

Local Authority and Regional Assembly Staff Training Webinar

Implementation of the new Strategic Environmental Assessment (SEA) Section 28 Guidelines

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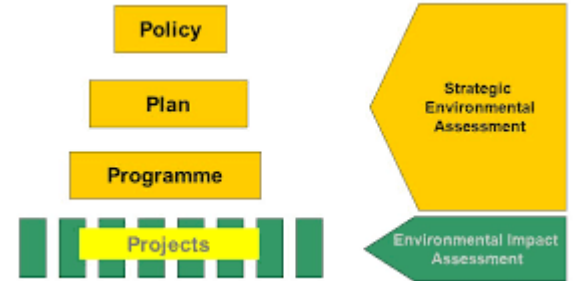


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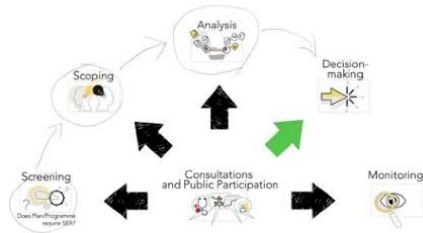


Strategic Environmental Assessment (SEA) - Introduction

- Strategic Environmental Assessment (SEA) put in its most simple terms, represents the application of the well-established principles of project Environmental Impact Assessment ('EIA') to plans, policies and programmes.
- Much broader in scope and ambition to the project EIA.



Source: OECD, 2006, Applying Strategic Environmental Assessment: Good practice Guidance for Development Co-operation.



- It is a formalized, systematic and comprehensive process of evaluating the environmental impacts of a policy, plan or programme and its alternatives.
- Must include the preparation of a written report on the findings of the evaluation (Environmental Report) and the utilisation of the findings in publicly accountable decision making (e.g. CDP process)

- “In-House SEA team”
- External specialists
- Combination of both
- Common to all, is the experience required to undertake this strategic type of assessment, and the ability to prepare in practice, a high-quality Environmental Report and SEA Statement which satisfies the legislative requirements.



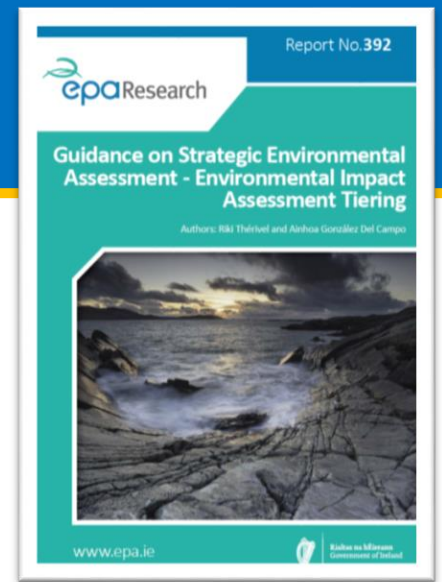
Clarity provided by the Guidance in relation to S.I. 435 of 2004

For plans that require screening for SEA under S.I. 435 of 2004 (that might include landuse plans by planning authorities not covered by S.I. 436 of 2004), SEA shall (in most cases) be required for any plan that is likely to have a significant effect on a European site (either individually or in combination with other plans) but is not directly connected with or necessary to the management of a European site. In other words, a plan that may require an AA, as a result, will also require an SEA to be undertaken. This may occur even in the scenario where it is determined the plan does not set the framework for future development consent of projects.



Tiering – new concept introduced to guidance

- As Planners & SEA practitioners we need to recognize the value of tiering.
- It avoids duplication of effort and the preparation of overly complex and lengthy reports.
- It can save time and resources
- At a CDP level duplication of assessment can be avoided as it may already have taken place at a different tier in the hierarchy of plans e.g., certain strategic planning issues may already have been determined and their impacts assessed at a national and regional level, whereas more site-specific zoning issues will need to be assessed at the Development Plan level but can then inform more detailed project specific assessments such as EIA at site level hence the value of tiering.



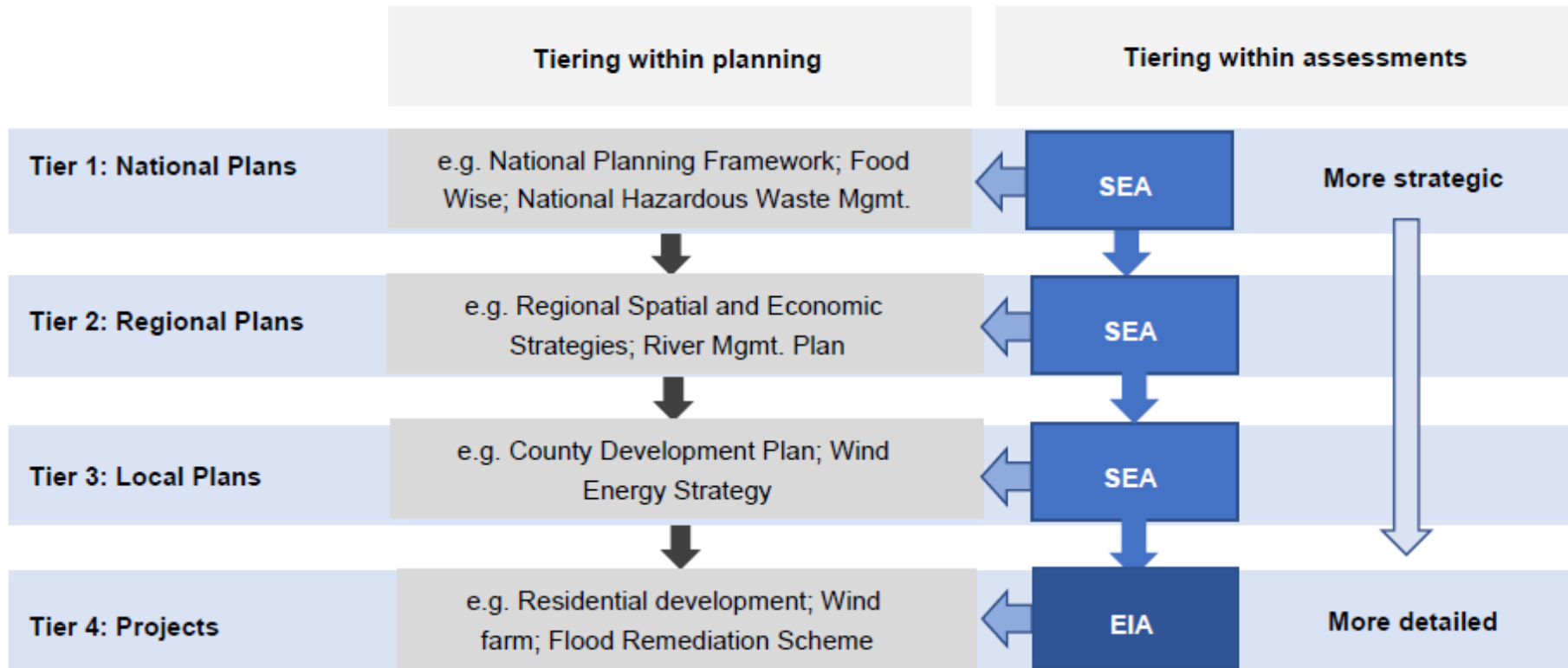


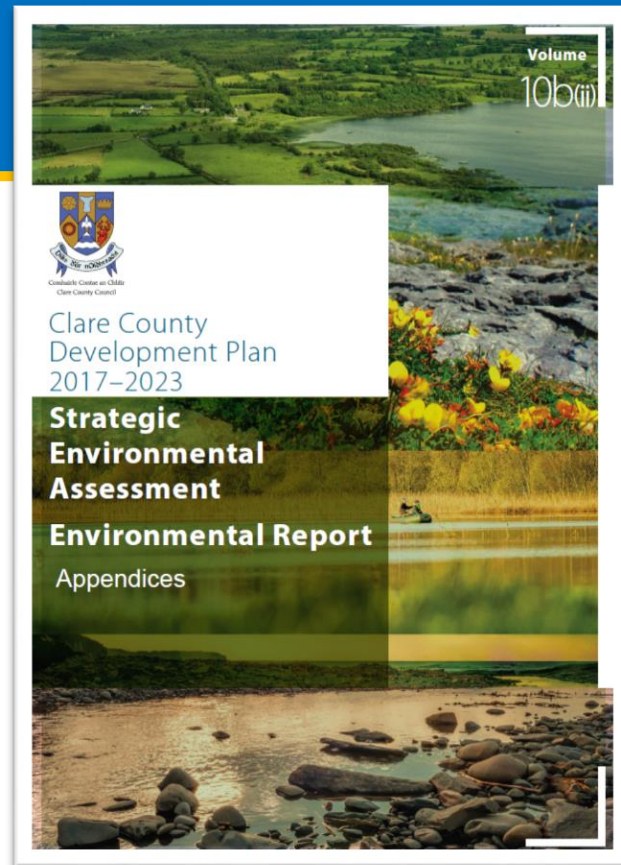
Figure 1.1. Tiering within plans and projects, and within environmental assessments.

Clare County Development Plan 2017-2023

- Consists of 10 Volumes

- **Volume 10 Environmental Appraisal of the Plan**

- 10a *Natura Impact Report*
- 10b(i) *Strategic Environmental Assessment – Non Technical Summary*
- 10b(ii) *Strategic Environmental Assessment – Environmental Report*
- 10b(iii) *Strategic Environmental Assessment – Statement*
- 10c *Strategic Flood Risk Assessment*



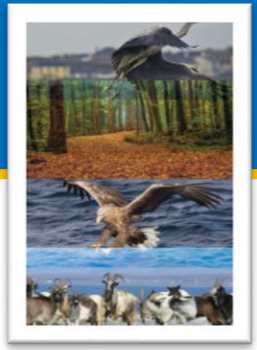
SEA Effectiveness – How the SEA process has influenced the Clare CDP 2017-2023

Key lessons learnt - 1

- The in-house completion of the Plan and associated SEA by Clare County Council (Planning Department)
- It allowed for the on-going transfer of opinion and information through both formal and informal discussions/meetings/workshops throughout the evolution of the development of objectives, options and zonings informing the process
- It was key to the overall success and value of preparing an SEA of the Plan
- The lead planner involved in the preparation of the CDP also had experience with SEA implementation which aided the fluidity of environmental integration of the SEA within the Plan-making process.



SEA Effectiveness – How the SEA process has influenced the Clare CDP 2017-2023



Key lessons learnt - 2

- Councils have a fantastic resource in terms of the knowledge their staff have, across all departments which needs to be harnessed for the SEA process.
- With respect to the SEA of the Clare CDP a strong interaction between departments was seen to result in positive changes to the Plan where the SEA information was effectively used to inform the plan, suggest alternatives and mitigation, and alter the vision of the plan-makers to better reflect environmental considerations.
- A key lesson learnt here is to formalise this process better with a series of dedicated workshops in-house.



SEA effective/Ineffectiveness? –

How the SEA process has influenced the Clare CDP 2017-2023

Key lessons learnt - 3

- While there was successful public involvement in the plan-making process, this was due to the process of the CDP eliciting this participation rather than the SEA process.
- Despite public interest in the environment, there isn't a general awareness or understanding of SEA and its role in the planning process.
- A development plan can be difficult for members of the public to navigate and comprehend, the SEA is far more technical in some aspects and potentially over-whelming for the public to review given its breadth of assessment.
- For the future reviews it may be beneficial to hold focus groups, exhibitions, online surveys, workshops and provide additional printed material and information repositories separate to the CDP Public Consultation.



SEA **effective/Ineffectiveness** –

How the SEA process has influenced the Clare CDP 2017-2023

Key lessons learnt – 4

- While it is accepted that SEA is mandatory it lacks a strong statutory backing in terms of the requirement to take on board the recommendations of the SEA
- Within the County Development Plan while the majority of the recommendations were taken on board and the revisions are tracked within the appendices to the Environmental Report together with the SEA Statement some were not.
- This weakens its potential effectiveness and its benefits
- Key to the Clare CDP SEA being effective was the inclusion of the mitigation or measures required for each objective and/or zoning within Volumes 1 & 3 (a-d)



SEA Environmental Report

- Assessment of relevant zoning parcels from an SEA perspective
- Mitigation Measures/Monitoring/Recommendations proposed

Clare County Development Plan 2017-2023

- Output from SEA incorporated into Volumes 1 & 3 (a-d)

Development Management – Pre-Planning to Planning

- Area Planners convey SEA related measures/monitoring/recommendations to planning agents/developers/applicants
- SEA information is effective in informing future project level assessment



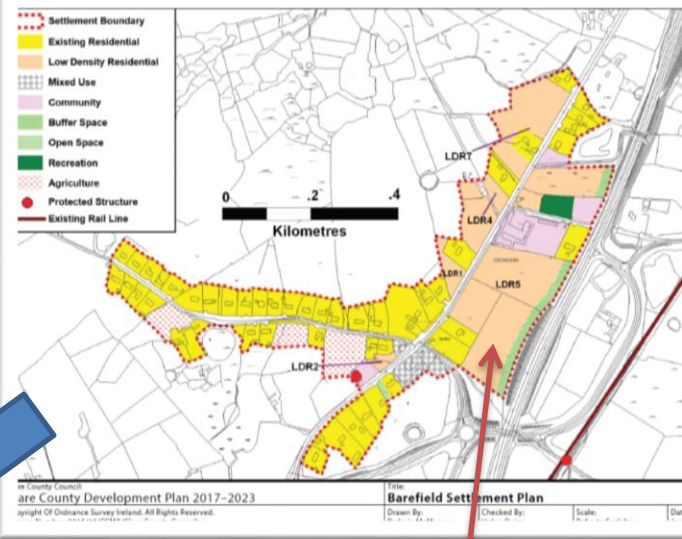
Site R36 West of Limerick Road

This site is located to the south of The Hawthorns housing development and is identified for future residential use. In the settlement map of this Plan, Housing Site R36 shall be accessed via an existing distributor road and units on the eastern side of the site shall face the Limerick Road. The hedgerows and scrub area on this site provide a potential foraging area for Lesser Horseshoe Bats. Future development proposals must be informed by a series of bat surveys to record the known use of the scrub and fields by Lesser Horseshoe Bats and ensure that there is no loss of habitat. The surveys must include light-level surveys. Any habitat loss must be offset by additional landscape planting to ensure connectivity across the landscape. All design proposals, including lighting, must be informed by the results of the bat survey. Proposals to mitigate any negative impacts that the proposed development may have on the bat population, prepared by a qualified ecologist, will be required. Proposals for the on-going monitoring of the bat population, and contingency measures if unforeseen impacts arise, must also be submitted.

Site LDR64 An Saurus/Ballymacahill

This site will accommodate residential development of high quality design and layout. No development shall occur unless a surface water management plan, including actions for its implementation, is submitted and approved as part of the planning application. The management plan shall protect the adjoining open space area which contains an Alkaline Fen and potential turlough habitat.

This site is largely within Flood Zone C but there is some minor encroachment onto Flood Zone B as flood water backs up from the southwest (see maps contained in Strategic Flood Risk Assessment in Volume 10(c) of this Plan). Residential development can take place in Flood Zone C provided finished floor levels are above 5mOD. CFRAM must also be consulted for climate change levels. The area of the site which lies within Flood Zone B should be excluded from development and utilised as Open Space within any proposed development.



LDR5 Site to the South of the Primary School

This elevated site in a central location in the village, situated adjacent to the school, is ideal for an in-depth development of low density housing with a high standard of layout and design. A buffer running along the M18 to protect residential amenity is required. The buffer shall be designed having regard to the Clare Noise Action Plan 2013 and associated Strategic Noise Maps.

Clare County Development Plan 2017-2023

Key steps which assisted this process;

- Assigning each land use zoning parcel with a unique identifier e.g. LDR1, MU2 etc.
- Changes could transparently be tracked through the development plan process through the use of GIS.
- Very easy to compare and draw conclusions on how effective the SEA was in shaping the County Development Plan
- Will allow a comparison/assessment of the impact any development which has taken place during the lifetime of the current CDP2017-23 has had and will allow a more informed assessment and subsequent planning for the new CDP.



Strategic Integrated Framework Plan for the Shannon Estuary (SIFP)

Background to the Overall Project

- Regional Aim of the SIFP for the Shannon Estuary.....

‘...To identify both the nature of the development, economic growth and employment that can be sustainably accommodated within the Shannon Estuary and the location of the sites that could accommodate specific types of development, while ensuring that the habitat status of the areas within the Estuary designated as Natura 2000 or other environmentally sensitive sites would not be reduced as a result of the short-term or long-term impact of such developments, their cumulative impact, or their impact in combination with other proposed or planned developments outside the area of the Estuary....’
(Mid-West Regional Planning Guidelines 2010-2022)
- Regional Aim supported in the County and City Development Plans for the 4 adjoining local Authorities
- Plan Hierarchy – has formed a key component of the relevant City and County Development Plans and also the development of other plans such as the Shannon Foynes Port Company Masterplan.

Shannon Integrated Framework Plan

➤ Commenced Sept 2011

➤ Review of economic activity & growth including:

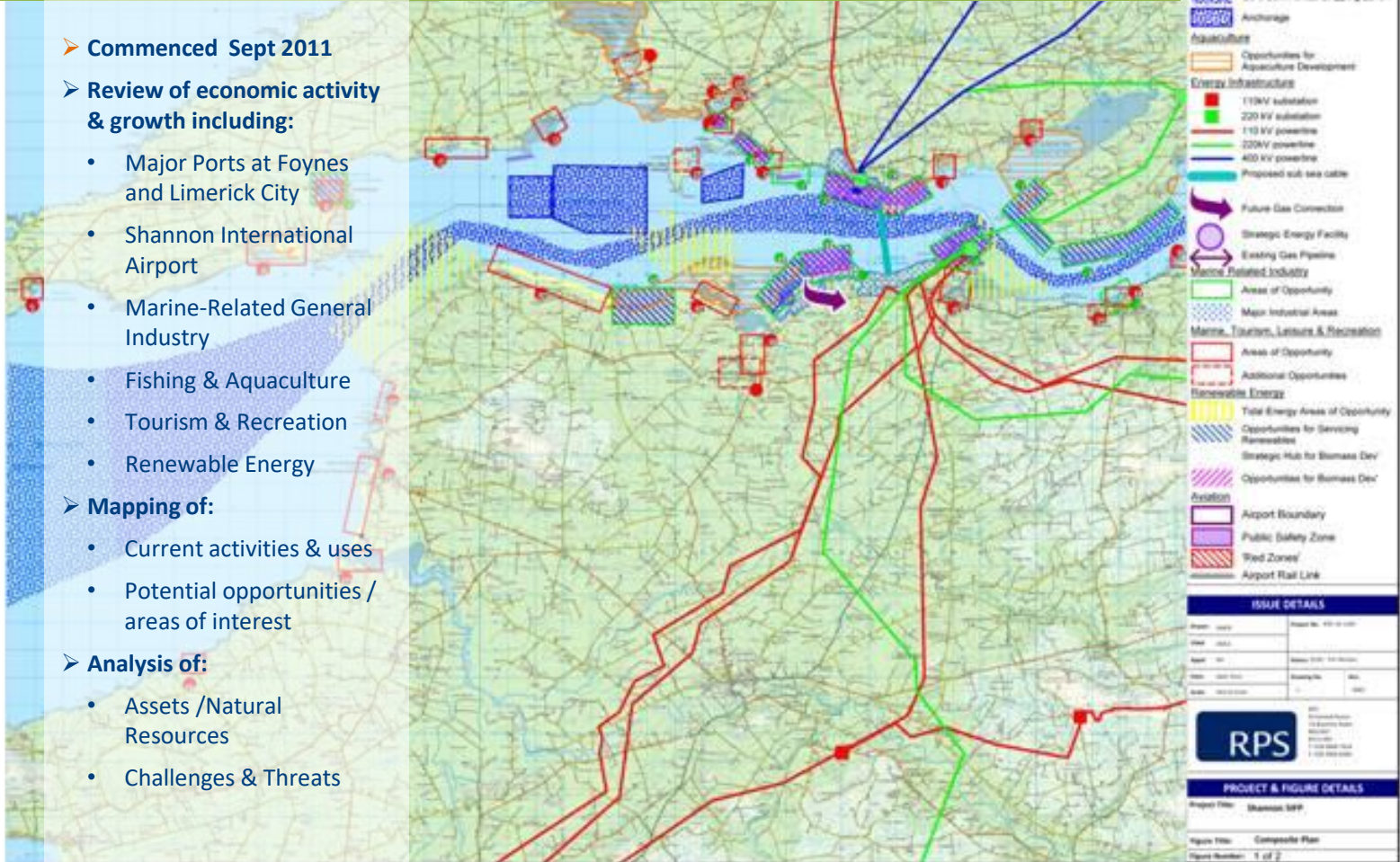
- Major Ports at Foynes and Limerick City
- Shannon International Airport
- Marine-Related General Industry
- Fishing & Aquaculture
- Tourism & Recreation
- Renewable Energy

➤ Mapping of:

- Current activities & uses
- Potential opportunities / areas of interest

➤ Analysis of:

- Assets /Natural Resources
- Challenges & Threats



Getting it Right - Alternatives



- Alternatives are at the heart of SEA
- Legal requirement under the SEA Directive
 - Art. 5.1: reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme, are identified, described and evaluated’
 - Art. 9.1: a statement is prepared summarising ‘... the reasons for choosing the plan or programme as adopted, in the light of the reasonable alternatives dealt with’
 - Annex 1h: the Environmental Report includes ‘an outline of the reasons for selecting the alternatives dealt with

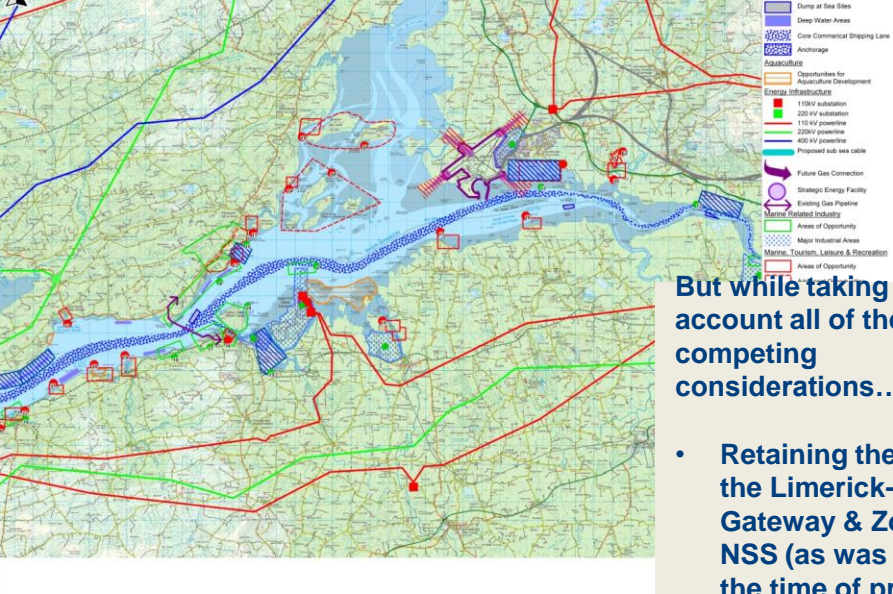
Strategic Environmental Assessment

*“The objective of this Directive is to provide for **a high level of protection of the environment** and to contribute to the integration of environmental considerations into the preparation and adoption of plans or 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 or programmes which are likely to have significant effects on the environment”*

Article 1 SEA Directive



How to sustainably develop this....



But while taking into account all of these competing considerations.....

- Retaining the primacy of the Limerick-Shannon Gateway & Zone 1 in the NSS (as was the case at the time of preparation)
- Biodiversity, Flora & Fauna
- Human Health
- Soil
- Water
- Air
- Landscape Cultural
- Archaeological & Architectural heritage
- Existing infrastructure
- Innovation – e.g. Transhipment



Cumulative Impacts

- What is the capacity of the Shannon Estuary to absorb the impact from this high number of potential sites and multiple themes per site?
- Given that almost the entire Shannon Estuary or Plan Area is either an SAC and/or SPA, pSPA, NHA, pNHA or Ramsar Site, forms part of the designated shipping lane, Red Zone associated with the airport, existing zoning etc we faced many difficulties in concluding “No cumulative impacts” from the implementation of the plan.
- Under the SEA and the Assessment of Alternatives we needed to address this issue and look at prioritising the most strategic sites for this first planning cycle thereby reducing the cumulative impact and meeting the requirements of the SEA Directive by providing a high level of protection to the environment.
- What were our options?



Options in terms of addressing the alternatives

- Assessment strategy

- Identify and prioritise existing zoned or developed sites only = **business as usual scenario/Do nothing scenario**
- Identify and bring forward all options within the estuary = **alternatives**
- Bring forward only the top strategic sites which have been screened against the core criteria for this plan cycle = **preferred alternatives**
- All other options can be documented in an appendix to the plan and dealt with under the policy level assessment (Reviewed in line with the CDP timeframe taking into consideration changes in legislation, Environmental constraints, the economy etc. or following the completion of a strategic development under one of the themes)
- The best option in terms of protecting the environment was to prioritise the top strategic sites = **preferred alternatives**

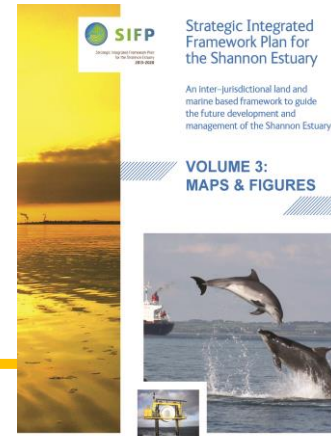


Final SIFP

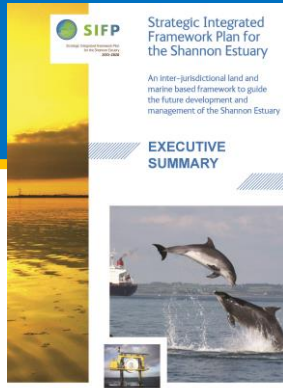
❑ Strategic level approach incorporating;

- ❖ Objective-Led Policies;
- ❖ Identification of Strategic Development Locations (SDLs) & Areas of Opportunity.

❑ SIFP incorporates 3 Volumes....



Final SIFP



□ An Executive Summary....

□and the Environmental Assessments (SEA & AA) as supporting documents



The Shannon Estuary and the Strategic Integrated Framework Plan is used as a Case Study in the NPF.

CASE STUDY



Shannon Estuary: Strategic Integrated Framework Plan

The Shannon Estuary forms the largest estuarine complex in Ireland, covering an area of 500km² of navigable water and extending for 100km from Limerick City to Loop Head in County Clare.

As a deepwater port, the Shannon Estuary routinely caters for ships up to 200,000 deadweight tonnes. It serves a number of large industrial bulk installations and Shannon Airport has a dedicated fuel terminal. The port of Foynes is located in the southern part of the Estuary, with Limerick city located further to the east.

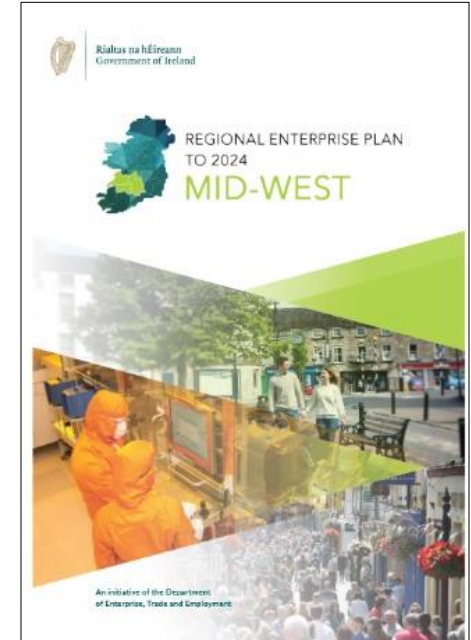
The Strategic Integrated Framework Plan for the Shannon Estuary was published in November 2013. As an inter-jurisdictional land and marine based plan, it was the outcome of a successful multi-agency collaboration that included Limerick City and County Council, Clare County Council, Kerry County Council, Shannon Development and the Shannon Foynes Port Company as well as other key stakeholders with an interest in the Estuary.

Regional Enterprise Plan to 2024

Key national strategic transport corridor and a natural deepwater resource which routinely hosts the largest vessels entering Irish waters.

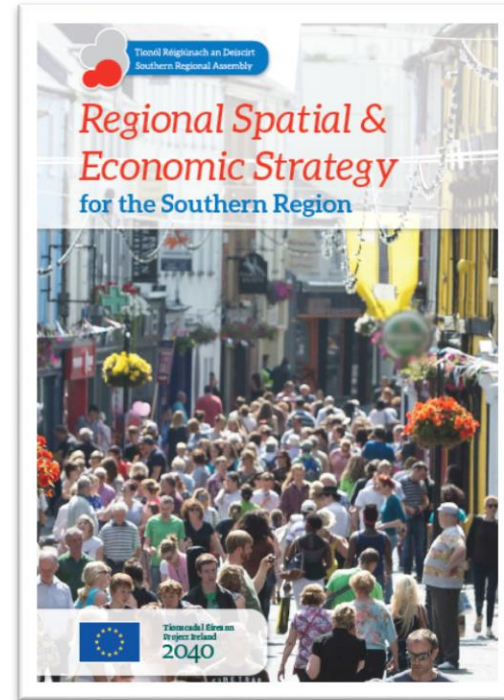
Moneypoint has facilities that serve the national and regional economy, as well as providing the necessary maritime and ancillary resources to facilitate value-added activities serving national, European and global markets.

The estuary is recognised as a significant economic driver in the region with strong economic and development policies focused on growing its potential within the Regional Enterprise Plan to 2024 (Mid-West)



Regional Spatial and Economic Strategy for the Southern Region

“The RSES recognises the national and international importance of the Shannon Estuary, its potential to attract multinational developments and the significant work that has been undertaken to progress its promotion and development. It is an objective to support and promote the delivery of the Strategic Development Locations as set out in the SIFP for the Shannon Estuary and zoned in the Clare County Development Plans.”



National Marine Planning Framework

- If Ireland is to achieve the target of at least 5GW of offshore renewable energy by 2030, significant changes will be needed in this regard to facilitate the offshore development and to provide the land based connectivity which will be necessary, in a timely fashion.
- Presently there is a disconnect between the land-based planning system and consent system in marine areas and this issue must be addressed if the future sustainable development of marine and coastal areas is to be achieved.
- It is further suggested that any sub-national or regional plans that are prepared for a marine area should be fully integrated with the land-use plan for adjoining terrestrial areas to ensure that there is an overall, coherent plan for the 'coastal zone'.
- This is something which was achieved within the Strategic Integrated Framework Plan for the Shannon Estuary which has since been fully integrated into the Clare County Development Plan 2017-2023 (as varied).



Map 11A: Strategic Development Location A Inishmurry / Cahiracon



11B Strategic Development Location B Moneypoint



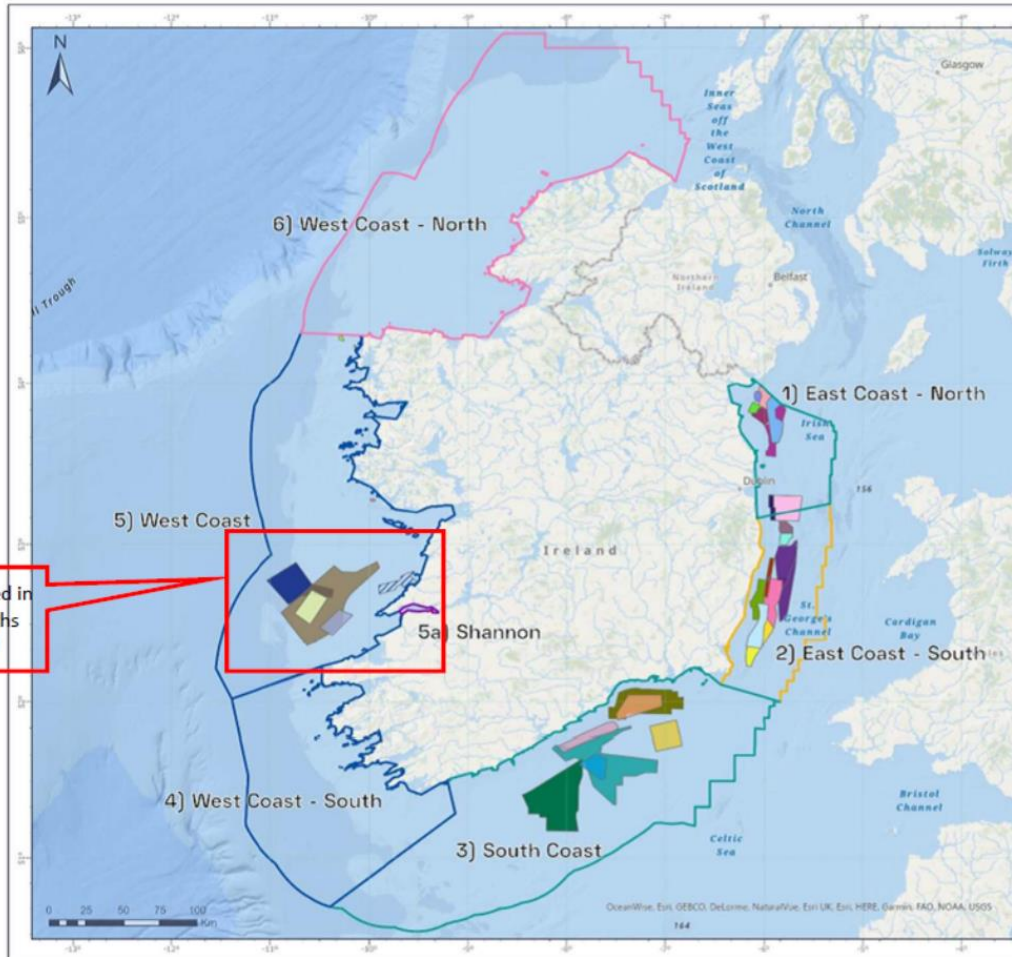
Future Potential – Offshore Wind

- The Shannon Estuary has the potential to provide the complete supply chain ;
 - Manufacturing – essential to dramatically reduce the LCOE
 - Floating Foundations
 - Blade
 - Turbines
 - Towers
 - Cables/Anchorages
 - Assembly
 - Staging
 - Berthage
 - Operations and Maintenance
 - Potential to become Offshore Wind Global Centre of Excellence



<https://www.sfpc.ie/wp-content/uploads/2020/12/20163-R-001-Shannon-Estuary-Offshore-Wind-Rev2.pdf>





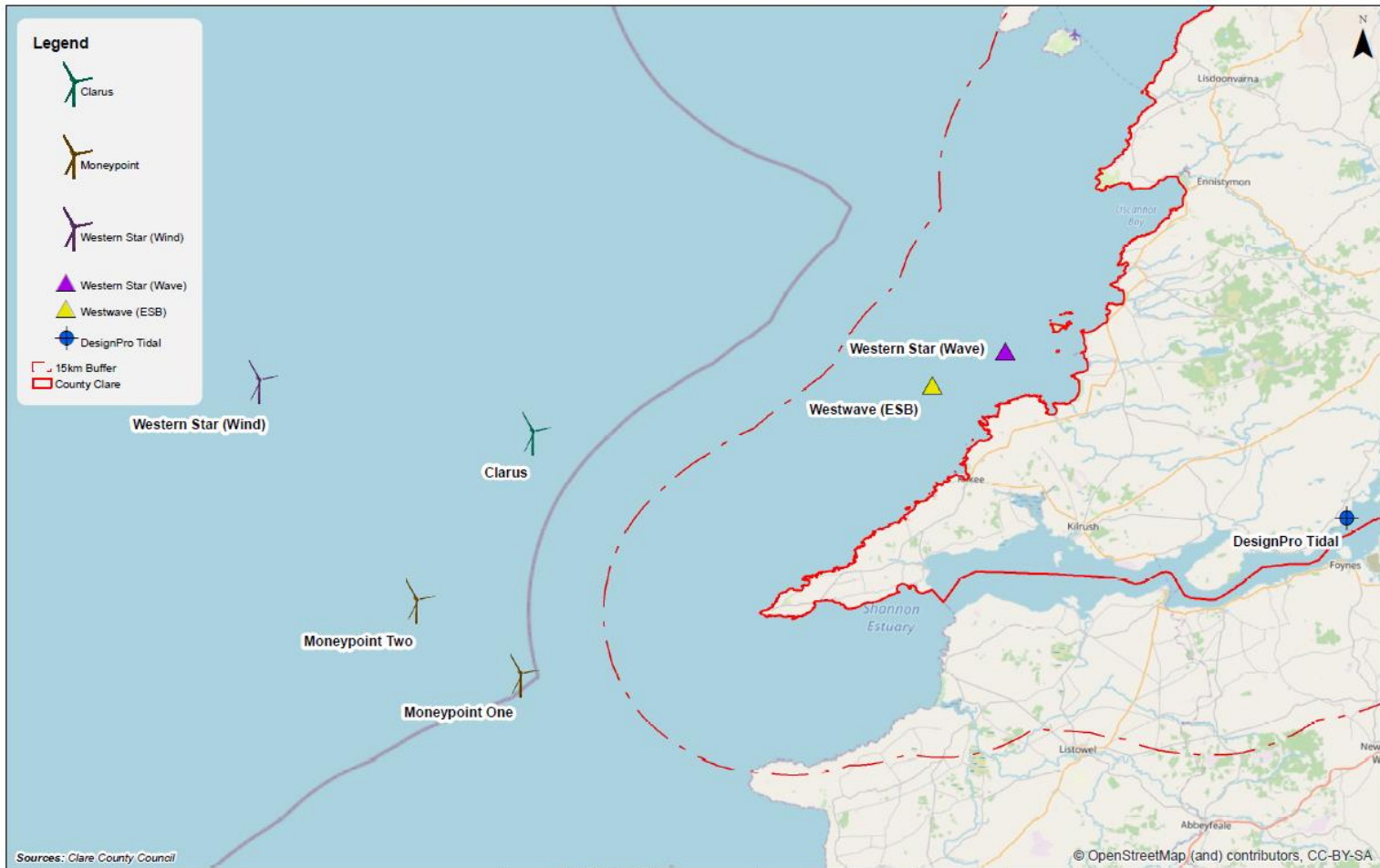
All announced in last 9 months >3.5 GW

- Legend:**
- OREDP Assessment Areas**
- Tidal
 - Tidal and Wind
 - Wind
 - Wind and Wave
 - Wind, Wave and Tidal
- ORE Projects**
- AFLOWT - FOW - 6MW
 - Arklow Bank Phase 1 - BFLOW - 25MW
 - Arklow Bank Phase 2 - BFLOW - 620MW
 - Braymore Point - BFLOW - 800MW
 - Celtic One Offshore - BFLOW - 700MW
 - Celtic Sea Array - OW - 800MW
 - Celtic Two Offshore - FOW - TBA
 - Circus - FOW - 10W
 - Clogher Head - BFLOW - 500MW
 - Codling Wind Park - BFLOW - 1.1GW
 - Codling Wind Park Extension - BFLOW - 10W
 - Cooly Point - BFLOW - 500MW
 - Dublin Array - BFLOW - 600-900MW
 - Emerald - FOW - 10W
 - Harlick Head - BFLOW - 700MW
 - Inis Ealga - FOW - 10W
 - Kinsichael Point - BFLOW - 600MW
 - Latitude 52 - OW - 10W
 - Loch Garman - OW - 500MW
 - Moneypoint Offshore One - FOW - 400MW
 - Moneypoint Offshore Two - FOW - 10W
 - North Celtic Sea - BFLOW - 600-1000MW
 - North Irish Sea Array (NISA) - BFLOW - 750MW
 - Oriel Wind Farm - BFLOW - 330MW
 - Sealife (SEKERO) Rocks - BFLOW - 400MW
 - Sea Stacks - OW - 600MW
 - Shelmalere - OW - 1.0W
 - South Irish Sea - BFLOW - 600-1330MW
 - Western Star - FOW - 1.1GW
 - Western Star - WEC - 30MW

Project:	MRIA	Date:	04/01/2021
Title:	MRIA: ORE Locations		
CRS:	WGS 1984	Projection:	Mercator
Scale:	1:3,750,000 @ A3		
Drawn:	RH	Approved:	PC & VC
Sources:	400thru, 2020 ESB & Equinox, 2020 SOCAR, 2014 OLA, 2020 SP Energy, 2020	Co. Info:	MRIA, 125 Leinster, Dorset Avenue, Dún Laoghaire, Co Dublin, Ireland © MRIA 2021



Measurements for indication purposes only. Not to be used for navigation.

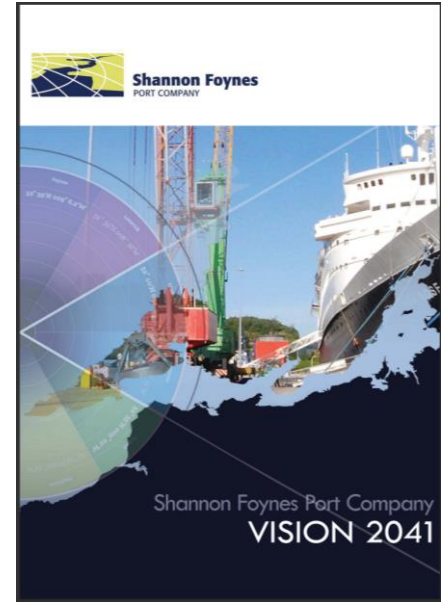


Sources: Clare County Council

SEA AA and RES of Clare Co Dev Plan | Projection: RENE195 Irish Transverse Mercator | Scale: 1:475,000 (A4) | Date: 11/06/2021 | Drawn: NR | Checked: IP | Approved: CB | Status: Approved | Rev: AD1 | File Ref: CP20027Arc00055A01

Shannon Foynes Port Company

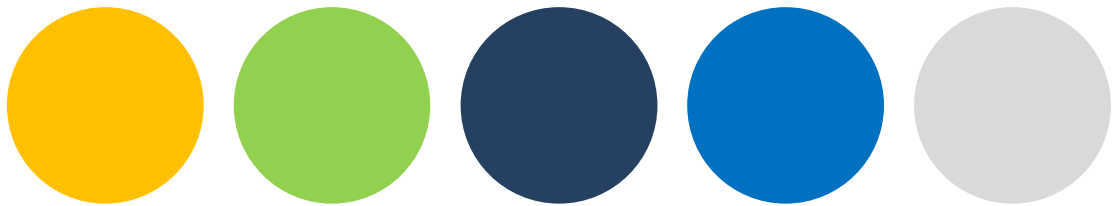
- SFPC Vision 2041 (Masterplan)
- CPO of lands
- Foreshore Licence Application
- Strategic Infrastructure
- <https://www.housing.gov.ie/planning/foreshore/applications/shannon-foynes-port-company-0>



Summary

- SEA is a process which can ultimately inform and make your Plan more robust and sustainable
- Data is key to all steps and stages of the process
- Make the best use possible of “Tiering”
- Use the expertise in-house to your advantage
- Monitoring – post publication of the SEA Statement is very important







Go raibh míle maith agaibh
Thank You

