

Addendum

to the Strategic Environmental Assessment (SEA) Screening Report relating to the Draft Tobercurry Local Area Plan 2015-2021

Assessment of the potential environmental effects of the Proposed Amendments to the Draft LAP

31 August 2015

1. Background

The *Draft Tobercurry Local Area Plan 2015-2021* was on public display from 2 April to 15 May 2015. The Draft LAP was accompanied by a Strategic Environmental Assessment (SEA) Screening Report, which described the characteristics and assessed the expected effects of implementing the LAP, based on the criteria set out in Schedule 2A of the SEA Regulations 2004.

The conclusion of the Screening Report was that the proposed LAP would not have significant effects on the environment and, accordingly, a full SEA (involving the preparation of an Environmental Report) was not required.

Following consultation with prescribed environmental authorities, the Planning Authority issued a Decision indicating that “full SEA is not required for the Draft Tobercurry Local Area Plan, which is unlikely to give rise to any environmental effects, significant or otherwise”.

1.1 First Chief Executive’s Report

During the public consultation period, Sligo County Council received 15 submissions relating to a range of issues, including zoning. The First Chief Executive’s Report on submissions and observations relating to the Draft LAP summarised all the issues raised in the submissions and gave the Chief Executive’s response to each one, including recommendations as to whether or not the Draft LAP should be modified.

On foot of the submissions received, and on review of the content of the Draft LAP, the Chief Executive recommended a number of changes to the Draft Plan, some of which would be material amendments to the Plan, if made.

The First Chief Executive’s Report was submitted to the members of the Ballymote-Tobercurry Municipal District on 26 June 2015.

1.2 The role of the elected members

Deciding whether to adopt or to propose amendments to the Draft LAP is a function reserved for the elected members of Sligo County Council / Municipal Districts. In the case of Tobercurry LAP, it is

the members of the Ballymote-Tobercurry Municipal District who make decisions regarding the Tobercurry LAP.

It was the members' role to decide whether material alterations should be made to the Draft Plan. At this stage, the members were required to consider all of the following:

- the Draft LAP;
- the SEA Screening Report;
- the recommendations contained in the First Chief Executive's Report.

The Planning and Development Act 2000 (as amended) indicates the following:

"A local area plan shall be consistent with the objectives of the development plan, its core strategy, and any regional planning guidelines that apply to the area of the plan..." (S. 19 (2))

"Where any objective of a local area plan is no longer consistent with the objectives of a development plan for the area, the planning authority shall as soon as may be (and in any event not later than one year following the making of the development plan) amend the local area plan so that its objectives are consistent with the objectives of the development plan." (S. 19 (2B))

"When performing their functions under this subsection, the members of the planning authority shall be restricted to considering the proper planning and sustainable development of the area, the statutory obligations of any local authority in the area and any relevant policies or objectives for the time being of the Government or of any Minister of the Government." (S. 20 (3) (r))

At the ordinary meeting on 13 July 2015, the members of the Ballymote-Tobercurry Municipal District considered the Draft LAP and the First Chief Executive's Report, and resolved to amend the Draft Plan. The resolutions are listed in Section 2 of this document.

The proposed amendments, if made, would be material alterations of the Draft LAP. Consequently, a further period of public consultation is necessary.

1.3 Proposed amendments to the Draft LAP

The Members passed four LAP-amending resolutions (refer to Section 1.4 on the next page), which, together with the Chief Executive's recommendations which were accepted by the Members, would result in 22 amendments to the Draft LAP.

The potential for significant environmental effects of the proposed amendments is assessed in Section 3 of this report.

The amendments recommended by the Chief Executive remain largely within the scope of the Draft LAP, although some of these amendments are material alterations. These amendments would not change the conclusion of the initial SEA Screening Report associated with the Draft LAP.

However, three (related) amendments proposed by the members, resulting from Resolution R-4 (see next section) have been assessed as having the potential for significant effects on the environment.

1.4 LAP-amending resolutions passed at the 13th July meeting

- R-1.** “**1)** Extend the development limit to include the site marked 7B on the Submissions Map.
2) Change the zoning of the site from Buffer to Residential.
3) Amend the Zoning Map and Chapter 5 (Housing) to incorporate HO-3 on the Zoning Map; permit the construction of 2 houses.
4) Amend Map 4 (Residential phasing) to include the site as Infill.”

Note: The inclusion of this site as Infill would also involve corresponding amendments to Table 3D in Chapter 3 (Housing).

- R-2.** “Reject the Chief Executive’s recommendation on Submission no. 15 and for the zoning on this site be retained for Transport and Parking Node.”

- R-3.** “Page 72 – Transport and circulation objectives. Omit ‘one-way systems and access restrictions’. Reword objective TCO-5 to state: ‘Carry out traffic study and prepare and implement traffic management plan for town centre’”.

Note: The elimination of the one-way system reference in objective TCO-5 would also involve corresponding amendments to the text and illustrations of Chapter 8(Transport and Circulation) and an amendment to Map 11 (Transport and circulation objectives – detail).

- R-4.** “Propose to reject the Buffer Zone as proposed in the Tubbercurry Local Area Plan 2015.”

Note: The elimination of the Buffer Zone would also involve corresponding amendments to the text and illustrations of Chapter 1 (Plan context), Chapter 3 (Core Strategy), Chapter 5 (Housing), Chapter 7 (Heritage), Map 2 (Zoning), Map 3 (Zoning detail) and the Strategic Flood Risk Assessment.

2. Determination regarding the need for strategic environmental assessment of a proposed amendment

Pursuant to S. 20(3)(f) of the Planning and Development Act 2000 (as amended), the Planning Authority has determined that strategic environmental assessment is required in respect of one proposed material alteration of the Draft LAP.

This proposed alteration, expressed in the form of proposed amendments A-1, A-2 and A-3, involves the removal of the Buffer Zone designation from the rural area surrounding Tobercurry.

Schedule 2A of the SEA Regulations 2004 sets out the following criteria for determining whether a plan is likely to have significant effects on the environment:

1. The characteristics of the plan having regard, in particular, to
 - **the degree to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources,**
 - the degree to which the plan influences other plans, including those in a hierarchy,
 - **the relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development,**
 - environmental problems relevant to the plan,
 - the relevance of the plan for the implementation of European Union legislation on the environment (e.g. plans linked to waste-management or water protection).
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to
 - **the probability, duration, frequency and reversibility of the effects,**
 - **the cumulative nature of the effects,**
 - the transboundary nature of the effects,
 - the risks to human health or the environment (e.g. due to accidents),
 - **the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),**
 - the value and vulnerability of the area likely to be affected due to:
 - (a) special natural characteristics or cultural heritage,
 - (b) exceeded environmental quality standards or limit values,
 - (c) intensive land-use,
 - the effects on areas or landscapes which have a recognised national, European Union or international protection status.

Having regard to the criteria outlined above in **bold type**, it is considered that a significant environmental impact cannot be ruled out in respect of the aforementioned proposed amendments A-1, A-2 and A-3.

3. Assessment of the proposed amendments

Amendments have been proposed to the text of the Draft LAP (narrative, several policies and objectives and also the legend of some maps and illustration) and also to the Zoning and Transport objectives maps.

The proposed amendments to the text of the LAP are shown as follows:

- in red, strikethrough type ~~like this~~ for text proposed to be deleted
- in blue type like this for text proposed to be inserted.

In the case of sites proposed to be zoned for residential uses and sports/playing fields, the amendments to the Zoning Map and Zoning Detail are indicated by a black outline and are accompanied by the number of the corresponding amendment.

The Buffer Zone proposed for elimination is shown as a grey-shaded area, instead of light green. The surrounding Plan Limit, which would also be eliminated, is shown as a black line, instead of blue.

The amendment to Map 11 (Transport and Circulation objectives – detail) is indicated in the legend, where objective TCO-5 (red line with arrows) is marked as “proposed for elimination”.

The text in green under each proposed amendment represents the Planning Authority’s assessment of the amendment’s potential to change the conclusion of the initial SEA Screening Report relating to the Draft LAP. The assessment is based on the criteria specified in Schedule 2A of the SEA Regulations 2004.

3.1 Proposal to eliminate the buffer zone

A-1 – resulting from Members’ resolution R-4

In **Section 1.2.1 Geography** (page 3 of the Draft LAP), amend the text by deleting all references to the buffer zone and Plan limit, including corresponding modifications to the title and contents of **Fig. 1.A The extent of the Plan area (inside the blue line) and the development zone (inside the red line)**.

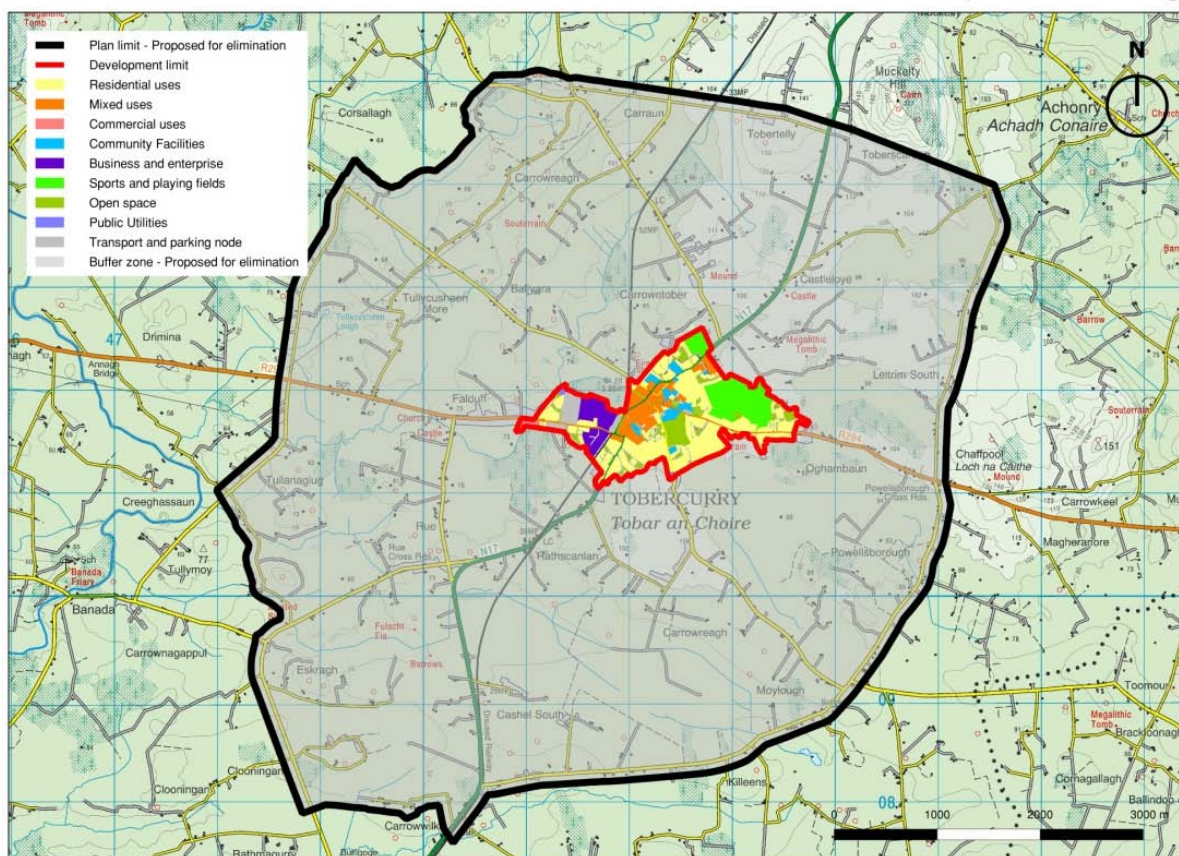
A-2 – resulting from Members’ resolution R-4

Delete the entire **Section 3.3.3 Development Limit and buffer zone** (pages 21 and 22 of the Draft LAP), including **Fig. 3.E Extent of the buffer zone outside the development limit of Tobercurry** and the **Buffer zone policies**.

A-3 – resulting from Members’ resolution R-4

On **Map 2 Zoning and Map 3 Zoning detail**, eliminate the Buffer Zone and the surrounding Plan Limit.

Map 2. Zoning



CDP Core Strategy provision for establishing buffer zones

All the plans (local area plans and mini-plans) adopted or reviewed since 2011 in County Sligo include the provision of a buffer zone, as required by the CDP, in Sections **3.2 Spatial development framework** and **3.4 Development land requirements** and outlined in the policies below:

SP-SD-6 Establish a system of buffer zones around settlements so as to restrict sprawl and the possible merging of distinct settlement areas. These buffer zones will be determined by setting “Plan limits” as part of the preparation of local area plans and mini-plans.

SP-Z-8 Provide a clear demarcation between settlement built-up areas and the surrounding countryside through appropriate zoning objectives, development limits and plan limits.

Buffer zones have multiple purposes, such as:

- consolidating and containing settlements within a single development limit;
- safeguarding land for the future expansion of settlements and for the provision of infrastructure;
- preventing sprawl within surrounding rural areas and uncontrolled development along approach roads;
- preserving views and protecting the integrity of archaeological sites and monuments in the area surrounding settlements.

In short, buffer zones promote sustainability by limiting unnecessary development outside settlements and thus contribute to the protection of the environment in the rural areas surrounding towns and villages.

The buffer zone in the Draft Tobercurry LAP 2015–2021

Currently there is no plan in place for Tobercurry; therefore no defined buffer zone exists. There is only a Draft LAP, which is going through the process set out in Section 20 of the Planning and Development Act 2000 (as amended).

Due to ribbon development along the approach roads, Tobercurry does not have a defined urban edge at present. There is evidence of ongoing pressure for one-off housing in an extended rural area around Tobercurry, particularly along regional and local roads.

A development limit is defined in the Draft Tobercurry LAP in order to mark the desired boundaries of the contiguous built-up area of Tobercurry.

Outside the development limit, the Draft LAP proposed to establish a buffer zone in the rural area, in accordance with the CDP requirements.

The outer limit of this buffer zone, called the Plan limit, was set in such a manner as to prevent further ribbon development along a number of local roads which create a web and an almost closed ring (circa 3 km average radius) around Tobercurry.

The buffer zone policies limit the amount of residential and other types of development that would be more suitable on zoned lands in the urban core. The buffer zone housing restrictions can also assist in urban regeneration, by encouraging the reuse of derelict properties in the town and the development of large infill sites zoned for residential and mixed uses.

If adopted, the proposed amendments A-1, A-2 and A-3 would prevent the establishment of this buffer zone.

Potential environmental effects of the failure to establish a buffer zone around Tobercurry

As the economy recovers, enterprises located in the Key Support Town of Tobercurry will be able to create new jobs, thus attracting more people to the area. In the absence of buffer zone housing policies (restricting one-off housing to local residents who have no option on their lands outside the buffer zone), it is likely that single houses will continue to proliferate along the regional and local roads surrounding Tobercurry.

Such development would have the following effects:

- it would cause further encroachment of development onto rural areas, with consequent destruction or disturbance of habitats and reduction in biodiversity;
- it would generate an increase in low-occupancy vehicle traffic and associated rise in emissions;
- it would involve an accumulation of individual wastewater treatment systems, with a corresponding increased risk of groundwater and surface water pollution;
- it would undermine the development of housing on zoned lands within the development limit, where infrastructure, services and public transport can be provided in a resource-saving, efficient manner, with minimal environmental impact.

The effects listed above have a high probability of occurrence, although the probability would decrease as the distance from the town centre increases.

The effects would be long-term or permanent, and would be difficult to reverse or even irreversible (e.g. groundwater pollution, habitat destruction). The effects are also of a cumulative nature.

Furthermore, the elimination of the proposed buffer zone from the Tobercurry LAP would set a precedent for eliminating buffer zones from other Local Area Plans and Mini-Plans, thus leading to widespread environmental degradation in rural areas surrounding towns and villages in County Sligo.

For the reasons outlined above, it is considered that the proposed amendments A-1, A-2 and A-3, which eliminate the buffer zone from the Tobercurry LAP, have the potential to generate significant negative effects on the environment.

Reducing the potentially significant environmental effects

The potential environmental effects outlined above could be partly (but not entirely) avoided, reduced or mitigated through a rigorous application of CDP policies regarding environmental protection, via the development management process.

The current CDP requirement to establish a buffer zone as part of the LAP for Tobercurry will continue to remain in place until such time as the forthcoming Sligo County Development Plan 2017-2023 is adopted and the buffer zone policies are reviewed and clarified.

Having regard to the above, the Planning Authority did not make a determination – under sub-article (3) of Article 14A of the Planning and Development (SEA) Regulations 2004 (S.I. No. 436 of 2004) – with regard to the potential for significant environmental effects of the proposed amendments to the Draft Tobercurry LAP 2015-2021.

Therefore, the Planning Authority decided to consult with the prescribed environmental authorities as specified in Article 14A (4) of the SEA Regulations.

Please refer to **Section 4** of this Addendum for details regarding the above-mentioned consultation.

3.2 Other proposed amendments to the text

A-4 – recommended by the Chief Executive

Insert the following objective in **Section 4.4 Retail Development**:

RDO -1 No retail development shall be permitted on the site (marked RDO-1 on the Zoning Map) zoned for mixed uses adjoining the Sligo Road (N-17) at Tobercurry Td.

This amendment limits the types of development that would be permissible on lands zoned for mixed uses. If adopted, this amendment would not change the conclusion of the initial SEA Screening.

A-5 – recommended by the Chief Executive

Modify the final paragraph of **Section 5.3.9 Housing in the buffer zone** (p. 36 of the Draft LAP) as follows:

While development will be generally discouraged within the buffer zone, proposals for single houses may be accommodated subject to the Council's rural housing policies (Section 5.7 of the CDP), ~~and~~ the additional policies outlined in this chapter and the transport objective TCO-15 (refer to p. 73 in Chapter 8 Transport), which commits the Council to safeguarding the carrying capacity of the national primary road N-17, in accordance with the provisions of the *Spatial Planning and National Roads Guidelines for Planning Authorities* (DoECLG, 2012).

Note: The elimination of the Buffer Zone (proposed amendments A-1, A-2 and A-3), if adopted, would also eliminate Section 5.3.9 Housing in the buffer zone. In this event, it would not be possible to adopt the proposed amendment A-5 (above).

This amendment introduces a cross-reference with an objective in Chapter 8 relating to national roads. If adopted, this amendment would not change the conclusion of the initial SEA Screening.

A-6 – recommended by the Chief Executive

Insert the following objective in **Chapter 5 Housing** (Housing objectives, p. 37):

HO-2 On the site marked HO-2 on the Zoning Map, permit the construction of one house only, subject to archaeological assessment.

The potentially negative impact of this amendment on an archaeological monument in the vicinity of the subject site is prevented by the added requirement for archaeological assessment. If adopted, this amendment would not change the conclusion of the initial SEA Screening.

A-7 – resulting from Members' resolution R-1

Insert the following objective in **Chapter 5 Housing** (Housing objectives, p. 37):

HO-3 On the site marked HO-3 on the Zoning Map, permit the construction of two houses only.

This amendment increases the amount of land zoned for residential development, while limiting the potential number of dwellings to only two. If adopted, this amendment would not change the conclusion of the initial SEA Screening.

A-8 – recommended by the Chief Executive

Modify the wording of **Section 8.2.1 The national road N-17** (p.64 of the Draft LAP) as follows:

In order to alleviate these problems, the National Roads Authority (NRA) approved the construction of a bypass for Tobercurry. ~~The bypass is part of a comprehensive realignment of the N-17 and other national roads as part of the Atlantic Road Corridor, as identified in Transport 21 (an infrastructure plan published by the government in 2005 and effectively cancelled in 2011 following the economic downturn).~~

The construction of the N-17 Tobercurry bypass will have a major positive impact on the nature and volume of traffic in the town. Through-traffic will be reduced significantly, creating a safer environment for pedestrians, cyclists and children.

There is a critical need to manage these assets in accordance with national policy, as outlined in *Smarter Travel* (DTTAS, 2009) and the provisions of the *Spatial Planning and National Roads Guidelines for Planning Authorities* (DoECLG, 2012).

This amendment removes outdated information and introduces a statement regarding compliance with national roads guidelines. If adopted, this amendment would not change the conclusion of the initial SEA Screening.

A-9 – resulting from Members' resolution R-3

In **Section 8.3 Traffic management** (p. 66 of the Draft LAP), delete the bullet point relating to ~~the introduction of a one-way system along Teeling Street.~~

This amendment removes reference to a proposal to introduce a one-way system in Tobercurry. If adopted, this amendment would not change the conclusion of the initial SEA Screening.

A-10 – resulting from Members' resolution R-3

Delete the entire **Section 8.3.4 One-way systems** (p. 68 of the Draft LAP), including the corresponding illustration.

This amendment removes references to a proposal to introduce a one-way system in Tobercurry. If adopted, this amendment would not change the conclusion of the initial SEA Screening.

A-11 – resulting from Members' resolution R-3

In **Chapter 8 Transport and circulation**, modify the Transport and circulation objectives (p. 72 of the Draft LAP) as follows:

- i. Omit the heading ~~Traffic Management Plan— one way systems and access restrictions~~
- ii. Reword objective TCO-5 to state:

TCO-5 Carry out a traffic study, prepare and implement a traffic management plan for the town centre.

This amendment removes a proposal to introduce a one-way system in Tobercurry and introduces a requirement to carry out preliminary studies for a traffic management system. If adopted, this amendment would not change the conclusion of the initial SEA Screening.

A-12 – recommended by the Chief Executive

In **Section 9.2 Water supply** (p. 75 of the Draft LAP), delete the following sentence from the second paragraph:

~~Currently the capacity of the plant is adequate, but according to the EPA, the treatment for Cryptosporidium is inadequate.~~

This amendment removes outdated information on Tobercurry's water supply. If adopted, this amendment would not change the conclusion of the initial SEA Screening.

A-13 – recommended by the Chief Executive

In **Section 9.2 Water supply** (p. 75 of the Draft LAP), reword the last paragraph as follows:

~~At the time of writing (early 2015), Sligo County Council was pursuing the construction of a new water treatment plant with a capacity of 12,500 m³/day, storage reservoirs and intake works, in partnership with Irish Water (IW) as per the CIP. In parallel, the Council was discussing with IW the possibility of an interim upgrade of the water treatment plant.~~

At the time of writing (mid-2015), Irish Water and Sligo County Council are currently pursuing the installation of additional water treatment capacity at this plant. Separately, works are on-going to replace approximately 17 km of defective water mains through the scheme.

This amendment replaces old information on Tobercurry's water supply with up-to-date information. If adopted, this amendment would not change the conclusion of the initial SEA Screening.

A-14 – recommended by the Chief Executive

Add the following sentence to the third paragraph of **Section 9.3 Wastewater treatment** (p. 76 of the Draft LAP):

The upgrade of the Tobercurry wastewater treatment plant is currently being progressed by Irish Water.

This amendment introduces up-to-date information regarding Tobercurry's wastewater treatment plant. If adopted, this amendment would not change the conclusion of the initial SEA Screening.

A-15 – recommended by the Chief Executive

In **Section 9.3 Wastewater treatment**, modify the first paragraph of the subsection on **Storm Water** (page 77 of the Draft LAP) as follows:

Such flooding was mainly for short periods of time (1 to 2 days) and was caused by extensive rainfall together with limited ~~assimilation~~ capacity of the storm system within this area of Tobercurry.

This is a minor text amendment, which, if adopted, would not change the conclusion of the initial SEA Screening.

A-16 – recommended by the Chief Executive

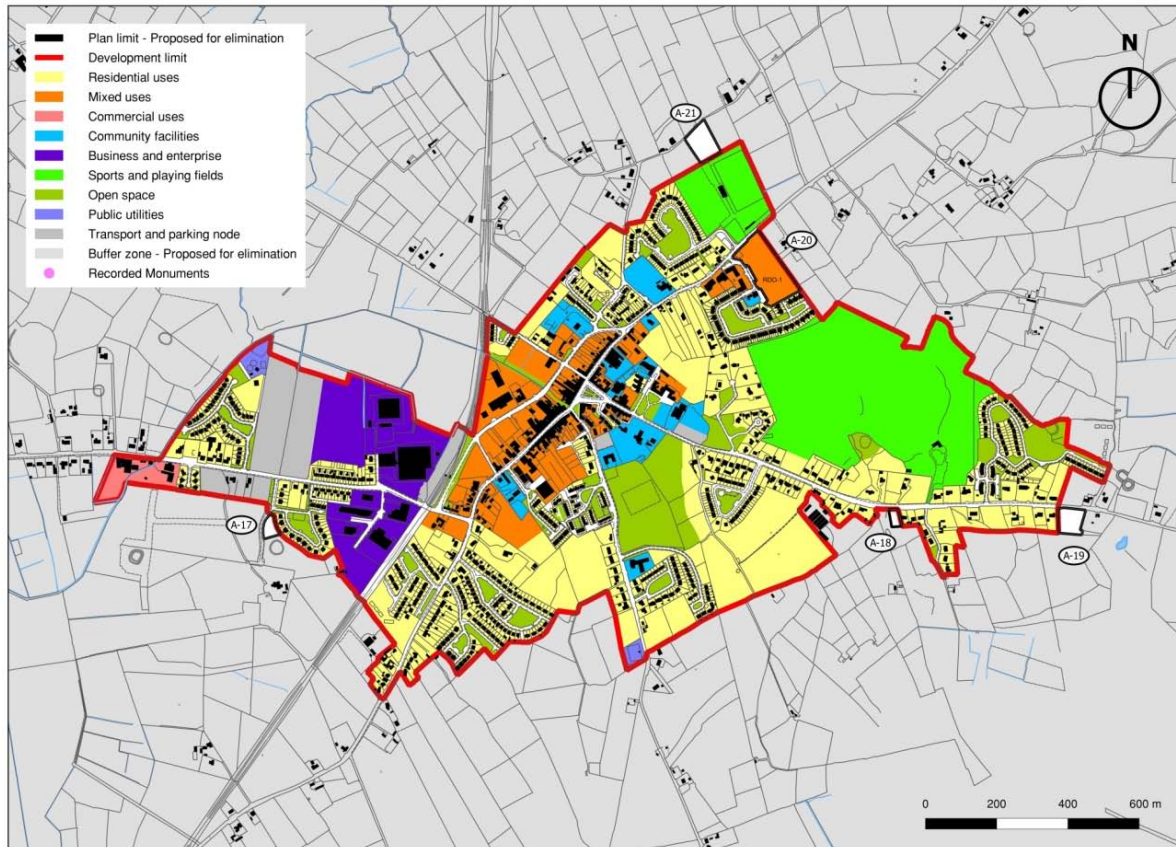
Include an **Implementation and Infrastructure Delivery** section as an appendix to the Tobercurry LAP 2015-2021

(Note: see last section of this document).

This amendment does not represent a material alteration of the Draft Plan. The proposed Appendix contains information regarding the timescale for the delivery of the LAP objectives and specifies the agencies responsible or best placed to implement the objectives. If adopted, this amendment would not change the conclusion of the initial SEA Screening.

3.3 Other proposed amendments to zoning

Map 3. Zoning detail



A-17 – recommended by the Chief Executive

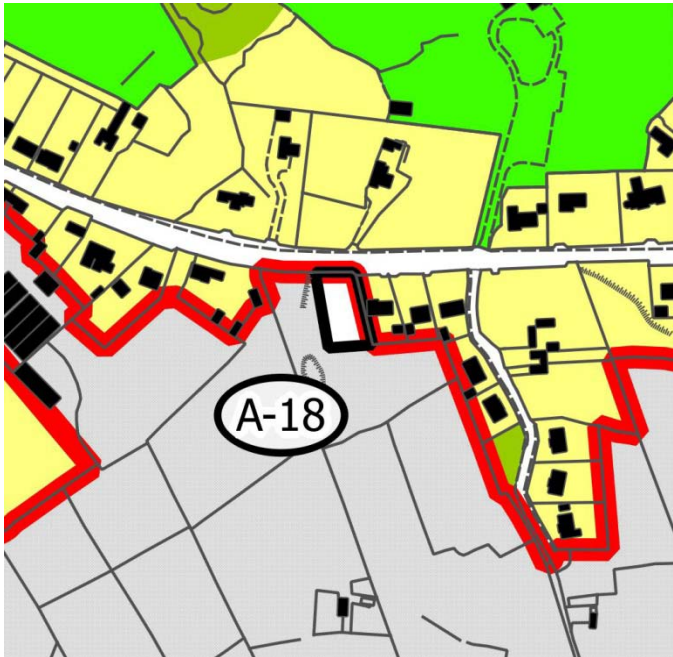
- i. On **Map 2 (Zoning)** and **Map 3 (Zoning Detail)**, change the zoning of the **site marked 3** on the Submissions Map (submission by Roger and Patricia McCarrick) from buffer to residential and extend the development limit to incorporate the site.
- ii. Include the site on **Map 4 (Residential Phasing)** as Infill.



This amendment marginally increases the amount of land zoned for residential development. If adopted, this amendment would not change the conclusion of the initial SEA Screening.

A-18 – recommended by the Chief Executive

- i. On **Map 2 (Zoning)** and **Map 3 (Zoning Detail)**, change the zoning of the site **marked 7A** on the Submissions Map (submission by Peter J Brennan) from buffer to **residential**, extend the development limit to incorporate the site and mark it **HO-2** (as per proposed amendment A-6).
- ii. Include the site on **Map 4 (Residential Phasing)** as Infill.

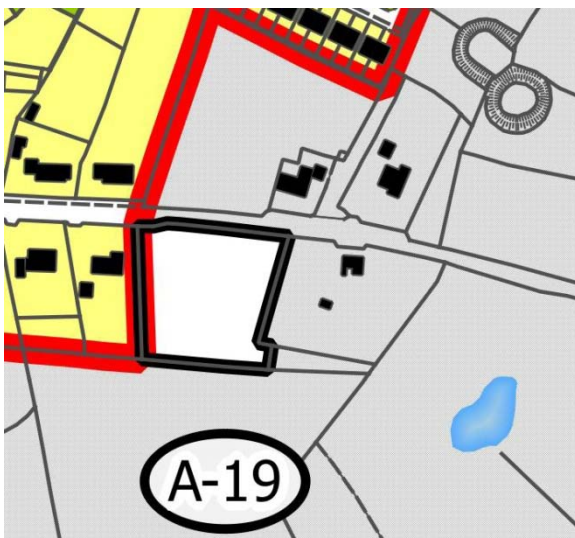


This map amendment is related to the proposed text amendment A-6.

The potentially negative impact of this amendment on an archaeological monument in the vicinity of the subject site is prevented by the added requirement for archaeological assessment (see A-6). If adopted in conjunction with A-6, this amendment would not change the conclusion of the initial SEA Screening.

A-19 – resulting from Members' resolution R-1

- i. On **Map 2 (Zoning)** and **Map 3 (Zoning Detail)**, change the zoning of the site **marked 7B** on the Submissions Map (submission by Peter J Brennan) from buffer to **residential**, extend the development limit to incorporate the site and mark it **HO-3** (as per proposed amendment A-7).
- ii. Include the site on **Map 4 (Residential Phasing)** as Infill.



This map amendment is related to the proposed text amendment A-7.

This amendment marginally increases the amount of land zoned for residential development. If adopted in conjunction with A-7, which limits the potential number of dwellings to only two, this amendment would not change the conclusion of the initial SEA Screening.

A-20 – recommended by the Chief Executive

On **Map 2 (Zoning Map)** mark the site of the specific objective **RDO-1** (no retail development to be permitted on this site, as per proposed amendment A-4)



This amendment adds text to the Zoning Map relating to the proposed amendment A-4, which restricts the uses permissible on a site zoned for mixed uses.

If adopted, this minor amendment would not change the conclusion of the initial SEA Screening.

A-21 – recommended by the Chief Executive

On **Map 2 (Zoning)** and **Map 3 (Zoning Detail)**, change the zoning of the site **marked 10** on the Submissions Map (submission on behalf of Tobercurry GAA Club) from buffer to **sports and playing fields** and extend the development limit to incorporate the site



This amendment slightly increases the amount of land zoned for sports and playing fields. If adopted, this amendment would not change the conclusion of the initial SEA Screening.

3.4 Proposed amendments to Map 11 Transport and circulation objectives (detail)

A-22 – resulting from Members’ resolution R-3

On **Map 11 (Transport and circulation objectives - detail)**, delete the red arrows marked as objective TCO-5 (as per proposed amendment A-11)

Map 11. Transport and circulation objectives



This amendment removes the map reference to a proposal to introduce a one-way system in Tobercurry. If adopted, this amendment would not change the conclusion of the initial SEA Screening.

4. Consultation with environmental authorities

Having regard to the criteria set out in Schedule 2A of the SEA Regulations 2004, on 20 July 2015 the Planning Authority determined that strategic environmental assessment is required in respect of the proposed amendments of the Draft Tobercurry LAP, pursuant to S. 20(3)(f) of the Planning and Development Act 2000 (as amended).

The proposed amendments were screened for potential environmental effects.

A document titled “**SEA Screening of the Proposed Amendments of the Draft Tobercurry LAP 2015-2021**” was prepared and circulated to the following prescribed environmental authorities:

1. Department of the Environment, Community & Local Government (Development Applications Unit,)
2. Department of Communications, Energy and Natural Resources (Co-ordination Unit)
3. Environmental Protection Agency, SEA Section, Office of Environmental Assessment
4. Department of Environment, Community and Local Government (Planning System and Spatial Policy Section)
5. Department of Agriculture, Fisheries and Food (Seafood Policy and Development)
6. Planning Section, Leitrim County Council
7. Planning Section, Mayo County Council
8. Planning Section, Roscommon County Council

The **screening document** concluded that:

The majority of the proposed amendments to the Tobercurry Draft LAP, if adopted, would not change the conclusion of the initial SEA Screening Report.

The proposed amendments A-1, A-2 and A-3 have the potential for significant negative effects on the environment, as detailed in Section 3.1 of this report.

Such effects could be partly avoided, reduced or mitigated through a rigorous application of CDP policies regarding environmental protection, via the development management process.

The current CDP requirement to establish a buffer zone as part of the LAP for Tobercurry will continue to remain in place until such time as the forthcoming Sligo County Development Plan 2017-2023 is adopted and the buffer zone policies are reviewed and clarified.

4.1 Response received from the Environmental Protection Agency

The Environmental Protection Agency (EPA) was the only environmental authority to respond to consultation on the potential environmental effects of the proposed amendments.

The EPA replied on 21 August, indicating the following:

We note that three of the Amendments viz. A-1, A-2 and A-3 (resulting from Members' resolution R-4) which relate to the removal of the buffer zone, have been identified as having potential for likely significant effects on the environment.

In the Draft Tobercurry LAP 2015-2021, Section 10.4 – Flood Risk Assessment describes that “most of the lands at risk of flooding were not zoned for development but left in the Buffer Zone”. In this context, by proposing the removal of the buffer zone, there may be potential conflicts with the requirements of The Planning System and Flood Risk Management Guidelines (DEHLG/OPW, 2009).

The Amendments need to be undertaken in a manner that is consistent with the principles of proper planning and sustainable development. The Amendments should also take into account the need for consistency with the policies and objectives of the County Development Plan and Border Regional Planning Guidelines respectively.

We note “the current CDP requirement to establish a buffer zone for the LAP will continue to remain in place until such time as the forthcoming CDP 2017-2023 is adopted and the buffer zone policies are reviewed and clarified”.

Clarification should be given as to why it is proposed to remove the Buffer Zone from the Draft LAP given that the provision for the establishment of such a zone as required by the CDP 2011-2017 under **Sections 3.2 Spatial Development Framework** and **3.4 Development Land Requirements** and related policies **SP-SD-6** and **SP-Z-8**, and the proposed Amendments (A1 - A3) would appear to conflict with this in particular.

***SP-SD-6** Establish a system of buffer zones around settlements so as to restrict sprawl and the possible merging of distinct settlement areas. These buffer zones will be determined by setting “Plan limits” as part of the preparation of local area plans and mini-plans.*

***SP-Z-8** Provide a clear demarcation between settlement built-up areas and the surrounding countryside through appropriate zoning objectives, development limits and plan limits.*

Clarification should also be given as to whether or not the restrictions implicit under **Housing Policy HP-5** in the Draft LAP, ‘that development will be restricted to one-off rural housing only in cases of proven need of immediate family members of local residents who wish to build on their own land’, will be retained in the context of the proposed amendments **A-1, A-2** and **A-3**.

Removal of the buffer zone, which represents a large rural area surrounding the development zone of Tubercurry, could have potential for long term or permanent effects and compromise the integrity of the agricultural land as a resource, as well as the ability to consolidate the town by the following means:

- Increase ribbon development along approach roads
- Facilitate the increase in single houses numbers

- Increase the need for individual waste water treatment systems
- Cause destruction or disturbance of habitats and reduction in biodiversity
- Potentially introduce inappropriate zoning/ land use on buffer zone areas where significant flood risk has been identified.

4.2 Comments on the EPA's response

It is noted that the EPA shares the concerns of the Planning Authority regarding the elected members' intention to amend the Draft LAP by removing the buffer zone.

It is not possible to clarify why the elected members proposed to remove the buffer zone from the Draft Plan, because there is no indication in the Resolution R-4 regarding the reasons for this proposal.

The restrictions implicit under the Housing policy HP-5 cannot be retained in the event of the LAP being adopted without a buffer zone, as the policy refers to one-off housing in the buffer zone.

5. Conclusion of the assessment

The majority of the proposed amendments, if adopted, would not change the conclusion of the initial SEA Screening Report.

However, the proposed amendments A-1, A-2 and A-3, resulting from the Members' resolution R-4 ("Propose to reject the Buffer Zone as proposed in the Tubbercurry Local Area Plan 2015.") have the potential to generate long-term or permanent effects on the rural area surrounding Tobercurry by allowing the continued proliferation of single houses along the regional and local roads.

This increased residential development would lead to:

- further encroachment of development onto rural areas, with consequent destruction or disturbance of habitats and reduction in biodiversity;
- increase in low-occupancy vehicle traffic and associated rise in emissions;
- accumulation of individual wastewater treatment systems, with a corresponding increased risk of groundwater and surface water pollution;
- undermining the development of housing on zoned lands within the development limit, where infrastructure and services can be provided with minimal environmental impact.

Adopting the Tobercurry Local Area Plan 2015-2021 without a buffer zone would conflict with the provisions of the CDP 2011-2017, Sections **3.2 Spatial Development Framework, 3.4 Development Land Requirements** and related policies **SP-SD-6** and **SP-Z-8**.

The LAP would thus contravene Section 19(2) of the Planning and Development Act, which requires local area plans to be consistent with the Core Strategy of the development plan. (Any LAP which is not consistent with the CDP must be amended to restore consistency.)

It is therefore considered that the first-ever Local Area Plan for Tobercurry, when adopted, should be consistent with the Sligo County Development Plan 2011-2017 by including a buffer zone, as proposed in the Draft LAP.

LAP Appendix proposed to be inserted under amendment A-16

Appendix VI Implementation and Infrastructure Delivery Schedule

B.1 Implementation of the LAP objectives

Section 6 of the DoECLG's document entitled *Local Area Plans – Guidelines for Local Authorities* (Guidelines) recommends that every local area plan include an "Implementation and infrastructure delivery schedule". Such a schedule would "require a planning authority to work closely with all relevant departments, agencies and stakeholders" involved in the implementation and monitoring of the LAP objectives.

According to the Guidelines, successful implementation of local area plans depends on the identification of delivery mechanisms and funding for the provision of the physical and social infrastructure identified in the plan as essential to achieving its objectives.

Planning authorities should therefore seek to implement the objectives of local area plans in a pro-active manner, harnessing all available public and private funding avenues.

In accordance with the Guideline's recommendation, this Appendix extracts the development objectives set out in the Tobercurry LAP; nominates the Council Sections and external agencies that have within their remit the responsibility to implement the LAP objectives. It also suggests interventions by other entities (e.g. community groups or business associations) which have the capacity to contribute to implementation, and specifies those objectives that can be achieved only through private sector involvement, supported by the development management process.

The achievement of certain objectives will be an ongoing process (e.g. monitoring of certain activities, protection of the natural and built heritage), while others require targeted interventions (by the Council and other public agencies) within a given timeframe, or individual development proposals (private initiative).

Timescales for the delivery of LAP objectives are categorised into three types (as per the Guidelines):

- short term – works which should proceed within two years;
- medium term – works which should commence within the lifetime of the Plan;
- long term – projects which may not happen within the lifetime of the LAP, but must be planned in advance.

The Council will co-operate with the Tobercurry Tidy Towns group and Chamber of Commerce, and with state agencies such as Irish Water, the National Roads Authority etc., with a view to delivering the key objectives set out in the LAP (subject to funding and resources).

B.2 Delivery of Housing objectives

Objective	Timescale	Implementation
HO-1 Monitor house completion and building	Ongoing	Planning Section

B.3 Delivery of Open space objectives

Objective	Timescale	Implementation
OSO-1 Reserve lands for a public park	Medium term	Planning, Community and Enterprise Section The eastern portion of this park should be provided in tandem with the development of adjacent land for housing (private initiative)
OSO-2 Reserve lands for a linear park alongside the Maiden River	Long term	Planning Section, Community and Enterprise Section
OSO-3 Examine the provision of a network of walkways around Tobercurry	Medium term	Community and Enterprise Section
OSO-4 New walkway along planned roads	Long term	Road Design, Community and Enterprise Sections The walkways should be provided in conjunction with the building of roads under objective TCO-1.

B.4 Delivery of Natural heritage objectives

Objective	Timescale	Implementation
NHO-1 Control of invasive species	Ongoing	Planning Section, Heritage Office, Road Design Section, private sector To be implemented through the development management process, during road construction works and as part of works carried out by private developers

Objective	Timescale	Implementation
NHO-2 Invasive species survey	Short term	Heritage Office
NHO-3 Protection of the swift colony off the L-8705-29	Ongoing	Planning Section, Heritage Office To be implemented through the development management process

B.5 Delivery of Architectural heritage objectives

Objective	Timescale	Implementation
ARO-1 Protection of buildings of note	Ongoing	Private initiative, Planning Section and Heritage Office To be implemented through the development management process
ARO-2 Preservation and enhancement of shop fronts	Ongoing	Private initiative, Planning Section and Heritage Office,
LCO-1 Keep Muckelty Hill free from development	Ongoing	Planning Section To be implemented through the development management process

B.6 Delivery of Transport objectives

Objective	Timescale	Implementation
TCO-1 Reserve corridors for three new roads to the south of Teeling Street	Long term	Planning Section, Road Design Section, private initiative The roads should be constructed in tandem with the provision of new residential development.
TCO-2 Reserve access points to backlands	Ongoing	Planning Section To be implemented through the development management process

Objective	Timescale	Implementation
<p>TCO-3 Upgrade <i>town centre zone</i>.</p> <p>TCO-4 Designate and upgrade <i>transition zones</i></p>	Medium term	Road Design Section
<p>TCO-5 One-way system through the town centre</p>	Medium term	Road Design Section
<p>TCO-6 Occasional/ temporary closure of Wolfe Tone Square to through-traffic</p>	On days of specific events (e.g.festivals, fairs)	Roads Section
<p>TCO-7 Creation of car park of minimum 60 spaces to the south of Teeling St.</p>	Medium-long term	Private development (in conjunction with the development of the site zoned for mixed uses), supported by the Planning Section through the development management process
<p>TCO-8 Public car park off Circular Road</p>	Medium-long term	Private development (in conjunction with the development of the site zoned for mixed uses), supported by the Planning Section through the development management process
<p>TCO-9 Car parking at Holy Family National School</p>	Short term	Department of Education/HSE
<p>TCO-10 Restriction of on-street parking</p>	Medium term	Roads Section The implementation of this objective depends on the provision of alternative parking areas in Tobercurry
<p>TCO-11 Provision of pedestrian links between Teeling Street and Circular Road</p>	Medium term	Roads Section
<p>TCO-12 Enhancement of link between Teach Laighne and Wolfe Tone Square</p>	Medium term	The development should be provided through private initiative supported by the Roads Section and the Planning Section through the development management process
<p>TCO-13 Reservation of an area for a transport and parking node on lands adjoining the disused railway</p>	Long term	The development should be provided through private initiative with the co-operation of Irish Rail/landowner(s), supported by the Planning Section through the development management process

Objective	Timescale	Implementation
TCO-14 Bus stops at Circular Road	Short term	Road Design, Bus Eireann
TCO-15 Safeguard the carrying capacity of the N-17	Ongoing	Planning Section To be implemented through the development management process
TCO-16 Land reservation for the N-17 Tobercurry By-Pass	Ongoing	Planning Section To be implemented through the development management process

B.7 Delivery of Water quality objectives

Objective	Timescale	Implementation
WQO-1 Implement the measures contained in the Western River Basin District Management Plan	Ongoing	Environment Section
WQO-2 Monitoring and reviewing of water quality	Ongoing	Environment Section

B.8 Delivery of Flood risk management objective

Objective	Timescale	Implementation
FRMO-1 Requirement for flood risk assessment on site zoned for mixed uses at Tobercurry Td on the N-17	As required	Planning Section To be implemented through the development management process

B.9 Delivery of Urban design objectives

Objective	Timescale	Implementation
UDO-1 Refurbishment of the town centre in two phases	Medium-long term	Roads Section, Community and Enterprise
UDO-2 Facilitate the relocation of the petrol station/garage from Wolfe Tone Square to a more suitable site	Medium-long term	Private initiative supported by the Planning Section through the development management process
UDO-3 Identify owners of derelict sites and work with them to address the problem of dereliction	Ongoing	Planning Section
UDO-4 Landscaping scheme for backlands of Humbert St.	Short term	Tobercurry Tidy Towns group or similar local organisations
UDO-5 Redevelopment of sites along Circular Road	Medium-long term	Private initiative supported by the Planning Section through the development management process
UDO-6 Promote the creation of a new streetscape along Circular Road by requiring new developments to provide active frontage	Ongoing	Planning Section
UDO-7 Encourage the redevelopment of the site on the north-western side of Circular Road (currently occupied by warehouses)	Medium-long term	Private initiative supported by the Planning Section through the development management process
UDO-8 Prepare a short-term strategy for improving the visual appearance of properties fronting onto Circular Road	Medium term	Local business community and Tobercurry Tidy Towns group with the support of the Planning Section
UDO-9 Development of certain sites on the basis of masterplans	Medium-long term	Private initiative supported by the Planning Section through the development management process

Objective	Timescale	Implementation
UDO-10 Require Design Statement for all the sites marked on Map 5	Ongoing	Planning Section
UDO-11 Preparation of Public Realm Strategy	Medium term	Planning Section, Tobercurry Tidy Towns, external consultants subject to resources

B.10 Funding

The achievement of the LAP’s objectives depends on the availability of funding from one or more of the following sources:

- Sligo County Council (including development contributions);
- central government;
- other public agencies;
- private sector funding.

Infrastructure facilities and services that benefit the development of the area will in many cases be dependent on funding through the current Development Contribution Scheme (2011) or its successors.

Special contributions may also be levied under Section 48(2)(c) of the Planning and Development Act, which allows planning authorities to require additional payments “where specific exceptional costs not covered by a scheme” are incurred in respect of public infrastructure and facilities which benefit the proposed development.

Central government funding for infrastructure will be sought, where appropriate, from the relevant government departments.

The private sector will play a key role in the delivery of development and infrastructure through direct investment.

B.11 Monitoring and review

The Council will monitor the implementation of the LAP objectives.

A full report on the progress made in implementing the objectives of the Plan will be prepared in 2020, before the LAP is due to be reviewed in 2021.

This report will highlight any difficulties that may have arisen in the achievement of the LAP objectives and will provide an opportunity to recommend the review of certain objectives, as appropriate.