

Decision of the Planning Authority
regarding the need for
Strategic Environmental Assessment of the proposed
TOBERCURRY LOCAL AREA PLAN 2015-2021

Sligo County Council has prepared a Draft Local Area Plan for Tobercurry for the period 2015-2021.

Having assessed the potential environmental effects of implementing the proposed plan, and having consulted with prescribed environmental authorities, the Planning Authority has determined that the **Draft Tobercurry Local Area Plan 2015-2021 is not likely to have significant effects on the environment. Therefore, full Strategic Environmental Assessment (SEA) is not required.**

The SEA screening process and the reasons for this decision are summarised in the following pages.

1. Proposed Tobercurry LAP 2015-2021 – background

The Sligo County Development Plan 2011-2017 (CDP) requires the preparation of local area plans for the towns of Ballymote, Enniscrone and **Tobercurry**.

The Draft Tobercurry LAP is prepared in accordance with the procedure set out in Sections 18–20 of the Planning and Development Acts 2000 (as amended).

The CDP earmarks Tobercurry as a Key Support Town, in order to build on its strengths and existing scale of development. As recommended in the CDP, the strategy for Tobercurry is to consolidate the town through the provision of an appropriate range of services including social infrastructure, retail, tourism, commercial and enterprise facilities, to enable it to perform its role in an appropriate manner.

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. The component of the SEA Directive relating to land use planning was transposed into Irish law in the form of the Planning and Development (SEA) Regulations 2004 (S.I. 436/04), which was amended by the Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations 2011, (S.I. No. 201 of 2011).

In accordance with Article 14A of the SEA Regulations, prior to commencing the procedure for preparing the local area plan, it was necessary to “screen” the proposed plan, or determine whether the implementation of the plan would have significant effects on the environment.

3. SEA screening

The proposed plan was screened for potential environmental effects in accordance with the criteria set out in Schedule 2A of the SEA Regulations. The conclusion of the screening exercise was as follows:

The Draft Tobercurry LAP 2015-2021 has been prepared in the context of the existing CDP 2011-2017, which sets out a strategy for the proper planning and sustainable development of the County and has already been assessed under the SEA completed as part of the CDP process.

The Draft LAP is consistent with the CDP. The CDP provisions (including the SEA mitigation measures) apply to the LAP area.

The LAP is focused on the consolidation of the town and the protection of the Natura 2000 site and other sensitive habitats within the Plan area.

The Draft LAP involves a relatively small area of greenfield land available for development during the plan period, with two phases of residential development. It also establishes a Buffer Zone in order to facilitate the above-mentioned urban consolidation and to offer additional protection to designated natural heritage areas.

Having described the characteristics and assessed the expected effects of implementing the Local Area Plan for Tobercurry, and having regard to the characteristics of the area likely to be affected, it appears that the proposed LAP, if implemented, would have negligible effects on the environment.

On the basis of the above assessment based on the criteria set out in Schedule 2A of the SEA Regulations, it is the opinion of the Planning Authority, at this stage of the process, that the proposed Tobercurry LAP is not likely to have significant effects on the environment.

Accordingly, a full Strategic Environmental Assessment is not required.

The Screening Report relating to the proposed Tobercurry LAP 2015-2021 can be inspected or purchased from the Planning Office of Sligo County Council. It can also be downloaded from the Council's website at www.sligococo.ie/tobercurry

4. Consultation with prescribed environmental authorities

In accordance with the requirements of the SEA Regulations, the Planning Authority notified the prescribed environmental authorities – the Minister for Environment, Communities and Local Government, the Minister for Communications, Energy and Natural Resources, the Department of Arts, Heritage and the Gaeltacht, the Department of Agriculture, Fisheries and Food, the Environmental Protection Agency, the Planning Authorities of counties Mayo, Leitrim and Roscommon.

Formal notification, accompanied by the SEA Screening Report, was issued to the prescribed environmental authorities in June 2014, giving them an opportunity to comment on the likely environmental effects of implementing the proposed Tobercurry LAP.

The following agencies responded with comments: Leitrim County Council, the Department of Communications, Energy and Natural Resources (Inland Fisheries), the the Department of Arts, Heritage and the Gaeltacht (Development Applications Unit) and the Environmental Protection Agency.

The recommendations and suggestions made by prescribed environmental authorities have been incorporated into the Draft LAP.

The lack of a response from some prescribed environmental authorities cannot be construed as an implicit agreement with the Planning Authority's conclusion regarding the level of impact of the proposed LAP on the environment. However, in the absence of recommendations from such authorities, the Planning Authority has no reason to alter the Draft LAP or the SEA Screening Report.

5. Decision

Based on the conclusion of the Screening Report, the response of the prescribed environmental authorities and the above considerations, it is the decision of the Planning Authority 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.

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