

**Kildare County Council**

# Town Renewal Master Plan Monasterevin, County Kildare

**SEA Applicability Report**

Reference: 279533-04\_DJ\_RP\_0001

Issue | 20 February 2023




This report takes into account the particular instructions and requirements of our client. It is not intended for and should not be relied upon by any third party and no responsibility is undertaken to any third party.

Job number 279533-04

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## Contents

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1.	Introduction	1
2.	Strategic Environmental Assessment	1
2.1	Overview	1
3.	Guidance and Legislation	2
3.1	Legislative Overview	2
3.2	Guidance Documents	3
4.	Monasterevin Town Renewal Master Plan	3
4.1	Legislative Background	3
4.2	Scope and Description of the Plan	4
5.	SEA Screening Methodology	6
5.1	SEA Screening Methodology	6
5.2	Stage 1 ‘Applicability’	7
5.3	Stage 2 ‘Screening’	8
5.4	Stage 3 ‘Determination’	9
6.	SEA Screening	10
6.1	Stage 1 – SEA ‘Applicability’	10
6.2	Outcome of Stage 1 Applicability	10
7.	Conclusion	11
8.	Reference	11

## Tables

Table 5.1 Stage 1 ‘Applicability’ Steps Source: (EPA, Good Practice Guidance on Screening, 2021)	7
Table 5.2: Summarised Stage 2 ‘Screening’ Steps Source: (EPA, Good Practice Guidance on Screening, 2021)	8
Table 6.1 Template 1 Stage 1 ‘Applicability’ of SEA Screening. Source: (EPA, Good Practice Guidance on Screening, 2021)	10

## Figures

Figure 2.1 Screening in the overall SEA Process (Source: EPA, Good Practice Guidance on Screening, 2021)	2
Figure 5.1 SEA Screening Process under S.I. 435/2004, as amended Source: (EPA, Good Practice Guidance on Screening, 2021)	6
Figure 5.2 SEA Decision Tree adapted from the research report Development of Strategic Environmental Assessment (SEA) Methodologies for Plans and Programmes in Ireland Source (Scott and Marsden, 2001)	7
Figure 6.1 Outcome of Stage 1 Applicability Screening, as adapted from the research report Development of Strategic Environmental Assessment (SEA) Methodologies for Plans and Programmes in Ireland Source: (Scott and Marsden, 2001)	10

# 1. Introduction

The Town Renewal Master Plan, (hereafter referred to as ‘the Plan’) is a non-statutory plan commissioned by Kildare County Council (KCC) for Monasterevin Town. The Plan set out the vision and proposals for the future planning and sustainable development of Monasterevin Town. It will guide the sustainable growth of Monasterevin and enable it to be a safe and enjoyable place to live, work, and prosper, while leveraging the town’s unique assets as an exciting place to visit, explore and remember.

Arup has been commissioned by KCC to carry out Strategic Environmental Assessment (SEA) applicability screening of the Plan.

SEA screening is defined in the relevant guidance documents<sup>1</sup> as “*the process for deciding whether a particular plan, other than those for which SEA is mandatory, would be likely to have significant environmental effects, and would thus warrant SEA.*”

The purpose of this document is to carry out an assessment to determine, if SEA applies to the Plan in accordance with the European Directive 2001/42/EC on the Assessment of the Effects of Certain Plans and Programmes on the Environment (“SEA Directive”) as transposed by the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (S.I. 435 of 2004), as amended.

This SEA Applicability Report provides the findings of this process for the Plan.

## 2. Strategic Environmental Assessment

### 2.1 Overview

Strategic Environmental Assessment SEA is defined as ‘*the formal, systematic evaluation of the likely significant environmental effects of implementing a plan or programme before a decision is made to adopt that plan or programme.*’ (Department of the Environment, Community and Local Government, 2004).

The SEA process is comprised of the following steps:

- Screening: Decision on whether or not SEA of a Plan or Programme is required. This is the current stage of the SEA process to which this report relates. The preliminary stage to Screening is to determine if the SEA Directive applies to the Plan.

If SEA is considered to be required following Screening, the following steps are required:

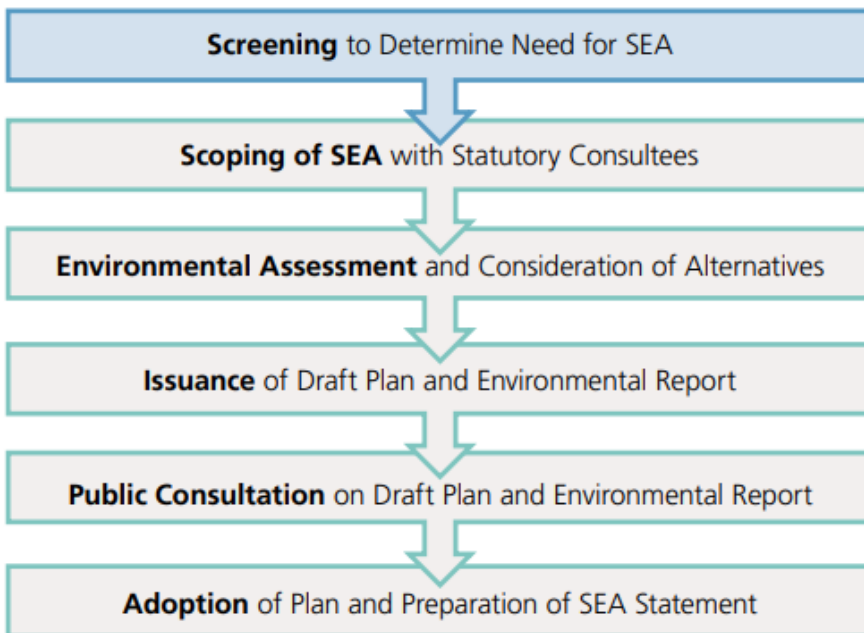
- Scoping: Consultation with the defined statutory bodies on the scope and level of detail to be considered in the assessment;
- Environmental Assessment: An assessment of the likely significant impacts on the environment as a result of the Plan or Programme;
- Preparation of an Environmental Report;
- Consultation on the Plan or Programme and associated Environmental Report;

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<sup>1</sup> Implementation of SEA Directive (2001/42/EC): Assessment of the Effects of Certain Plans and Programmes on the Environment- Guidelines for Regional Authorities and Planning Authorities (Department of the Environment, Community and Local Government, 2004)

- Evaluation of the submissions and observations made on the Plan or Programme and Environmental Report; and
- Issuance of a SEA Statement identifying how environmental considerations and consultation have been integrated into the Final Plan or Programme.

The process is outlined in Figure 2.1.



**Figure 2.1 Screening in the overall SEA Process (Source: EPA, Good Practice Guidance on Screening, 2021)**

SEA is intended to provide the framework for influencing decision-making at an earlier stage when plans and programmes - which give rise to individual projects - are being developed. SEA should result in more sustainable development through the systematic appraisal of policy options.

## 3. Guidance and Legislation

### 3.1 Legislative Overview

The SEA Directive - Directive 2001/42/EC on the Assessment of the Effects of Certain Plans and Programmes on the Environment - requires that an environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment.

The objective of the SEA 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...with a view to promoting sustainable development’* (Article 1 SEA Directive 2001).

Ireland made the decision to transpose the SEA Directive into Irish law in 2004 through two separate statutory instruments or regulations, one specifically concerning specific listed town and country/land use plans (S.I. 436/2004) and one concerning all other sectors (S.I. 435/2004). The transposing regulations are as follows:

- European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations (S.I. 435/2004); and
- Planning and Development (Strategic Environmental Assessment) Regulations (S.I. 436/2004).

Both pieces of legislation were amended in 2011 through the following amendment regulations:

- European Communities (Environmental Assessment of Certain Plans and Programmes) Amendment Regulations (S.I. 200/2011); and
- Planning and Development (Strategic Environmental Assessment) Amendment Regulations (S.I. 201/2011).

The SEA Directive has also been given effect through other Irish legislation. An example being, the Planning and Development Act [PDA] 2000, as amended, which includes a specific requirement to carry out and facilitate SEA alongside the preparation of the Regional Spatial and Economic Strategies; and the Water Services Act 2007, as amended, requires that: *“The purpose for which this Act is enacted includes giving effect to so much of the following as relates to water services”* - listing specifically Directive 2001/42/EC (EPA, Good Practice Guidance on Screening, 2021).

### **3.2 Guidance Documents**

A number of national guidance documents on SEA were reviewed in the preparation of this SEA Screening Report, including:

- SEA Screening Good Practice Guidance (EPA, 2021)
- Development of Strategic Environmental Assessment (SEA) Methodologies for Plans and Programmes in Ireland (EPA, 2003)
- Implementation of SEA Directive (2001/42/EC): Assessment of the Effects of Certain Plans and Programmes on the Environment- Guidelines for Regional Authorities and Planning Authorities (Department of the Environment, Community and Local Government, 2004)
- Implementation of Directive 2001/42 on the Assessment of the Effects of Certain Plans and Programmes on the Environment (European Commission, ND)
- SEA Resource Manual for Local and Regional Planning Authorities (EPA, 2015)
- Integrating Climatic Factors into Strategic Environmental Assessment in Ireland - A Guidance Note (EPA, 2019)
- Synthesis Report on Developing Strategic Environmental Assessment (SEA) Methodologies For Plans and Programmes in Ireland (EPA, 2019).

## **4. Monasterevin Town Renewal Master Plan**

### **4.1 Legislative Background**

This a non-statutory Plan commissioned by KCC for Monasterevin Town. The Plan was produced through collaborative input and knowledge of those who know the town best: the local residents and workforce, as well as those who visit and enjoy Monasterevin. Alongside the professional guidance and input of the design team - and as developed through an iterative review and assessment process with the Strategic Projects and Public Realm Team (SPPR).

## 4.2 Scope and Description of the Plan

The new Plan will set out the vision and proposals for the future planning and sustainable development of Monasterevin town. The Plan states that in response to a range of changing needs, growing demands and increasing challenges faced by towns and villages across modern Ireland, a number of responses are being examined and delivered to safeguard the livelihoods, successes, safety and futures of those who live in, work in and visit these special places. Monasterevin in County Kildare is a unique town with a rich history, a vibrant and diverse community, and an exciting heritage setting. As a town facing these demands and challenges, Monasterevin also presents a strong and unique opportunity to secure a thriving future.

### 4.2.1 Overview of the Plan

As mentioned above, the plan addresses the response to changing needs, demands and challenges of Monasterevin and identifies opportunities for the town's growth. The Plan will follow the three core pillars or Design Principles:

- *Connectivity: Linking people, places, spaces and stories, at both a local and a regional scale;*
- *Activity: Enlivening the town and region: leveraging its waterways, buildings and public spaces; and*
- *Identity: Shaping a compelling, coherent and unique character of place: putting Monasterevin on the map.*

The Master Plan consists of six chapters (introduction, analysis, consultation, vision, proposals and action plan) with appendices. There are twelve proposals under three schedules; History & Heritage, Visiting & Learning and Living & Thriving. The proposals are individual actions within the Master Plan. Each proposal is recognised as playing a unique and important role in fulfilling the town's Master Plan principles; connectivity, activity and identity.

#### Proposal A: Market Square

The Market Square aims to provide a flexible and multi-functional civic space in the town centre with a balance between vehicle and pedestrian activity. This will involve the creation of new dining spaces, expanded public spaces, resurfacing, signage, seating and lighting.

#### Proposal B: Drogheda Street

The Drogheda Street proposal aims to promote a safe space for active travel modes along this critical transport spine. The proposal will require resurfacing, paving works, public lighting, on-street vegetation, signage.

#### Proposal C: Mid-Block Route Network

Many of Monasterevin's larger urban blocks throughout the historic centre present an opportunity to improve neighbourhood connections, school journeys and access to shops through improved pedestrian permeability.

#### Proposal D: Active Trail, Moore Abbey

An opportunity to celebrate the origins of Mainister-Eimhin in the grounds of Moore Abbey, where a woodland trail offers an off-road experience for explorers, connecting back to the Barrow Blueway at the town's Market Square.

#### Proposal E: Canal Harbour Area

The Canal Harbour Area proposal includes traffic-calming measures, the streetscape is transformed into a thriving pedestrian-friendly environment with accessible points along the waterfront, increased vegetation as buffers, architectural upgrades to heritage shop frontages, local play points next to the historic Wharf area, and a safe pedestrian connection underneath the existing rail bridge, towards the regional train station.

### Proposal F: Waterfront Access and Activity

Increasing access to the Barrow Blueway that runs through Monasterevin Town. Working with local community, education and sports groups, the proposed hub will offer outdoor activities combined with heritage engagement opportunities. It is envisaged that project delivery will require Appropriate Assessment (AA).

### Proposal G: Canal Aqueduct Crossing

Creation of a waterway crossing offers a dual-aspect of views and interpretation opportunities - relating to each of the built and natural environments.

### Proposal H: Moore Street

This Proposal will link back to the town's Georgian architectural heritage with the proposed Market Square plaza at its south, and to the wider Barrow Blueway that is planned to weave into Monasterevin along this historic and generously-proportioned thoroughfare. The street is envisaged as a boulevard of street trees, simplified wayfinding and signage, opportunities for public seating, widened footpaths at active edges, and raised traffic tables at junctions - offering greater safety for all street visitors, alongside bicycle lanes that tie into the Barrow Blueway.

### Proposal I: Town Connections

Critical to ensuring a socially vibrant, economically active and environmentally resilient future for the town is to allow for safe, accessible and active links between these centres, with comprehensive links to attractions and neighbourhoods across the wider region. Town-wide investment in active travel infrastructure through 2021 has seen a rise in those opting to cycle and walk to school or work - the reality of which has reduced car dependency across many villages, towns and cities in Ireland. This phenomenon of traffic evaporation is encouraged by balanced traffic management schemes, increased investment in active travel infrastructure, and incentives to opt for travel modes that are less spatially-dominant and more environmentally-friendly than the private motor car. Given the advantageous space offered between the town's urban centres along each of the Togher Road, Drogheda Row, Drogheda Street, the Dublin Road, Moore Street (Main Street) and Canal Harbour, a variety of travel incentives can be developed through improved infrastructure - safely linking into the wider regional transport links of the train line.

### Proposal J: Trian Station Access

Public realm improvements to the existing access routes towards and into Monasterevin station as well as opportunities to develop more direct and safe access directly from neighbourhoods to the east are considered, so as to ensure universally safe access to and from the town's residential areas, employment centres, regional attractions and touristic destinations. These upgrades are to include legible signage, guidance and station information, surface widening and upgrades, and improved street lighting and at station approaches.

### Proposal K: Neighbouring Greenways

An inter-neighbourhood network of active travel pathways can offer residents and visitors a wide variety of direct connections with reduced carriageway crossings, less traffic and more ecological engagement. These routes will function as viable and exciting alternatives to pedestrians and cyclists, offering quieter and safer routes with the provision of wayfinding, lighting, seating and bins dedicated to the network. Accommodating active SuDS measures along these routes will contribute to wider flood risk mitigation measures, while also offering local opportunities for environmental engagement, education and physical interaction.

### Proposal L: The Distillery

Dating from the late 19th century, Cassidy's Distillery on Dublin Street is ideally located in the centre of Monasterevin and presents a great opportunity for a range of flexible new uses including residential space and office areas. While currently vacant, this historic cluster and the adjacent lands have capacity to become a mixed-use centre for living in, working at, and visiting. It is seen as a community hub, with ties to other local community and educational facilities - a platform for local performance, exhibition and public events.



It is recommended by An Taisce (The National Trust for Ireland) that - though this impressive building currently requires extensive works to address conservation problems - it also presents a unique opportunity for the wider town, and has recommended uses including residential, community, commercial, and educational.

## 5. SEA Screening Methodology

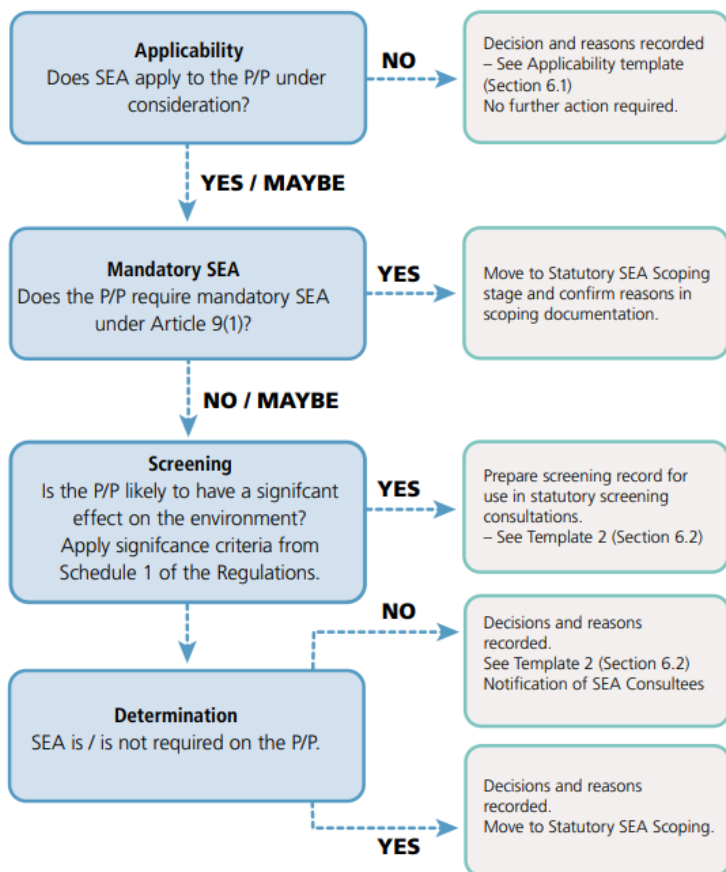
### 5.1 SEA Screening Methodology

The procedure broadly follows the SEA Decision Tree adapted from the research report Development of Strategic Environmental Assessment (SEA) Methodologies for Plans and Programmes (P/P) in Ireland (Scott and Marsden, 2001), the adaptation of such is shown in Figure 5.1 below.

According to the EPA guidance, the screening process comprises three principal stages:

1. Applicability
2. Screening
3. Determination

EPA guidance for the Screening process is outlined in Figure 5.1.



**Figure 5.1 SEA Screening Process under S.I. 435/2004, as amended Source: (EPA, Good Practice Guidance on Screening, 2021)**

The guidance states that the overall characteristics of the plan or programme should first be considered, by means of Stage 1 ‘Applicability’ check to see if it falls within the requirements of the SEA Directive.

Should this Stage 1 Applicability check determine that the plan or programme is of a type that falls within the requirements of the SEA Directive, the potential environmental significance of implementing the proposed plan or programme should then be considered, against the significance criteria outlined in Annex II (2) of the SEA Directive (Stage 2 ‘Screening’).

Regard was also had to the SEA Decision Tree adapted from the research report Development of Strategic Environmental Assessment (SEA) Methodologies for Plans and Programmes in Ireland (Scott and Marsden, 2001).

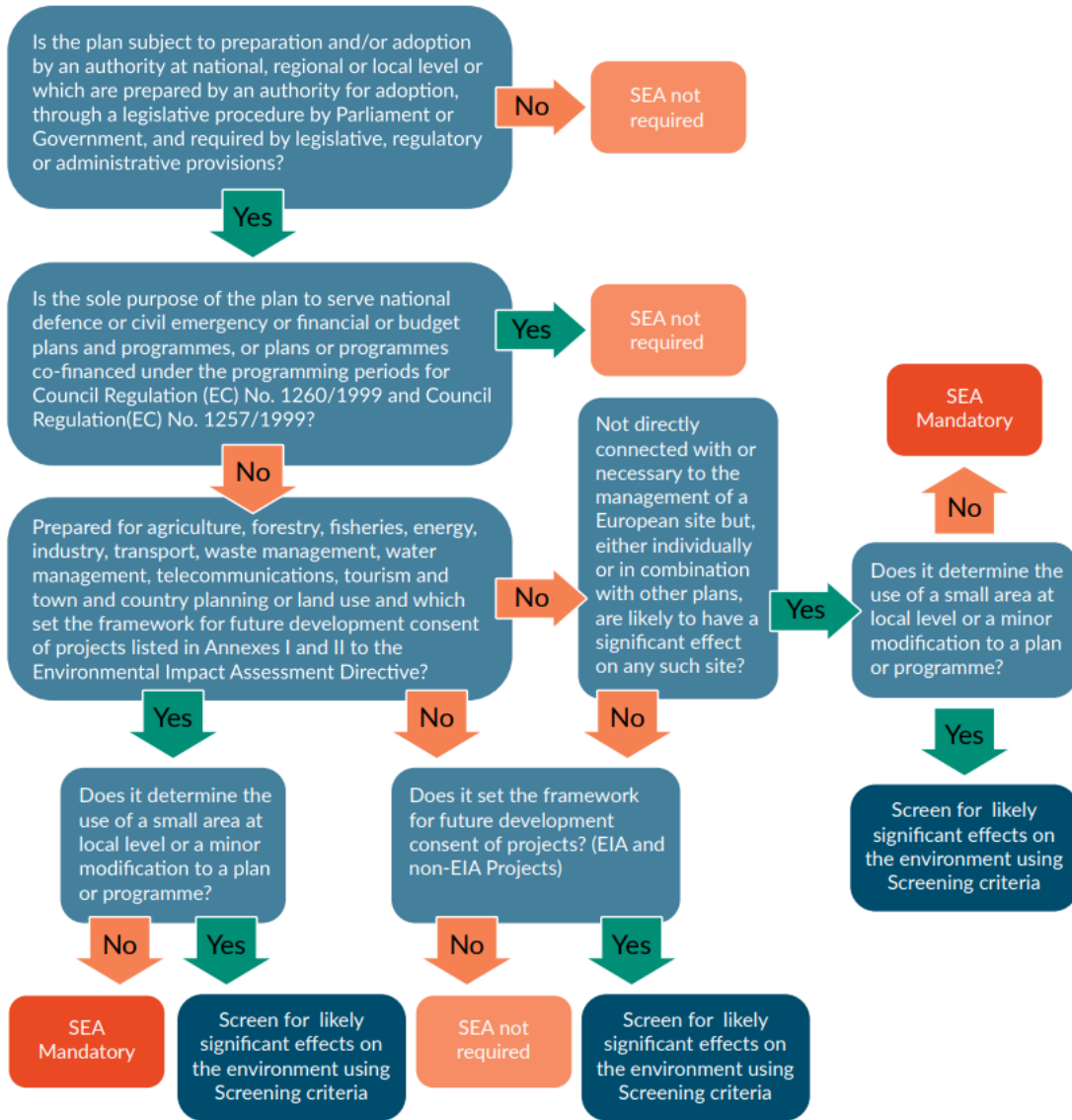


Figure 5.2 SEA Decision Tree adapted from the research report Development of Strategic Environmental Assessment (SEA) Methodologies for Plans and Programmes in Ireland Source (Scott and Marsden, 2001)

## 5.2 Stage 1 ‘Applicability’

The Applicability Stage of Screening consists of a four-step process. As outlined in Table 5.1 below:

Table 5.1 Stage 1 ‘Applicability’ Steps Source: (EPA, Good Practice Guidance on Screening, 2021)

Step 1:	Establish the status of the plan or programme-making body Is the P/P prepared and/or adopted by an authority at national, regional or local level or prepared by an authority for adoption through a legislative procedure by Parliament or Government?
Step 2:	Establish the nature of the plan or programme Is the P/P required by legislative, regulatory, or administrative provisions?

Step 3:	Check the plan or programme is not exempt Is the sole purpose of the P/P for national defence, civil emergency or finance / budget?
Step 4:	Check if the plan or programme requires mandatory SEA Is the P/P prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecoms, tourism, town and country planning or land use <sup>13</sup> and does the P/P set the framework for future development consent of projects listed in the Annexes of the EIA Directive; or Will the P/P require assessment under Art. 6 or 7 of the EU Habitats Directive?

There are three possible outcomes following Stage 1 Applicability Screening:

- **The SEA Directive does not apply**- The P/P is not of a type which falls within the remit of the SEA Directive / SEA Regulations. It is recommended as good practice to keep a note of the deliberations alongside the P/P on the relevant website, alongside the AA screening determination. There is no requirement to notify the environmental authorities.
- **The SEA Directive does apply**- The P/P is of a type which falls within the remit of the SEA Directive / SEA Regulations and requires mandatory SEA. Proceed to SEA Scoping and statutory consultation with the designated environmental authorities. The Screening outcome should be confirmed within the SEA Scoping Report.
- **The SEA Directive may apply**-The P/P may be within the remit of the SEA Directive as either it relates to use of a small area at local level or minor modifications to a relevant P/P, it is a P/P which may set the framework for future development consent even though not listed as a P/P type, or there is uncertainty in relation to any of the provisions considered at the Applicability Stage, and so a case-by-case determination will be required. Proceed to Stage 2 Screening.

An Applicability Screening template (**'Template 1'**) is provided in the EPA guidance document and is utilised in Section 6.1 of this SEA Screening Report.

### 5.3 Stage 2 Screening

Stage 2 consists of determining, on a case-by-case basis, if SEA is required for a Plan or Programme which has characteristics that may give rise to significant effects or for which there is uncertainty on key characteristics. Although an SEA Screening Report is not a mandatory requirement in the legislation it has become embedded good practice and is the recommended approach in this guidance note.

The Screening Stage consists of a four-step process, outlined in Table 5.2, as set out in the EPA's Good Practice Guidance on SEA Screening Report.

**Table 5.2: Summarised Stage 2 'Screening' Steps Source: (EPA, Good Practice Guidance on Screening, 2021)**

Step 5:	Describe the characteristics of the P/P and the receiving environment including any environmental problems.
Step 6:	Identify the potential for significant environmental effects
Step 7:	Statutory consultation with Designated Environmental Authorities
Step 8:	Draft Determination

Stage 2 of the SEA Screening methodology consists of an environmental significance screening, which may be undertaken to assess whether a plan or programme, which has not been screened out by the 'Applicability Stage', is likely to result in significant environmental effects and should therefore, be taken forward for SEA.

An SEA Screening template (**'Template 2'**) is provided in the EPA guidance document and is utilised in Section 6.1 of this SEA Screening Report.

Annex II of the SEA Directive sets out the “statutory” criteria that should be addressed when undertaking the ‘Screening Stage’. Annex II of the SEA Directive is transposed into national legislation as Schedule 1 ‘Criteria for determining whether a Plan or Programme (or Modification thereto) is likely to have significant effects on the Environment’ of the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004, as amended.

The ‘Significance Criteria’ and sub-criteria are outlined below.

**4. The characteristics of the plan or programme, or modification to a plan or programme, having regard, in particular, to:**

- *The degree to which the plan or programme, or modification to a plan or programme, 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 or programme, or modification to a plan or programme, influences other plans including those in a hierarchy;*
- *The relevance of the plan or programme, or modification to a plan or programme, for the integration of environmental considerations in particular with a view to promoting sustainable development;*
- *Environmental problems relevant to the plan or programme, or modification to a plan or programme;*
- *The relevance of the plan or programme, or modification to a plan or programme, for the implementation of European Union legislation on the environment (e.g. plans and programmes linked to waste management or water protection).*

**5. 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:*
  - *special natural characteristics or cultural heritage;*
  - *exceeded environmental quality standards or limit values;*
  - *intensive land-use.*

*The effects on areas or landscapes which have a recognised national, European Union or international protection status.”*

## **5.4 Stage 3 ‘Determination’**

As soon as practicable after making the final determination as to whether SEA is required or not, the plan maker should make a copy of the decision, including, as appropriate, the reasons for requiring or not requiring an environmental assessment, available for public inspection at the P/P offices and on the website.

The P/P maker should also send a copy of the final determination to the relevant SEA environmental authorities notified during screening. This determination should stay linked to the P/P or modification on the website to ensure transparency and provide important information on decision making during the lifetime of the P/P or if any modifications are made.

## 6. SEA Screening

### 6.1 Stage 1 – SEA ‘Applicability’

As outlined in Section 5.2, Stage 1 ‘Applicability’ of the SEA Screening methodology constitutes the use of Template 1, based upon the relevant Applicability steps. Template 1 is reproduced as Table 6.1.

**Table 6.1 Template 1 Stage 1 ‘Applicability’ of SEA Screening. Source: (EPA, Good Practice Guidance on Screening, 2021)**

General Details	
Type and title of P/P:	Town Renewal Master Plan Monasterevin
Name of P/P Maker:	Kildare County Council
Date:	2023
Step 1 of the Applicability Screening	Status of P/P maker
Is the P/P prepared and/or adopted by an authority at national, regional or local level or prepared by an authority for adoption through a legislative procedure by Parliament or Government?	<p>Yes.</p> <p>Kildare County Council is the authority responsible for local government in County Kildare, Ireland. As a county council, it is governed by the Local Government Act 2001.</p> <p>A competent authority for the purpose of SEA is defined under S.I. No. 435 of 2004 as “the authority which is, or the authorities which are jointly, responsible for the preparation of a plan or programme, or modification to a plan or programme”.</p> <p>As such, the Plan can be considered a document prepared by ‘an authority’ at a local level.</p>
Is the P/P required by legislative, regulatory, or administrative provisions?	<p>No</p> <p>As outlined in the Section 1 (Introduction), the plan was prepared in response to a range of changing needs, growing demands and increasing challenges faced by towns and villages across modern Ireland. The Plan set out a vision for the future planning and sustainable development of Monasterevin Town.</p> <p>The Plan is not a statutory document and therefore, is not required under legislative, regulatory or administrative provisions.</p> <p>As such a SEA is not required and no further steps are required.</p>

### 6.2 Outcome of Stage 1 Applicability

Following the Stage 1 Applicability Screening outcome and the SEA Decision Tree as adapted from the research report Development of Strategic Environmental Assessment (SEA) Methodologies for Plans and Programmes in Ireland Source (Scott and Marsden, 2001) which was shown in Figure 5.2 above. It has been determined that the SEA Directive does not apply to the Plan as shown in Figure 6.1. Therefore, The Plan will not be taken to Stage 2 Screening to determine whether SEA is necessary.



**Figure 6.1 Outcome of Stage 1 Applicability Screening, as adapted from the research report Development of Strategic Environmental Assessment (SEA) Methodologies for Plans and Programmes in Ireland Source: (Scott and Marsden, 2001)**

## 7. Conclusion

As outlined in Section 6.2, it has been determined that the SEA Directive does not apply to the Plan. The Plan is a type of Plan/Programme which does not fall within the remit of the SEA Directive/SEA Regulations.

While the Plan is prepared by a local authority, the Plan is a non-statutory plan and it is also not required by legislative, regulatory, or administrative provisions.

As the SEA Directive does not apply, there is no requirement to inform the statutory authorities.

## 8. Reference

SEA Screening Good Practice Guidance (EPA, 2021)

Development of Strategic Environmental Assessment (SEA) Methodologies for Plans and Programmes in Ireland (EPA, 2013).

Implementation of SEA Directive (2001/42/EC): Assessment of the Effects of Certain Plans and Programmes on the Environment- Guidelines for Regional Authorities and Planning Authorities (Department of the Environment, Community and Local Government, 2004) .

Implementation of Directive 2001/42 on the Assessment of the Effects of Certain Plans and Programmes on the Environment (European Commission, ND).

SEA Resource Manual for Local and Regional Planning Authorities (EPA, 2015).

Integrating Climatic Factors into Strategic Environmental Assessment in Ireland - A Guidance Note (EPA, 2019).

Synthesis Report on Developing A Strategic Environmental Assessment (Sea) Methodologies for Plans And Programmes In Ireland (EPA, 2003).