

## SEA Screening Report for Section 55 addition to RPS

### STAGE 1 PRELIMINARY EXAMINATION

Strategic Environmental Assessment (SEA) is a process for the formal, systematic evaluation of the likely significant environmental effects of implementing a plan or programme, before a decision is made to adopt the plan or programme.

The SEA Directive sets out that the Directive also applies to modifications to Plans. The addition to the RPS is made separate to the Plan variation process however the RPS does form part of the County Development Plan. An SEA level screening has therefore been carried out. The adopted County Plan was subject to full SEA.

Regard has been had to the content of the Section 28 “Strategic Environmental Assessment Guidelines for Regional Assemblies and Planning Authorities, March 2022” and in particular figure 3.2 which includes the variation process but not the section 55 process.

<b>Details of addition</b>		
<b>Proposed Section 55 Addition to Record of Protected Structures, Chapel (exterior only), located along Tivoli Terrace South, to the rear of Centenary House, 35 York Road, Dún Laoghaire</b>		
<b>EXAMINATION</b>		
	<b>Yes/No/Uncertain</b>	<b>Comment</b>
Is the size of the addition exceptional in the context of the existing environment?	No	
Is the proposed addition located on, in, adjoining or have the potential to impact on a sensitive site or location?	No	
Will the addition result in the production of any significant waste, or result in emissions or pollutants?	No	
<b>Annex II criteria:</b>		
<b>1.The characteristics of plans and programmes, having regard, in particular, to</b>		
The degree to which the resultant addition to the RPS and change to the County Plan impacts on the how 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	Addition will not impact negatively on how the County 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 resultant addition to the RPS and change to the County Plan influences other plans and programmes including those in a hierarchy	Addition will not impact on the influence the County Plan has on other plans and programmes including those in a hierarchy	
environmental problems relevant to the plan or programme	The addition will not impact negatively on how the plan addresses environmental problems	
the relevance of the plan or programme for the	The addition will not impact on the how the plan is relevant for the	

implementation of Community legislation on the environment (for example, plans and programmes linked to waste-management or water protection)	implementation of Community legislation on the environment	
<b>Annex II criteria:</b>		
<b>2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to</b>		
the probability, duration, frequency and reversibility of the effects	No likely effects	
the cumulative nature of the effects,	No likely cumulative effects	
the transboundary nature of the effects,	No likely transboundary effects	
the risks to human health or the environment (for example, due to accidents),	No likely risk to human health or environment arising from addition to RPS. AA Screening has been carried out and no likely significant direct or in combination effects were found on a Natura 2000 site.	
the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),	No likely effects on population or area	
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,	No likely impact or negative effect. Positive impact due to listing of building and protection of heritage	
the effects on areas or landscapes which have a recognised national, Community or international protection status.	No likely impact or negative effect	
<b>CONCLUSION</b>		
<b>Based on SEA screening of the addition, is there a real likelihood of significant effects on the environment?</b>		
There is no real likelihood of significant effects on the environment	SEA not required	Correct in this instance
There is a significant and realistic doubt in regard to the likelihood of significant effects on environment.	SEA screening required	n/a
There is a real likelihood of significant effects on the environment	SEA required	n/a

## AA Screening

The proposed addition to the RPS has been screened for Appropriate Assessment in an AA Screening Report. The Conclusions and Determination to the AA Screening Report were:

*“It is considered that an **AA is not required** for the proposed addition to the RPS because there are no direct/indirect potential significant effects on a Natura 2000 site.*

*It is considered that an **AA is not required** for the proposed addition to the RPS because there are no potential significant effects, in combination with any other project, on a Natura 2000 site.*

The justification given for the determination was:

*“It is clear from the location and nature of the addition to the RPS that there will be no likely significant effects on a Natura 2000 site as there are no known direct pathways including hydrological / hydrogeological links from the proposed development site to any of the Natura 2000 sites examined in this screening report. “*

## Consultation with Prescribed bodies

A screening Notice, Draft SEA Screening Report and the Proposed Section 55 Addition to the Record of Protected Structure Report was sent to the following 8 prescribed bodies on 20<sup>th</sup> July 2022:

- EPA
- Minister for Housing, Local Government and Heritage
- Development Applications Unit, Minister for Housing, Local Government and Heritage
- Department of Environment, Climate and Communications
- Department of Agriculture, Food & the Marine
- Chief Executives - Dublin City Council, Wicklow County Council and South Dublin County Council

The Environmental Authorities were invited to return a submission or observation by 17<sup>th</sup> August 2022. Responses were received from the Department of Agriculture, Food & the Marine, The Geological Survey of Ireland and the EPA. The Department of Agriculture, Food & the Marine and the Geological Survey of Ireland stated that “. . . at this time the Department of Agriculture; Food and the Marine has no submissions or observations in regards to same.” The Geological Survey Ireland states that they have “. . . no specific comment or observations to make on this matter at this time”.

The response from the EPA was generic and referred the Planning Authority to *inter alia* the various resources of the EPA, to the legislation, the need to align with higher level plans and the national commitment of climate change mitigation and adaptation and the proper planning and sustainable development of the area. The submission also referred to the need to consult with the Environmental Authorities and to comply with the Habitats Directive in terms of Appropriate Assessment.

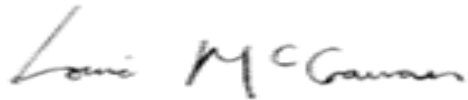
The Planning Authority has complied with the relevant legislation, higher level plans, Section 28 Guidelines, and accords with the proper planning and sustainable development of the area. The Draft Screening report was referred to the Environmental Authorities and the screening report and screening determination will be circulated to the Environmental Authorities; available in the Council’s offices and displayed on the Council’s website. AA Screening has been carried out and has been taken into account in the preparation of this SEA Screening Report.

## Overall Conclusion

SEA Screening is the process for determining whether a particular plan - or amendment to a 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 the report is to evaluate the requirement for SEA to be undertaken on the proposed addition to the Record of Protected Structures.

A determination as to whether SEA is or is not required for the Proposed Amendment must be undertaken. This report has been prepared in order to help inform the SEA determination.

The assessment provided in this report was made having regard to Annex II of the SEA Directive which is reproduced as Schedule 1 of the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 and (Schedule 2A of the Planning and Development (SEA) Regulations 2001, as amended and has found that the Proposed Amendment would not be likely to result in significant environmental effects.

A handwritten signature in black ink that reads "Louise McGauran". The signature is written in a cursive style with a large initial 'L' and 'M'.

Louise McGauran, Senior Planner

Date: 5 / 9 / 2022

# Dún Laoghaire-Rathdown County Council

LOCAL GOVERNMENT ACTS 1925 - 2014

## RECORD OF EXECUTIVE BUSINESS CHIEF EXECUTIVE'S ORDERS

**Strategic Environmental Assessment (SEA) Determination under:  
The Planning and Development Act 2000 (as amended)  
for:**

**A proposed addition to the Record of Protected Structures in the Dún Laoghaire-Rathdown County  
Development Plan 2022-2028**

A Strategic Environmental Assessment (SEA) Determination is being made by Dún Laoghaire-Rathdown County Council regarding a proposed addition of the Red Brick (former) Chapel (exterior only), located along Tivoli Terrace South, to the rear of Centenary House, 35 York Road, Dún Laoghaire, to the Record of Protected Structures Dún Laoghaire-Rathdown County Development Plan 2022-2028.

An SEA Screening Report has been prepared. This report has had regard to the content of the Section 28 "Strategic Environmental Assessment Guidelines for Regional Assemblies and Planning Authorities, March 2022" and in particular figure 3.2 which includes the variation process but not the Section 55 process. The criteria set out in Annex 2 of the SEA Directive (Schedule 2A of the Planning and Development Regulations 2001, as amended by the SEA Planning Regulations (S.I. 436 of 2004, as amended) have been taken into account in the preparation of the Screening Report. The SEA Screening Report has informed this determination and hence the determination takes into account the relevant criteria set out in Schedule 2A 'Criteria for determining whether a plan is likely to have significant effects on the environment' of the SEA Regulations, as amended.

The Environmental Authorities and adjoining Planning Authorities were notified of proposed addition to the RPS and sent a Draft SEA Screening Report and relevant comments were taken into account in the SEA Screening Report.

The Screening Report finds that the addition to the record of protected structure will not impact:

- negatively on how the County Plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;
- on the influence the County Plan has on other plans and programmes including those in a hierarchy;
- negatively on how the plan addresses environmental problems; nor
- on the how the plan is relevant for the implementation of Community legislation on the environment

The Report identifies that all potential effects arising from the addition to the protected structure:

- will have no likely effect;
- no likely cumulative effects;
- no likely risk to human health or environment;
- no likely effect on population or the area;
- no likely effect on landscapes
- positive impact due to listing of building and protection of heritage.

# Dún Laoghaire-Rathdown County Council

## LOCAL GOVERNMENT ACTS 1925 - 2014

### RECORD OF EXECUTIVE BUSINESS CHIEF EXECUTIVE'S ORDERS

The SEA Screening Report concludes that there is no real likelihood of significant effects on the environment.

An Appropriate Assessment Screening Report was also carried out. The AA Screening Report concluded that:

*"It is considered that an AA is not required for the proposed addition to the RPS because there are no direct/indirect potential significant effects on a Natura 2000 site.*

*It is considered that an AA is not required for the proposed addition to the RPS because there are no potential significant effects, in combination with any other project, on a Natura 2000 site."*

The justification given to the above conclusion was:

*"It is clear from the location and nature of the addition to the RPS that there will be no likely significant effects on a Natura 2000 site as there are no known direct pathways including hydrological / hydrogeological links from the proposed development site to any of the Natura 2000 sites examined in this screening report."*

Consequently, in view of the conclusions outlined above, the proposed addition to the Record of Protected Structures does not require SEA.

This determination has been informed by the:

- SEA Screening Report for the proposed addition to the Record of Protected Structures;
- AA Screening Report for the Proposed addition to the Record of Protected Structures.

Having carefully considered the information referred to above and being in agreement with and adopting the reasoning and conclusion presented above I hereby recommend that that A Strategic Environmental Assessment (SEA) Determination be made, that SEA is not required for a proposed addition of the Red Brick (former) Chapel (exterior only), located along Tivoli Terrace South, to the rear of Centenary House, 35 York Road, Dún Laoghaire, to the Record of Protected Structures Dún Laoghaire-Rathdown County Development Plan 2022-2028.

Signed: Lore McGauran  
L McGauran  
Senior Planner

Date: 8/9/2022

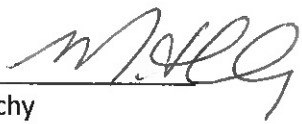
#### Order:

Having carefully considered the information and report of the Senior Planner set out above I agree with the reasoning and conclusion presented and recommend that it is determined having regard to Section 28 "Strategic Environmental Assessment Guidelines for Regional Assemblies and Planning Authorities, March 2022" that no SEA is required for the Proposed Material Alterations listed above and that other Proposed Material Alterations do not require SEA.

# Dún Laoghaire-Rathdown County Council

LOCAL GOVERNMENT ACTS 1925 - 2014

## RECORD OF EXECUTIVE BUSINESS CHIEF EXECUTIVE'S ORDERS

Signed:   
Mary Henchy  
Approved Officer

Date: 8/9/22

Thereunto empowered by order of Príomhfheidhmeannach, Comhairle Contae Dhún Laoghaire-Ráth An Dúin, Order No. 7262, dated 20/11/19, delegating to me all his powers, functions and duties in relation to the County Council of Dún Laoghaire-Rathdown in respect of this matter.

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