

Decision of the Planning Authority
regarding the need for
Strategic Environmental Assessment of the forthcoming
Ballymote Local Area Plan

1. Ballymote Local Area Plan – legislative context

Ballymote Local Area Plan is prepared in accordance with sections 18, 19 and 20 of the Planning and Development Acts, 2000-2002, which set out the provisions for the preparation of local area plans. Section 20 states that “a local area plan may be prepared in respect of any area... or an existing suburb of an urban area, which the planning authority considers suitable and, in particular, for those areas which require economic, physical and social renewal...”. The Plan will be in effect for six years following its adoption. The main aim of the Plan is to ensure the proper planning and sustainable development of the area, and as such it must be consistent with the objectives of the current County Development Plan.

2. SEA – legal requirements

The Strategic Environmental Assessment (SEA) Directive (2001/42/EC) applies to plans and programmes for which formal preparatory action started on or after the 21st July 2004. Therefore the SEA process is a relatively new practice. Guidelines have been published by the Department of the Environment Heritage & Local Government (2004) to aid in the implementation of this Directive, whose objective 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”.

Ballymote Local Area Plan does not fall under the mandatory requirements for the preparation of an SEA, as the population involved is smaller than 10,000 people. However, it was necessary to determine whether or not an environmental assessment of the plan needed to be carried out. Therefore, Ballymote Draft Local Area Plan underwent a screening process to establish whether the Plan was likely to have significant effects on

the environment. In doing so, the Planning Authority took account of relevant criteria set out in Schedule 2A of the Planning and Development (Strategic Environmental Assessment) Regulations 2004.

3. Notification

Notification was issued to the prescribed environmental authorities, giving them an opportunity to comment on whether they consider that significant effects on the environment would be likely to arise from the implementation of the Ballymote LAP. The screening notice outlined the characteristics of the Plan, including its purpose and primary objectives, the area likely to be affected and the key issues that the Plan would need to address.

The screening notice was issued to:

- the Environmental Protection Agency (EPA);
- the Minister for the Environment, Heritage and Local Government (DoEHLG);
- the Minister for Communications, Marine and Natural Resources (MCMNR).

4. Response to notification

- A. The **EPA** stated that *‘the proposed LAP would not, in the view of the Agency, give rise to significant environmental effects, in particular with respect to water and air quality’*. The EPA did note the need to ensure that adequate wastewater treatment capacity is provided for any future residential development. Also, the Agency noted the County Council’s policy to incorporate and retain, where possible, stream corridors in the proposed open space network and the policy that the water quality of the Owenmore River and Ballinascarrow Lake is not compromised by development occurring within Ballymote.
- B. Observations from the **DoEHLG** were received, stating that the following factors should be taken into consideration when deciding whether SEA is needed for the Ballymote LAP:
 - The increase of the town’s geographical footprint may have consequential impacts on the archaeological heritage of Ballymote and its surrounds.
 - The capacity of the sewage treatment plant is insufficient to cope with the likely population increase and the location and quality of receiving waters for treated sewage requires consideration.

- There will also be inevitable pressure for development in the town core, with a resultant impact on the existing stock of buildings. Some of these buildings may themselves be of merit from an architectural heritage perspective.

C. There was no response issued from the Minister for Communications, Marine and Natural Resources.

5. Considerations

All the above points were taken on board when preparing the draft plan.

Areas of archaeological heritage are identified within the Plan area and it is the policy of the Council to ensure, through the National Monuments Act, the continued protection of archaeological sites, integrating them, where possible into the proposed open space network of Ballymote.

In regard to architectural heritage, structures included in the Record of Protected Structures have statutory protection, and the public and developers are encouraged to appreciate the built heritage of Ballymote.

In relation to the wastewater treatment facility, it is acknowledged that the current drainage system is loaded nearly at capacity. Consequently, the County Council will strive to ensure that development takes place on a phased basis until a sewerage expansion scheme for Ballymote can be realised.

6. Decision

Based on the above considerations, it is the decision of the Planning Authority that SEA is not required for Ballymote LAP, as the primary objective of the Plan is to ensure the proper planning and sustainable development of the area by regulating development through strategic environmental measures, land use zoning and development objectives. As a result, the implementation of the Plan is unlikely to give rise to significant environmental effects.

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