and Habitats Directive (92/43/EEC) European Communities (Water Policy) Regulations 2003 (S.I. No. 722 of 2003) European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477/2011) The Wildlife Act 1976 and the Wildlife (Amendment) Act 2000	To cumulatively contribute towards – in combination with other users and bodies – the achievement of the objectives of the regulatory framework for environmental protection and management
<b>County and Local</b>				
<b>Plan / Programme / Guidelines</b>	<b>High Level Aim/ Purpose/ Objective</b>	<b>Lower level relevant objectives, actions etc.</b>	<b>Relevant legislation in Ireland</b>	<b>Relevance to the Plan being varied</b>
County, Town and Village Development Plans including: Laois County Development Plan, Wexford County Development Plan, Kildare County Development Plan, Wicklow County Development Plan, Kilkenny County Development Plan Joint Spatial Plan for the Greater Carlow Graiguecullen Urban Area;	<ul style="list-style-type: none"> <li>Statutory documents which provide detailed planning policies to ensure proper planning and sustainable development of towns/County's</li> <li>Set out objectives for future planning and development</li> <li>The County Development Plans provide the key parameters for lower tier plans such the future population and housing targets and sets out the broad strategy for the future economic and social development of these towns.</li> </ul>	<ul style="list-style-type: none"> <li>Identify issues of relevance to the town/county and outlines principles for future development</li> <li>Is consistent with relevant County/Town Development Plans, National Spatial Strategy and Regional Planning Guidelines</li> </ul>	Planning and Development Act 2000 (as amended)	To cumulatively contribute towards – in combination with other users and bodies – the achievement of the objectives of the regulatory framework for environmental protection and management
Carlow Local Economic and Community Plan 2016-2022	The Plan aims to improve the well-being of the people and economy of County Carlow through enhanced strategic planning, targeting of resources and more meaningful impacts for local communities. It will provide the strategic framework for all publicly funded economic, local and community development programmes in the County with the objective of maximizing the social, community, cultural, sporting and economic development of County Carlow on a regional level.	The goal of this plan is to ensure that all persons living in Carlow will be able to access affordable housing, live safely in their communities, be supported in living active healthy lifestyles, have access to education and employment, have access to provision of affordable childcare and have lifelong learning opportunities and that they will have meaningful role in influencing and shaping how these vial services are delivered and sustained.	Local Government Reform Act 2014	To cumulatively contribute towards – in combination with other users and bodies – the achievement of the objectives of the regulatory framework for environmental protection and management
Vacant Site Levy Proposed Variation No. 1 (a) of Carlow County Development Plan 2015-2021	Further to the enactment of the Urban Regeneration Housing Act 2015, Carlow County Council is required to include an objective for the development and renewal of identified areas in need of residential or regeneration development as part of the core strategy of the Carlow County Development Plan and the Carlow Joint Spatial Plan for the Greater Carlow Graiguecullen Urban Area 2012 - 2018.	The reason for the Proposed Variations are to give effect to the provisions of the Urban Regeneration and Housing Act 2015 regarding the Vacant Site Levy and Urban renewal and regeneration into the Carlow County Development Plan by, inter alia, including new policies/ objectives for the development and renewal of designated residential and regeneration lands for the purposes of the levy that will facilitate achieving compact and sustainable urban settlements	Urban Regeneration and Housing Act 2015	To cumulatively contribute towards- in combination with other users and bodies- m the achievement of the objectives of the regulatory framework for environmental protection and management