

# Strategic Environmental Assessment (SEA) Screening Report & Environmental Report for Material Alterations to the Draft Portumna Local Area Plan 2016-2022



**Forward Planning  
Galway County Council  
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**Comhairle Chontae na Gaillimhe  
Galway County Council**



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# 1. STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) SCREENING REPORT FOR MATERIAL ALTERATIONS OF THE DRAFT PORTUMNA LOCAL AREA PLAN 2016-2022

## 1.1 BACKGROUND

Material Alterations to the Draft Portumna Local Area Plan (LAP) 2016-2022 have been proposed by the Elected Members of Galway County Council. These alterations have arisen following a review of the Chief Executives Report on submissions received during the public display period of the Portumna Local Area Plan (LAP) 2016-2022 by the Elected Members of the Council on 11<sup>th</sup> November 2015.

A total of 22 submissions were received on the Draft Portumna Local Area Plan 2016-2022 and the issues raised by the submissions were summarised and the response and recommendation of the Chief Executive was provided in accordance with the Planning and Development Act 2000 (as amended). Following consideration of the Chief Executive's Report on the submissions, the Elected Members decided to make a number of changes which are considered to be Material Alterations in response to a number of issues raised in the submissions.

The proposed Material Alterations are required to be placed on public display for a period of not less than four weeks in accordance with Section 20(3) of the Planning and Development Act 2000(as amended). Written submissions or observations with respect to the proposed Material Alterations which are received will be taken into consideration by Member of the Council before the making of the actual amendments to the draft Local Area Plan.

As part of the Strategic Environmental Assessment process, all land use plans, such as this draft LAP, must undergo a formal 'test' or be screened to see if they would have likely significant effects on the environment. In order to comply with Section 20(3)(f) of the Planning and Development Act 2000, as amended to make a determination that a SEA is required "*to be carried out as respects one or more than one proposed material alteration of the draft local area plan*" this report has been prepared and considers whether the material alterations to the LAP will have any likely significant environmental effects, and as such, would therefore require the preparation of a Strategic Environmental Assessment (SEA). The SEA process is the formal systematic evaluation of the likely significant environmental effects of implementing a plan or programme before a decision is made to adopt the plan or programme. The key indicator that will determine if a SEA is required is if the proposed plan or programme is likely to have significant environmental effects on the environment or not.

Galway County Council, as the competent authority determined that a Strategic Environmental Assessment was required on the Draft Portumna Local Area Plan 2016-2022. In order to assess whether the Material Alterations proposed by the Elected Members of Galway County Council of the Plan require full Strategic Environmental Assessment, Galway County Council carried out an assessment of the likely environmental effect of the Proposed Material Alterations to the Draft Portumna Local Area Plan 2016-2022.

It should be noted that this Addendum Report must be read in conjunction with the SEA Environmental Report and the Draft Portumna Local Area Plan 2016-2022.

## **1.2 ENVIRONMENTAL ASSESSMENT OF MATERIAL ALTERATIONS MA1-11**

### **1.2.1 Assessment**

The following assessment has been conducted in accordance with the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (SI No. 436 of 2004). The assessment of the proposed Material Alterations to the Draft Plan is undertaken using specified criteria for determining the likely significant environmental impacts of a variation as set out in Schedule 2A of SEA Regulations (S.I. 435 of 2004).

As outlined in the previous SEA Environmental Report the Draft Plan, in some instances policies/objectives of the draft Plan, if taken in isolation, might be considered to give rise to significant effects on the environment. However throughout the plan there are policies and objectives which provide for the protection of the environment and therefore the plan should be considered in its entirety, including support documents.

This section addresses the potential effects of the Material Alterations to the Draft Portumna LAP 2016-2022 having regard to the following criteria outlined as part of Schedule 2A of the SEA Regulations:

1. The area likely to be affected,
2. The probability, duration, frequency and reversibility of effects,
3. The cumulative nature of the effects,
4. The transboundary nature of the effects,
5. The risk to human health or the environment (e.g. due to accidents),
6. The magnitude and spatial extent of the effect (geographical area and size of the population likely to be affected),
7. The value and vulnerability of the area likely to be affected due to:
  - special natural characteristics or cultural heritage,
  - exceeded environmental quality standards or limit values, and
  - intensive land use, and
8. The effects on areas or landscapes, which have recognised National, European Union or International protection status.

## **1.3 DESCRIPTION OF MATERIAL ALTERATIONS**

The Material Alterations include:

1. The insertion of additional text in a number of sections throughout the draft Local Area Plan,

2. The deletion of text from the draft Local Area Plan,
3. The alteration of the draft Portumna LAP Land Use Zonings as displayed on Land Use Zoning Map 1A/1B, and
4. The alteration of the draft Portumna LAP Specific Objectives as displayed on the Specific Objectives Maps 2A/2B.

This report uses the following text formatting to highlight the proposed alterations to the Draft Portumna Local Area Plan 2016-2022:

- Existing Draft Portumna LAP 2016-2022 Text – Shown in black text,
- Proposed Alteration additional text – Shown in **yellow highlighted red text**, and
- Proposed Alteration deleted text – Shown in **~~strikethrough yellow highlight text~~**.

The proposed Material Alterations are presented in Table 1.1 below. The text alterations outlined in Points 1 and 2 above are described, in addition to specific alterations proposed by the Elected Members that are otherwise than as recommended in the Chief Executives Report (relating to changes in the land use zoning for a number of sites). The land use zonings and specific objectives amendments outlined in Points 3 and 4 above are shown in the maps included as Appendix C.

Table 1.1 Description of Material Alterations to the text and Land Use Zonings of the Draft Portumna LAP			
Material Alteration No.	Description	Consideration	Environmental Assessment and the SEA Matrix
<b>MA 1</b>	Include subject lands within the plan boundary and zone Tourism as per attached map ( <i>Material Alterations Proposed to the Draft Plan – Map 1A Land Use Zoning - Draft Portumna Local Area Plan</i> ).	<p>These lands were originally outside the plan boundary as published in July 2015. The proposed zoning of these lands is Tourism, in which part of the lands are included in the Flood Zone A &amp; Flood B. The proposed re-zoning of these lands is not in accordance with the provisions of “The Planning System and Flood Risk Management Guidelines for Planning Authorities” as it introduces vulnerable land uses to lands that have been clearly identified in the SFRA as being partly within Flood Zone A &amp; B. The proposed zoning of MA1 fails the justification test (Appendix A) as set out in the Flood Guidelines.</p> <p>Therefore this zoning cannot be screened out for significant environmental effects and it recommended that these lands are not included within the plan boundary in the first instance due to the following:</p> <ul style="list-style-type: none"> <li>• The inclusion of these lands is not in line with the methodology and approach to the preparation of the land use map and where Tourism lands were identified;</li> <li>• The Justification Test has been applied to MA1 and it has failed on a number of grounds(Justification test included as Appendix A);</li> <li>• The proposed zoning of Tourism</li> </ul>	<b>The proposed zoning is in direct conflict with objective DS 7-Flood Risk Management and Assessment and Section 3.7.9 Flood Risk Management and Assessment Policies and Objectives.</b>

		<p>lands would set an undesirable precedent for the zoning of lands for inappropriate use;</p> <ul style="list-style-type: none"> <li>• The Planning System and Flood Risk Management Guidelines highlights the precautionary principle and approach in relation to flood risk assessment and this proposal does not align with this approach.</li> </ul> <p>It is considered that this material alteration has the potential to cause significant adverse impacts and therefore cannot be screened out for SEA. Under Section 20(3) (f) of the Planning and Development Act 2000 (as amended) it is determined that full SEA is necessary in order to assess the potential environmental impacts of the proposed Material Alteration.</p>	
<b>MA 2</b>	<p>Rezone the lands from Recreation, Amenity and Open Space to Residential-Phase 2 as per attached Map 1A</p>	<p>These lands were originally zoned Recreation, Amenity and Open Space in the Draft Plan as published in July 2015. The proposed rezoning of these lands as Residential Phase 2 includes lands which are included in Flood C.</p> <p>This land zoning alteration arises as a result of a proposed rezoning that was made by an Elected Member in the course of the Council Meeting. It is considered that the proposed alteration will not likely, subject to adequate environmental consideration as specified under NH4,NH5,NH6,NH7,NH8,NH9 &amp; NH10 give rise to negative impacts on the environment.</p>	<p>The proposed rezoning would not be in direct conflict with the policies and objectives contained in the SEA Matrix.</p> <p><b>The subject lands were indicated as having a moderate environmental sensitivity in Figure 3.36 Environmental Sensitivities with the impact of a Residential Phase 2 zoning requiring a medium level of mitigation.</b></p> <p><b>The proposed material alteration does not alter the</b></p>

			environmental assessment in the Environmental Report.
<b>MA 3</b>	Rezone the lands from Recreation, Amenity and Open Space to Residential-Phase 2 as per attached Map 1A.	<p>These lands were originally zoned Recreation, Amenity and Open Space in the Draft Plan as published in July 2015. The proposed re-zoning of these lands as Residential Phase 2 includes lands which are partly included in Flood Zone A. The proposed re-zoning of these lands is not in accordance with the provisions of “The Planning System and Flood Risk Management Guidelines for Planning Authorities” as it introduces vulnerable land uses to lands that have been clearly identified in the SFRA as being partly within Flood Zone A. The proposed zoning of MA3 also fails the justification test (Appendix A).</p> <p>Therefore this zoning cannot be screened out for significant environmental effects and it is recommended that these lands would not be zoned Residential Phase 2 in the first instance due to the following:</p> <ul style="list-style-type: none"> <li>• The inclusion of these lands is not in line with the methodology and overall strategy approach to the preparation of the land use map and where Residential Phase 2 Lands were identified;</li> <li>• The Justification Test has been applied to MA3 and it has failed on a number of grounds(Justification test included as Appendix A);</li> <li>• The proposed zoning of Residential Phase 2 lands would set an</li> </ul>	<b>The proposed zoning is in direct conflict with objective DS 7-Flood Risk Management and Assessment and Section 3.7.9 Flood Risk Management and Assessment Policies and Objectives.</b>

		<p>undesirable precedent for the zoning of lands for inappropriate uses;</p> <ul style="list-style-type: none"> <li>• The Planning System and Flood Risk Management Guidelines highlights the precautionary principle and approach in relation to flood risk assessment and this proposal does not accord with same.</li> </ul> <p>It is considered that this material alteration has the potential to cause significant adverse impacts and therefore cannot be screened out for SEA. Under Section 20(3)(f) of the Planning and Development Act 2000(as amended) it is determined that full SEA is necessary in order to assess the potential environmental impacts of the proposed Material Alteration</p>	
<p><b>MA 4</b></p>	<p>Rezone the lands from Recreation, Amenity and Open Space to Tourism as per attached Map 1A.</p>	<p>These lands were originally zoned Recreation, Amenity and Open Space as published in the Draft Plan as published in July 2015.</p> <p>This land zoning alteration arises as a result of a proposed rezoning that was made by an Elected Member in the course of the Council Meeting. It is considered that the proposed alteration will not likely, subject to adequate environmental consideration as specified under NH4,NH5,NH6,NH7,NH8,NH9 &amp; NH10 give rise to negative impacts on the environment.</p> <p>The proposed re-zoning of these lands to Tourism includes lands which are included in Flood Zone C.</p>	<p>The proposed rezoning would not be in direct conflict with the policies and objectives contained in the SEA Matrix.</p> <p><b>The subject lands were indicated as having a low to moderate environmental sensitivity in Figure 3.36 Environmental Sensitivities with the impact of a Tourism zoning requiring a medium to low level of mitigation.</b></p> <p><b>The proposed material alteration does not alter the environmental assessment in the Environmental Report.</b></p>

<p><b>MA 5</b></p>	<p>Retain the “Existing Residential Land Use” and remove the Constrained Land Use as per attached Map 1A.</p>	<p>These lands were zoned “Existing Residential Land Use and Constrained Land Use” as published in July 2015. It is now proposed to remove the “Constrained Land Use” which would be contrary to Circular PI2/2014 and the provisions of “The Planning System and Flood Risk Management Guidelines for Planning Authorities” as it introduces vulnerable land use to lands that have been clearly identified in the SFRA as being partly within Flood Zone A/B. The proposed zoning of in MA5 also fails the justification test (Appendix A).</p> <p>Therefore this zoning cannot be screened out for significant environmental effects and it is recommended that these lands would have the "Constrained Land Use" applied to them due to the following reasons:</p> <ul style="list-style-type: none"> <li>• The exclusion of the "Constrained Land Use" is not in line with the methodology and overall strategy approach to the preparation behind the land use map;</li> <li>• The Justification Test has been applied to MA5 and it has failed on a number of grounds(Justification test included as Appendix A);</li> </ul>	<p><b>The proposed zoning is in direct conflict with objective DS 7-Flood Risk Management and Assessment and Section 3.7.9 Flood Risk Management and Assessment Policies and Objectives.</b></p>

		<ul style="list-style-type: none"> <li>• The proposed removal of “Constrained Land Use” would set an undesirable precedent for the zoning of lands for inappropriate use;</li> <li>• The Planning System and Flood Risk Management Guidelines and associated circular PL2/2014 highlight the precautionary principle and approach in relation to flood risk assessment and this proposal does not accord with same.</li> </ul> <p>It is considered that this material alteration has the potential to cause significant adverse impacts and therefore cannot be screened for SEA. Under Section 20(3)(f) of the Planning and Development Act 2000 it is determined that full SEA is necessary in order to assess the potential environmental impacts of the proposed Material Alteration.</p>	
<p><b>MA 6</b></p>	<p>Rezone the lands from Residential Phase 2 to Town Centre/Mixed Use as per attached Map 1A.</p>	<p>This land zoning alteration arises as a result of a proposed rezoning that was made by an Elected Member in the course of the Council Meeting. It is considered that the proposed alteration will not likely, subject to adequate environmental consideration as specified under NH4,NH5,NH6,NH7,NH8,NH9 &amp; NH10 give rise to negative impacts on the environment.</p>	<p>The proposed rezoning would not be in direct conflict with the policies and objectives contained in the SEA Matrix.</p> <p><b>The subject lands were indicated as having a low environmental sensitivity in Figure 3.36 Environmental Sensitivities with the impact of a Town Centre/Mixed Use zoning requiring a medium to low level of mitigation.</b></p> <p><b>The proposed material alteration does not alter the</b></p>

			environmental assessment in the Environmental Report.
<b>MA 7</b>	Amend the Land Use Matrix Table to “Open For Consideration” for Medical Facilities on Business and Enterprise zoned Lands	This alteration to the Land Use Matrix Table was a result of a specific submission that was received. It is considered that the proposed alteration will not likely, subject to adequate environmental considerations as specified under NH4,NH5,NH6,NH7,NH8,NH9 & NH10 give rise to negative impacts on the environment.	The Land Use Zoning Matrix is being amended and the amendment is considered acceptable. The proposed material alteration does not alter the environmental assessment in the Environmental Report.
<b>MA 8</b>	Amend the Land Use Table Matrix to “Open For Consideration” for Guest Houses on Community Facilities zoned Lands	This alteration to the Land Use Matrix Table was a result of a proposal by an Elected Member in the course of the Council Meeting. It is considered that the proposed alteration will not likely, subject to adequate environmental considerations as specified under NH4,NH5,NH6,NH7,NH8,NH9 & NH10 give rise to negative impacts on the environment.	The Land Use Zoning Matrix is being amended and the amendment is considered acceptable. The proposed material alteration does not alter the environmental assessment in the Environmental Report.
<b>MA 9</b>	Amend the Draft Portumna Local Area Plan 2016-2022 as follows:  3.7.2 Water Framework Directive  Irish Water is now responsible for the provision and operation of public water and wastewater services and provision of these services-across Ireland. For decades, Local Authorities have provided water and wastewater services within the resources available to them. In order to	The proposed changes arise from a submission by the Irish Water. It is considered that the proposed additional wording will not give rise to negative impacts on the environment.	It is considered that the textual changes to this section will not change the environmental assessment in the Environmental Report or the assessment set out in the SEA Matrix as shown in Appendix A.

	<p>maintain continuity of service, Irish Water has entered into Service Level Agreements (SLA) with Galway County Council for the operation of Irish Water's assets for the next twelve years. Irish Water published a draft of its first integrated 25 Year Water Services Strategic Plan in February 2015. The Plan sets out Irish Water's short, medium and long term objectives and strategies for the delivery of water services in Ireland. Irish Water's Capital Investment Plan 2014-2016 which outlines the indicative investment priorities in water services infrastructure to the end of 2016 is currently being implemented.-over the coming years. The-Their Capital Investment Plan is currently being prepared and projects and programmes requiring investment are being proposed and assessed for inclusion in the investment plan. consists of a targeted programme consisting of individual projects and a range of sub-programmes, which will deliver improvements in drinking water quality, leakage, wastewater compliance, business efficiencies and customer service. Irish Water has also commenced work on a 25 Year Water Services</p>		
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	<p>Strategic Plan which will set out its long term strategy and objectives. The Capital Investment Plan will be adjusted as required to meet the objectives and priorities of the Water Service Strategic Plan as adopted following assessment.</p> <p>The investment plan must balance investment in quality, service level, environmental compliance and catering for future growth. Irish Water's Investment budget is subject to approval by the Commission for Energy Regulation. The funding of additional capacity in water and wastewater networks to support population and economic growth will be subject to Irish Water's Capital Investment Plans, Connections Charging Policy and Irish Water's Policy for Network Extension and Reinforcement to Cater for Growth.</p> <p>Portumna town and surrounding rural area receives its water supply from Lough Derg. The abstracted water is treated prior to consumption at the local treatment plant through processes of coagulation, filtration, chlorination and fluoridation, which provides potable water that meets the requirements of the European Communities (Drinking Water)(No.2) Regulations 2007(S.I. No.278 of 2007). <del>the existing water treatment</del></p>		
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~~plant has limited capacity and requires upgrading to meet demand levels into the future. There is sufficient capacity at Portumna WTP to cater for future demand to 2022 and beyond. These works will necessitate the upgrading of the inlet pipe and additional final water storage provision at the plant. However the treatment plant is on the EPA's Remedial Action List 2013 and is not fully functional in terms of quality of water produced. There is also a deficit in treated water storage capacity at the treatment plant. Irish Water is proposing an upgrade of the treatment plant for inclusion in its Capital Investment Plan 2017-2021.~~

**Wastewater Disposal**

Portumna Wastewater Treatment Plant receives foul and combined flows from an extensive sewer network which collects discharges from the urban town area. There are a number of pumping stations located throughout the town of Portumna which assist in delivering these flows to the Wastewater Plant for treatment. ~~The treatment capacity is nearing capacity due to surface water infiltration, which is being analysed. Irish Water is proposing an upgrade of the plant to increase capacity 3700 p.e. It is envisaged that some upgrading works to the treatment process and~~

	<p>the network will be required to meet future demands of the area.</p> <p>This upgrade is currently being assessed for inclusion in its Capital Investment Plan 2017-2022.</p>		
<p><b>MA 10</b></p>	<p><b>Amend Text of Objective UI 2 in the Draft Portumna Area Plan 2016-2022 as follows:</b></p> <p><b>Policy UI 1 – Water Supply, Wastewater And Surface Water Infrastructure</b></p> <p>Support Irish Water in the provision and maintenance of adequate wastewater disposal and water supply and the maintenance of the existing combined (sewage and surface water) surface—water drainage infrastructure, in accordance with EU Directives, to service Portumna. This will include satisfactory capacity for public wastewater and a satisfactory quantity and quality of water supply. Sustainable Drainage System approaches and techniques within the plan area shall also be supported.</p> <p><b>Objective UI 2 – Water Supply and Water Conservation</b></p> <p>Ensure that new developments are adequately serviced with a suitable</p>	<p>The proposed changes arise from a submission by the Irish Water. It is considered that the proposed additional wording to the policy and objective will not give rise to negative impacts on the environment.</p>	<p>The amendments to the wording of the policy and the objective are wording improvements to the said policy and objective. The proposed material alteration does not alter the environmental assessment in the Environmental Report or the assessment set out in the SEA Matrix as shown in Appendix A.</p>

	<p>quantity and quality of drinking water supply, promote water conservation (leakage and demand management) to reduce the overall level of water loss in the public supply and require that new domestic developments provide for water supply metering.</p>		
<p><b>MA 11</b></p>	<p>Insert new policy NH2 in the Draft Portumna Area Plan 2016-2022 as follows:</p> <p><b>Policy NH2: Green Infrastructure Strategy</b></p> <p>The Council shall commence the preparation of a Green Infrastructure Strategy within the lifetime of the plan as resources permit.</p>	<p>The proposed new policy arises from a submission by the Environmental Protection Agency. It is considered that the proposed new policy will not give rise to negative impacts on the environment.</p>	<p><b>This Material Alteration relates to the provision of a Green Infrastructure Strategy. Overall the proposed alteration is likely to have a positive effect on the environment. The proposed material alteration does not alter the environmental assessment in the Environmental Report or the assessment set out in the SEA Matrix as shown in Appendix A.</b></p>

**Table 1.1 Description of Material Alterations to the text and Land Use Zonings of the Draft Portumna LAP (Please see Appendix A for the SEA MATRIX-)**

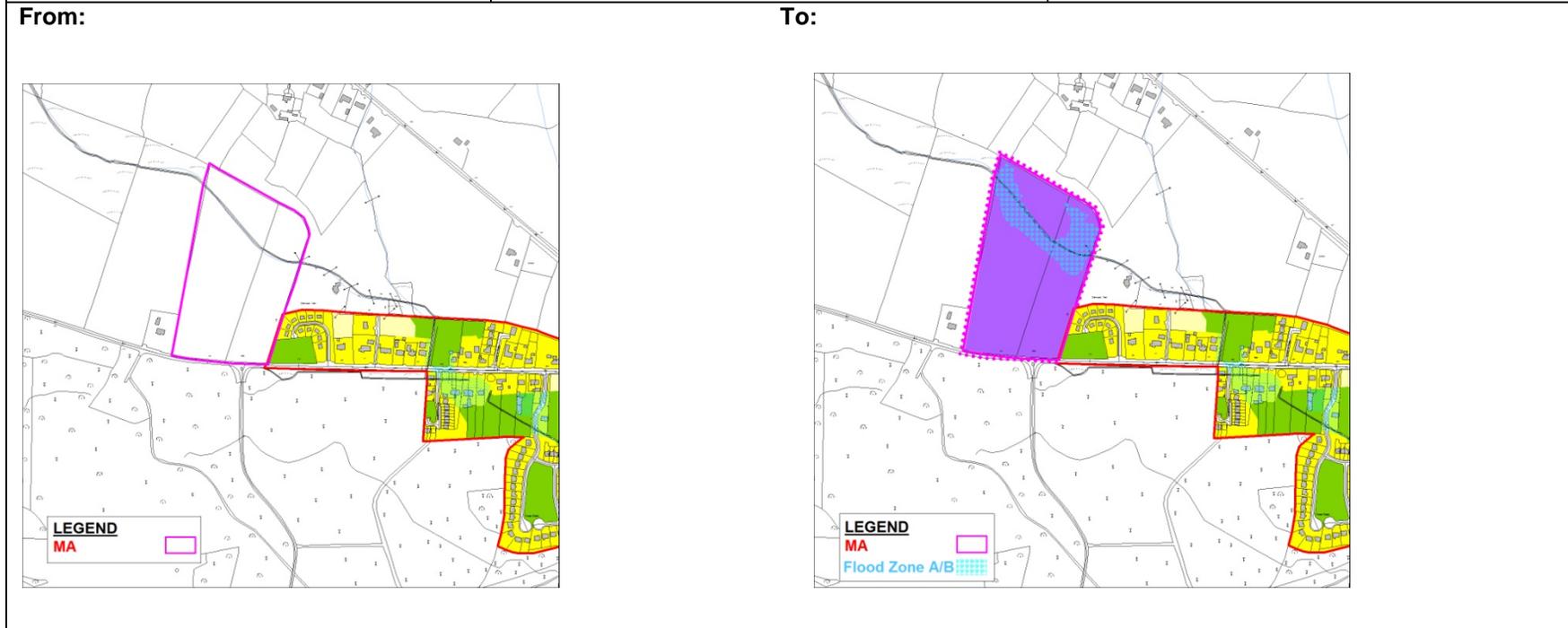
## 1.4 CONCLUSION

This SEA Addendum Report assesses the potential for likely significant environmental effects arising from Material Alterations to the Portumna Local Area Plan 2016-2022 proposed by the Elected Members of Galway County Council on 11<sup>th</sup> November 2015.

It is considered that the following Material Alterations are considered to pose likely significant environmental effects:

<b>Material Alteration</b>	<b>Consideration</b>	<b>SEA Required on each Material Alteration</b>
MA1,MA3 & MA5	Likely to pose significant environmental effects.	√
MA2,MA4 & MA6-MA11	Not Likely to pose significant environmental effects	<b>X</b>

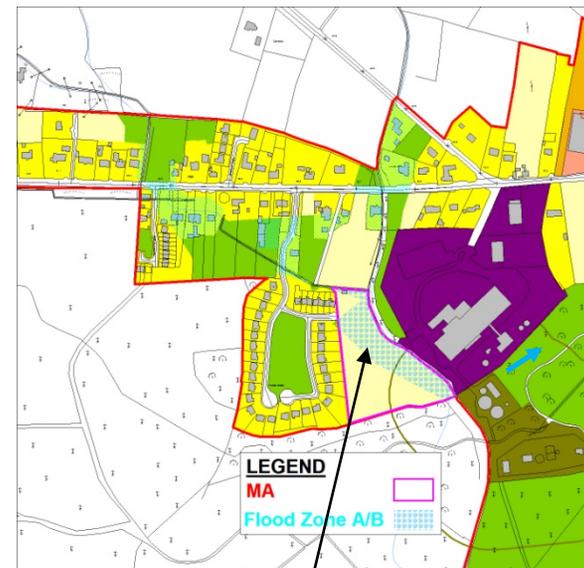
Material Alterations	Proposed Change in Zoning	Environmental Considerations
<p><b>MA 1</b>            Include subject lands within the plan boundary and zone Tourism as per attached map (<i>Material Alterations Proposed to the Draft Plan – Map 1A Land Use Zoning - Draft Portumna Local Area Plan</i>).</p>	<p>The site was outside plan boundary at Draft Plan Stage and is now proposed to be zoned Tourism as per the Material Alterations.</p>	<p>This zoning would be contrary to <i>The Planning System and Flood Risk Management Guidelines for Planning Authorities, 2009</i> and <i>Circular PL2/2014</i> as it proposes zoning for lands which facilitates flood vulnerable land uses in a flood zone.</p>



Material Alterations	Proposed Change in Zoning	Environmental Considerations
<p><b>MA 3</b>  Rezone the lands from Recreation, Amenity and Open Space to Residential-Phase 2 as per attached Map 1A.</p>	<p>The site was originally zoned Recreation, Amenity and Open Space and is now proposed to be zoned Residential Phase 2 as per the Material Alterations.</p>	<p>This zoning would be contrary to <i>The Planning System and Flood Risk Management Guidelines for Planning Authorities, 2009</i> and <i>Circular PL2/2014</i> as it proposes zoning for lands which facilitates flood vulnerable land uses in a flood zone.</p>

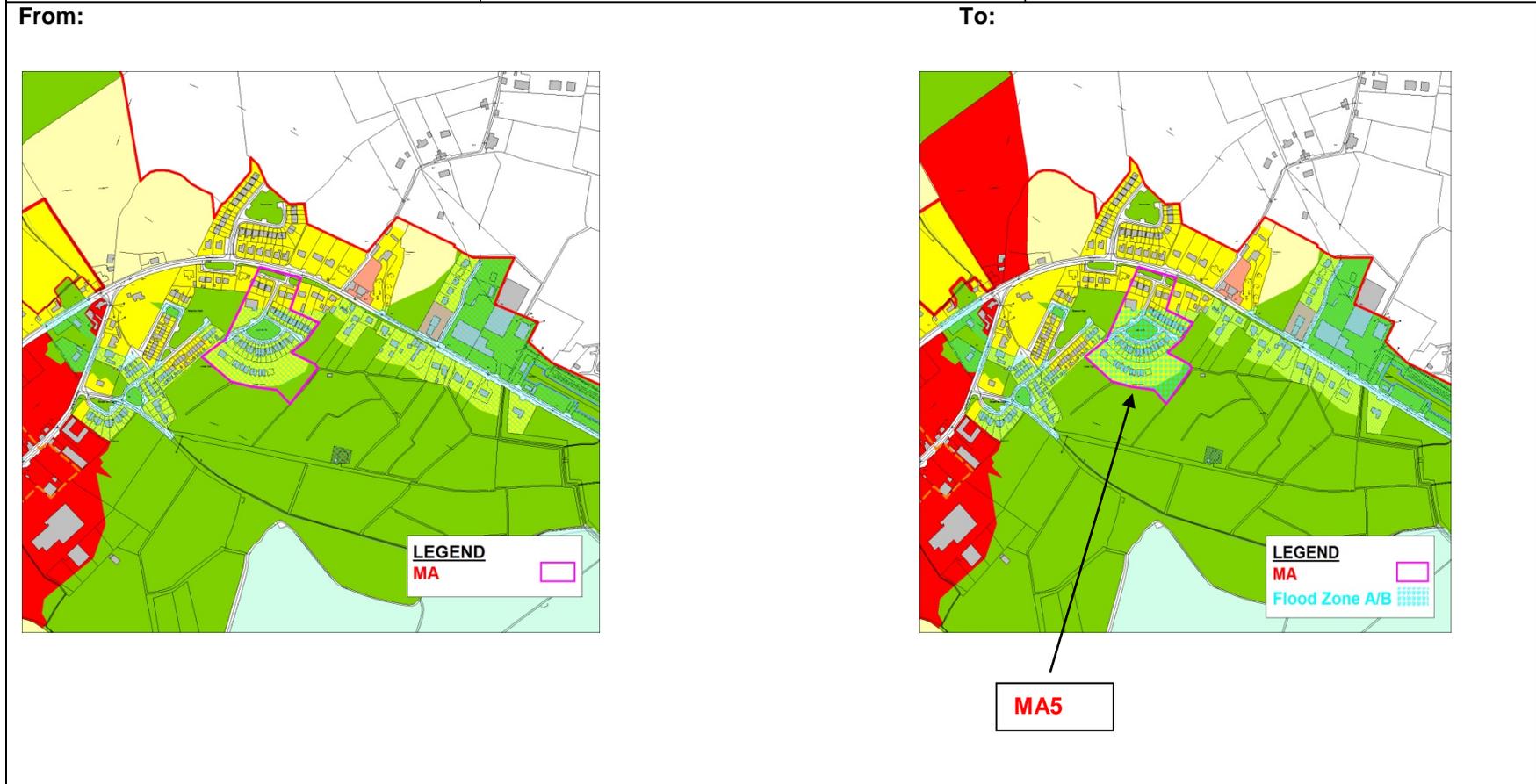
**From:**

**To:**



**MA3**

Material Alterations	Proposed Change in Zoning	Environmental Considerations
<p><b>MA 5</b> Retain the “Existing Residential Land Use” and remove the Constrained Land Use as per attached Map 1A.</p>	<p>Site was zoned Existing Residential Land use with Constrained Land Use at the draft plan stage however it is now proposed to remove the “Constrained Land Use”.</p>	<p>This zoning would be contrary to <i>The Planning System and Flood Risk Management Guidelines for Planning Authorities</i>, 2009 and <i>Circular PL2/2014</i> as it proposes to remove the Constrained Land Use from lands which are located in a flood zone A/B.</p>



The proposed re-zonings in relation to Material Alterations 1, 3 & 5 as outlined above would be contrary to *The Planning System and Flood Risk Management Guidelines for Planning Authorities*, 2009 and *Circular PL2/2014*.

The Material Alterations that are contrary to the Flood Risk Guidelines have introduced a vulnerable land use onto lands which are susceptible to flooding. It is considered that the Material Alterations (MA1, MA3 & MA5) fail a number of criteria of the plan Justification Test (**Appendix A**). Section 3.6 of the Planning System and Flood Risk Management Guidelines state that:

*'Inappropriate development that does not meet the criteria of the Justification Test should not be considered at the plan-making stage or approved within the development management process.'*

From the review above it is considered that significant adverse environmental effects are likely as a result of Material Alterations (1,3 &5).Therefore it is considered appropriate that SEA of MA 1,3 & 5 would be carried out as required by Section 20 (3)(f) of the Planning and Development Act 2000,as amended.

## **2. STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) ENVIRONMENTAL REPORT FOR MATERIAL ALTERATIONS OF THE DRAFT PORTUMNA LOCAL AREA PLAN 2016-2022**

### **2.1 INTRODUCTION**

#### **2.1.1 Introduction**

This section of the Addendum Report is the Strategic Environmental Assessment (SEA) Environmental Report of the Proposed Material Alterations to the Draft Portumna Local Area Plan (LAP) 2016-2022. The purpose of this Report is to provide a clear understanding of the likely significant environmental effects of the proposed alterations to the plan area. A full SEA was carried out on the Draft Portumna Local Area Plan and was published alongside the plan in July 2015. This Report was prepared by Forward Planning Section on behalf of Galway County Council. As a result of the first public consultation period on the Draft Portumna LAP 2016-2022, a number of Material Alterations were proposed to the Draft Plan.

The first part of this report (Section 1) concluded that a SEA was required on three of the Material Alterations proposed, as it was considered that the Material Alterations proposed would be likely to cause significant environmental effects. Pursuant to Section 20(3)(f) of the Planning and Development Act 2000, as amended and having regard to the Planning and Development (Strategic Environmental Assessment Regulations) 2004 (as amended) and the content of the proposed material alterations to the Draft Plan, it is determined that having regard to the nature, extent and location of proposed Material Alterations and the potential for environmental impact that a SEA is required to be carried out in respect of these Material Alterations.

#### **2.1.2 SEA Directive 2001/42/EC**

Strategic Environmental Assessment (SEA) is the formal, systematic evaluation of the likely significant environmental effects of implementing a plan or programme. It will inform the decision-making process of the Material Alteration to the Draft Portumna LAP 2016-2022 by facilitating the identification and appraisal of alternative options and improve the quality of the plan making process by raising awareness of the environmental impacts of the plan.

#### **2.1.3 Legislative Context**

The EU Directive on Strategic Environmental Assessment (Directive 2002/42/EC) came into force in July 2001 and requires Member States of the EU to assess the likely significant environmental effects of plans and programmes thus providing for the assessment of strategic environmental considerations at an early stage of the decision making process. Article 1 of the SEA Directive states:

*“The objective of this Directive is to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development, by ensuring that, in accordance with this Directive, an environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment.”*

The Directive came into effect in an Irish context in July 2004 and was transposed into Irish law through the Planning and Development (Strategic Environmental Assessment) Regulations 2004, S.I. No. 436 (as amended by S.I. No. 200 of 2011) and the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004, S.I. No. 435 (as amended by S.I. 201 of 2011).

In deciding whether a particular plan or programme is likely to have significant environmental effects, regard must be had to the criteria set out in Annex I of the SEA Directive and Schedule 2B to the Planning and Development (SEA) Regulations 2004 (as amended).

A SEA of Material Alteration No.1,3 & 5 to the Draft Portumna LAP 2016-2022 have been determined by Galway County Council to be a requirement and this assessment is undertaken in accordance with the provisions of 20(3)(f) of the Planning and Development Act 2000,(as amended) and the Planning and Development (Strategic Environmental Assessment Regulations) 2004 (as amended).

## **2.2 METHODOLOGY**

### **2.2.1 Introduction**

The methodology used to carry out the SEA on Proposed Material Alteration No.1, 3 & 5 to the Draft Portumna Local Area Plan 2016-2022 reflects the requirements of the SEA Directive, Regulations and other SEA guidance documentation. Material Alterations No. 1, 3 & 5 to the Draft Portumna Local Area Plan 2016-2022 are framed within a hierarchy of international, European, national and regional policy guidelines. These guidelines can be reviewed in the original SEA Environmental Report to the Draft Portumna Local Area Plan 2016-2022.

### **2.2.2 SEA Stages**

It was determined at an early stage of the plan preparation for Portumna that a full SEA Environmental Report was required. The Draft plan and associated Environmental Report were placed on public display between Friday the 31<sup>st</sup> July 2015 and the 11<sup>th</sup> September 2015.

Following this, the Elected Members of Galway County Council proposed a number of Material Alterations to the Draft Plan in November 2015. An Environmental Assessment has also been carried on these proposed Material Alterations only. Section 20(3) (f) of the Planning and Development Act 2000, as amended states that

*‘the Planning Authority shall determine if a Strategic Environmental Assessment or an Appropriate Assessment or both such assessments, as the case may be, is or are required to be carried out as respects one or more than one proposed material alteration of the draft local area plan.’*

The Material Alterations are subject to SEA in accordance with Section 20(3)(f) of the Planning and Development Act 2000,(as amended) and the Planning and Development (Strategic Environmental Assessment Regulations) 2004 (as amended). This SEA Assessment on all Material Alterations to the Draft Portumna Local Area Plan 2016-2022 and determination for requirement for SEA of Material Alterations No. 1, 3 & 5 is included in Section 1 of this report.

The key environmental issue highlighted in the initial preparation of the SEA included flooding which is of particular relevance given the location of the proposed Material Alterations especially No. 1,3 & 5. Other environmental issues considered due to potential interrelationships include Population, Human Health and Quality Of Life, Biodiversity, Flora and Fauna and Wastewater Treatment. These parameters are discussed further in Section 2.3.

### **Scope**

On the 18<sup>th</sup> November 2015 the Chief Executive of Galway County Council determined under Section 20(3) (f) of the Planning and Development Act 2000 (as amended) and having regard to the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (as amended) and Article 6 of the

Habitats Directive (92/ 43/EEC) that Strategic Environmental Assessment (SEA) was “*required to be carried out as respects one or more than one of the proposed material alteration*”.

In accordance with the requirements of Section 20(3) (g) of the Planning and Development Act, 2000 (as amended), the Chief Executive specified that the SEA would be carried out on or before the 24<sup>th</sup> February 2016. This notification of the period required facilitating a SEA of the Material Alteration’s No. 1,3 &5 to the Draft Portumna Local Area Plan 2016-2022 is included as Appendix B.

In this regard the following documents will be produced;

1. Proposed Material Alterations to the Draft Portumna Local Area Plan 2016-2022 and the accompanying maps,
2. Appropriate Assessment Screening and Natura Impact Report on the proposed Material Alterations to the Draft Plan, and
3. Strategic Environmental Assessment Screening Report on the Material Alterations to Draft LAP and Strategic Environmental Assessment Environmental Report on the Proposed Material Alteration No 1, 3 & 5 to the Draft Plan.

As stated, Section 20(3)(f) of the Planning and Development Act 2000, (as amended) states that “*the planning authority shall determine if a strategic environmental assessment or an appropriate assessment or both such assessments, as the case may be, is or are required to be carried out as respects one or more than one proposed material alteration of the draft local area plan*”. The proposed Material Alterations No’s 1,3 & 5 have not been screened out for potential significant environmental effects and therefore they are subject to full SEA in accordance with Section 20(3)(f) of the Planning and Development Act 2000, as amended and the Planning and Development (Strategic Environmental Assessment Regulations) 2004 (as amended).

However, the scope of the report is restricted by reason of Section 20(3)(f) as set out above, which states that only an assessment “*as respects one or more than one proposed material alteration*” is required. It is therefore considered that in order to fully incorporate the proposed Material Alterations, cognisance must be taken of the SEA Report accompanying the Draft Portumna Local Area Plan 2016-2022(July 2015) and the SEA for the Galway County Development Plan 2015-2021.

### **2.2.3 Consultation and Timeframe of the Plan SEA and AA**

The SEA Regulations provide for extensive public consultation with respect to the Portumna Local Area Plan for which SEA and Appropriate Assessment (AA) are undertaken, as appropriate. The consultation process ensures that individuals and organisations that wish to participate have an opportunity to do so. The Material Alterations to the Draft Portumna Local Area Plan 2016-2022 and associated Addendum to the SEA Environmental Report for Material Alteration’s No’s 1, 3 & 5 and AA Screening/Appropriate Assessment on the Proposed Material Alterations will be put on public display to allow the general public to make submissions. The submissions will be reviewed through the SEA and AA process and where necessary changes will be made to the proposed Material Alterations to the Draft Plan.

The SEA legislation and guidelines also indicate that there should be complete integration between the preparation of the Plan, the SEA process and Appropriate Assessment (AA). This Report outlines the SEA process carried out in tandem with the Plan and the AA processes.

All submissions received from the Environmental Authorities at Pre-Screening, Scoping and Environmental Report stages for the Draft Portumna Local Area Plan 2016-2022 have been collated, considered and incorporated where necessary throughout the preparation of this document. As pursuant to the Planning and Development (SEA) (Amendment) Regulations 2011 (S.I. No. 200 of 2011) the following environmental and planning authorities have been and will be consulted:

- (i) The EPA,
- (ii) The Minister for the Environment, Community and Local Government,
- (iii) Minister for Agriculture, Food and the Marine,
- (iv) Minister for Communications, Energy and Natural Resources, and
- (v) Minister for Arts, Heritage and the Gaeltacht.

#### **2.2.4 Table of Material Alterations**

The following Material Alterations to the Draft Portumna Local Area Plan 2016-2022 (**Table 2.1**) were agreed at the Member's Meeting of Galway County Council on the 11<sup>th</sup> November 2015. Material Alterations No's 1,3 & 5 will be considered further in this report in accordance with the provisions of the SEA Regulations 2004 (as amended), as the remaining Material Alterations (MA2,M4 & MA6-11) have been screened out (Environmental Assessment included in Section 1 of this document). In addition to the changes recommended in the Chief Executive's Report, additional alterations were also proposed by the Elected Members. Within the Changes to Text section of **Table 2.1** below, the following text formatting is used to highlight textual changes to the Draft Portumna Local Area Plan.

- Existing Draft Portumna LAP 2016-2022 Text – Shown in black text
- Proposed Alteration additional text – Shown in **yellow highlighted red text**
- Proposed Alteration deleted text – Shown in **~~strikethrough yellow highlight text~~**

Table 2.1 Material Alterations/Modifications proposed at Galway County Council Elected Member Meeting 11 <sup>th</sup> November 2015		
Material Alteration No.	Description	SEA Required on Material Alterations √=SEA Required x=SEA Not Required
MA 1	Include subject lands within the plan boundary and zone Tourism as per attached map ( <i>Material Alterations Proposed to the Draft Plan – Map 1A Land Use Zoning - Draft Portumna Local Area Plan</i> ).	√
MA 2	Rezone the lands from Recreation, Amenity and Open Space to Residential-Phase 2 as per attached Map 1A	×
MA3	Rezone the lands from Recreation, Amenity and Open Space to Residential-Phase 2 as per attached Map 1A.	√
MA4	Rezone the lands from Recreation, Amenity and Open Space to Tourism as per attached Map 1A.	×
MA5	Retain the “Existing Residential Land Use” and remove the Constrained Land Use as per attached Map 1A.	√
MA6	Rezone the lands from Residential Phase 2 to Town Centre/Mixed Use as per attached Map 1A.	×

<b>MA7</b>	Amend the Land Use Matrix Table to “Open For Consideration” for Medical Facilities on Business and Enterprise zoned Lands	✘
<b>MA8</b>	Amend the Land Use Table Matrix to “Open For Consideration” for Guest Houses on Community Facilities zoned Lands	✘
<b>MA9</b>	<p>Amend the Draft Portumna Local Area Plan 2016-2022 as follows:</p> <p>3.7.2 Water Framework Directive</p> <p>Irish Water is now responsible for the provision and operation of public water and wastewater services <del>and provision of these services</del> across Ireland. For decades, Local Authorities have provided water and wastewater services within the resources available to them. In order to maintain continuity of service, Irish Water has entered into Service Level Agreements (SLA) with Galway County Council for the operation of Irish Water’s assets for the next twelve years. Irish Water published a draft of its first integrated 25 Year Water Services Strategic Plan in February 2015. The Plan sets out Irish Water’s short , medium and long term objectives and strategies for the delivery of water services in Ireland. Irish Water’s Capital Investment Plan 2014-2016 which outlines the indicative Investment priorities in water services infrastructure to the end of 2016 is currently being implemented. <del>over the coming years. The Their</del> Capital Investment Plan <del>is currently being prepared and projects and programmes requiring investment are being proposed and assessed for inclusion in the investment plan.</del> <del>consists of a targeted programme consisting of individual projects and a range of sub-programmes, which will deliver improvements in drinking water quality, leakage, wastewater compliance, business efficiencies and customer service. Irish Water has also commenced work on a 25 Year Water Services Strategic Plan which will set out its long term strategy and objectives. The Capital Investment Plan will be adjusted as required to meet the objectives and priorities of the Water Service Strategic Plan as adopted following assessment.</del></p> <p>The investment plan must balance investment in quality, service level, environmental compliance and catering for future growth. Irish Water’s Investment budget is subject to approval by the Commission for Energy Regulation. The funding of additional capacity in water and wastewater networks to support</p>	✘

	<p>population and economic growth will be subject to Irish Water's Capital Investment Plans, Connections Charging Policy and Irish Water's Policy for Network Extension and Reinforcement to Cater for Growth.</p> <p>Portumna town and surrounding rural area receives its water supply from Lough Derg. The abstracted water is treated prior to consumption at the local treatment plant through processes of coagulation, filtration, chlorination and fluoridation, which provides potable water that meets the requirements of the European Communities (Drinking Water)(No.2) Regulations 2007(S.I. No.278 of 2007).<del>the existing water treatment plant has limited capacity and requires upgrading to meet demand levels into the future.</del> There is sufficient capacity at Portumna WTP to cater for future demand to 2022 and beyond. <del>These works will necessitate the upgrading of the inlet pipe and additional final water storage provision at the plant.</del> However the treatment plant is on the EPA's Remedial Action List 2013 and is not fully functional in terms of quality of water produced. There is also a deficit in treated water storage capacity at the treatment plant. Irish Water is proposing an upgrade of the treatment plant for inclusion in its Capital Investment Plan 2017-2021.</p> <p><b>Wastewater Disposal</b></p> <p>Portumna Wastewater Treatment Plant receives foul and combined flows from an extensive sewer network which collects discharges from the urban town area. There are a number of pumping stations located throughout the town of Portumna which assist in delivering these flows to the Wastewater Plant for treatment. <del>The treatment capacity is nearing capacity due to surface water infiltration, which is being analysed.</del> Irish Water is proposing an upgrade of the plant to increase capacity 3700 p.e. <del>It is envisaged that some upgrading works to the treatment process and the network will be required to meet future demands of the area.</del></p> <p><del>This upgrade is currently being assessed for inclusion in its Capital Investment Plan 2017-2022.</del></p>	
MA10	Amend Text of Objective UI 2 in the Draft Portumna Area Plan 2016-2022 as follows:	✘

	<p><b>Policy UI 1 – Water Supply, Wastewater And Surface Water Infrastructure</b></p> <p>Support Irish Water in the provision and maintenance of adequate wastewater disposal and water supply and the maintenance of the existing <b>combined (sewage and surface water) surface-water</b> drainage infrastructure, in accordance with EU Directives, to service Portumna. This will include satisfactory capacity for public wastewater and a satisfactory quantity and quality of water supply. Sustainable Drainage System approaches and techniques within the plan area shall also be supported.</p> <p><b>Objective UI 2 – Water Supply and Water Conservation</b></p> <p>Ensure that new developments are adequately serviced with a suitable quantity and quality of drinking water supply, promote water conservation (<b>leakage and demand management</b>) to reduce the overall level of water loss in the public supply and require that new domestic developments provide for water supply metering.</p>	
<p><b>MA11</b></p>	<p>Insert new policy NH2 in the Draft Portumna Area Plan 2016-2022 as follows:</p> <p><b>Policy NH2: Green Infrastructure Strategy</b></p> <p><b>The Council shall commence the preparation of a Green Infrastructure Strategy within the lifetime of the plan as resources permit.</b></p>	<p style="text-align: center;"><b>×</b></p>

**Table 2.1 Material Alterations/Modifications proposed at Galway County Council Elected Member Meeting 11<sup>th</sup> November 2015**

## 2.3 EXISTING ENVIRONMENT

### 2.3.1 Introduction

It is an obligation when compiling an Environmental Report to assess the likely significant effects on the environment, including issues such as biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors. This is in accordance with the SEA Directive 2001/42/EC and the SEA Regulations 2004 (as amended).

All environmental parameters were considered in the context of preparing this SEA, however, given the restriction of the scope of the report as per Section 20(3) (f) of the Planning and Development Act 2000,(as amended), the following areas will be examined. These include:

1. Water, and in particular, flooding,
2. Population, Human Health and Quality of Life,
3. Biodiversity, Flora and Fauna, and
4. Wastewater Treatment.

These topics will be considered predominantly in relation to Material Alteration No. 1, 3 & 5, however, a zone of influence outside this area is also considered to be important, owing to potential effects on flooding, water, habitats, etc. Further detail on the existing environment in relation to environmental parameters is provided in the SEA Environmental Report for the Draft Portumna Local Area Plan 2016-2022(July 2015).

In determining the scale, location and distribution of zoned lands as per the Proposed Material Alterations to the Draft Plan – November 2015 there is no rationale provided by the Elected Members for the inclusion of the following changes in the land use:

- MA1-Include the lands within plan boundary and zone Tourism;
- MA3- Rezone lands from Recreation, Amenity and Open Space to Residential Phase 2;
- MA5- Retain the “Existing Residential Land Use” and remove the Constrained Land Use;

For the purpose of clarity Table 2.2 will examine in detail the Material Alterations with the four environmental parameters outlined above.

### 2.3.2 Assessment of Material Alterations No’s 1, 3 & 5

All proposed material alterations have been screened for SEA in accordance with Section 20(3) (f) of the Planning and Development Amendment Act 2000 (as amended) and the Planning and Development (Strategic Environmental Assessment) Regulations 2004, as amended. The screening process has resulted in 3 material alterations that could not be screened out. It is acknowledged that the scope of the report is restricted by reason of Section 20(3)(f) of the Planning and Development Amendment Act 2000, (as amended) and having regard to the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (as amended). Having regard to the restricted timescales and the wording of S.20(3)(f) of the Planning and Development Act 2000, (as amended), the Act states that only an assessment ‘as respects one or more than one proposed material alteration’ is required. It is therefore

noted that to fully incorporate the proposed material alterations, cognisance must be taken of the SEA Environmental Report undertaken on the Draft Portumna Local Area Plan 2016-2022(July 2015) and to the SEA undertaken on the Galway County Development Plan 2015-2021.

Material Alteration's No.1, 3 & 5 have been assessed in accordance with SEA criteria and Schedule 2B of SEA Regulations 2004 (as amended).

This assessment criteria includes:

- the environmental characteristics of areas likely to be significantly affected;
- any existing environmental problems which are relevant to the plan including, in particular, those relating to any areas of a particular environmental importance, such as areas designated pursuant to the Birds Directive or Habitats Directive;
- the measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the plan.

<b>Table 2.2 Assessment of Material Alteration No. 1,3 &amp; 5</b>				
<b>Material Alteration No:</b>	<b>Water &amp; Flooding</b>	<b>Population, Human Health and Quality of Life,</b>	<b>Biodiversity, Flora and Fauna</b>	<b>Wastewater Treatment</b>
<p><b>MA 1</b> Include subject lands within the plan boundary and zone Tourism as per attached map (<i>Material Alterations Proposed to the Draft Plan – Map 1A Land Use Zoning - Draft Portumna Local Area Plan</i>).</p>	<p>The EPA groundwater vulnerability maps illustrates that the lands under consideration for this MA are located in High Vulnerability” area.</p> <p>The proposed plan area is underlain by the ‘Tynagh Groundwater Body (IE_SH_G_236).</p> <p>According to the Water Framework Directive (2009) the ground water-body had an overall status of not achieving good status by 2015.</p> <p>Surface water quality in the area is variable with water bodies ranging from ‘Poor’ to ‘Good’ status.</p> <p>The Shannon,Tributary of Shannon Lower are classified as having a moderate status. The overall objective is to restore the status of the river, by 2021.</p> <p>The Lough Derg is</p>	<p>The LAP area covers 411.05ha, and according to the 2011 census contains a population of 1530 persons. Portumna has been identified as one of the ‘Key Towns’ in the Core Strategy of the County Development Plan and is located within the fourth tier of the Settlement Strategy of the plan.</p> <p>The quantum of lands zoned in the Draft Portumna Local Area Plan 2016-2022 is in compliance with the population targets as set out in the Galway County Development Plan 2015-2021 – Core Strategy and Spatial Planning.</p> <p>Appropriate zoning of lands which are located within areas identified as having the potential for future flooding i.e. Flood Zones A and B, is an essential element of the Local Area Plan as these lands have the potential for direct effects on flooding regimes in the locality with potential</p>	<p>The topography and natural features of Portumna have influenced the pattern and form development in the town.</p> <p>Portumna supports a wide diversity of natural and semi-natural habitats and a wide range of plant and animal species.</p> <p>Green space makes up large parts of the surrounding countryside within the plan area and consists of a variety of habitats including corridors which provide for the movement of wildlife.</p> <p>Areas of traditional woodland scrub and coniferous forests lie to the south of the town. Portumna Forest Park is directly opposite the subject lands.</p> <p>The River Shannon, with tributaries such as the Fairyhill River, the Deerpark River, the Gortneill Straem and the Lickmolassy stream</p>	<p>The Portumna Wastewater Treatment Plant receives foul and combined flows from an extensive sewer network which collects discharges from the urban town. There are a number of pumping stations located throughout the town of Portumna which assist in delivering these flows to the Wastewater Plant for treatment. The treatment plant is nearing capacity; it is proposed to upgrade the plant to a capacity of 3700 p.e.</p> <p>Any development resulting from the rezoning of the lands in question to Tourism would be likely to result in production of associated wastewater thereby creating the potential for significant environmental effects within high risk flood zones, Flood Zone A/B.</p>

	<p>classified as being of poor status The overall objective is to restore the status of the river, by 2021.</p> <p>The Portumna, Tributary of the Shannon Lower is classified as poor status. The overall objective is to restore the status of the river, by 2021.</p> <p>A Stage 2 SFRA was carried out as part of the preparation of the Portumna Local Area Plan. The lands subject to this MA are partly located in both Flood Zone A &amp; B.</p>	<p>for interrelationships and knock on effects on water quality, human health, housing and quality of life.</p> <p>*See Table 2.3 in relation to the increase/reduction of Land Use Zoning.</p>	<p>transverses the plan area. The river acts as a corridor supporting areas of biodiversity within the town.</p> <p>The Northern section of the site is drained by the Lickmolassy Stream which discharges into Loug Derg</p>	
<p><b>MA3</b> Rezone the lands from Recreation, Amenity and Open Space to Residential-Phase 2 as per attached Map 1A.</p>	<p>The EPA groundwater vulnerability maps illustrates that the lands under consideration for this MA are located in High Vulnerability" area.</p> <p>The proposed plan area is underlain by the 'Tynagh Groundwater Body (IE_SH_G_236).</p> <p>According to the Water Framework Directive (2009) the ground water-body had an overall status of not achieving good</p>	<p>The LAP area covers 411.05ha, and according to the 2011 census contains a population of 1530 persons. Portumna has been identified as one of the 'Key Towns' in the Core Strategy of the County Development Plan and is located within the fourth tier of the Settlement Strategy of the plan.</p> <p>The quantum of lands zoned in the Draft Portumna Local Area Plan 2016-2022 is in compliance with the population targets as set out in the Galway County</p>	<p>The topography and natural features of Portumna have influenced the pattern and form development in the town.</p> <p>Portumna supports a wide diversity of natural and semi-natural habitats and a wide range of plant and animal species.</p> <p>Green space makes up large parts of the surrounding countryside within the plan area and consists of a variety of habitats including corridors</p>	<p>The Portumna Wastewater Treatment Plant receives foul and combined flows from an extensive sewer network which collects discharges from the urban town. There are a number of pumping stations located throughout the town of Portumna which assist in delivering these flows to the Wastewater Plant for treatment. The treatment plant is nearing capacity; it is proposed to upgrade the plant to a capacity of 3700 p.e.</p>

	<p>status by 2015.</p> <p>Surface water quality in the area is variable with water bodies ranging from 'Poor' to 'Good' status.</p> <p>The Shannon, Tributary of Shannon Lower are classified as having a moderate status. The overall objective is to restore the status of the river, by 2021.</p> <p>The Lough Derg is classified as being of poor status. The overall objective is to restore the status of the river, by 2021.</p> <p>The Portumna, Tributary of the Shannon Lower is classified as poor status. The overall objective is to restore the status of the river, by 2021.</p> <p>A Stage 2 SFRA was carried out as part of the preparation of the Portumna Local Area Plan. The lands subject to this MA are partly located in both Flood Zone A.</p>	<p>Development Plan 2015-2021 – Core Strategy and Spatial Planning.</p> <p>Appropriate zoning of lands which are located within areas identified as having the potential for future flooding i.e. Flood Zones A and B, is an essential element of the Local Area Plan as these lands have the potential for direct effects on flooding regimes in the locality with potential for interrelationships and knock on effects on water quality, human health, housing and quality of life.</p> <p>*See Table 2.3 in relation to the increase/reduction of Land Use Zoning.</p>	<p>which provide for the movement of wildlife.</p> <p>Areas of traditional woodland scrub and coniferous forests lie to the south of the town.</p> <p>The River Shannon, with tributaries such as the Fairyhill River, the Deerpark River, the Gortneill Straem and the Lickmolassy stream transverses the plan area. The river acts as a corridor supporting areas of biodiversity within the town.</p> <p>The eastern section of the site is drained by the Lickmolassy Stream which discharges into Lough Derg</p>	<p>Any development resulting from the rezoning of the lands in question to Residential Phase 2 will likely result in production of associated wastewater thereby creating the potential for significant environmental effects within high risk flood zone, Flood Zone A/B.</p>
<p><b>MA 5</b> Retain the "Existing</p>	<p>he EPA groundwater vulnerability maps</p>	<p>The LAP area covers 411.05ha, and according to</p>	<p>The topography and natural features of Portumna have</p>	<p>Any development resulting from the</p>

<p>Residential Land Use” and remove the Constrained Land Use as per attached Map 1A.</p>	<p>illustrates that the lands under consideration for this MA are located in High Vulnerability” area.</p> <p>The proposed plan area is underlain by the ‘Tynagh Groundwater Body (IE_SH_G_236).</p> <p>According to the Water Framework Directive (2009) the ground water-body had an overall status of not achieving good status by 2015.</p> <p>Surface water quality in the area is variable with water bodies ranging from ‘Poor’ to ‘Good’ status.</p> <p>The Shannon,Tributary of Shannon Lower are classified as having a moderate status. The overall objective is to restore the status of the river, by 2021.</p> <p>The Lough Derg is classified as being of poor status The overall objective is to restore the status of the river, by 2021.</p> <p>The Portumna, Tributary of</p>	<p>the 2011 census contains a population of 1530 persons. Portumna has been identified as one of the ‘Key Towns’ in the Core Strategy of the County Development Plan and is located within the fourth tier of the Settlement Strategy of the plan.</p> <p>The quantum of lands zoned in the Draft Portumna Local Area Plan 2016-2022 is in compliance with the population targets as set out in the Galway County Development Plan 2015-2021 – Core Strategy and Spatial Planning.</p> <p>Appropriate zoning of lands which are located within areas identified as having the potential for future flooding i.e. Flood Zones A and B, is an essential element of the Local Area Plan as these lands have the potential for direct effects on flooding regimes in the locality with potential for interrelationships and knock on effects on water quality, human health, housing and quality of life.</p> <p>*See Table 2.3 in relation to</p>	<p>influenced the pattern and form development in the town.</p> <p>Portumna supports a wide diversity of natural and semi-natural habitats and a wide range of plant and animal species.</p> <p>Green space makes up large parts of the surrounding countryside within the plan area and consists of a variety of habitats including corridors which provide for the movement of wildlife.</p> <p>Areas of traditional woodland scrub and coniferous forests lie to the south of the town.</p> <p>The River Shannon, with tributaries such as the Fairyhill River, the Deerpark River, the Gortneill Straem and the Lickmolassy stream transverses the plan area. The river acts as a corridor supporting areas of biodiversity within the town.</p>	<p>rezoning of the lands in question without the Constrained Land Use being applied to the lands would likely result in production of associated wastewater, thereby creating the potential for significant environmental effects within high risk flood zone, Flood Zone A/B.</p>
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	<p>the Shannon Lower is classified as poor status. The overall objective is to restore the status of the river, by 2021.</p> <p>A Stage 2 SFRA was carried out as part of the preparation of the Portumna Local Area Plan. The lands subject to this MA are partly located in both Flood Zone A &amp; B.</p>	<p>the increase/reduction of Land Use Zoning.</p>		
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**Table 2.2 Assessment of Material Alteration No. 1, 3 & 5**

**Table: 2.3 Indicating the quantum of Land Use increased/decreased.**

Material Alterations	Land Use Zoning as per Draft Plan	Land Use Zoning as per Material Alterations	Nett increase/decrease in land use zoning
MA1	Outside Plan Boundary	Tourism	<b>6.983ha</b>
MA2	Recreation, Amenity & Open Space	Phase 2 Residential	<b>0.7873ha</b>
MA3	Recreation, Amenity & Open Space	Phase 2 Residential	<b>1.773ha</b>
MA4	Recreation, Amenity & Open Space	Tourism	<b>2.611ha</b>
MA5	Existing Residential with Constrained Land Use	Existing Residential	<b>Constrained Land Use -1.818ha</b>
MA6	Residential Phase 2	Town centre	<b>4.555ha</b>

**Table 2.3 Indicating the quantum of Land Use increased/decreased.**



### **2.3.3 Effects of Not Implementing the Proposed Material Alterations**

In the absence of the Proposed Material Alterations to the Portumna Local Area Plan 2016-2022, development would occur as per the proposed Draft Local Area Plan (July 2015).

### **2.3.4 Information Gaps/Technical Difficulties**

The most up to date information has been utilised in this report but it is accepted that this may change over the lifetime of the Local Area Plan making process and thus will be updated accordingly.

## **2.4 ALTERNATIVES**

### **2.4.1 Introduction**

The consideration of Alternatives is a legal requirement of Directive 2001/42/EC of the European Parliament and of Galway County Council on the assessment of the effects of certain plans and programmes on the environment (SEA Directive) which entered into force on 21<sup>st</sup> July 2001 and implemented by Member States prior to 21<sup>st</sup> July 2004. In particular the Directive states that:

*“... an environmental report shall be prepared in which the likely significant effects on the environment of implementing the plan or programme, and reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme, are identified, described and evaluated” (Article 5.1).*

The issue of alternatives is therefore a critical function of the SEA process and necessary to evaluate the likely environmental consequences of a range of alternative development strategies for the plan area, within the constraints imposed by environmental conditions. This section of the SEA on the Material Alterations to Draft Portumna Local Area Plan 2016-2022 is restricted by Section 20(3)(f) of the Planning and Development Act 2000, as amended which concentrates on ‘Material Alterations’ only, not the overall local area plan approach.

There are various options available to the Elected Members with regard to alternative approaches which can be pursued, and it is these alternatives which will be analysed in line with the requirements of the SEA Directive and Regulations.

A ‘Do Nothing’ approach is not considered a reasonable and realistic approach as Galway County Council has determined a Strategic Environmental Assessment is required to be carried out in respect of the proposed Material Alterations to the Local Area Plan.

In accordance with the Planning and Development Act 2000, (as amended) the options available to the Elected Members, that are realistic and capable of implementation, include:

1. Adopt as per Proposed Material Alterations to Draft Portumna LAP 2016-2022 (November 2015),
2. Adopt as per Proposed Material Alterations to Draft Portumna LAP 2016-2022 (November 2015) with further minor modifications,
3. Adopt as per Draft Portumna LAP 2016-2022 (July 2015), and
4. Adopt as per Draft Portumna LAP 2016-2022 (July 2015) with further minor modifications.

### **1. Adopt as per Proposed Material Alterations to Draft Portumna LAP 2015-2021 (November 2015)**

The Elected Members choose to adopt the Proposed Material Alterations to Draft Portumna Local Area Plan 2016-2022, and associated SEA and AA. The Draft Portumna Local Area Plan and Material Alterations as proposed at the Elected Members meeting of 11<sup>th</sup> November 2015 have been subject to SEA Screening. The Material Alterations, MA's 1, 3 & 5, have been screened in for potential significant effects on the environment. Material Alteration No's.1,3 & 5 have been assessed under the criteria set out in Annex I of the SEA Directive and Schedule 2B to the Planning and Development (SEA) Regulations 2004 (as amended). Material Alteration No's 1, 3 & 5 have been subject to the Justification Test as detailed in the *The Planning System and Flood Risk Management Guidelines for Planning Authorities and Circular PL2/2014* and **has failed** the Justification Test.

The re-zonings associated with the Material Alterations (MA1, MA3 &MA5) have been requested by the landowners and or Elected Members. There was no rationale applied by the Elected Members in making their decisions.

It is clear however that an environmental-led approach was not central to the decision making process and as a result the potential exists for these zonings individually or cumulatively to cause significant environmental effects. To adopt the plan as per the Proposed Material Alterations (MA's 1, 3 & 5) to the Draft Portumna Local Area Plan 2016-2022 (November 2015) would contravene *The Planning System and Flood Risk Management Guidelines for Planning Authorities & Circular PL2/2014* would potentially have the following impacts:

- the current zonings as indicated as a result of the Material Alterations(November 2015)
- environmental and ecological designations, sensitivities and constraints, and
- the likely significant impacts on water resources.

### **2. Adopt as per Proposed Material Alterations to Draft Portumna LAP 2016-2022 (November 2015) with Further Minor Modifications**

The Elected Members choose to adopt the Proposed Material Alterations to the Draft Portumna LAP 2016-2022, and associated SEA and HDA with further modifications.

The Draft Portumna Local Area Plan 2016-2022 and Material Alterations as proposed at the Elected Members meeting of 11<sup>th</sup> November 2015 have been subject to SEA Screening. Material Alterations MA2, MA4, MA6-MA11 has been screened out for potential significant effects on the environment. However the rezoning of lands that are subject of **MA1,MA3 & MA5 does not appear to follow an environmental-led approach and environmental criteria was not considered in the decision making process.** The overall impact of this alternative on the receiving environmental cannot be fully assessed at this stage as the 'Minor Amendments' are a future consideration. It can be noted, however, that as a principal proposal, the zoning of the sites in relation to MA1, MA3 & MA5 are not in compliance with proper planning and sustainable development of the plan area and in contravention of *The Planning System and Flood Risk Management Guidelines for Planning Authorities and associated Circular PL2/2014*. Thereby it is considered that by permitting development to occur in an ad-hoc and unrestrictive manner without regard for environmental sensitivities and constraints e.g. potential residential development with associated wastewater facilities within Flood Zone A/B could have a significant impact on the local environment.

### **3. Adopt as per Draft Portumna LAP 2016-2022(July 2015)**

The Elected Members choose not to adopt the Proposed Material Alterations to Draft Portumna LAP 2016-2022 (November 2015), and associated SEA and HDA and revert back to the Draft Portumna LAP 2016-2022 (July 2015). The Draft Portumna LAP 2016-2022 required a SEA Environmental Report.

The development option seeks to support the consolidation of the village centre to accommodate future growth, promote the sequential development of the remainder of the urban core, including infill development and the development of vacant, brownfield and under-utilised sites in the town centre,

ensuring that serviced lands close to the centre and public transport options are the primary focus for development in the short to medium term. Generally all undeveloped lands included in the Portumna LAP area and within Flood Zones A and B were zoned for Open Space, Recreation and Amenity, and where lands that were developed and within Flood Zones A and B, a Constrained Land Use was applied as required under Circular PL2/2014. The plan as published in July 2015 with the zonings as outlined above was in compliance with the international, national, regional guidelines on the protection of water resources and the sustainable approach to land use planning. This plan is an environmentally led policy framework for the sustainable development of the Portumna area.

#### **4. Adopt as per Draft Portumna LAP 2016-2022 (July 2015) with Further Minor Modifications**

The Elected Members choose not to adopt the Proposed Material Alterations to the Draft Portumna LAP 2016-2022 (November 2015), and associated SEA and HDA and revert back to the Draft Portumna LAP 2016-2022 (July 2015) with further modifications. The overall impact of this alternative on the receiving environment cannot be fully assessed at this stage as the further modifications are a future consideration. It can be noted, however, that as a principal proposal, the Draft Portumna Local Area Plan 2016-2022 (July 2015) is considered to be in compliance with proper planning and sustainable development with an overarching environmental-led approach.

#### **2.4.2 Assessment of Alternatives**

##### **Option 1 - Adopt as per Proposed Material Alterations to Draft Portumna LAP 2016-2022 (November 2015)**

This is the least desirable option, as the likely significant environmental effects on the receiving environment conflict with '*The Planning System and Flood Risk Management Guidelines for Planning Authorities*', *Circular PL2/2014* and the Addendum to the SEA Environmental Report of the Portumna LAP are unlikely to be mitigated. This option envisages inappropriate lands i.e. lands classified as Flood Zone A/B for residential and tourism development without taking into consideration environmental considerations. Consequently it is open for development associated with residential and tourism to occur on lands which have been classified in the highest flood risk category. This strategy would put unnecessary and undue pressure on lands which are environmentally sensitive, and it would cause undue negative impacts on a number of the environmental parameters. By adopting such an approach, which can be considered lacking in environmental planning considerations, the potential development of this area could occur in a manner which is not integrated; it would present significant environmental problems and would be contrary to the principles of sustainable development. This option would be contrary to the orderly and sustainable development of the plan area.

##### **Option 2 – Adopt as per Proposed Material Alterations to Draft Portumna LAP 2016-2022 (November 2015) with Further Minor Modifications**

It is unclear what the likely significant environmental effects on the environment will be as a result of the modifications. It can only be noted that the principal of the Proposed Material Alterations to Draft Portumna LAP 2016-2022 (November 2015) without further modification would present significant environmental issues and would be contrary to the principles of sustainable development.

##### **Option 3 – Adopt as per Draft Portumna LAP 2016-2022 (July 2015)**

This option allows for planned development and represents a sustainable environmental-led approach to planning in the Portumna LAP area. Development will be focused in areas with capacity to accommodate development without causing significant environment effects. Significant restrictions will be put in place to development in areas designated for environmental purposes as well as areas of significant environmental importance or where threats to natural resources prevail, such as ground and surface waters. This scenario is based on the principles of sustainable development, which means that the plan is promoted in accordance with international, national, regional and county guidelines and the plan area is also covered by the objectives and policies of the *Galway County Development Plan 2015-2021* and the mitigation measures proposed in this plan. In conclusion, this environmental-led planned approach to development of the area incorporating the principles of sustainable development is the option best suited to Portumna

#### **Option 4 – Adopt as per Draft Portumna LAP 2016-2022 (July 2015) with Further Minor Modifications**

It is unclear what the likely significant environmental effects on the environment will be as a result of the modifications. It can only be noted that the principal Draft Portumna LAP 2016-2022 without amendments represents the optimum strategy for the development of the plan area taking in to account the requirement to zone a sufficient quantum of land to meet population growth targets and taking in to account the requirement to have a balance between diverse social, economic, and physical criteria. The Draft Portumna Local Area Plan (July 2015) reflects the consideration of issues such as flood risk assessment, availability of services, sequential testing, planning history, and consolidation of the urban form.

#### **2.4.3 Technical Difficulties**

The use of qualitative and quantitative data in assessing and evaluating alternatives has provided a greater depth of knowledge than using one method alone. A combination of previous knowledge, consultation, GIS, etc. has enabled the SEA team to compile a comprehensive list of reasonable and realistic alternatives worthy of inclusion in Proposed Material Alterations to Draft Portumna Local Area Plan. Section 20(3)(f) of the Planning and Development Act 2000, as amended states that

*‘The Planning Authority shall determine if a Strategic Environmental Assessment or an Appropriate Assessment or both such assessments, as the case may be, is or are required to be carried out as respects one or more than one proposed material alteration of the draft local area plan’.*

It should be noted that there is no other guidance in the Planning and Development Act 2000, (as amended) or the SEA Regulations (as amended) which direct the preparation of an SEA on Proposed Material Alterations to a Local Area Plan. It should also be noted that the 2004 Regulations do not easily align with the requirements of the Planning and Development Act regarding ‘modifications’ to the Draft Plan.

In conclusion, based on the level of information available, the restrictive scope of the exercise and the timescale encountered it can be concluded that no further technical difficulties were encountered in formulating the alternatives section of the Environmental Report to this level of detail.

## **2.5 CONCLUSION**

As stated at the outset, Section 20(3) (f) of the Planning and Development Act 2000, as amended states that

*“The planning authority shall determine if a strategic environmental assessment or an appropriate assessment or both such assessments, as the case may be, is or are required to be carried out as respects one or more than one proposed material alteration to the draft local area plan”.*

The proposed Material Alterations (MA1, MA3 & MA5) are subject to SEA in accordance with Section 20(3)(f) of the Planning and Development Act 2000, as amended and the Planning and Development (Strategic Environmental Assessment Regulations) 2004 (as amended).

However, the scope of the report is restricted by reason of Section 20(3)(f) as outlined above. The Act states that, only an assessment “as respects one or more than one proposed material alteration is required”. It is therefore considered in order to fully incorporate the proposed Material Alterations (MA1, MA3 & MA5) which were not screened out, cognisance must be taken of the SEA Environmental Report accompanying the Draft Portumna Local Area Plan 2016-2022 and the SEA for the Galway County Development Plan 2015-2021.

Accordingly this SEA is a Strategic Environmental Assessment on the Proposed Material Alterations of November 2015. Considering this restriction and the lack of guidance available on preparing an SEA

Environmental Report on a Proposed Material Alteration to a Draft Local Area Plan, the methodology undertaken as part of this report involved assessing solely the effects of Material Alterations (MA1, MA3 & MA5) on the environment. It is the purpose of the SEA to encourage and maximise development where there is adequate and appropriate services, wastewater treatment, water, minimal environmental restrictions and a capacity to accommodate public infrastructure.

In this regard, the SEA process has identified that to facilitate Material Alteration No's. (MA1,MA3 & MA5), as per the Proposed Material Alterations to the Draft Portumna Local Area Plan 2016-2022, would result in a segregated and haphazard approach to sequential planning, and result in the potential for significant adverse environmental effects. These effects include the potential for likely significant environmental effects on local hydrology/hydrogeology, water quality, human health and biodiversity, as outlined in Section 2.4.2.

In relation to Material Alterations (MA1,MA3 & MA5) the proposed land use zonings are in clear contravention of the acceptable land uses which are outlined in the “*The Planning System and Flood Risk Management Guidelines for Planning Authorities*” and *Circular PL2/2014* which restricts development within areas that have a high potential of flooding. All of the Material Alterations outlined above (MA1, MA3 & MA5) have the potential to cause significant environmental effects on the environment.

## 2.6 RECOMMENDATION

It is clear from what has been outlined in this report that the Material Alterations (MA1, MA3 & MA5) are not in accordance with an environmental led plan and the following table is the clear recommendation of this report that the plan should revert back to the land use zonings as published as part of the Draft Portumna Local Area Plan 2016-2022 in July 2015.

Material Alteration	SEA Recommendation
MA1	Lands should not be included within the plan boundary and zoned Tourism. Revert back to the Draft Plan as published in July 2015.
MA3	Lands should not be rezoned from Recreation, Amenity & Open Space to Residential Phase 2. Revert back to the Draft Plan as published in July 2015.
MA5	Retain the Constrained Land Use and Existing Residential as per the Draft Plan as published in July 2015.

## **APPENDIX A**

### **PLAN JUSTIFICATION TEST FOR MATERIAL ALTERATIONS NO.1, 3 & 5**

Plan Justification Test for Material Alteration No.1	Response
The urban settlement is targeted for growth under the National Spatial Strategy, Regional Planning Guidelines, statutory plans or under the Planning Guidelines or Planning Directives provisions of the Planning and Development Act 2000, as amended	Portumna is identified within the “Key Towns” of the County Core Strategy/Settlement Strategy Regional Planning Guidelines. Therefore it is considered that the Material Alteration is compliant with this criterion.
The zoning or designation of the lands for the particular use or development type is required to achieve the proper planning and sustainable development of the urban settlement and , in particular:	The area under consideration has been traditionally used for agriculture. Zoning this area would, according to the Land Use Zoning Matrix of the Draft Portumna Local Area Plan, provide for Tourism development and other permitted uses. Given the location of the Tourism land within the plan areas the additional zoning of these lands in a flood risk area is not considered necessary to achieve the proper planning and sustainable development of the urban settlement. Therefore it is considered that this Material Alteration fails on this criterion.
<ul style="list-style-type: none"> <li>Is essential to facilitate regeneration and/or expansion of the centre of the urban settlement</li> </ul>	Given the proposed Tourism zoning and its location, it is not considered essential for regeneration nor would it be essential to the expansion of the urban settlement. Therefore it is not considered essential that this site be zoned Tourism for the regeneration or expansion of the centre of the urban settlement, the material alteration fails this criterion of the plan Justification Test.
<ul style="list-style-type: none"> <li>Comprises significantly previously developed and /or under – utilised lands</li> </ul>	This site comprises 6.98ha which has predominately being used as agriculture.
<ul style="list-style-type: none"> <li>Is within or adjoining the core of an established or designated urban settlement</li> </ul>	These lands were outside the plan boundary as per the Draft Plan published in July 2015 and are not adjacent to the core of the settlement. Therefore the material alteration does not pass this criterion of the plan Justification Test.
<ul style="list-style-type: none"> <li>Will be essential in achieving compact and sustainable urban growth; and</li> </ul>	Any development on this site will not necessarily lead to compact and sustainable urban growth therefore it is not essential in this regard. The material alteration does not pass this criterion of the plan Justification Test.
<ul style="list-style-type: none"> <li>There are no suitable alternative lands for the particular use or development type, in areas at lower risk of flooding within or adjoining the core of the urban settlement</li> </ul>	There are alternative Tourism lands or potential lands within the plan area. Therefore it is considered that there are sufficient lands available for Tourism purposes and the material alteration does not pass this criterion of the plan Justification Test.
<ul style="list-style-type: none"> <li>A flood risk assessment to an appropriate level of detail has been carried out as part of the Strategic Environmental Assessment as part of the local area plan preparation process, which demonstrates that flood risk to the development can be adequately managed and the use of development of the lands will not cause unacceptable adverse impacts elsewhere.</li> </ul>	A Strategic Flood Risk Assessment has been prepared for County Galway, which also considers the flood risk issues relevant to the plan area. The Strategic Flood Risk Assessment has been prepared in accordance with the EU Floods Directive (2007/60/EC), the national European Communities (Assessment and Management of Flood Risks) Regulations 2010 (SI No.122 of 2010) and the Planning System and Flood Risk Management Guidelines for Planning Authorities 2009 and Circular PL2/2014 issued by the DoEHLG. The

	<p>Strategic Flood Risk Assessment has been examined and confirmed the flood risk areas and this has been incorporated into the Local Area Plan.</p> <p>The SFRA has been integrated into the plan process at the appropriate level of detail. The approach taken to date by Galway County Council is to zone undeveloped lands as Open Space, Recreation &amp; Amenity and developed areas as Constrained Land Use.</p> <p>Zoning these lands Tourism where there is a Flood Zone A/B would be in direct contravention of the guidelines and circular. Therefore the material alteration fails this criterion of the plan Justification Test.</p>
<b>Plan Justification Test for Material Alteration No.3</b>	<b>Response</b>
The urban settlement is targeted for growth under the National Spatial Strategy, Regional Planning Guidelines, statutory plans or under the Planning Guidelines or Planning Directives provisions of the Planning and Development Act 2000, as amended.	Portumna is identified within the “Key Towns” of the County Core Strategy/Settlement Strategy Regional Planning Guidelines. Therefore it is considered that the Material Alteration is compliant with this criterion.
The zoning or designation of the lands for the particular use or development type is required to achieve the proper planning and sustainable development of the urban settlement and , in particular:	The area under consideration has been traditionally used for agriculture. Zoning this area would, according to the Land Use Zoning Matrix of the Draft Portumna Local Area Plan, provide for Residential uses. Given the extent of Residential Phase 2 lands within the plan area, the additional zoning of these lands is not considered necessary to achieve the proper planning and sustainable development of the urban settlement. Therefore it is considered that this Material Alteration fails on this criterion.
<ul style="list-style-type: none"> <li>Is essential to facilitate regeneration and/or expansion of the centre of the urban settlement</li> </ul>	Given the proposed Residential Phase 2 zoning, it is not considered essential for regeneration nor would it be essential to the expansion of the urban settlement. As it is not considered essential that this site is zoned Residential Phase 2 for the regeneration or expansion of the centre of the urban settlement, the material alteration fail this criterion of the plan Justification Test.
<ul style="list-style-type: none"> <li>Comprises significantly previously developed and /or under – utilised lands</li> </ul>	This site comprises 1.77ha which has predominately being used as agriculture.
<ul style="list-style-type: none"> <li>Is within or adjoining the core of an established or designated urban settlement</li> </ul>	These lands are removed from the town centre and are not adjacent to the core of the settlement. Therefore the material alteration does not pass this criterion of the plan Justification Test.
<ul style="list-style-type: none"> <li>Will be essential in achieving compact and sustainable urban growth; and</li> </ul>	Any development on this site will not necessarily lead to compact and sustainable urban growth and it is not essential in this regard. Therefore the material alteration does not pass this criterion of the plan Justification Test.
<ul style="list-style-type: none"> <li>There are no suitable alternative lands for the particular use or development type, in areas at lower risk of flooding within or adjoining the core of the urban settlement</li> </ul>	There are sufficient Residential Phase 2 lands already zoned within the plan area outside this area. Therefore it is considered that there are sufficient lands zoned Residential Phase 2 and the material alteration does not pass this

	<p>criterion of the plan Justification Test.</p> <p>A Strategic Flood Risk Assessment has been prepared for County Galway, which also considers the flood risk issues relevant to the plan area. The Strategic Flood Risk Assessment has been prepared in accordance with the EU Floods Directive (2007/60/EC), the national European Communities (Assessment and Management of Flood Risks) Regulations 2010(SI No.122 of 2010) and the Planning System and Flood Risk Management Guidelines for Planning Authorities 2009 and Circular PL2/2014 issued by the DoEHLG. The Strategic Flood Risk Assessment has been examined and confirms the flood risk areas and this has been incorporated into the Local Area Plan.</p> <p>The SFRA has been integrated into the development plan process at the appropriate level of detail The approach taken to date by Galway County Council is to zone undeveloped lands as Open Space, Recreation &amp; Amenity and developed areas as Constrained Land Use.</p> <p>Zoning these lands Residential Phase 2 would be in direct contravention of the guidelines and circular, therefore the material alteration fails this criterion of the Plans Justification Test.</p>
<ul style="list-style-type: none"> <li>A flood risk assessment to an appropriate level of detail has been carried out as part of the Strategic Environmental Assessment as part of the local area plan preparation process, which demonstrates that flood risk to the development can be adequately managed and the use of development of the lands will not cause unacceptable adverse impacts elsewhere.</li> </ul>	
<b>Plan Justification Test for Material Alteration No.5</b>	<b>Response</b>
The urban settlement is targeted for growth under the National Spatial Strategy, Regional Planning Guidelines, statutory plans or under the Planning Guidelines or Planning Directives provisions of the Planning and Development Act 2000, as amended	Portumna is identified within the “Key Towns” of the County Core Strategy/Settlement Strategy Regional Planning Guidelines. Therefore it is considered that the Material Alteration is compliant with this criterion.
The zoning or designation of the lands for the particular use or development type is required to achieve the proper planning and sustainable development of the urban settlement and , in particular:	The area under consideration has a number of existing residential properties and a number of properties under construction and is zoned Existing Residential with Constrained Land Use. The Land Use Zoning Matrix of the Draft Portumna Local Area Plan provides for residential development and other permitted uses however with a Constrained Land Use applied to these lands. The removal of the Constrained Land Use is not considered justified in order to achieve the proper planning and sustainable development of the urban settlement. Therefore it is considered that this Material Alteration fails on this criterion.
<ul style="list-style-type: none"> <li>Is essential to facilitate regeneration and/or expansion of the centre of the urban settlement</li> </ul>	It was considered appropriate to zone the lands Existing Residential but with Constrained Land Use due to the location of the flood zone A/B. It is considered that these lands are required for the expansion of the urban settlement however due to the site being located in flood zone A/B a Constrained Land Use was also applied which was a requirement of Circular

	PL2/2014.
<ul style="list-style-type: none"> <li>Comprises significantly previously developed and /or under – utilised lands</li> </ul>	This site comprises 1.81ha which has a number of residential units on the said lands; the lands are under-utilised.
<ul style="list-style-type: none"> <li>Is within or adjoining the core of an established or designated urban settlement</li> </ul>	These lands were inside the plan boundary as per the draft plan published in July 2015 and were zoned Existing Residential with Constrained Land Use and are adjoining the core of an established settlement. Therefore it is considered that the Material Alteration is compliant with this criterion.
<ul style="list-style-type: none"> <li>Will be essential in achieving compact and sustainable urban growth; and</li> </ul>	The completion of these residential units is required to achieve compact and sustainable urban growth however a Constrained Land Use should be applied to these lands.
<ul style="list-style-type: none"> <li>There are no suitable alternative lands for the particular use or development type, in areas at lower risk of flooding within or adjoining the core of the urban settlement</li> </ul>	It was considered appropriate to zone these lands Existing Residential with Constrained Land Use. Due to the existing residential units on the lands it was considered appropriate to zone the lands as Existing Residential with Constrained Land Use.
<ul style="list-style-type: none"> <li>A flood risk assessment to an appropriate level of detail has been carried out as part of the Strategic Environmental Assessment as part of the local area plan preparation process, which demonstrates that flood risk to the development can be adequately managed and the use of development of the lands will not cause unacceptable adverse impacts elsewhere.</li> </ul>	<p>A Strategic Flood Risk Assessment has been prepared for County Galway, which also considers the flood risk issues relevant to the plan area. The Strategic Flood Risk Assessment has been prepared in accordance with the EU Floods Directive (2007/60/EC), the national European Communities (Assessment and Management of Flood Risks) Regulations 2010 (SI No.122 of 2010) and the Planning System and Flood Risk Management Guidelines for Planning Authorities 2009 and Circular PL2/2014 issued by the DoEHLG. The Strategic Flood Risk Assessment has been examined and confirmed the flood risk areas and this has been incorporated into the Local Area Plan.</p> <p>The SFRA has been integrated into the plan process at the appropriate level of detail. The approach taken to date by Galway County Council is to zone undeveloped lands as Open Space, Recreation &amp; Amenity and developed areas as Constrained Land Use.</p> <p>Therefore, to remove the Constrained Land Use from these lands and to retain solely the Existing Residential zoning on these lands would be in direct contravention of the guidelines and circular. Therefore the material alteration fails this criterion of the plan Justification Test.</p>

**APPENDIX B**  
**NEWSPAPER ADVERT**

**COMHAIRLE CHONTAE NA GAILLIMHE  
GALWAY COUNTY COUNCIL**

**Notice of Proposed Material Alterations to the Portumna Draft Local Area Plan 2016-2022**

**Following from the previous advertised Notice in November 2015  
Notice of Determination in relation to the Requirement for Strategic  
Environmental Assessment and Appropriate Assessment on more than one of the  
Material Alterations**

Notice is hereby given pursuant to Section 20 of the Planning & Development Act, 2000 (as amended) that Galway County Council proposes to make Material Alterations to the Portumna Draft Local Area Plan 2016-2022 which was previously displayed.

In accordance with Section 20 of the Planning & Development Act, 2000, as amended, Article 14 of the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (as amended), Article 6 of the EU Habitats Directive (92/43/EEC) and the Birds Directive (79/409/EEC) as amended, Galway County Council, having carried out screenings of the Proposed Alterations have determined:

- That a Strategic Environmental Assessment (SEA) of more than one of the proposed Material Alterations is required and
- That an Appropriate Assessment (AA) of more than one of the proposed Material Alterations is required.

Copies of the proposed Material Alterations, the SEA Environmental Report providing information on the likely significant effects on the environment of implementing the proposed Material Alterations, and the Natura Impact Report on the proposed Material Alterations will be available for public inspection during normal opening hours from **Wednesday, 24<sup>th</sup> February 2016 to Wednesday, 23<sup>rd</sup> March 2016**, (both dates inclusive), at the following locations:

- **Planning Office, Áras an Chontae, Prospect Hill, Galway** (Monday -Friday 9am-4pm)
- **Portumna Library, Castle Ave, Portumna** (Tuesday & Thursday 10.30am – 1.00pm & 2.00pm – 5.00pm, Wednesday & Friday 2.00pm– 5.00pm & 6.00pm – 8.00pm, and Saturday 11.00am -1.00pm & 2.00pm -5.00pm)
- **Portumna Area Office, Civic Offices, Portumna.** (Monday -Friday 9.10am -1.00pm & 2.00pm - 5.00pm)

All documents are also available to download from Galway County Council's website [www.galway.ie](http://www.galway.ie).

Written submissions or observations with respect **only to the Proposed Material Alterations of the Portumna Draft Local Area Plan 2016-2022** and accompanying SEA Environmental Report and Natura Impact Report for Portumna made to the Planning Authority during such period will be taken into consideration before the Plan is adopted by Galway County Council. Submissions or observations are also welcome from children, or groups or associations representing the interests of children.

Submissions or observations should be made in writing and addressed to:

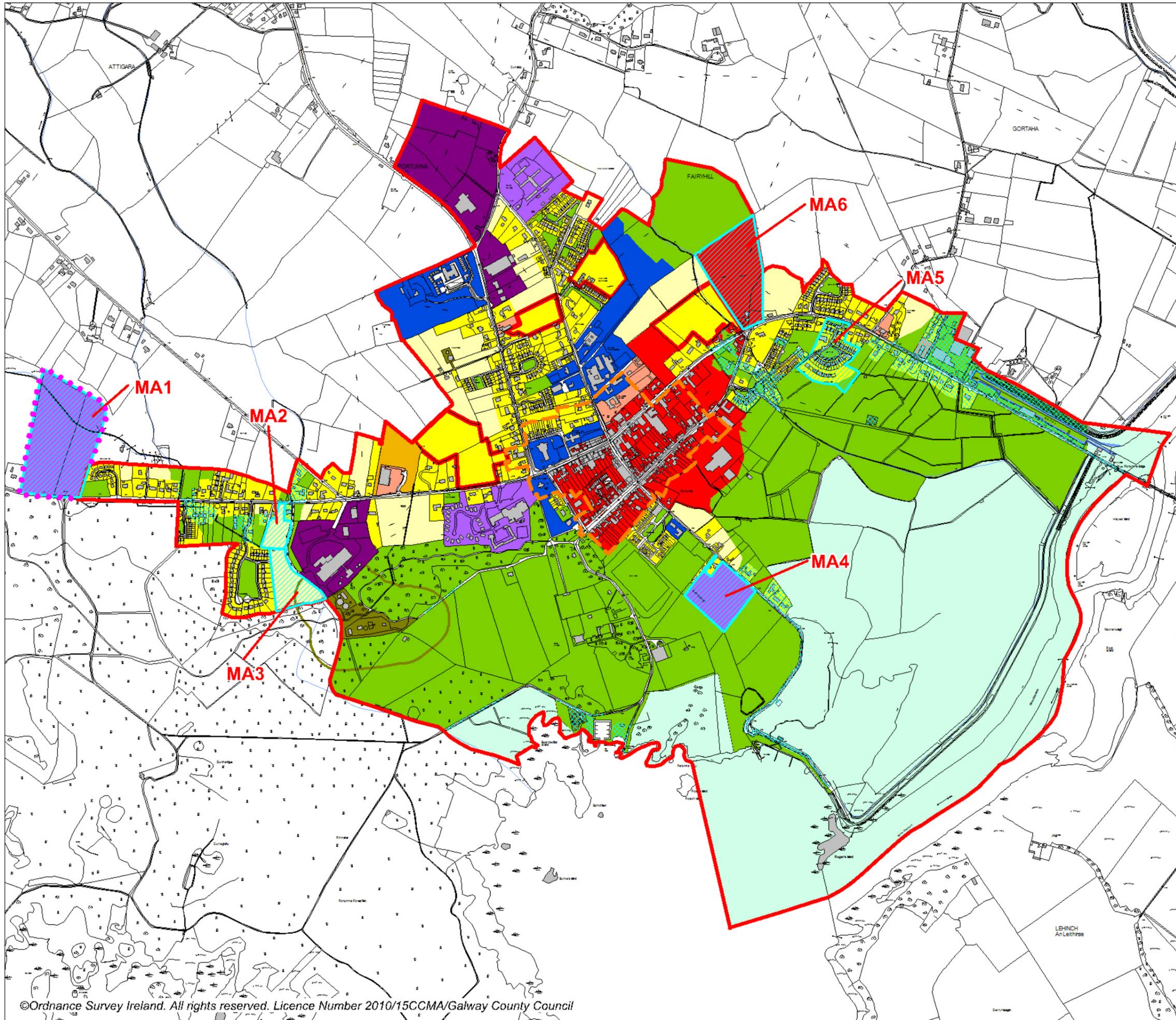
**'Material Alterations to the Draft Portumna Local Area Plan'**,  
Forward Planning Section, Galway County Council, Prospect Hill, Galway,  
or forwarded by fax to (091) 509199 or sent by email to [localareaplan@galwaycoco.ie](mailto:localareaplan@galwaycoco.ie).

**Closing Date for Submissions or Observations is Wednesday, 23<sup>rd</sup> March 2016 at 4pm. Late Submissions will not be accepted.**

**Catherine McConnell  
A/Director of Services,  
Planning, Community & Economic Development.**

## APPENDIX C

### MATERIAL ALTERATIONS MAPS

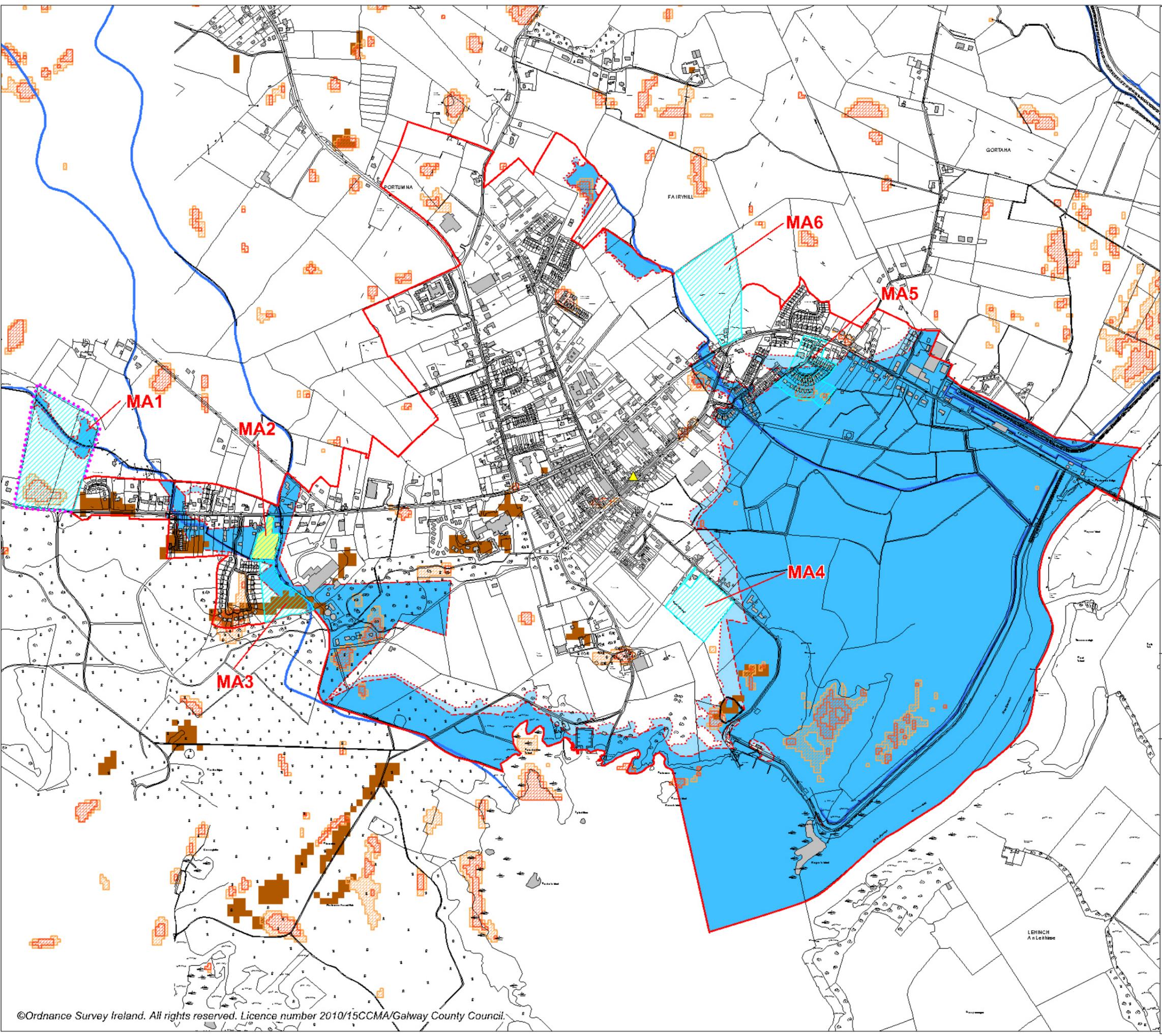


- Local Area Plan Boundary
- R - Residential Existing
- R - Residential.(Phase 1)
- R - Residential.(Phase 2)
- C1 - Town Centre / Commercial.
- C2 - Commercial / Mixed Use.
- BE - Business and Enterprise.
- I - Industrial
- CF - Community Facilities
- OS - Open Space / Recreation & Amenity
- EM - Environmental Management
- T - Tourism
- PU - Public Utilities
- Buffer Zone
- Rivers/Streams/Canal
- ACA - Architectural Conservation Area
- TI - Transport Infrastructure
- Constrained Land Use
- Material Alterations
- Material Alterations to LAP Boundary

**NOTE:**  
 This Map should be read in conjunction with Maps 2A/2B Specific Objectives, Maps 3A/3B Indicative Flood Risk Management Areas and the policies, objectives and guidelines outlined with Section 2 and Section 3 of the plan, including those in relation to land use management and zoning.

**MATERIAL ALTERATIONS  
 PROPOSED TO THE DRAFT PLAN  
 MAP 1A LAND USE ZONING  
 PORTUMNA LAP  
 (FEBRUARY 2016)**





- Local Area Plan Boundary
- Indicative Flood Zone A  
(Site Visits, local knowledge and groundtruthing of flood indicators, including the Draft Shannon CFRAM Flood Risk Review and the Portumna AFA, aerial photography and Draft PFRA Fluvial 100)
- Indicative Flood Zone B  
(Site Visits, local knowledge and groundtruthing of flood indicators, including the Draft Shannon CFRAM Flood Risk Review and the Portumna AFA, aerial photography and Draft PFRA Fluvial 1000)
- Indicative Flood Zone C  
(Areas not covered by Flood Zones A or B)
- Pluvial Indicative (PFRA) [See Objective SL7]
- Pluvial Extreme (PFRA) [See Objective SL7]
- Groundwater (PFRA) [See Objective SL7]
- Historical Flooding Data [See Objective SL7]
- ▲ Recorded / Historical Flood Events
- Rivers / Streams
- Material Alterations
- Material Alterations to LAP Boundary

**Important User Note:**

The Indicative Flood Risk Zones were produced as part of the Strategic Flood Risk Assessment (SFRA), the findings of which accompany the plan. The delineation of Indicative Flood Risk Zones has taken into account various factors including local knowledge, photography, site walkovers and published data sources indicative of flood risk. The Zones indicate broadly areas that may be prone to flooding and have informed the Plan. They zones are indicative and should not be relied upon solely for site-specific flood risk assessments. The zones may be updated in the future to take account of new information.

**NOTE:**

This map should be read in conjunction with Maps 1A/1B Land Use Zoning; Maps 2A/2B. Specific Objectives and the policies, objectives and guidelines outlined with Section 2 and Section 3 of the plan, including those in relation to flood risk management and assessment.



**MATERIAL ALTERATIONS  
PROPOSED TO THE DRAFT PLAN  
MAP 3A FLOOD RISK MANAGEMENT  
PORTUMNA LAP.  
(FEBRUARY 2016)**

