

# SEA Statement of the Portumna Local Area Plan 2016-2022



**Forward Planning  
Galway County Council  
June 2016**



**Comhairle Chontae na Gaillimhe  
Galway County Council**

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# Section 1 Introduction

## 1.1 Terms of Reference

This is the Strategic Environmental Assessment 'Statement' for the Portumna Local Area Plan 2016-2022 prepared in accordance with the requirements of the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (SI 436 of 2004).

## 1.2 SEA Definition

SEA is a systematic process of predicting and evaluating the likely environmental effects of implementing a proposed plan, or other strategic action, in order to insure that these effects are appropriately addressed at the earliest appropriate stage of decision-making on a par with economic and social considerations.

## 1.3 Legislative Context

Directive 2001/42/EC of the European Parliament and of the Council of Ministers, of 27 June 2001, on the assessment of the effects of certain plans and programmes on the environment, referred to hereafter as the SEA Directive, introduced the requirement that SEA be carried out on plans and programmes which are prepared for a number of sectors, including land use planning. The SEA Directive was transposed into Irish Law through the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (Statutory Instrument Number (SI No. 435 of 2004) and the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (SI No. 436 of 2004). Both sets of Regulations became operational on 21 July 2004. The SEA Directive and the instruments transposing it into Irish Law require that after the adoption of a plan or programme, the plan or programme making authority is required to make a Statement available to the public, the competent environmental authorities and, where relevant, neighbouring countries. This Statement is referred to as a SEA Statement (DEHLG, 2004)<sup>1</sup>.

## 1.4 Content of the SEA Statement

The SEA Statement is required to include information summarising:

a) How environmental considerations have been integrated into the Local Area Plan

b) How:

- the Environmental Report,
- submissions and observations made to the planning authority on the proposed Local Area Plan and Environmental Report, and
- any transboundary consultations have been taken into account during the preparation of the Local Area Plan.

c) The reasons for choosing the Local Area Plan as adopted, in the light of the other reasonable alternatives dealt with, and

d) The measures decided upon to monitor the significant environmental effects of implementation of the Local Area Plan.

## 1.5 Implications of SEA for the Local Area Plan

As a result of the aforementioned legislation, the Portumna (LAP) 2016-2022 was required to undergo SEA. The findings of the SEA were expressed in an Environmental Report, which was submitted to the

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<sup>1</sup> Department of the Environment, Heritage and Local Government (2004) Implementation of SEA Directive (2001/42/EC): Guidelines for Regional Authorities and Planning Authorities Dublin:Government of Ireland.

Elected Members alongside the proposed Draft Local Area Plan. The purpose of the Environmental Report is to provide a clear understanding of the likely environmental consequences of adopting the Local Area Plan. Changes made to the proposed Draft LAP were evaluated for their environmental consequences and the Environmental Report was updated to become the final Environmental Report.

The Draft LAP and the associated Environmental Report were placed on public display on Friday 31<sup>st</sup> July to Friday 11<sup>th</sup> September 2015. Further to the display of the Draft LAP the elected members resolved to make amendments to the LAP. On assessment of the proposed amendments, there were a number of amendments that were considered to be 'material' and therefore required to be placed on public display. The Material Alterations were screened for Appropriate Assessment and Strategic Environmental Assessment; the screening concluded that one or more of the material alterations required a full Appropriate Assessment and Strategic Environmental Assessment. It was determined that 14 weeks were required to complete these assessments and accordingly determined that the assessments would be completed on or before the 24<sup>th</sup> February 2016.

The Material Alterations and the Environmental Assessments were placed on public display, which occurred from Wednesday the 24<sup>th</sup> February 2016 to Wednesday the 23<sup>rd</sup> March 2016. The purpose of the Environmental Report on the Material Alterations is to provide a clear understanding of the likely environmental consequences of adopting the said Material Alterations. Following the consultation period on the proposed Material Alterations and associated Environmental Report and the receipt of submissions, the Chief Executive prepared his report. The Chief Executive Report was circulated to the elected Members on the 18<sup>th</sup> April 2016.

At the Council Meeting of the 9<sup>th</sup> of May 2016 the Elected Members made a number of "Further Modifications" and these modifications were further assessed and it was determined that Material Alteration No.1 which were modified were not in accordance with an environmental led plan and a recommendation was made that they should revert back to the Draft Plan as published in July 2015.

At each stage of the process the Elected Members took into account the findings of the SEA Screening Report, Strategic Environmental Assessment Scoping Document, Environmental Report (SEA), SEA Screening Report and Environmental Report for Material Alterations and Strategic Environmental Assessment (SEA) of Further Modification to the Material Alterations as appropriate.

On adoption of the Draft Local Area Plan, the Addendum to the Environmental Report was used to update the original Environmental Report into a final Environmental Report, which accompanies the adopted Plan. At each stage of the process the Elected Members took into account the findings of the Environmental Report and/or the Addendum as appropriate.

## **1.6 Production of the SEA**

The Strategic Environmental Assessment of the Portumna Local Area Plan 2016-2022 was undertaken internally in the Council.

## Section 2

### How Environmental Considerations were integrated into the Local Area Plan

#### 2.1 Consultations

The Environmental Protection Agency (EPA), the Department of the Environment, Community and Local Government (DECLG), the Department of Communications, Energy and Natural Resources (DCENR), the Department of Agriculture, Fisheries and Food (DAFF) and the Department of the Arts, Heritage and the Gaeltacht (DAHG) were all sent a preliminary SEA 'scoping report' indicating that submissions or observations in relation to the scope and level of detail of the information to be included in the environmental report could be made to Galway County Council. Written submissions were then received on the scope of the SEA from the EPA, the DAHG, and Geological Survey of Ireland.

Further information on the aforementioned submissions is provided under Section 3.2.

#### 2.2 Environmental Sensitivities

##### 2.2.1 Identification and Mapping

Environmental 'sensitivities' in the area in question were identified and mapped in order to identify which areas of the plan area would be most vulnerable, under threat or sensitive to development and would suffer the most adverse effects if future development were to be accommodated in those areas unmitigated.

The sensitivities considered included the following:

- Designated ecological sites;
- Land cover;
- Soil Type;
- Water Framework Directive (WFD) Risk Assessments for Rivers, Lakes, Ground Waters;
- WFD Register of Protected Areas;
- EPA River Water Quality Monitoring;
- GSI Aquifer Vulnerability and Productivity;
- Flooding Data;
- Waste Water Treatment capacity and demand;
- Drinking water supply;
- Drinking water quality;
- Archaeological Heritage;
- Architectural Heritage;
- Landscape Character Areas; and,
- Protected Views and Prospects.

##### 2.2.2 Early communication

The 'sensitivities' were communicated to the Plan-making team on a regular basis from the outset of the Plan preparation process. Identifying areas with the most limited carrying capacity within the Plan area helped future growth to be diverted away from these areas.

##### 2.2.3 Overlay mapping

A Geographical Information System (GIS) was used in order to weight the above sensitivities with a thematic map overlaid with each sensitivity - this allowed the identification of where most sensitivities occur. Environmental sensitivities are indicated by colours, which range from low environmental sensitivity (light yellow) to high environmental sensitivity (red). Where the mapping shows a concentration of environmental sensitivities there is an increased likelihood that development will conflict with these sensitivities and cause environmental deterioration (See Figure 2.1).

### 2.3 Early Identification and Evaluation of Alternatives

A range of potential alternative scenarios for the future development of the plan area were identified at an early stage in the process and evaluated for their likely significant environmental effects (see Sections 6 & 7 of the ER).

The environmental sensitivities and overlay mapping shown in Figure 2.1 were used in order to predict and evaluate the environmental effects of implementing the alternatives. Communication of the findings of this evaluation helped the Plan-making team to make an informed choice as to which alternative was to be put before the Elected Members as the proposed Plan. Communication of this evaluation to the Elected Members through the Environmental Report helped the Elected Members to make an informed choice with regard to the making of the Local Area Plan. Mitigation measures which arose from the evaluation and which were integrated into the Local Area Plan are detailed under Section 2.4 of this report.

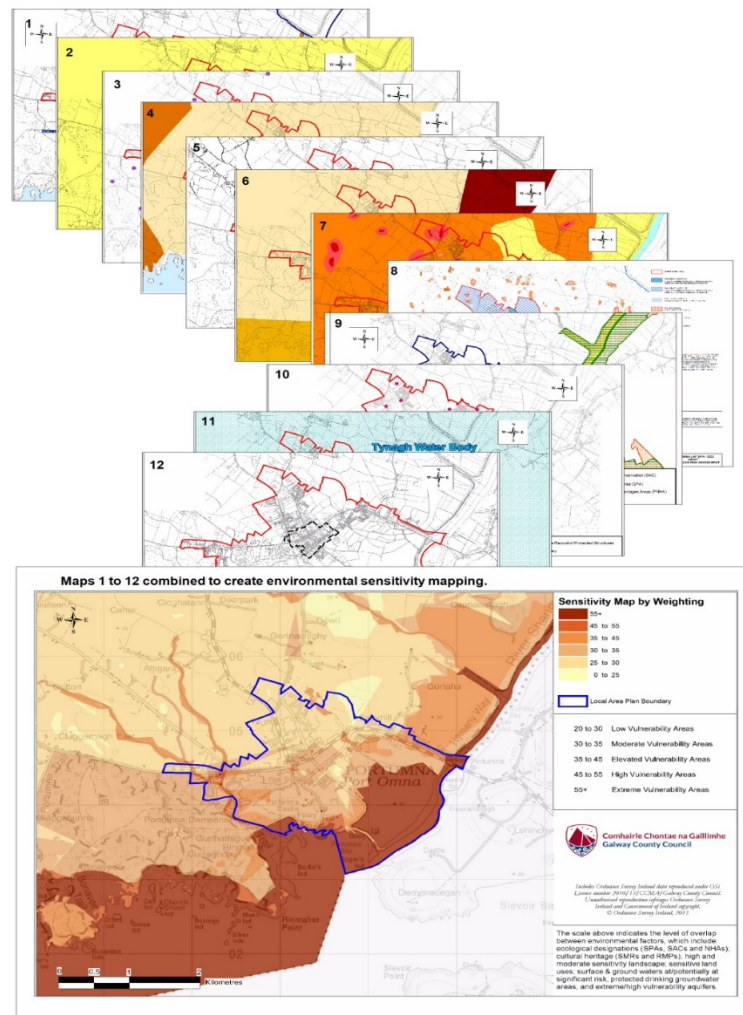


Figure 2.1 Environmental Sensitivities and Overlay Mapping

## **2.4 Mitigation**

### **2.4.1 Introduction**

In order to comply with various statutory requirements and in order to comply with the requirements of the statutory consultees, mitigation measures<sup>2</sup> were recommended to be integrated into the Plan.

As the Portumna Local Area Plan must conform to the policies and objectives of the Galway County Development Plan 2015-2021 the plan does not include a repetition of the policies, objectives or strategies as set out in the CDP. Where standards or objectives for a particular development are not included in the Local Area Plan the provisions of the CDP are to apply.

Taking this into consideration there are a wide range of mitigation measures/objectives within the County Development Plan that are applicable to the plan area.

The wide range of topics that these mitigation measures cover include:

- Designated Ecological Sites;
- Ecological Connectivity;
- Human Health;
- Brownfield Development;
- Tourism Development;
- Greenhouse gas emissions and car dependency;
- Landscape.

Mitigation measures generally benefit multiple environmental components i.e. a measure providing for the protection of surface water resources could beneficially impact upon the protection of biodiversity, flora and fauna, drinking water resources, human health and provision of appropriate waste water treatment infrastructure.

The mitigation measures are identified in Section 9 of the Environmental Report and this identification is reproduced in Table 2.1. As set out above, the Portumna Local Area Plan must conform to the policies and objectives of the Galway County Development Plan 2015-2021.

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<sup>2</sup> Mitigation measures are measures envisaged to prevent, reduce and as fully as possible, offset any significant adverse impacts on the environment of implementing a human action, be it a plan, programme or project. Mitigation measures can be roughly divided into those that: prevent effects; reduce the magnitude or extent, probability and/or severity of effect; repair effects after they have occurred, and; compensate for effects, balancing out negative impacts with other positive ones. Where there are likely to be significant negative effects, consideration should be given in the first instance to preventing these effects or, where this is not possible, to reducing the effects.



SEA Recommendations and Suggested Mitigation	Change to the Draft Local Area Plan
<p><b>Objective LU 1 – Town Centre/Commercial (C1)</b> <b>(Refer to Map 1A/1B)</b></p> <p>Promote the <b>sustainable</b> development of the Town Centre as an intensive, well connected, high quality, well-landscaped, human-scaled and accessible environment, with an appropriate mix of uses, including residential, commercial, service, tourism, enterprise, public and community uses as appropriate, that provides a range of retail services, facilities and amenities to the local community and visitors to the town. The town centre and associated main streets shall remain the primary focus for retail and service activity within Portumna.</p>	Wording accepted as proposed.
<p><b>Objective LU 2 – Commercial/Mixed Use (C2)</b> <b>(Refer to Map 1A/1B)</b></p> <p>Promote the <b>sustainable</b> development of commercial and complimentary mixed uses, on suitable lands that can provide focal points for the provision of services to surrounding neighbourhoods/areas and opportunities for commercial enterprises, retail developments and employment creation and which do not undermine the vitality and viability of the town centre.</p>	Wording accepted as proposed.
<p><b>Objective LU 3 – Residential (R)</b> <b>(Refer to Map 1A/1B &amp; Objective RD1)</b></p> <p>Promote a phased, sequential approach on Residential zoned lands, with a strong emphasis on consolidating existing patterns of development, encouraging infill opportunities and promoting sustainable transport options.</p> <p>It is an objective to:</p> <p>(a) Promote the development of appropriate and serviced lands to provide for high quality, well connected and well laid out and landscaped sustainable residential communities with an appropriate mix of housing types and densities, together with complementary land uses such as community facilities, local services and public transport facilities, and <b>sustainable transport options</b> to serve the residential population of the area <b>and the surrounding environment</b>;</p> <p>(b) Protect existing residential amenities and facilitate compatible and appropriately designed new infill development, in accordance with the proper planning and sustainable development of the area.</p>	Wording accepted as proposed.

<p><b>Objective LU 4 – Industrial (I)</b>  <b>(Refer to Map 1A/1B)</b>  Promote the <b>sustainable</b> development of industrial and industrial related uses, including manufacturing, processing of materials, warehousing and distribution on suitable lands, with adequate services and facilities and a high level of access to the major road networks and public transport facilities.  Adequate perimeter treatment and/or screening will be required to ensure high quality interfaces with public spaces and any adjoining residential areas or other sensitive land uses, as appropriate.</p>	<p>Wording accepted as proposed.</p>
<p><b>Objective LU 5 – Business &amp; Enterprise (BE)</b>  <b>(Refer to Map 1A/1B)</b>  Promote the <b>sustainable</b> development of business and enterprise uses, light industry/warehousing and the facilitation of enterprise park/office park type uses, incubation/start-up units and Small Medium Enterprises, on suitable lands with adequate services and facilities and with a high level of access to the major road networks and to public transport facilities.</p>	<p>Wording accepted as proposed.</p>
<p><b>Objective LU 6 – Community Facilities (CF)</b>  <b>(Refer to Map 1A/1B)</b>  Promote the <b>sustainable</b> development of community facilities on suitable lands, with a high level of access to the local community, including educational, community, civic, public, institutional, recreational, cultural and other complementary uses, as appropriate.</p>	<p>Wording accepted as proposed.</p>
<p><b>Objective RD 2 – Sequential Development</b>  <b>Endeavour to promote the orderly and phased development of residential development in accordance with the principles of the sequential approach as set out in the <i>Sustainable Residential Development in Urban Areas (Cities, Towns &amp; Villages) Guidelines 2009</i> (or as updated). This shall include a positive presumption in favour of the sequential development of suitably serviced R- Residential (Phase 1) lands emanating outwards from the town core and/or sequential extensions to the existing residential fabric of suitably serviced R- Residential (Phase 1) lands within the LAP boundary, subject to the principles of proper planning and sustainable development and the current <i>County</i></b></p>	<p>Wording accepted as proposed</p>

<p><b>Development Plan. This objective shall not refer to single house build.</b></p>	
<p><b>Objective CF 8 – Amenity Network</b> Support the establishment of an accessible and sustainable network of greenway linkages and amenities that provide safe and attractive circulation routes for pedestrians and cyclists for the enjoyment and recreational use of the entire community. This network should link together community facilities, amenities and built heritage features in the plan area and surrounding areas. Galway County Council will subject to compliance with the Habitats Directive seek to promote the functioning of greenway networks as wildlife corridors and habitats to enhance the biodiversity and the natural environment.</p>	<p>Wording accepted as proposed.</p>
<p><b>Objective CF 9 – Riverside Networks</b> Encourage and support the sustainable development of riverside walkways and cycleways throughout the plan area where feasible and incorporate same into the development of adjoining lands of the marina, streams, woods and the demesne of Portumna Castle, as appropriate. Any potential impacts on natural heritage and designated conservation areas arising from such networks will be duly considered in accordance with the Habitats Directive as part of any proposal.</p>	<p>Wording accepted as proposed.</p>
<p><b>Objective ED 5 – Town Centre Viability, Vitality &amp; Vacancy</b> Ensure a balance of development in the retail core of Portumna town so as to ensure that the main streets, St. Brendan’s Street, Clonfert Avenue and St. Patrick’s Street are revitalised, retail/commercial vacancies rates are reduced and that an unbalanced retail pull away from this area is avoided.</p>	<p>Wording accepted as proposed.</p>
<p><b>Objective ED 6 – Brownfield Development and Vacancy</b> Encourage the redevelopment of existing brownfield sites within the plan area in order to maximize the sustainable regeneration of underutilised/vacant lands and/or buildings for potential commercial, retail and residential developments.</p>	<p>Wording accepted as proposed.</p>
<p><b>Green Infrastructure</b> Green infrastructure can be defined as networks of green areas that provide multiple environmental, social, educational and economic benefits to society and can include open spaces, woodlands, parks, farmland and private gardens. The environmental benefits of identifying a green infrastructure network cannot be underestimated as the protection of natural features like flood plains, wetlands, woodlands and hedgerows provide far-reaching benefits, e.g. in climate change adaptation. Developing a green</p>	<p>Wording accepted as proposed.</p>

<p>infrastructure approach can assist with the loss of biodiversity while enhancing an environment in which we live and thereby creating a high quality environment. Comhar Sustainable Development Council publication (2010) “<i>Creating Green Infrastructure for Ireland: Enhancing Natural Capital for Human Wellbeing</i>” sets out how a network of green spaces can be developed to benefit natural heritage and biodiversity as well as the greater economy and society.</p> <p><b>Invasive Species</b>  Non-native species both animal and plants can represent a major threat to local, regional and global biodiversity. Terrestrial and aquatic habitats can be negatively affected, resulting in significant damage to conservation and economic interests such as agriculture, forestry and civil infrastructure. The <i>Third Schedule of European Communities (Birds &amp; Natural Habitats) Regulations, 2011</i> lists restricted non-native species and Regulation No.49 and No. 50 specifically relate to recognised invasive species.</p> <p><b>Development proposals must ensure that the presence or absence of invasive alien species has been addressed in accordance with the new European Regulations for the prevention and management of the introduction and spread of Invasive Alien Species (1<sup>st</sup> Jan 2015) and the EC (Birds and Habitats) Regulations 2011. Where invasive alien species are present on a development site an Invasive Alien Species Management Plan will be required.</b></p>	
<p><b>Objective NH 12 - Control of Invasive and Invasive Alien Species</b>  Seek to prevent the spread of invasive, <del>and alien</del>-invasive <b>alien</b> species and <b>noxious weeds</b> and require a landscaping plan to be produced for developments near water bodies and ensure that such plans do not include invasive species.</p>	<p>Wording accepted as proposed.</p>

Table 2.1 Mitigation Measures Proposed as a Result of Environmental Assessment of Policies and Objectives

## Section 3

### Environmental Report and Submissions & Observations

#### 3.1 Introduction

This section details how both the Environmental Report and submissions and observations made to the planning authority on the Environmental Report and into the SEA process generally have been taken into account during the preparation of the Plan.

#### 3.2 SEA Scoping Submissions

The Environmental Protection Agency (EPA), the Department of the Environment, Community and Local Government (DECLG), the Department of Communications, Energy and Natural Resources (DCENR), the Department of Agriculture, Fisheries and Food (DAFF), the Department of the Arts Heritage and the Gaeltacht (DAHG) were all sent SEA scoping reports indicating that submissions or observations in relation to the scope and level of detail of the information to be included in the environmental report could be made to Galway County Council. A written response was received on the scope from the EPA, the DAHG and Geological Survey of Ireland (through DCENR). The following written submissions were received from the Environmental Authorities with specific reference to the SEA process and the production of the Environmental Report. The content of these submissions were taken into account in formulating the environmental report.

Submission	Comment
Department of Arts, Heritage and the Gaeltacht	<p>The submission from the NPWS has raised a significant amount of issues relating to the Natura Impact Report and the Nature Conservation Sites. The submission reiterates that the plan must contain objectives for the conservation and protection of the environment. The wording of objectives in the natural heritage section of the plan should reflect or encompass key obligations and requirements as set out in the relevant legislation in relation to the various ecological corridors or natural heritage features.</p> <p>The Planning Authority is reminded that legislation in Ireland has changed since the last plan was adopted and cognisance should be taken in the context of European sites or Natura 2000 network.</p> <p>There is suggested wording that should be incorporated into the plan in relation to the text and objectives of the plan in relation to the European sites.</p> <p>In relation to the NIR and the plan it is suggested that in some limited cases that policies and objectives that contain further projects or lower level plans will be subject to appropriate assessment at a later stage. In other instances development objectives maybe such that potential</p>

	<p>impact on European Sites cannot be avoided, the impacts on European Sites must be assessed at plan level in the NIR. In addition it must be demonstrated how any mitigation measures which are specified at plan level will ensure that no adverse effects on site integrity will result.</p> <p>It is suggested that the Department is of the view that there is potential for the plan, or services or resources on which the plan area is reliant to have significant effects on European sites in view of the conservation objectives. All potential impacts in relation to development or increased usage or pressures need to be examined and assessed at plan level prior to their inclusion in the plan.</p> <p>It is stated that the implications of all parts of the plan, including zoning and land use designations and associated maps, strategies or other reports must be examined on their own and in combination with the plan and with other plans and projects. Only those plan elements that are demonstrated to be compliant with the Habitats Directive and Birds Directive should be incorporated into the plan.</p> <p>It is stated that one of the key benefits of the environmental assessment procedures is that they should influence and inform the plan during its preparation, and integrate ecological and other environmental considerations with the vision, policies and objectives for the future development and growth of the plan area.</p> <p>The implications of the plan for European sites in view of their conservation objectives must be assessed.</p> <p>The NIR is the resulting statement of the effects for the purposes of Article 6 of the Habitats Directive and its findings must be taken into account when the appropriate assessment is carried out and a determination is made as to whether or not the land use plan would adversely affect the integrity of a European Site.</p> <p>It is stated that the appropriate assessment cannot have a lacunae and must contain complete, precise and definitive findings and conclusions capable of removing all reasonable scientific doubt as to the effects of a project on a European Site, it is stated that these standards should underpin the NIR.</p> <p>The appropriate assessment must be carried out prior to the adoption of the plan.</p>
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	<p>The Department has included 13 points in relation to the preparation of a NIR and what information should be included, the following is a brief summary of this information:</p> <ul style="list-style-type: none"><li>• The need for an NIR follows on from screening. The NIR should not contain the screening exercise;</li><li>• The NIR should be a scientific assessment that presents relevant evidence, data and analysis and not just commentary, lists and tables;</li><li>• The best scientific knowledge and objective information which are specified in legislation in relation to screening are also required in the preparation of the NIR;</li><li>• The relevant environmental baseline and trends should be taken into account, bearing in mind changes and in combination effects which have occurred since site designations;</li><li>• If a NIR is required, it should cover the entire plan, not just parts of the plan;</li><li>• The NIR should focus on the likely significant effects of the plan, on its own and in combination with other plans and projects, on European sites in view of their conservation objectives whether these are generic or site specific;</li><li>• An examination of the potential or existing effects of the plan, and the resources and services, on which it is reliant, must be undertaken to identify what European sites, and which of their conservation objectives are potentially at risk. In combination effects of other plans or projects must also be taken into account. This examination is also required to determine a “zone of influence” or “zone of impact” of the plan area. It is noted that a 15km distance for plans in existing guidance is an indicative figure and its application and validity should be examined and justified in each specific case with reference to the nature, size and location of plan area, and the sensitivities of the ecological receptors, and the potential for in combination effects;</li><li>• The scientific basis on which site and conservation objectives are included or excluded from assessment and analysis should be presented;</li><li>• The scientific basis on which plan policies and objectives and other plan elements are included or excluded from further</li></ul>
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	<p>assessment and analysis should be presented. It is suggested that this should be applied to all parts of the plan and all policies and objectives;</p> <ul style="list-style-type: none"><li>• Where the plan level mitigation measures are put forward the necessary analysis should be presented to demonstrate that these will be effective in avoiding or removing risks of adverse effects on the integrity of European sites, or in managing future proposals where adverse effects could be unavoidable;</li><li>• The NIR and plan level mitigation measures should go beyond altering the wording of objectives to say that future assessment is required;</li><li>• All parts of the plan, including zoning and land use zoning designations and associated maps and strategies, should be subject to assessment and should be compliant with the Habitats Directive. In the case of non-statutory strategies or other reports, these may only be incorporated into the plan , or given effect by the plan, if demonstrated to be compliant with Article 6 on their own and in combination with the plan itself and with other plans and projects;</li><li>• The NIR should reach a clear and precise conclusion as to the implications of the plan for the conservation objectives of the relevant European sites.</li></ul> <p>In addition to the above there is specific reference to the Scope of the SEA. It is stated that the Biodiversity, Flora and Fauna section of the SEA should be undertaken by or in conjunction with suitably qualified ecologist(s), and other specialist as necessary, and in conjunction with the NIR to ensure full integration of biodiversity issues and concerns particularly in relation to nature conservation sites, protected species, and ecological corridors and stepping stones.</p> <p>The Environmental Report is required to contain information on the environmental characteristics of the areas likely to be affected significantly by the plan.</p> <p>For biodiversity, flora and fauna, the scope of the SEA should include:</p> <ul style="list-style-type: none"><li>• All nature conservation sites;</li></ul>
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	<ul style="list-style-type: none"> <li>• Other ecological sites, including local biodiversity areas;</li> <li>• Natural and semi-natural habitats, and the habitats of protected species, including information on habitats in the plan area derived from surveys and habitat indicator mapping;</li> <li>• Species of wild flora and fauna, including rare and protected species and their habitats;</li> <li>• All watercourses, surface water bodies and associated wetlands, including flood plains and flood risk areas;</li> <li>• Other sites of high biodiversity value or ecological importance;</li> <li>• Ecological networks and corridors, and stepping stones;</li> <li>• Ecological mitigation/compensation measures or sites arising from existing projects, e.g habitat recreation areas or underpasses from road projects.</li> </ul> <p>It is stated that no areas should be identified or targeted for development without basic information on the ecological sensitivities of the lands in question, including a habitat map, i.e. the precautionary principle should apply and no areas should be committed to development in the absence of basic information on ecological constraints.</p> <p>The Environmental Report is required to contain environmental protection objectives. For biodiversity, flora and fauna these should integrate with the objectives and obligations of other directives such as Habitats Directive, the Birds Directive, the Water Framework Directive, Floods Directive, with the Wildlife Acts 1976-2000, the National Biodiversity Plan and the aims and objectives of the Heritage Plan and Biodiversity Plan.</p> <p>In conclusion it is stated that the strategic environmental objectives should be included for all nature conservation sites, protected species, and ecological corridors and stepping stones.</p>
Environmental Protection Agency(EPA)	<p>The EPA acknowledges the detailed scoping document that was submitted. The comments included in the submission relate to the specific questions that were posed in the scoping report.</p> <ul style="list-style-type: none"> <li>• In relation to the Scoping Question No.1, there a list of additional Plans/Policies and Programmes that should be included and referenced in the plan;</li> </ul>

	<ul style="list-style-type: none"> <li>• In relation to the Scoping Question No.2, it is suggested that the Water Framework Directive Register of Protected Areas should be considered within Section 3. In relation to the level of detail to examine biodiversity, flora and fauna it is stated that it should be at an appropriate level in order to determine the potential for likely significant effects in implementing the plan;</li> <li>• In relation to the Scoping Question No.4, it is considered that the report should consider the increased seasonal loading (from Tourism/Recreational events etc);</li> <li>• It is suggested that the reference to the recent EPA publication, Integrating Climate Change into SEA in Ireland (EPA, 2015) could be useful in considering the assessment and integration of climate change into the SEA at an appropriate level;</li> <li>• In relation to the Scoping Question No.11, it is considered that the use of environmental indicators and associated data should reflect where possible the level at which data is available for. Where more detailed data is available for a particular environmental indicator, and where particular aspects of the plan may impact on that environmental aspect it is considered that more detailed data should be incorporated as appropriate;</li> <li>• It is considered that the plan should consider reviewing/describing the environmental conditions which prevailed during the previous plan. It is considered that the development of the plan area is set out in the context of changes which occurred over the life time of the previous plan. This will provide a context for determining whether existing mitigation measures or policies/objectives need to be strengthened to protect particular environmental sensitivities.</li> </ul>
<p>Geological Survey of Ireland</p>	<p>The Geological Survey of Ireland has suggested that the heading of the Portumna Baseline Environmental section relating to -“Soil” should include Geology as both terms are integrated. It is suggested that this section should provide information about the Soils and Geology of the existing environment. A description of the bedrock and the geological heritage in the area should also be included and potential impacts recognised. Other issues included in the scoping submission</p>

	relating to the Irish Geological Heritage, Land Mapping, Landslides and Groundwater.
Tipperary County Council	No comment to make on the Scoping Document.

Table 3.1 Summary of Submissions from Environmental Authorities in relation to the SEA Scoping

### 3.3 Environmental Report Submissions and Observations

#### 3.3.1 Chief Executives Report on Draft Plan (October 2015)

The Chief Executives Report (October 2015) dealt with submissions received from prescribed authorities and members of the public on the Draft Plan. Within this report reference was made to the specific comments from the Environmental Protection Authority, Northern Western Regional Assembly and Irish Water on the SEA Environmental Report. The following is a summary of the issues raised:

#### **Environmental Protection Agency**

- It is suggested that Table 8.1-*In Combination Effects with other Plans and Programmes* which is contained in The ER, should also be included in the NTS.

#### **Response:**

It is agreed that the NTS should be amended.

#### **Environmental Report**

#### **Summary of the Issues Raised:**

#### **Section 3-Environmental Baseline**

##### Employment and Economy

It is suggested that it would be beneficial to review the Pie Charts included in Section 3, namely Figures 3.6, 3.10 and 3.11 to ensure the values in the legends reflect the findings of the assessment.

##### Drinking Water/ Waste Water

It is suggested that under section 3.9.6 Drinking Water Quality should review the existing baseline data to incorporate the relevant findings of the most recent EPA's RAL Q2 2015 which reports that Portumna drinking water supply has elevated THM levels in exceedance of Drinking Water Regulations.

It is noted that the water treatment plant servicing Portumna appears to be regularly operating above design capacity. It is suggested that the plan should include commitments to provide adequate and appropriate critical service infrastructure to meet the demands of potential population growth in collaboration with Irish Water. Development in the Plan should be linked to the ability to provide the appropriate infrastructure in advance of development being granted.

##### Transport

The review of the Galway Transport and Planning Study (1999, 2003) is noted. It is suggested that the review should also take account of current and projected population growth for the plan area and additional plan considerations should include County Development Plan, Regional Planning Guidelines and the Wild Atlantic Way Tourism related plan which may impact on transportation infrastructure and associated pressures within and adjacent to the plan area.

##### Water Quality

It is suggested that under section 3.7 Water the recent report "Water Quality in Ireland 2010-2012" (EPA, 2015) should be referred to as appropriate and relevant to the Plan Area.

- **Change ER, section 3.5.6 on Page 34 accordingly**

#### **Section 4-Review of Relevant Policies, Plans and Programmes**

It is suggested that the document titled “National Rural Development Programme” should be included in *section 4.2-The Key Relevant Planning Policies*.

##### **Response:**

Noted. It is not considered warranted to include reference to “The National Rural Development Programme” in section 4.2. It is considered that as the plan area does not include agricultural zoned lands that reference to the national rural programme is not warranted in this instance.

#### **Section 6-Environmental Assessment and Strategic Environmental Objectives**

The proposed SEO’s, Targets and Indicators are noted in section 6. It is considered that there would be merits to include reference to “Climate Change Adaptation” under the heading Climate SEO.

It is suggested that it would be beneficial to consider the inclusion of an additional objective to support the implementation of the relevant recommendations and measures as outlined in the Shannon International River Basin District Management Plan 2009-2015, and associated Programme of Measures.

##### **Response:**

Noted. Upon reviewing Table 10.1 Monitoring and Reporting Programme it is considered that the SEO objective on Water (W1, W2 & W3) and the Air and Climatic Factors (AC) and associated Targets and Indicators already includes sufficient indicators that incorporate Climate Change Adaptation Measures.

In relation to the inclusion of an additional objective which references the Shannon International River Basin District Management Plan 2009-2015 it is considered that the principle aim of this plan is already included in the Water SEO (W1 & W2) and that an additional SEO is not required.

#### **Section 8-Assessment of Effects of Implementing the Portumna LAP 2016-2022**

It is suggested that there would be reference to the “Sustainable Rural Housing Guidelines for Planning Authorities 2005” in the Local Area Plan and cognisance of the potential single rural housing developments within the plan area.

##### **Response:**

Noted. It is not considered warranted to include reference to the Rural Housing Guidelines and the EPA requirements in relation to development associated with waste water treatment systems. The plan area contains zoned lands which are predominately served by water and waste water infrastructure. It is considered objective UI3 and UI4 of the Local Area Plan are sufficient to ensure that developments will be permitted in accordance with the EPA requirements.

#### **Section 9-Mitigation**

It is suggested that there would be additional text and a commitment in relation to the development of a Green Infrastructure Strategy within the lifetime of the plan.

In addition it is suggested that where the assessment of significant effects has identified conflict with the SEO’s, the Policies/Objectives of the plan should ensure that mitigation measures are robust to protect/manage the environmental sensitivities.

##### **Response:**

It is considered warranted to include an objective in relation to the Green Infrastructure Strategy.

In relation to the potential conflict with SEO’s it is considered that there are sufficient mitigation measures in place to ensure environmental sensitivities are protected within the plan area.

- **Include new policy in the Draft Local Area Plan**

**The Council shall commence the preparation of a Green Infrastructure Strategy within the lifetime of the plan as resources permit.**

#### **Section 10-Monitoring**

It is suggested that table *10.1 Monitoring and Reporting Programme* should be amended to include the frequency of monitoring and that the Department within Galway County Council should be identified with responsibility for collating data and information on the various thresholds at which corrective action should be taken.

##### **Response:**

Noted. It is considered that Table 10.1 is sufficient in relation to the Monitoring aspect of the Plan and no subsequent amendments are required.

### **Northern & Western Regional Assembly (NWRA)**

#### **Summary of the Issues Raised:**

It is suggested that a description of the existing problems in relation to soils, water and air should be quantified for future plans or monitoring.

#### **Response:**

Noted. It is not considered warranted to reference the description of the existing problems in relation to soils, water and air as an analysis of these issues are considered in the preparation of an Environmental Report and a number of sources of information are examined prior to the completion of the Environmental Report.

### **Irish Water**

#### **Summary of the Issues Raised:**

Noted. In relation to the clarification on the Water Supply and Wastewater Disposal in Portumna, it is considered appropriate that The Environmental Report and section 3.9 Material Assets would be amended and in addition the Non Technical Report, section 3.7 Material Assets would be amended as follows as a result of the submission from Irish Water

#### **Response:**

Noted. The Reports to be amended accordingly

The policies and objectives proposed in the Chief Executives Report and agreed by the Elected Members at the Council Meeting on the 11<sup>th</sup> November 2015 were also assessed and incorporated into the amended plan. The motions by the Elected Members were also assessed.

It was considered that the contents of the SEA Environmental Report and the Non-Technical Report are considered sufficient and that changes were not warranted in the environmental reports.

### **3.3.2 Chief Executives Report on Material Alterations to the Draft Plan (April 2016)**

The Chief Executives Report (April 2016) dealt with submissions received from prescribed authorities on the Material Alterations on the Draft Plan.

Within this report reference was made to the specific comments from the Department of Environment, Community & Local Government, Environmental Protection Authority and Northern Western Regional Assembly on the SEA of Material Alterations Report which published alongside the Material Alterations (February 2016) The following is a summary of the issues raised by the prescribed authorities:

#### **Department of Environment, Community & Local Government**

- The Department references the conclusions and recommendations from the SEA on the Material Alterations.

#### **Environmental Protection Agency**

- Determination in relation to the SEA Screening for SEA of the Material Alterations has been noted
- The EPA acknowledges and supports the findings of the SEA Recommendations in relation to not proceeding with Material Alterations MA1, MA3 & MA5 and to revert back to the land use zoning as published as part of the Draft Portumna Local Area Plan.
- Notice should be given to the SEA Statutory Authorities Notice should be given to the relevant SEA Statutory Authorities.

#### **Northern Western Regional Assembly**

- It is considered that the SEA of the Material Alterations needs to be considered within the context of the overall Draft Plan and other plans and programmes. It is suggested that the Environmental Report would benefit from ensuring that the Material Alterations are articulated as necessary into the finalised assessment and that it would be beneficial if the rationale for the Material Alterations including alternatives is articulated.

The policies and objectives proposed in the Chief Executives Report and agreed by the Elected Members at the Council Meeting on the 9<sup>th</sup> May 2016 were also assessed and incorporated into the amended plan. The motions by the Elected Members were also assessed.

It was considered that no change to the Environmental Report was necessary, except updating the wording amendments to policies and objectives contained in SEA Matrix table.

## Section 4

### Alternative Plan Scenarios Considered at Material Alteration

#### 4.1 Introduction

This section describes the alternative scenarios considered at the Material Alteration Stage of the Draft Portumna Local Area Plan. The Portumna Local Area Plan that went on display in July 2015, Galway County Council determined that the plan required a full SEA Environmental Report. As a result of the amendments that the Elected Members made at the Council Meeting on the 11<sup>th</sup> November 2015, it was determined that some of these amendments were “Material Alterations” and that one or more of the Material Alterations required a full Strategic Environmental Assessment.

The issue of alternatives is 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. The SEA Statement reflects the content of 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 were various options available to the Elected Members with regard to alternative approaches which could have been pursued, and it was 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 had 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 were realistic and capable of implementation, included:

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.

It summarises the evaluation of the likely significant environmental effects of each scenario that is contained in the Environmental Report and identifies the reasons for choosing the plan, as adopted, in light of the other reasonable alternatives examined.

#### 4.2 Description of the Alternative Scenarios

##### 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 rational 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 environmental 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

### **4.3 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.

### **4.4 Assessment of the Environmental Implications of the Material Alterations to the Draft Portumna Local Area Plan**

The proposed Material Alterations (MA1, MA3 & MA5) were 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).

In this regard, the SEA process has identified that to facilitate Material Alteration No's 1, 3 & 5, as per the Proposed Material Alterations to the Draft Portumna Local Area Plan 2016-2022, would result in the potential for significant adverse environmental effects. These effects included the potential for likely significant environmental effects on local hydrology/hydrogeology, water quality, human health and biodiversity, as outlined in table 2.1.

It was clear from what has been outlined in the Strategic Environmental Assessment (SEA) Screening Report and Environmental Report for Material Alterations (April 2015) that the Material Alterations (MA1, MA3 & MA5) were not in accordance with an environmental led plan and the following table was the clear recommendation of the report that the plan should revert back to the land use zoning 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.

#### 4.5 Assessment of the Environmental Implications of the Further Modifications to the Material Alterations to the Draft Portumna Local Area Plan (May 2016)

At the Council Meeting of the 9<sup>th</sup> May 2016, the Elected Members made a number of further modifications to the Material Alterations. In the course of the meeting these were further assessed from an SEA/AA perspective.

##### Material Alteration No.1

The removal of lands located in Flood Zones A/B from the plan boundary in the lands subject to Material Alteration No.1 would reduce the risk of environmental impacts due to impacts associated with flood events however there are still concerns regarding the remaining land within this site and potential impact on local biodiversity, flora and fauna. It was recommended that these lands would revert back to the Draft Plan as published in July 2015.

##### Material Alteration No.3 & No.5

Material Alteration No. 3 and No.5 has reverted back to the Draft Local Area Plan as published in July 2015. These can now be screened out requiring a full SEA/AA assessment as they will not pose a significant environmental risk.

#### 4.6 Conclusion and Recommendation

The following table illustrates that Material Alteration No.1 should revert back to the land use zonings as published in July 2015.

Material Alteration	SEA Recommendation at the Further Modification Stage(May 2015)
MA1	Lands should not be included within the plan boundary and zoned Tourism. Revert back to the Draft Plan as published in July 2015.

The Members decided to adopt the Material Alterations to the Portumna Local Area Plan with some modification to Material Alterations No.1 with mitigation measures on this site, which was outlined during the course of the meeting.

The plan as adopted by the Elected Members reflects very closely to the preferred alternative as outlined in the Draft Plan and Environmental Report in July 2015. It is considered that the mitigation measures adopted in relation to the MA1 site will reduce the environmental impact on the receiving environment. It should be noted that the Material Alterations adopted and the further modification to Material Alteration No. 1 would not alter the findings and assessment of the alternatives that were carried out in Section 7 & 8 of the Environmental Report that was prepared in July 2015.

## **Section 5 Monitoring Measures**

### **5.1 Introduction**

The SEA Directive requires that the significant environmental effects of the implementation of plans and programmes are monitored. This section and Section 10 of the Environmental Report puts forward proposals for monitoring the impacts of implementation of the Local Area Plan. Monitoring enables, at an early stage, the identification of unforeseen adverse effects and the undertaking of appropriate remedial action.

In addition to this, monitoring can also play an important role in assessing whether the LAP is achieving its environmental objectives and targets-measure which the LAP can help work towards whether these need to be re-examined and whether the proposed mitigation measures are being implemented.

### **5.2 Indicators and Targets**

Monitoring is based around the indicators, which were chosen earlier in the process. These indicators allow quantitative measures of trends and progress over time relating to the Strategic Environmental Objectives used in the evaluation. Focus will be given to indicators, which are relevant to the likely significant environmental effects of implementing the LAP and primarily to existing monitoring arrangements in order to monitor the selected indicators. Each indicator to be monitored will be accompanied by the relevant target(s) measures which the LAP can help work towards which were identified with regard to the relevant legislation.

### **5.3 Sources**

In compliance with the SEA Directive and the DEHLG Guidelines, measurements for indicators come from existing monitoring sources and no new monitoring should be required to take place. Existing monitoring sources exist for many of the indicators and include those maintained by Galway County Council and the relevant authorities e.g. the Environmental Protection Agency, the National Parks and Wildlife Service and the Central Statistics Office. The Development Management Process in Galway County Council will provide additional monitoring of certain indicators and targets on an application by application basis. Where significant adverse effects - including positive, negative, cumulative and indirect are likely to occur upon, for example, entries to the RMP, entries to the RPS or ecological networks as a result of the undertaking of individual projects or multiple individual projects such instances will be identified, assessed and recorded and will feed into the monitoring evaluation.

### **5.4 Reporting**

The ongoing monitoring of the Portumna Local Area Plan and its implications on the environment is paramount to ensure that the environment of the Plan area is not adversely affected by the implementation of the Plan. A coordinated approach from all relevant sections within Galway County Council will be used to gather data for future plan reviews and the associated SEA process. Indicators, targets, assessments and corrective and remedial actions will be reviewed during the preparation of the preliminary monitoring evaluation report.

### **5.5 Responsibility**

Galway County Council are responsible for collating existing relevant monitored data, the preparation of a monitoring report, the publication of this report and, if necessary, the carrying out of corrective action.

### **5.6 Thresholds**

Thresholds at which corrective action will be considered by the relevant authority are as follows:

- Fish kills;
- Court cases taken by the DEHLG regarding impacts upon archaeological heritage including entries to the Record of Monuments and Places; and,

- Complaints received from statutory consultees regarding avoidable impacts resulting from development, which is granted permission under the CDP;
- Boil notices on drinking water.

Environmental Component	SEO Objectives	Target	Indicator	Source/Responsibility
<b>Biodiversity, Flora and Fauna</b>	<p><b>B1:</b> To ensure compliance with the Habitats and Birds Directive with regard to the protection of European sites and Annexed habitats and Species<sup>3</sup>;</p> <p><b>B2:</b> To ensure the protection, conservation to avoid the loss of diversity and integrity of a broad range of habitats, species and ecological and wildlife corridors and networks (non-designated sites) which provide connectivity between areas of local biodiversity within the <i>Portumna Local Area Plan</i>;</p> <p><b>B3:</b> Conserve and protect other sites of Nature conservation including NHAs and pNHAs.</p>	<p><b>B1:</b> Maintenance of favourable conservation status for all habitats and species protected under national and international legislation to be unaffected by implementation of the Plan<sup>4</sup>;</p> <p><b>B2:</b> No significant ecological networks or parts thereof which provide functional connectivity to be lost without remediation resulting from development provided for in the Plan;</p> <p><b>B3:</b> No net loss of habitat and species.</p>	<p><b>B1:</b>No significant negative impacts on designated habitats and species of the SPA;</p> <p><b>B2:</b>Habitat Loss e.g. loss of hedgerow, loss of mature trees, treelines, wooded areas and stone walls; No loss of locally rare species/ habitats; No net loss of green linkages/ecological networks especially rivers;</p> <p><b>B3:</b> Habitat quantity and quality of species.</p>	<ul style="list-style-type: none"> <li>Galway County Council;</li> <li>National Parks and Wildlife’.</li> </ul>
<b>Population, Human Health</b>	<p><b>PHH</b> To protect human health from hazards or nuisances arising from exposure to incompatible land uses.</p>	<p><b>PHH:</b> No spatial concentrations of health problems arising from environmental factors as a result of implementing the Plan.</p>	<p><b>PHH:</b> Number of newly constructed developments Population Equivalent input to WWTP;</p> <p>Also see Water and Biodiversity Indicators.</p>	<ul style="list-style-type: none"> <li>Galway County Council.</li> </ul>
<b>Soil &amp; Geology</b>	<p><b>SG1:</b>To prevent pollution and/or contamination of soil;</p> <p><b>SG2:</b> Conserve, protect and avoid loss of diversity and integrity of designated habitats, geological features, species or their sustaining resources in designated ecological sites.</p>	<p><b>SG1 &amp; SG2:</b> To minimise reductions in soil extent and hydraulic connectivity;</p> <p><b>SG1 &amp; SG2:</b> Limit residential development to phase 1 lands.</p>	<p><b>SG1 &amp; SG2:</b> Area of soil where function and quality is compromised e.g. where soil sealing occurs;</p> <p><b>SG1 &amp; SG2:</b>Limit net loss of groundwater recharge capability through loss of permeable soil resource.</p>	<ul style="list-style-type: none"> <li>Galway County Council;</li> <li>Environmental Protection Agency.</li> </ul>
<b>Water</b>	<p><b>W1:</b> To maintain and improve, where possible, the status of surface waters;</p>	<p><b>W1</b> To improve Biotic Quality Rating (Q Values) and Risk Assessment of Water Bodies;</p>	<p><b>W1:</b>The Biotic Quality Rating;</p>	<ul style="list-style-type: none"> <li>Galway County Council;</li> <li>Environmental Protection Agency.</li> </ul>

<sup>3</sup> ‘Annexed habitats and species’ refer to those listed under Annex I, II & IV of the EU Habitats Directive and Annex I of the EU Birds Directive.

<sup>4</sup> Except as provided for in Section 6(4) of the Habitats Directive, viz. There must be:

- (a) no alternative solution available;
- (b) imperative reasons of overriding public interest for the plan to proceed; and
- (c) adequate compensatory measures in place.

	<p><b>W2:</b> To prevent pollution and contamination of ground water;</p> <p><b>W3:</b> To comply as appropriate with the Provisions of the <i>Planning System and Flood Risk Management Guidelines for Planning Authorities (DEHLG,2009)</i> and associated Circular PL 2/2014.</p>	<p><b>W2</b> No reductions in the Q value in relevant water courses; No change or Improvement in groundwater quality associated with development;</p> <p>% increase in waters achieving “good status” as defined by WFD;</p> <p><b>W3</b> No new development in Flood Zone A Developments proposed with Flood Risk Zones to comply with Floods Directive;</p> <p>SUDS in all new developments.</p>	<p><b>W2</b> Risk Assessment. Implementation of the Programme of Measures identified under the SERBD River Basin Management Plan; Ensure wastewater collection system capacity is provided either prior to construction of new development or is developed in parallel;</p> <p><b>W3</b> Number and area of developments within Flood Risk Zones Ensure that there is no development granted on lands which are outlined in the flood risk assessment as not suitable for development.</p>	
<b>Air and Climatic Factors</b>	<p><b>AC:</b> To reduce travel related greenhouse emissions to air and to encourage modal change from car to more sustainable forms of transport.</p>	<p><b>AC</b> Reduce Greenhouse gas emissions in line with 2020 commitments;</p> <p>% Increase in number of people travelling to work and school via public transport.</p>	<p><b>AC</b> All new development applications within areas at risk of flooding to be accompanied by Flood Risk Assessment;</p> <p>Increase access by households to public transport, including bus and rail services;</p> <p>Increase number of people travelling to work and school via public transport.</p>	<ul style="list-style-type: none"> <li>Galway County Council.</li> </ul>
<b>Material Assets</b>	<p><b>M1:</b> To serve new development with adequate and appropriate waste water treatment;</p> <p><b>M2:</b> To serve growth areas with drinking water that is both wholesome and clean;</p> <p><b>M3:</b> Make the best use of existing road and transportation infrastructure.</p>	<p><b>M1:</b> % Compliance in wastewater discharges from municipal treatment;</p> <p><b>M2:</b> % Compliance in potable water quality monitoring;</p> <p><b>M3:</b> Increase in population in urban areas.</p>	<p><b>M1:</b> % compliance in wastewater discharges from municipal treatment;</p> <p><b>M2:</b>% compliance in potable water quality monitoring;</p> <p><b>M3:</b>Maximise development potential within urban envelope in order to reduce travel.</p>	<ul style="list-style-type: none"> <li>Galway County Council.</li> </ul>

<p><b>Cultural Heritage</b></p>	<p><b>CH1:</b> To protect the archaeological heritage of the town including entries to the Record of Monuments and Places and/or their context and Architectural Conservation Areas;</p> <p><b>CH2:</b> To preserve and protect the special interest and character of the town's architectural heritage.</p>	<p><b>CH1:</b> Ensure that the culture heritage of the town is maintained and protected from damage and deterioration;</p> <p><b>CH1:</b> Number of monuments on the RMP, impacted by granted planning permissions;</p> <p><b>CH1:</b> Number of protected structures impacted by development granted planning permission;</p> <p><b>CH1 &amp; CH2:</b> Number of protected structures that have been demolished because of long term neglect and dereliction.</p>	<p><b>CH1:</b> % of Protected Structures 'at risk'; No. of archaeological sites Investigated; No impact on the fabric or setting of monuments on the Record of Monuments and Places (RMP) by development granted planning permission; No impacts on the architectural heritage value or setting of protected structures by development granted planning permission;</p> <p><b>CH2:</b> No. of ACAs Protect and preserve features of special interest as included in the RPS, RMP and ACA;</p> <p><b>CH2:</b> Protect and enhance physical features and areas that contribute to the town's special character and setting.</p>	<ul style="list-style-type: none"> <li>Galway County Council;</li> <li>Buildings at Risk Register, Heritage Council Ireland.</li> </ul>
<p><b>Landscape</b></p>	<p><b>L:</b> To avoid significant adverse impacts on the landscape, especially with regard to landscapes which are most valuable and most sensitive to change and protected focal points and views.</p>	<p><b>L:</b> Minimal negative impacts on designated landscapes and scenic views, landscape features of local value;</p> <p><b>L:</b> Number of protected views impacted by development.</p>	<p><b>L:</b> Number of developments impacting on designated landscapes and scenic views, routes and landscape features of local value;</p> <p><b>L:</b> No planning permission granted within special qualities of landscapes that materially contravene the policies or objectives of the plan, within the lifetime of the plan;</p> <p><b>L:</b> No negative alteration to</p> <ul style="list-style-type: none"> <li>Protected views.</li> </ul>	<ul style="list-style-type: none"> <li>Galway County Council.</li> </ul>

**Table 5.1 Monitoring and Reporting Programme**



## **Section 6 Summary of Influence of the SEA Procedure on the Plan**

Overall, the influence of the SEA process on the Portumna Local Area Plan has been positive. The early identification of the important environmental issues within the plan area and refinement of those issues during the scoping process and production of the Environmental Report allowed for the adoption of meaningful strategic environmental policies and objectives into the LAP. The recommendation of the Environmental Report on a number of Material Alterations (February 2016) provided guidance to the Elected Members in their decision making process. The continual assessment of policies, objectives and motions, as well as submissions and observations from interested parties also resulted in modification of policies and objectives for the benefit of the environment of Portumna

## **Appendix A**

**Strategic Environmental Assessment (SEA) of Further Modifications to the Material Alterations to the Draft Portumna Local Area Plan made at the meeting of Galway County Council on the 9<sup>th</sup> May 2016**

**Determination Report of Appropriate Assessment of Further Modifications to the Material Alterations to the Draft Portumna Local Area Plan made at the meeting of Galway County Council on 9<sup>th</sup> May 2016**

# **Strategic Environmental Assessment (SEA) of Further Modification to the Material Alterations to the Draft Portumna Local Area Plan made at the meeting of Galway County Council on the 9<sup>th</sup> of May 2016.**

## **Introduction**

The modifications made to the proposed material alterations to the Portumna Local Area Plan 2016-2022 at the meeting today (9<sup>th</sup> May 2016) of Galway County Council are considered in the view of the Strategic Environmental Assessment of the Material Alterations which was carried out in February 2016. The Table 1.1 has examined the Material Alterations (MA1, MA3 & MA5) with the four environmental parameters that were contained in the Environmental Report (July 2015). Table 1.2 illustrates the nett increase/decrease in zoned lands.

**Table 1.1 Assessment of Further Modifications to Material Alteration No. 1,3 & 5**

Material Alteration(November 2015)	Further Modification to Material Alteration- Galway County Council Meeting 09-05-2016	Water & Flooding	Population, Human Health and Quality of Life,	Biodiversity, Flora and Fauna	Wastewater Treatment
<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><b>MA1</b> Remove parcel of land that includes the flood risk area and zone the area to the south of this area and retain the zoning “Tourism” on these lands.</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 classified as being of poor status The overall objective is to restore the</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 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</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</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>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>	increase/reduction of Land Use Zoning.	<p>River, the Deerpark River, the Gortneill Straem and the Lickmolassy stream transverse 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>Revert back to the Draft Local Area Plan as published July 2015.</p>	n/a	n/a	n/a	n/a
<p><b>MA 5</b> Retain the "Existing Residential Land Use" and remove the Constrained Land Use as per attached Map 1A.</p>	<p>Revert back to the Draft Local Area Plan as published July 2015.</p>	n/a	n/a	n/a	n/a

**Table: 1.2 Indicating the quantum of Land Use increased/decreased.**

Material Alterations	Land Use Zoning as per Draft Plan	Land Use Zoning as per Material Alterations	Land Use Zoning as per Further Modifications	Nett increase/decrease in land use zoning
MA1	Outside Plan Boundary	Tourism	Partly zoned Tourism to the area south of the Flood Risk area.	<b>+4.037ha of Tourism zoning.</b>
MA3	Recreation, Amenity & Open Space	Phase 2 Residential	Revert back to the Draft Local Area Plan as published July 2015	<b>+1.77ha of Recreation, Amenity &amp; Open Space Zoning</b>
MA5	Existing Residential with Constrained Land Use	Existing Residential	Revert back to the Draft Local Area Plan as published July 2015	<b>Constrained Land Use +1.818ha reapplied.</b>

**Table1.2 Indicating the quantum of Land Use increased/decreased.**

The removal of lands located within Flood Zones A and B from the plan boundary in the lands subject to Material Alterations 1 will reduce the risk of environmental impacts due to impacts associated with flood events however there are still concerns regarding the remaining lands within these sites to the potential impact on local biodiversity, flora and fauna. Therefore it is recommended that the lands subject to this Material Alteration (No.1) would revert back to the Draft plan as published in July 2015. Material Alteration No.3 and 5 has reverted back to the Draft Local Area Plan as published in July 2015.

## Recommendation

It is clear from what has been outlined in the previous Chief Executive Report (April 2016) and the further Modifications that have been made at the Galway Council Meeting today the 9<sup>th</sup> of May 2016 that Material Alterations MA1, 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 of the 9 <sup>th</sup> May 2016
MA1	Lands should not be included within the plan boundary and zoned Residential Phase 2. Revert back to the Draft Plan as published in July 2015.

## Determination Report of Appropriate Assessment of further modification to the Material Alterations to the Draft Portumna Local Area Plan made at the meeting of Galway County Council on 9<sup>th</sup> May 2016

The modifications made to the proposed material alterations to the Portumna Local Area Plan at the meeting today(9<sup>th</sup> May 2016) of Galway County Council are considered here in view of the Appropriate Assessment of the material alterations which was carried out in February 2016.

Material Alterations Proposed by Members	Further Modification to Material Alteration-Galway County Council Meeting 9-5-2016	Key issues that may lead to a potential impact on Natura sites	Potential Impact
<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><b>MA1</b> Remove parcel of land that includes the flood risk area and zone the area to the south of this area and retain the zoning “Tourism” on these lands.</p>	<ul style="list-style-type: none"> <li>• Zoning of lands for Tourism development in close proximity to waterways with a direct hydrological link to Lough Derg.</li> <li>• Zoning of development lands close to flood zones.</li> </ul>	<p><b>May impact on the qualifying habitats and species of the Lough Derg SAC and SPA through:</b></p> <ul style="list-style-type: none"> <li>- Reduced habitat quality (water quality)</li> <li>- Disturbance to mobile species</li> </ul>
<p><b>MA3</b> Rezone the lands from Recreation, Amenity and Open Space to Residential-Phase 2 as per attached Map 1A.</p>	<p>Revert back to the Draft Local Area Plan as published July 2015.</p>	N/A	N/A
<p><b>MA 5</b> Retain the “Existing Residential Land Use” and remove the Constrained Land Use as per attached Map 1A.</p>	<p>Revert back to the Draft Local Area Plan as published July 2015.</p>	N/A	N/A

The removal of lands located within Flood zones A and B from the Plan boundary in the lands subject to Material Alterations 1, & 3 and the retention of “Constrained Land Use” in relation to Material Alteration No.5, will reduce the risk of impacts on the qualifying habitats of Lough Corrib SAC and SPA due to impacts associated with flood events. However, in relation to Material Alteration No.1 the zoning of the remainder of the subject lands for Tourism in close proximity to flood zones and waterways still presents a risk of negative impacts on the Lough Derg Natura sites through reduced

habitat quality and especially reduced water quality as well as direct disturbance to qualifying species or degradation of their habitat.

To this end, it is recommended that the existing mitigation measures which were recommended in the Appropriate Assessment Screening for the Proposed Material Alterations to the Plan (February 2015) are adopted and implemented for the Material Alteration 1 as modified.

Material Alterations 3 and 5 have reverted back to the Draft Plan as published in July 2015.

Together with the existing policies and objectives relating to the Habitats Directive, Water Quality and Flood Risk Management already contained in the Draft Portumna Local Area Plan, it is considered that these measures will be sufficient to ensure that there will be no adverse effect on the integrity of Natura sites arising from the implementation of the proposed Material Alterations to the Draft Portumna Local Area Plan 2016-2022.

Material Alteration	Mitigation
<p><b>MA1</b></p>	<ol style="list-style-type: none"> <li>1. Any development proposals should be considered with extreme caution and will be required to comply with The Planning System and Flood Risk Management Guidelines for Planning Authorities/Circular PL2/2014 &amp; the associated Development Management Justification Test. Climate Change should be duly considered in any development proposal.</li> <li>2. A buffer zone will be included so that no development is permitted with an appropriate zone of water courses leading to Lough Derg will be determined by an independent site specific Flood Risk Assessment carried out by suitably qualified personnel.</li> <li>3. Any development proposals submitted for this site will require a detailed ecological report(s), carried out by suitably qualified personnel for the purposes of informing Appropriate Assessment Screening by Galway County Council. The AA Screening will be informed by the aforementioned Flood Risk Assessment.</li> <li>4. The relevant lands will be outlined and flagged with a symbol on the on the land use zoning map and on the GIS system of Galway County Council so the staff and the public are aware of the special conditions/constraints attached.</li> <li>5. A briefing will be provided to relevant staff within Galway County Council on the special conditions and constraints on relevant lands.</li> </ol>