

SECTION 6: SEA AND ENVIRONMENTAL REPORT

1.1. Introduction

This section of the Manager's Report for the Draft County Development Plan 2009-2015 (hereafter referred to as the 'Draft Plan') deals specifically with issues relating to the Strategic Environmental Assessment – Draft Environmental Report and forms part of the statutory procedure for the preparation of a County Development Plan, as required by Section 12(4) of the Planning and Development Acts, 2000 - 2006.

Each of the 231 submissions/observations received during the public display period for the Draft Plan and Draft Environmental Report have been assessed and a detailed consideration of the Managers Recommendation for each has been carried out. Particular emphasis has been given to the assessment of submissions that referred to the Environmental Report specifically. In all 4 submissions were made with reference to the Draft Environmental Report. These were made by:

- Michael Owens, Scientific Officer, Environmental Research Centre, Office of Environmental Assessment, Environmental Protection Agency, Regional Inspectorate, Inniscarra, Cork.
- Ms. Nora Keneghan, Spatial Policy Section, Department of the Environment, Heritage and Local Government, Custom House, Dublin .
- Protect Cloneen Community Group, c/o Potter & Finn, Chartered Consulting Engineers, King's Square, Mitchelstown, Co. Cork
- Mr Myles Balfe, c/o Catherine Mara, John Duffy Architecture, 23-24 The Crescent, Monkstown, Co. Dublin

Proposed amendments to the Draft Plan as a result of submissions received have been considered in detail as part of the SEA process and each proposed amendment has been assessed for its potential impact on its receiving environment. Where appropriate, recommendations have been made regarding amendments to be inserted into the Draft Environmental Report and Draft Plan.

Proposed amendments to the Draft Environmental Report and Draft Plan will be issued to the Elected Members of South Tipperary County Council for their consideration together with the Draft County development Plan 2009-2015 and the Draft Environmental Report.

1.2 Format of this section

This section is set out in three parts, as follows:

- (a) Review of proposed amendments to the Draft Plan with recommendations for amendments to the Environmental Report;
- (b) Review of submissions relating to the Environmental Report and proposed amendments to the Environmental Report.
- (c) Proposed amendments to the Draft Plan arising from the review process.

1.3 Review of proposed amendments to the Draft Plan with recommendations for amendments to the Environmental Report;

This section deals specifically with the proposed amendments to the Draft Plan. Each recommended change has been reviewed in detail regarding potential environmental impact as part of the SEA process. Section 3 and 4 of the Manager's Report sets out the list of submissions/observations received during the public consultation period. Each submission/observation has been summarized and the Manager has provided a response to each one. Where warranted recommendations for amendments to the Draft Plan are suggested.

The proposed amendments to the Draft Plan will be considered as part of the SEA process and where a change is warranted to the Environmental Report this is set out below:

SUBMISSION NUMBER 7: RECOMMENDATION FOR THE ENVIRONMENTAL REPORT

The recommendations of the Manager are supported by the SEA and it is proposed to include the following in Chapter 8 (Page 47) of the Environmental Report under the section heading Planning.

Masterplanning

The Council will require the provision of a Master Plan to ensure a cohesive and co-ordinated approach to the development of certain strategic sites within settlement centres. These sites are identified on the village maps set out in volume three of the Development Plan.

In assessing a Master Plan proposal the Council will require that the following issues are addressed:

- **Cohesive approach to access and circulation throughout the entire Master Plan area.**
- **Focus on permeability and sustainable modes of transport throughout the Master Plan area,**
- **Identification of infrastructure/service requirements and proposals for entire area.**
- **Identification of significant natural heritage features, and proposed amenity features throughout Master Plan area.**

SUBMISSION NUMBER 34: RECOMMENDATION FOR THE ENVIRONMENTAL REPORT

The proposed text changes to the Draft Plan are noted, however no amendment to the main body of the Environmental Report is required.

However, as set out in Appendix 1, Chapter 3: - ECON3, will be amended to reflect the change to ECON3. However the assessment will not alter as result, as the proposed change is considerable reasonable.

ECON3 will be altered as follows:

It is the policy of the Council to facilitate the sustainable development of strategic employment uses at the identified locations set out in the Draft County Development Plan subject to the provision of the relevant Local Area Plan or Town (and Environs) Development Plan. ~~satisfactory master plan to be prepared by the relevant landowner(s)/developer(s) for the agreement of the Council. Any master plan shall comply with the relevant policies and development management standards set out in Chapter 9 of the Draft County Development Plan.~~

SUBMISSION NO. 42: RECOMMENDATION FOR THE ENVIRONMENTAL REPORT

The proposed text changes to the Draft Plan are reasonable and provide clarity on the issues raised.

A new SEO will be added to the assessment matrix in Appendix 1 of the Environmental Report. The text proposed for inclusion is:

SEO 7: It is an objective of the Council to investigate Aggregate Potential Mapping for South Tipperary in conjunction with GSI.

An assessment of the environmental effect of this inclusion will be **neutral to positive** and is therefore supported by the Strategic Environmental Assessment.

SUBMISSION NO 74: RECOMMENDATION FOR THE ENVIRONMENTAL REPORT

The proposed text changes to the Draft Plan are considered reasonable, however no resultant change is required in the main body of the Environmental Report.

The proposed change to Policy INF is noted and the change will be reflected in the Assessment Matrix contained in Appendix 1 of the Environmental Report. It is proposed to insert at the end of Policy INF: Public Transport:

The Council will also preserve free from development the route of the existing dismantled railway line that runs from Clonmel to Thurles.

The change will be shown to have a neutral to positive impact on the Environment.

SUBMISSION NO 112: RECOMMENDATION FOR THE ENVIRONMENTAL REPORT

The proposed amendment provides significant clarity on the issue of agricultural development and its inclusion in the Draft Plan is reasonable and appropriate. This is supported by the SEA and it is proposed to include the following in Chapter 7 – Mitigation Measures:

To be inserted on Page 50, under Section heading Water:

The Council will require adequate provision for run-off water run-off from farm yards or industrial hardstandings. Where there is a potential risk to groundwater or surface water the council will require treatment of run-off. The council will encourage the use of constructed wetlands for such purposes, where such a constructed wetland will be suitable. The Council will require that any such wetland is designed, constructed, operated and monitored to the appropriate scientific and engineering standards.

The following is to be inserted on Page 57, under section heading Landscape and Visual Amenity:

New agricultural buildings in the countryside should be designed and located to avoid breaking the skyline, should be of a colour to help assimilate the structure into the landscape –dark-brown, dark-green and roofs darker in shade to walls and should use existing landscape and hedgerow cover to screen buildings.

SUBMISSION NO 133: RECOMMENDATION FOR THE ENVIRONMENTAL REPORT

The proposed text changes are noted and deemed reasonable and appropriate. However it is not considered that further amendments to the main body of the Environmental Report are required in this regard.

The proposed addition to Policy INF3: Public transport is noted and the Assessment Matrix in Appendix 1 will be amended to reflect the change. It will now read as follows:

The Council will support and promote the continued development of a sustainable and integrated public transport network in order to enhance general accessibility and social inclusion throughout the county. In this regard the Council will work with all transportation and development agencies to upgrade and improve public passenger and freight services serving South Tipperary County. The Council will also protect lands adjacent to rail stations and along rail routes against encroachment by uses that could compromise the long-term development of the rail facility. The Council will also preserve free from development the route of the existing dismantled railway line that runs from Clonmel to Thurles.

The assessment for this policy will remain unchanged.

SUBMISSION NO 150: RECOMMENDATION FOR THE ENVIRONMENTAL REPORT

The removal of trees must be discouraged where possible, however the proposed amendment clarifies that where removal is warranted replacement trees must be planted. It is therefore considered an appropriate and reasonable amendment and is supported by the SEA Environmental Report.

It is proposed to add the following to the Chapter 7 on Mitigation Measures:

To be inserted on Page 56:

Where trees are removed for reasons of safety or otherwise developers will be required to provide replacement native Irish trees as part of the overall proposal.

1.3.1 Proposed Amendments to the Draft Plan not related to submissions

SECTION 4: 7.2.5: RECOMMENDATION FOR THE ENVIRONMENTAL REPORT

The proposed amendment is considered to be a worthy clarification on the issue to water discharges and it is proposed to add a further bullet point to the Water section within Chapter 8 – Mitigation Measures (Page 50):

- **All proposals for surface water discharge to groundwater shall comply with the requirements of EPA Policy Document Policy and Practice for the protection of groundwater (1998),**

SECTION 6: RECOMMENDATION FOR THE ENVIRONMENTAL REPORT

The proposed amendment is noted and revised maps are proposed for insertion into the Environmental report. The relevant maps are numbered Figure 9 to 14. These are discussed further in response to Submission 86, and set out in Appendix F.

Section 8: RECOMMENDATION FOR THE ENVIRONMENTAL REPORT

The proposed amendments are noted and considered reasonable and appropriate. The provision of adequate water supplies to the resident population is an important issue and warrants the clarification proposed above. It is also recommended that the following is added to Chapter 8 (Mitigation Measures), Page 54 on Water Supplies:

In order to ensure improvements to the Council Drinking Water Supply from a quantity and quality point of view the Department has allocated funding in the Water Services Investment Programme to progress upgrading of the Major Regional Water Supply Schemes. Funding is also available for Water Conservation measures in order to improve the management of the distribution system and reduce water losses. As a result of the implementation of the Conservation Programme areas where mains replacement is required have been identified and funding will be sought for this work which, if allocated will be carried out over the period of this Plan. Monitoring programmes are in place to check the quality of Drinking Water and the most recent EPA Report shows that the quality is above the national average.

In order to augment the existing supply to support current and future development in the short term a number of borehole supplies have been or are in the process of being developed while other improvements have been made by providing booster pumps, recommissioning old supplies and investigating possible additional sources. It is the Council policy only to develop or allow development of borehole supplies in areas which will augment existing schemes.

1.4 Review of submissions relating to the Environmental Report and proposed amendments to the Environmental Report.

This Part of Section 5 concentrates solely on submissions received that referred to the Environmental Report. In all 4 submissions were made with reference to the Environmental Report. These were made by:

- Michael Owens, Scientific Officer, Environmental Research Centre, Office of Environmental Assessment, Environmental Protection Agency, Regional Inspectorate, Inniscarra, Cork.
- Ms. Nora Keneghan, Spatial Policy Section, Department of the Environment, Heritage and Local Government, Custom House, Dublin .
- Protect Cloneen Community Group, c/o Potter & Finn, Chartered Consulting Engineers, King's Square, Mitchelstown, Co. Cork
- Mr Myles Balfe, c/o Catherine Mara, John Duffy Architecture, 23-24 The Crescent, Monkstown, Co. Dublin

A discussion on each of the issues raised is included in this section of the Manager's Report and recommendations made where warranted for changes to be incorporated.

<p>REF NO. 86 (Policy)</p>	<p>DATE RECEIVED 26/06/08</p>	<p>SUBMISSION NAME & ADDRESS Michael Owens, Scientific Officer, Environmental Research Centre, Office of Environmental Assessment, Environmental Protection Agency, Regional Inspectorate, Inniscarra, Cork.</p>
<p>SUMMARY</p> <p>A detailed response was received from the EPA and refers to the SEA process and the contents of the Draft Environmental Report prepared as part of the process of the Draft Plan. Comments were made as follows;</p> <ul style="list-style-type: none"> • Consult with the National Parks & Wildlife Service (NPWS) with regard to screening for Appropriate Assessment. • Data, tables & graphs to illustrate the state of the existing environment. • An explanation should be provided for the assessment that there is no likelihood of significant effects for Development Plan policies, such as settlement, rural houses, roads. • A summary table should be provided outlining how each potential effect is linked with an SEA objective, a proposed mitigation measure & a policy/objective in the County Development Plan 2009 – 2015. • Mitigation measures should be included for all likely significant effects. • Page 19 of the Environmental Report indicates that appropriate mitigation measures will be employed – clear evidence should be provided. • A range of Monitoring Measures are suggested for inclusion in the Environmental Report. • Additional SEA objectives in relation to sustainable use of natural resources, energy conservation & water conservation are suggested for inclusion. <p>Integration & Recommendations</p> <ul style="list-style-type: none"> • The County Development Plan 2009-2015 should include objectives to deal with water management issues identified in the Water Matters Consultation publications. • The Plan should include the recommendations of 'The Provision and Quality of Drinking Water in Ireland' (Included in Appendix 1). • The Plan should include specific policies for Public Water Supplies. • The Plan should include the recommendations of 'Urban Waste Water Discharges in Ireland for Population Equivalents Greater than 500 Persons' (included in Appendix 2). • Clarification is sought regarding proposed measures to monitor existing & proposed septic tanks, and the enforcement of planning conditions related to septic tanks. • A Water Conservation Strategy for the county should be considered. • The Flood Risk Management approach adopted by the OPW should be considered. • To fully implement Policy AEH 6 – Designated Environmental Sites – a policy for a phased & co-coordinated Habitat Mapping should be undertaken • Policies to protect wetland systems should be considered. (Funding should be set aside) • Policies should be included to ensure the Council protects the threatened habitats & species identified in the National Parks & Wildlife Service Report. • Specific objectives should be included to manage alien/invasive species & noxious weeds. • A specific objective should be included under biodiversity with respect to the requirements for an Appropriate Assessment. (Guidance is provided) • A specific policy should be included to protect non-designated habitats & species. • A specific policy should be included regarding Landscape Character Assessment. • Specific timescales should be provided regarding the preparation of Mobility Management Plans. • A target relating to the improvement of the rural transport network should be provided. 		

- Policies for protection & improvement of air quality should be provided.
- A specific policy should be included to ensure compliance with 'Directive 2001/42/EC on the assessment of the effects of certain plans & programmes on the environment'.

Infrastructure should be in place to service any development proposed by the County Development Plan 2009-2015.

MANAGER'S CONSIDERATION

The comments regarding the SEA process are being dealt with by the environmental consultants – Brady, Shipman and Martin employed by the Council. A detailed analysis of this submission, and all other submissions received as well as all proposed amendments to the Draft Plan will be analysed as part of the review of the draft Environmental Report. In addition, it is proposed that a statement on implementation of monitoring and mitigation will be prepared for insertion into Volume One.

Integration and Recommendations:

Water framework Directive: The South East River Basin Plan has not yet been published. The Council is satisfied that policy 6.3.6 Water Quality adequately addresses the above concerns. The issues of drinking water and public water supply are dealt with by the Water Service Section of South Tipperary County Council in terms of day-to-day services.

Waste Water Treatment: These issues are also dealt with by the Water Service Section of the Council. Volume Three identifies the current status of all waste water treatment plants while section 9.11 Waste Water Treatment Infrastructure in Volume One, adequately identifies the development of waste water treatment for the County. Conditions are also attached to planning permissions to ensure that domestic effluent is treated in accordance with the EPA Guidelines and self certification is required.

Flood prevention: It is considered that section 7.2.6 Flood Risk Assessment (and minor amendments proposed in this Managers Report) to this section in Volume One addresses the issue of flooding adequately.

Biodiversity: South Tipperary County Council intends to prepare a Biodiversity Plan, a timescale for which is unavailable at present although it seems likely to be 2009 at the earliest.

Wetlands: The Council is satisfied that Policy AEH7: Water Environment adequately addresses the concerns expressed on this issue.

Protected Habitats & Species: The combined policies and objectives set out in of Chapter 6: Amenity, Environment and Heritage, address these issues.

Appropriate Assessment: Appropriate assessment of the environmental impacts of the Draft County Development Plan and amendments thereof as set out in this Managers Report is being carried out by consultants as part of the SEA process and this will be forwarded to all statutory consultees once available.

Landscape Character Assessment: The landscape character of uplands has been completed and informs the Draft Plan as part of the Wind Energy Strategy, set out in Vol. 3. It is the objective of the Council to carry out the Landscape Character Assessment for lowlands during the lifetime of the County Development Plan 2009 when adopted.

Transportation: Specific measurables, if available, are to be dealt with in the SEA by the environmental consultants and set out in section to deal with monitoring measures.

Air & Climate Factors: Specific measurables, if available, are to be dealt with in the SEA, and set out in section to deal with monitoring measures

Strategic Environmental Assessment (SEA): Environmental consultant Brady, Shipman and Martin, to advise on wording.

SEA & Infrastructure Planning: The appropriate development of infrastructure in line with other development proposals is a key requirement of this Draft County Development Plan and is set out in Chapter 9: Development Management Standards.

RECOMMENDATION FOR THE ENVIRONMENTAL REPORT

The comments of the Manager are noted and are considered appropriate for the concerns raised in relation to the issue of integration between the Plan making process and the formulation of the Environmental Assessment. The process of preparing both the Plan and Environmental Report is an iterative one, thereby ensuring full integration of environmental concerns into the plan throughout the process. To give further clarity to the process of environmental assessment of the effects of the Draft Plan on environmental receptors, a series of tables are proposed for inclusion which set out the issues at the outset; the issues identified during the preparation of the plan and the measures proposed to mitigate against any identifiable potential impact. These tables will be inserted into **Chapter 7 of the Draft Environmental Report** and will support this important element of the SEA process. These tables are set out in Appendix F.

The following are specific responses to the issues raised in this submission:

- 1) Consultations: The National Parks and Wildlife Service were not consulted directly as part of the initial consultation process. However because the service operates within the Department of the Environment, Heritage and Local Government, it was decided that the NPWS was duly informed through the Departments Development Applications Unit. The local authority are progressing the Appropriate Assessment of the implementation of the Plan on Natura 2000 sites in accordance with Article 6(3) of the Habitats Directive 92/42/EEC. This will be undertaken in consultation with the NPWS. It is recommended that no change is required to the Environmental Report.
- 2) The point raised is noted and as far as possible data sources used in the evaluation of the existing environment was current and appropriate. Where possible a number of maps were produced highlighting the extent and location of various environmental receptors. However, in light of the comment it is proposed to provide additional maps for inclusion in the Environmental Report. The following are to be included; copies are attached in **Appendix F** of the Managers Report.

Figure 9: Variation in geology across the South Tipperary area.

Figure 10: Hydrogeological features within the South Tipperary area.

Figure 11: Aquifer classification within the plan area.

Figure 12: Groundwater vulnerability rating in accordance with the Water Framework Directive.

Figure 13: Landscape sensitive areas within the county.

Figure 14: Issues of constraint within the plan area.

3) Environment Effects

As stated in chapter 1 of the Environmental Report the purpose of the Draft Plan is to set forth a blue print for the future sustainable development of the county. The Draft Plan seeks to balance economic and social development with environmental protection. Throughout the Draft Plan a series of measures, policies and objectives are proposed to both enhance and protect various aspects of the environment. Once adopted the Draft Plan will be the guiding document for development within the County and all proposals for development will be required to comply with the plan. Therefore the avoidance of significant effects is primarily achieved through adherence to the Plan and through the development control process. Permission for development, which contravenes the Plan, will not be permitted and therefore the issue of adverse significant effects can be avoided. Thus the measures proposed to protect the environment are considered sufficient and adequate to provide for the sustainable development of the county over the lifetime of the Plan, when adopted.

In accordance with the SEA Directive an assessment of the effects of implementing the plan was provided. It is granted that the terminology used in describing the assessment is expanded upon to include the following; secondary, cumulative, synergistic, short, medium and long terms, permanent and temporary, positive and negative, where appropriate.

To clarify this, it is recommended that the following is added to the Draft Environmental Report Chapter 2, Section headed 'Environmental assessment of the Draft County Development Plan' (Page 7):

A discussion is provided on grouped objectives and policies with further expansion on the significance (profound, moderate, imperceptible) of the identified impact; the duration (short, medium, long term, permanent or temporary) of the identified impact; the type (cumulative, irreversible, synergistic) of the identified impact, in accordance with EPA guidelines.

4) The mitigation measures outlined in chapter 8 will be implemented and it is recommended that the Draft Plan contains a policy statement in this regard. The following is proposed:

"The Council will implement the findings and recommendations of the Strategic Environmental Assessment and will undertake the measures proposed in the Environmental Report." (This requirement is also addressed in Section 4 of this Managers report, under this submission, and is addressed specifically in section 1.5 below)

Furthermore two data tables are proposed for insertion at the end of Chapter 7 of the Environmental Report, this section deals with the environmental assessment of the Draft Plan. The tables highlight how the issues identified at the outset of the Plan's preparation and those identified during the process were addressed. These tables reflect the overall integration of the Plan and the Environmental Report and demonstrate how significant issues have been addressed and mitigated for during the process of preparing the plan. By way of introducing the tables the following text is proposed for inclusion in Chapter 7 (Page 45).

Issues of Concern

At the outset of the process and during the scoping stage of the Strategic Environmental Assessment, a number of specific issues were raised which were of immediate concern for the plan process and viewed as critical to the sustainable development of the County. The issues highlighted and discussed in Chapter 2 of this Environmental Report are;

- **Biodiversity;**
- **Landscape and visual amenity; and**
- **Water quality.**

These issues have been comprehensively addressed and are addressed specifically in Table 2.

Furthermore, a number of specific threats were identified during the baseline assessment of the existing environment. Again these issues have been addressed in the Plan and are summarized in Table 3.

These additional tables are set out in Appendix F of the Managers Report.

Furthermore a revised schedule of environmental monitoring (Table 4) has been devised to take account of the following:

- EPA publication "Environment in Focus 2006"
- EPA Publication "Water Quality in Ireland 2006"
- Appropriate indicators, sub level indicators and targets.
- Responsibility

The following text to be included in the Chapter 9 - Monitoring section (Page 60):

The implementation of the Draft Plan will be monitored and upon its adoption the local authority will investigate the formation of a review committee to oversee and report on the monitoring aspect of the plan. Once established the committee will gather information from the various departments of the local authority and others whose remit is to monitor environmental receptors, for example the National Parks and Wildlife Service and the Regional Fisheries Board.

The revised Monitoring section is set out in **Appendix F** of the Managers Report, this will replace the existing table of Monitoring Measures set out in Chapter 9 of the Draft Environmental Report.

5) The issue of environmental objectives is noted and it is proposed to add the following objectives to Chapter 5 (Page 38):

- **To provide for the conservation of natural resources, within the County**
- **To ensure effective use of energy within the county and to promote development which addresses and combats the factors affecting climate change**
- **To provide for the conservation of water within the county.**

REF NO. 227 (Policy)	DATE RECEIVED 30/6/2008	SUBMISSION NAME & ADDRESS Ms. Nora Keneghan, Spatial Policy Section, Department of the Environment, Heritage and Local Government, Custom House, Dublin 1
<p>SUMMARY</p> <p>This submission is a consultation response from the Department of the Environment, Heritage & Local Government. A number of comments are provided in relation to the Draft County Development Plan 2009-2015:</p> <ul style="list-style-type: none"> • The Council may need to review the objective in relation to future population and share out. It is advised that the Draft Guidelines on Sustainable Residential Development in Urban Areas and Circular Letter SP1/07 be consulted in relation to population. • The Planning Authority is advised to consult the following existing Guidelines and ones in preparation: <ul style="list-style-type: none"> - The Sustainable Urban Housing: Design Standards for New Apartments (2007) & the Draft Guidelines on Sustainable Residential Development in Urban Area should both be consulted when completing Sections 4 & 9 & Appendix 4. - The 'Maintenance & Management of Residential Development' section of the Draft County Development Plan 2009-2015 should be reviewed in light of the Departmental guidance on Taking in Charge of Residential Development. - The guidelines on Management of Flood Risk in the Planning process will be available during the summer. - The Development Plan Guidelines in relation to mandatory Objective 10 Major Accident Directive – that development plans should indicate on maps the location & nature of such establishments within the Plan area. Any zoning of land in the vicinity needs to take account of appropriate distances. • The Council needs to ensure that all objectives in relation to National Primary Routes are consistent with guidance in Section 3.12 of the Development Plan Guidelines for Local Authorities and the NRA Policy Statement on Development Management & Access to National Roads (May 2006). It is advised that this section be amended. • It is considered important to consult with neighbouring Local Authorities in North Tipperary & Kilkenny in relation to wind energy policies. • The question of mapping aggregates is one which should be addressed in the Draft County Development Plan 2009-2015. • Planning Authorities are required to do an appropriate assessment of the ecological implications of the County Development Plan. • The Water Framework Directive will be implemented through a series of River Basin Management Plans, which should inform the Draft County Development Plan 2009-2015 & also that objectives in the Draft Development Plan support the preparation & implementation of the River Basin Management Plans. • The Council should re-consider the proposed exclusions in the Draft County Development Plan 2009-2015 with a view to allowing applications for mobile phone antennae to be considered on their own merits. • The Draft County Development Plan 2009-2015 contains no proposals in regard to monitoring and evaluation of its policies and objectives and there is a need for appropriate policies. • The Appendix attached notes that there are errors on maps in Volume 3 of the Draft County Development Plan 2009-2015 – they omit to show that some Protected Structures are also Recorded Monuments. <p>The suggested wording for General Policies & Specific Objectives in relation to archaeology is also provided.</p>		
<p>MANAGER'S CONSIDERATION</p> <ul style="list-style-type: none"> • The revised population projections set out in Circular letter SP1/07 have been utilised during the preparation of this Draft County Development Plan. • The Sustainable Residential Development in Urban Areas Draft Guidelines have been considered in the preparation of the Draft County Development Plan 2009-2015 and this policy guideline assisted in forming the basis on which the Development 		

Impact Assessment (DIA) was formulated. It is considered reasonable to insert further text into section 9.8 DIA, regarding the Sustainable Residential Development in Urban Areas Draft Guidelines.

- A new text box shall be inserted in relation to maintenance and management of residential developments, section 9.2.
- The Merck Sharpe and Dohme factory near Kilsheelan is an Upper Tier Seveso Site and needs to be clearly marked on maps in Volume 3. The fact that a Seveso Site exists in South Tipperary should be acknowledged on page 41 of Volume One. The location of the site will be cross referenced on P.41 of Volume One.
- The Housing Strategy was prepared in tandem with the Draft County development Plan 2009-2015 and is currently on public display until the 29th August 2008.
- Strategic Economic Locations: Please refer to **Submission 34** from the National Roads Authority (NRA) for the review and amendment of section 5.3.1 Lands for Strategic Employment Use. This policy has been amended to remove proposed strategic employment locations at Cashel, Tipperary, Carrick-on-Suir and Chair.
- Preferred areas for wind energy generation are set out in Volume 3. These are based on the South Tipperary Wind Energy Policy. The Draft County Development Plan 2009-2015 has incorporated the Wind Energy Policy and final mapping as adopted by the elected members on 18/12/06
- The Draft Development Plan recognises the value of the quarrying industry and aims to support it where appropriate. The Council has considered the issue of aggregate potential mapping in conjunction with GSI and note that there is a financial implication for the Council to obtain same. In this regard therefore, it is considered that the Draft Plan can be amended to include an intention to investigate Aggregate Potential Mapping for the County as funds allow and that developments in the open countryside should not obviously sterilise substantial natural resources such as aggregates or agricultural land. References to the documents identified in the submission can be incorporated into the text of Volume 1. The rehabilitation of extraction phases is already a requirement of Section 5.6.2 and as such the text does not need to be amended. Where applications are received for longer term planning permissions they will be assessed on a case by case basis. To reflect this, a statement should be included regarding same under Section 5.6.2. Policy HSG 7 and the requirement for dwellings in excess of 250sqm to achieve a minimum A2 BER was developed following consultation with Sustainable Energy Ireland and it is considered that this policy is warranted and achievable.
- Appropriate Assessment: South Tipperary County Council have requested their SEA consultants to screen for appropriate assessment of the Draft County Development Plan to ensure it complies with obligations under the Habitats Directive. This process will be carried out as part of the SEA process and will be set out in the revised Environmental report, to be prepared during the consideration of material amendments to the Draft Plan.
- The River Basin Management Plan is due to be published on 22nd December 2009 and will be incorporated as part of the County Development Plan policy.
- Telecommunications: Section 7.7 of Volume One, remove words 'and public health' from paragraph 4.
- Monitoring and Evaluation: The future monitoring of the environmental impact of the implementation of the Draft Plan is addressed in detail in chapter nine of the Environmental report, set out as volume two of this Draft Plan. The issue of future monitoring will be reassessed as part of the review of the Draft Environmental report during the consideration of material amendments to the Draft Plan.
- South Tipperary County Council will facilitate pre-planning meetings in relation to archaeological heritage.

MANAGER'S RECOMMENDATION

Insert new sentence after first sentence into section 9.8 Development Impact Assessment, Volume 1, p75 –

The preparation of DIA shall consider the guidelines and recommendations as set out in the Draft Sustainable Residential Development in Urban Areas Draft Guidelines (and final document when adopted) published by the DEHLG.

Insert new text box after box No.9, Table 9.2 Minimum Standards for residential development, entitled:

Maintenance and Management:

Proposals for management and maintenance of residential developments are to be submitted at the planning application stage. In this regard developers are advised to consult South Tipperary County Council Taking in Charge Policy. Management Companies will not be deemed acceptable as a maintenance proposal for traditional housing developments, but only for multi unit buildings. Prior to their taking in charge, developers will be responsible for the maintenance and management of residential developments, where management companies are not employed.

The Merck Sharpe and Dohme factory at Ballydine, KILLSHEELAN to be labelled as a Seveso site on Map No. 11, P.13, Volume 3.

The following text to be inserted after last sentence of paragraph 2, Section 5.7 on page 41 of Volume One:

, which is the only Seveso Site with the county. The location of this site is illustrated on map no. 11, P.13 of Volume Three of this Development Plan.

Insert text under Section 5.6.2 Extractive Industry:

When considering proposals associated with the extractive industry, the Council require the developer to outline **compliance with the Quarry Planning Guidelines 2004, the Code of Practice between the Irish Concrete Federation and the Minister for Arts, Heritage, Gaelteacht and the Islands 2002, the Irish Concrete Federation Environmental Code 2005 and the Guidelines for Environmental Management in the Extractive Sector 2006 (or any revision to the above documents)** and all impacts on, and proposed mitigation measures where appropriate for:

Insert text under Section 5.6.2 Extractive Industry after point (viii):

The Planning Authority will consider the applications for longer term permissions for extractive developments on a case by case basis noting the proposed extraction period, phasing and rehabilitation proposals.

Insert text under Section 5.8 Specific Economic Objectives:

SEO 7: It is an objective of the Council to investigate Aggregate Potential Mapping for South Tipperary in conjunction with GSI.

Insert text in Table 9.1 under Supporting Information:

A suitably researched statement from a suitably qualified agent that the proposed development will not obviously sterilise substantial natural resources such as aggregates or agricultural land.

Remove words from paragraph 4, section 7.7 of Volume One as follows:

*The Council will seek to achieve a balance between facilitating the provision of mobile telecommunications services in the interests of social and economic progress and sustaining residential amenities **and** environmental quality. ~~and public health.~~*

Insert text after last sentence of paragraph one of section 9.24 Archaeology in Volume One:

The Council will facilitate pre-planning consultations in relation to the archaeological heritage with the Planning Authority and with the Department of the Environment, Heritage and Local Government.

RECOMMENDATION FOR THE ENVIRONMENTAL REPORT

The proposed amendments are noted and considered appropriate. It is also proposed to insert the following on Page 50 of the Environmental Report, which deals with Mitigation Measures for the Soil and Geology environment.

When considering proposals associated with the extractive industry, the Council require the developer to outline compliance with the Quarry Planning Guidelines 2004, the Code of Practice between the Irish Concrete Federation and the Minister for Arts, Heritage, Gaelteacht and the Islands 2002, the Irish Concrete Federation Environmental Code 2005 and the Guidelines for Environmental Management in the Extractive Sector 2006 (or any revision to the above documents).

Furthermore it is proposed to add the following SEO to Appendix 1, Tabled titled Chapter 5 – Economy:

SEO7

It is an objective of the Council to investigate Aggregate Potential Mapping for South Tipperary in conjunction with GSI.

The assessment matrix will show that the introduction of the Objective will have a neutral impact on the environmental receptors.

REF NO. 146 (Fethard)	DATE RECEIVED 30/6/2008	SUBMISSION NAME & ADDRESS Protect Cloneen Community Group, c/o Potter & Finn, Chartered Consulting Engineers, King's Square, Mitchelstown, Co. Cork
<p>SUMMARY</p> <p>This detailed submission states that the land zoning in Cloneen in the Draft County Development Plan 2009-2015 is ill-defined, inappropriate and too extensive. It is stated that the population projections for the region and county are based on 2006 figures and therefore, not reflective of current population and economic growth. It is proposed that there will in fact be a negative population growth, thus reducing the need for housing and for residential zoning. It would also result in a reduced need for the proposed sewage treatment plant at Cloneen.</p> <p>It is stated that development in Cloneen would result in the destruction of the low-density rural character of the village, cause irreparable damage to the Lower Suir SAC and destroy protected species in the reach of the Anner River.</p> <p>It is proposed in detail that much of the land zoned for residential use at Cloneen cannot be accessed. The landholding of individual landowners in Cloneen is examined in detail. It is concluded that there is no demand for a sewage treatment plant in Cloneen and this should be deleted from the Draft County Development Plan 2009-2015. Suggested new policy wording is provided in this submission.</p> <p>Reference is made to the Draft Environmental Report.</p>		
<p>MANAGER'S CONSIDERATION</p> <p>Cloneen is defined as a Local Service Centre in the County Development Plan, and thus, plays an important role for its community and rural hinterlands as a place where services such as schools, shops, recreation and housing are available. If Cloneen is to retain its role and function in the wider community it must evolve and grow and retain its vitality. This will not happen without growth and investment. Therefore, it is considered that the proposal for Cloneen village and zoning extent is in line with the proper planning and development of the area. In line with the Development Plan Guidelines published as amended in 2007, population projections are based on 2006 Census and the South East Regional Planning Guidelines, these represent the most appropriate source of information for the Draft County Development Plan and therefore, are considered reasonable as a source on which to base population projections.</p> <p>This submission makes an inaccurate reference to the restriction of new entrances onto regional roads. It should be noted that entrances onto regional roads within settlement centres are permitted, therefore, it is considered that all lands zoned may be reasonable access, should it be proposed to develop them.</p> <p>The provision of a wastewater treatment system in a village settlement is considered to represent a long-term sustainable action that will ultimately reduce the environmental impact of discharges to groundwater (septic tanks) and provide for the necessary facilities to provide for residential and employment growth in any settlement.</p> <p>The Council notes the concerns as set out in this submission, and it is submitted that the Draft Plan contains strong policy that is tailored to ensure that future village development shall be of a nature and scale appropriate to Cloneen. The use of Development Impact Assessment (DIA) and the development management standards as set out in Chapter 9, should be referred to.</p> <p>Comments with regard the content of the SEA have been considered in the review of the SEA Draft Environmental Report.</p>		

RECOMMENDATION FOR THE ENVIRONMENTAL REPORT

The comments of the manager are noted and supported by the authors of the Environmental Report.

However a number of specific issues have been raised in relation to the Strategic Environmental Assessment. While the Manager has addressed the planning concerns of the 'Protect Cloneen Group' in Section 4, the authors of the Environmental Report are taking the opportunity to discuss and address the specific environmental issues raised by the Group.

Firstly the Group discusses the obligation to comply with the finding of the SEA and in this regard it is recommended that an objective is inserted in the Plan along the following lines:

"The Council will implement the findings and recommendations of the Strategic Environmental Assessment and will undertake the measures proposed in the Environmental Report."

The second issue relates to a current planning application for a Waste Water Treatment facility in Cloneen. It is considered that the provision of suitable treatment facilities for waste water is a primary objective in achieving sustainable development. The development of such infrastructure will eventually eliminate the need for individual treatment facilities in Cloneen and will therefore have a beneficial impact on groundwater quality. The discharge from such treatment works is carefully controlled and is governed by the Urban Wastewater Directive (91/271/EEC). It is therefore considered, and without prejudice the current planning application, that the development of the WWTP is in the long term interests of Cloneen and indeed the broader catchment area. In light of the above no amendments are therefore recommended.

The third issue raised relates to groundwater protection. It has become an imperative to protect groundwater resources from pollution in the interests of long term environmental protection. Thus the proliferation of individual treatment facilities cannot be encouraged and the policy proposed in this regard is supported by the Environmental Assessment. No amendments are therefore recommended.

REF NO. 151 (Cahir)	DATE RECEIVED 30/6/2008	SUBMISSION NAME & ADDRESS Mr. Myles Balfe, c/o Ms. Catherine Mara-MRIAI, John Duffy Architecture, 23-24 The Crescent, Monkstown, Co. Dublin
SUMMARY This submission is made to the Draft County Development Plan 2009-2015 and the Draft Environment Report and refers to 9.5 acres of land located to the north of Newcastle village. It is stated that the village is within the boundaries of the Lower Suir cSAC (Candidate Special Area of Conservation). The site has been zoned for amenity use in the Draft County Development Plan 2009-2015. It is proposed that 1 acre of the site, adjacent to the Church car park, be rezoned for new residential – medium use. A detailed Flood Level Assessment was attached to the submission, it was stated that the site is within the floodplain of the River Suir and floods during the 1:25 year flood events and greater. The site is identified on Map No. Cahir 14 included in Appendix C.		
MANAGER'S CONSIDERATION This land (3.12ha) has been zoned as amenity in the Draft County Development Plan 2009-2015, and due to its location, is liable to reoccurring flooding. The Council would support the use of this land for amenity uses, which would not require the erection of permanent structures however, due to the location of the site within the Flood Plain of the River Suir it is not proposed to change the zoning of any part of the site to residential use.		
MANAGER'S RECOMMENDATION No changes are recommended to the Draft County Development Plan 2009-2015.		
RECOMMENDATION FOR THE ENVIRONMENTAL REPORT As no amendment is proposed to the Draft Plan as a result of this submission, there are no implications for the Draft Environmental report.		

1.5 Proposed amendments to the Draft Plan arising from the review process.

From the review of submissions it is recommended that the following text is included in the Draft Plan, Vol 1, Section 1.1.1 Strategic Environmental Assessment, p2: Last sentence-

“The Council will implement the findings and recommendations of the Strategic Environmental Assessment and will undertake the measures proposed in the Environmental Report.”

1.6 Conclusion:

This section sets out how each amendment to the Draft Plan has been assessed as part of the SEA process for its potential environmental impact. A number of amendments have resulted in specific amendments to the Draft Environmental Report; these are set out above and are further detailed in Appendix F which sets out revised maps, revised tables of information and revised monitoring measures. The proposed monitoring measures to be implemented over the lifetime of the County Development Plan when adopted have been reviewed and updated to ensure that they represent the most appropriate means of monitoring the environmental effect of the implementation of the County Development Plan when adopted.