

Comhairle Contae Thiobraid Árann
Tipperary County Council

STRATEGIC ENVIRONMENTAL ASSESSMENT SCREENING DETERMINATION AND REPORT

FOR

**PROPOSED VARIATION NO. 4 OF THE SOUTH TIPPERARY
COUNTY DEVELOPMENT PLAN 2009 – 2015 (AS VARIED)**

INCORPORATION OF A SETTLEMENT PLAN FOR FETHARD

NOVEMBER 2016

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1.0 INTRODUCTION

Tipperary County Council (the Council) intends to vary the South Tipperary County Development Plan 2009 – 2015¹ to incorporate a new settlement plan for Fethard. The decision to prepare a new settlement plan for Fethard has resulted in the need to consider whether or not it could result in significant effects on the environment and therefore whether or not a SEA process is required as set out under EU Directive 2001/42/EC1, (hereafter known as the SEA Directive).

The Council must decide whether the proposed Variation would or would not be likely to have significant effects on the environment and in doing so must take account of the relevant criteria set out in the SEA Directive as transposed into Irish Legislation in S.I. 435 of 2004, S.I. 436 of 2004 and S.I. 200 of 2011. This screening determination and report has been prepared in accordance with Article 13 K (1) of the Planning and Development Regulations 2001, as inserted by Article 7 of the Planning and Development (Strategic Environmental Assessment) Regulations, 2004.

Before giving notice pursuant to 13(2) of the Planning and Development Act, 2000 (as amended), the Council, in consultation with the statutory authorities, must make a determination as to whether a SEA is required, taking account of the following:

- The SEA Screening submissions from the statutory environmental authorities;
- Relevant criteria set out in Schedule 2A of the Planning and Development (SEA) Regulations 2004, as amended; and
- The Appropriate Assessment (AA) Screening Conclusion.

1.1 The Fethard Settlement Plan

The current Fethard Local Area Plan (LAP) 2011 forms part of the South Tipperary County Development Plan 2009 (as varied). The South Tipperary County Development Plan remains in force and was subject to SEA and AA during its preparation. The current Fethard Local Area Plan (LAP) 2011 is coming to the end of its lifespan and will expire in March 2017, and therefore it is necessary to consider the renewal of the planning framework for Fethard. In addition, it is now necessary to

¹ Note that the lifetime of the South Tipperary County Development Plan was extended in accordance with Section 11A(2)(b) of the Planning and Development Acts 2000 (as amended) as inserted by Section 28 of the Electoral Local Government and Planning and Development (Amendment) Act 2013

consider how Fethard will be incorporated into the new planning framework for the amalgamated county of Tipperary.

It is noted that in accordance with the Planning and Development Act 2000 (as amended), that it is not mandatory to prepare a LAP for Fethard, it is stated:

“(b) A local area plan shall be made, except for an area where a development plan of a former town council continues to have effect, in respect of an area which—

- (i) is designated as a town in the most recent census of population, other than a town designated as a suburb or environs in that census,*
- (ii) has a population in excess of 5,000, and*
- (iii) is situated within the functional area of a planning authority which is a city and county council or a county council.”*

As Fethard does not come under any of these categories, a LAP is not required by the Planning and Development Act, 2000 (as amended).

It is also noted that as a result of the application of the provisions of the Local Government Reform Act 2014, settlements in Tipperary that currently have Town Development Plans will eventually be incorporated into the planning framework of the County Development Plan as LAPs in their own right. This will apply to the larger settlements of Clonmel, Nenagh, Thurles, Carrick on Suir, Tipperary, Cashel and Templemore and will also include the settlements of Cahir and Roscrea. The nine settlements set out are classified as ‘regional’, ‘sub-regional’ and ‘district towns’ in the settlement hierarchy for Tipperary. As a ‘Service Centre’ Fethard is located on a lower tier on the settlement hierarchy than the 9 towns set out.

Furthermore, it should be noted that the South Tipperary County Development Plan 2009 underwent an extensive variation process in 2015 (Variation No. 2). The objective of this Variation was to provide a unified vision for Tipperary, and to update the planning policy framework for the county for both urban and rural areas. The South Tipperary County Development Plan (as varied) sets out the relevant policies and objectives for the planning and development of the rural settlements of Tipperary and is supported in its strategic policy statements by dedicated local settlement plans for each settlement.

In the event that variation number 4 is adopted and becomes effective before the end of the lifespan of the current LAP 2011 the LAP will be revoked² on the same day as the adoption of Variation No. 4.

1.2 Relationship with other Plans and Programmes – South Tipperary County Development Plan (as varied)

In line with the provisions of the settlement strategy set out in Chapter 3 of the County Development Plan, Fethard is designated as one of 35 ‘Service Centres’ in the County.

It is stated that Service Centres ‘are robust settlements that have a capacity to accommodate new residential growth, employment and enterprise and other appropriate uses. The services centres are being targeted for growth at an appropriate scale to service their local hinterlands and to consolidate housing, local employment, public transport and a range of services. These towns and villages perform important roles as retail and service providers in their local economy and are targeted for continued growth’.

Each of the Service Centres for Tipperary are subject to the policies and objectives of the County Development Plan (as varied) and are further supported by individual dedicated settlement plans that will address specific and unique local planning issues as relevant to each settlement.

Having consideration to the above, the status of Fethard as a ‘service centre’ remains unchanged and through proposed Variation no. 4 Fethard will be subject to the overriding policies and objectives of the County Development Plan (as varied) in its place within the framework of the County Development Plan.

² Revoke means to officially withdraw, rescind or cancel. It is a legal term which is used in the Planning & Development Acts which refers to the cancelling of an existing Local Area Plan and in this case will facilitate the adoption of the Fethard Village Plan.

2.0 SEA SCREENING

2.1 Introduction

This SEA screening process for environmental effects³ includes those that may arise cumulatively – such as those potentially arising as a result of interactions with the County Development Plan and other plans and programmes. The examination takes account 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, and will be updated to take account of any submissions or observations received from environmental authorities.

2.2 Appropriate Assessment

The Habitats Directive⁴, it’s transposing Birds and Natural Habitats Regulations 2011 (as amended) and the Planning and Development Act 2000 (as amended) set out a requirement to screen plans and projects for effects on European Sites. If the effects are deemed to be *significant, potentially significant or uncertain* then the proposed Variation must undergo Stage 2 Appropriate Assessment (AA). AA is an impact assessment process concerning *Natura 2000*, or *European*, sites - these sites have been designated or proposed for designation by virtue of their ecological importance.

Screening determines whether appropriate assessment is necessary by examining: 1) whether a plan or project can be excluded from AA requirements because it is directly connected with or necessary to the management of the site, and 2) the potential effects of a project or plan, either alone or in combination with other projects or plans, on a Natura 2000 site in view of its conservation objectives, and considering whether these effects will be significant.

Screening is an iterative process that involves consideration of the plan or project and its likely effects, and of the Natura 2000 sites and their ecological sensitivities, and the likely interaction between these. Ecological issues will be taken into account at all stages in the planning process so that any constraints are identified and can be taken into consideration.

³ These include secondary, cumulative, synergistic, short, medium and long-term permanent and temporary, positive and negative effects

⁴ Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora

It is stated in the *'Guidance on Appropriate Assessment for Planning Authorities'*, DoEHLG (2009), that there are clear links and analogies between AA of plans and SEA. They are parallel but separate processes that commonly overlap but also differ in some key respects. AA is narrower in focus and requires more rigorous tests, with the conservation and protection of Natura 2000 sites at its core. The findings and recommendations of AA are overriding and must be incorporated into and be part of a plan that is presented for adoption. The focus of AA is on the impacts of a plan on the integrity of Natura 2000 sites and the Natura 2000 network. In contrast, SEA assists in formulating plan policies and objectives that provide for a more strategic level of protection of the environment. Nonetheless both SEA and AA contribute to the integration of environmental considerations in the adoption of a plan and promote sustainable development. The three main inter-relationships between AA and SEA are:

- AA is a tool that assists in addressing environmental issues as part of the SEA in relation to Natura 2000 sites.
- AA assists the SEA process in the systematic and explicit appraisal of alternatives in relation to Natura 2000 sites.
- Undertaking AA in parallel with SEA provides for an efficient use of resources and expertise. Both processes benefit each other's findings.

In order to ensure that AA is properly integrated into the plan-making process and within the relevant timeframes, AA screening is carried out in advance of the start of the statutory preparation/review process for the proposed Variation and as the Plan is amended through the review process AA screening will be carried out at every stage of the planning process. This SEA screening report should therefore be read in conjunction with the AA determination and screening report prepared for proposed Variation No. 4.

2.3 Assessment on Terms of Schedule 2 A

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 have been applied in the determination of significant effects on the environment.

1. The characteristics of the plan having regard, in particular, to:

The degree to which 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.

The current Fethard Local Area Plan (LAP) 2011 forms part of the South Tipperary County Development Plan 2009 (as varied). The South Tipperary County Development Plan remains in force and was subject to SEA and AA during its preparation. This screening report relates to Variation no. 4 of the County Development Plan which proposes to incorporate a new settlement plan for Fethard. This Plan will supplement the existing settlement and rural planning policies and framework as set in the South Tipperary County Development Plan 2009 (as varied) and will replace the Fethard LAP 2011. The settlement Plan will only address those planning and development issues that are local and specific to Fethard and will support the policy and objectives for Fethard as set out in the County Development Plan.

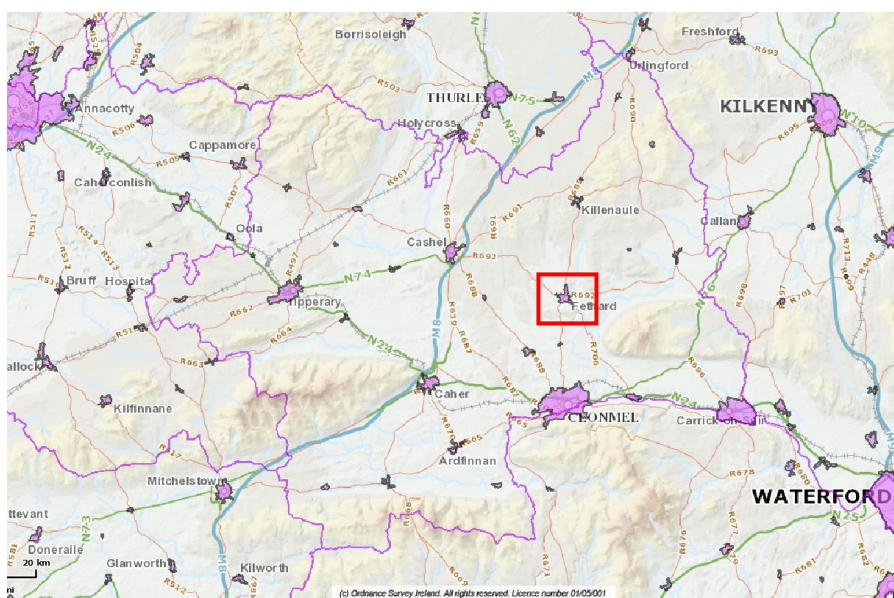


Figure 1: Location of Fethard in Context of Plan area

The proposed settlement plan when read in conjunction with the planning policy as set

out in the County Development Plan will provide a framework for the development of Fethard town & its rural environs over the lifetime of the County Development Plan. Lands will be identified for new residential, commercial, industrial and community development (Landzoning Map), and the Settlement Plan will seek to protect and enhance the town's unique heritage assets and built and natural environment.

Fethard has a population of circa 1,541 (CSO 2011) and is designated as a Service Centre. It is envisaged that development in Fethard shall be of a nature and scale appropriate to a settlement of its size and designation.

The degree to which the plan influences other plans, including those in a hierarchy.

The Plan area is set out in Figure 2, the Plan area is set out below (approx 140ha) and the provisions of the settlement plan will only apply to the area within the Plan boundary. The proposed settlement Plan will not influence other plans in the planning hierarchy other than non-statutory local level plans. Proposals for new development, projects, schemes and public realm improvement works will be influenced by the proposed settlement Plan and the objectives of the County Development Plan.

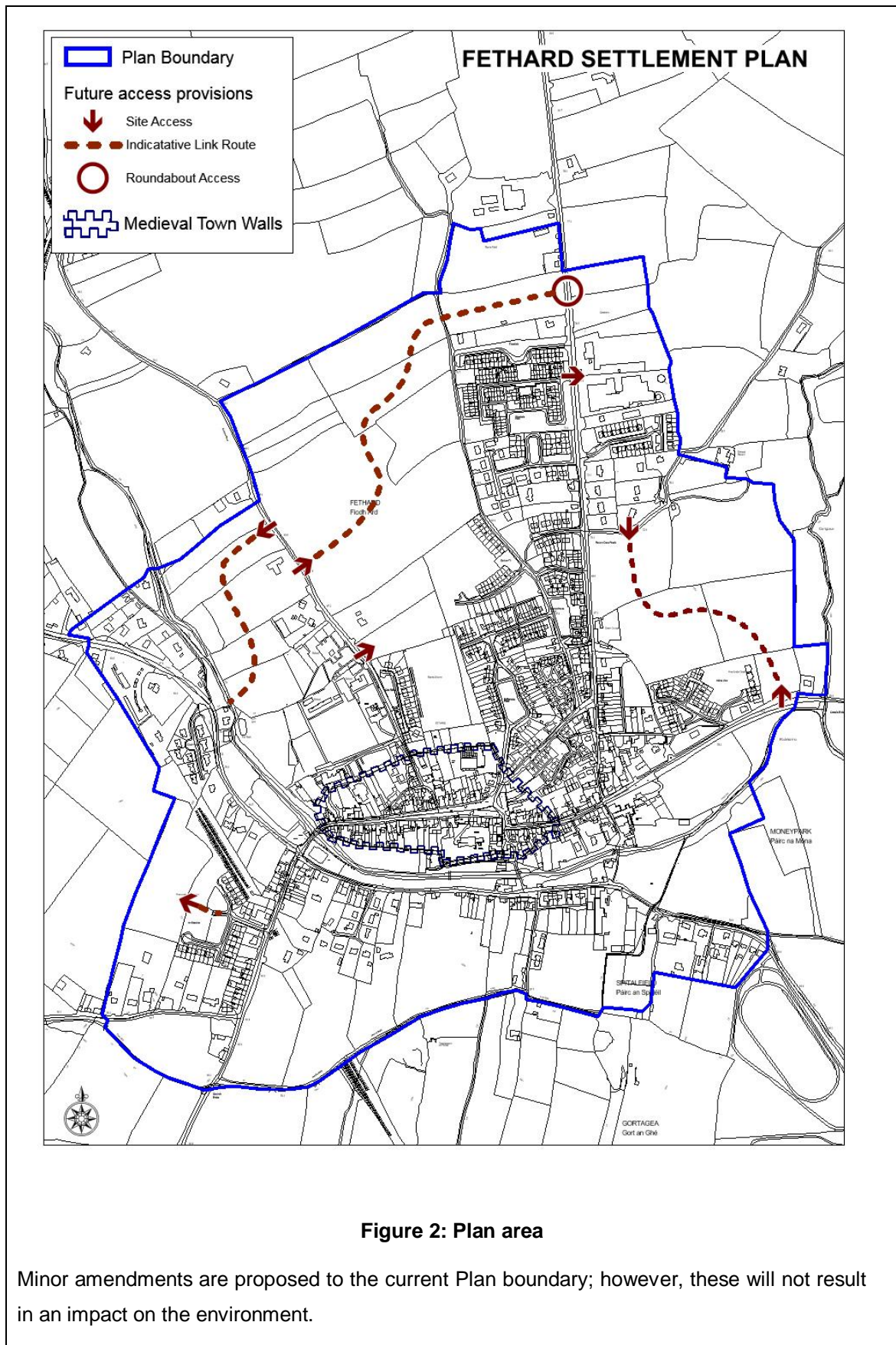


Figure 2: Plan area

Minor amendments are proposed to the current Plan boundary; however, these will not result in an impact on the environment.

The relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development.

The status of Fethard in the settlement hierarchy and the level of growth and development envisaged for the town are already set out in the County Development Plan (as varied). As the overriding Plan, the County Development Plan is the primary framework for growth and environmental management. However, the proposed settlement Plan will integrate environmental considerations at the local level within the Plan area. The Plan will be designed to incorporate the principle of sustainable development.

Environmental problems relevant to the plan.

Waste Water services

The Fethard Waste Water Treatment Plant (WWTP) is outside the Plan area but treats effluent from the town with the discharge to the southeast at the River Clashawley, before its confluence with the River Anner. The sewerage collection network in Fethard Town consists of a separate surface water and foul water collection network and a wastewater treatment works at Moneypark. The WWTP is managed by Irish Water under EPA license no.D0164-01.

Recent Upgrade Works⁵ (completed in spring 2016 as part of a larger contract to upgrade sewer and water infrastructure) have improved the operation of the sewerage system through surface water separation works and by upgrading the sewerage system by installation of new foul and storm sewers (1800 metres of new sewer mains) and rehabilitation of existing sewers, this has reduced the hydraulic loading on the system. This project was subject to Appropriate Assessment screening (Ryan Hanley environmental Consultants) to assess the likely effects of the proposed watermain rehabilitation works and sewer upgrade works on Natura 2000 sites within the zone of influence of the Project i.e. 15km to include the entire catchment(s) where appropriate.

It is likely that the results of the Annual Environmental Report (AER) for 2016 will reflect the recent improvement works to the network, however as the 2016 AER is not yet available the results of the AER for 2015⁶ are set out below:

⁵ STAGE 3 - NETWORK REHABILITATION, FETHARD REGIONAL WATER SUPPLY SCHEME & SEWERAGE SCHEME UPGRADE WORKS (FETHARD SEWERAGE SCHEME UPGRADE WORKS (FETHARD SS))

⁶ Note that the AER for 2016 is not yet available

Organic Capacity - Design / As Constructed (PE)	3,000
Organic Capacity - Current loading (PE)	3,783
Organic Capacity – Remaining (PE)	0

In 2015, it was illustrated that the loading on the WWTP is in excess of design capacity, however, It was found that there was no impact on water quality⁷⁷, as follows:

- The WWTP was compliant / non-compliant with the ELV's set in the wastewater discharge licence as detailed in Section 2.2.
- The discharge from the wastewater treatment plant doesn't have an observable negative impact on the water quality.
- The discharge from the wastewater treatment plant doesn't have an observable negative impact on the Water Framework Directive status.

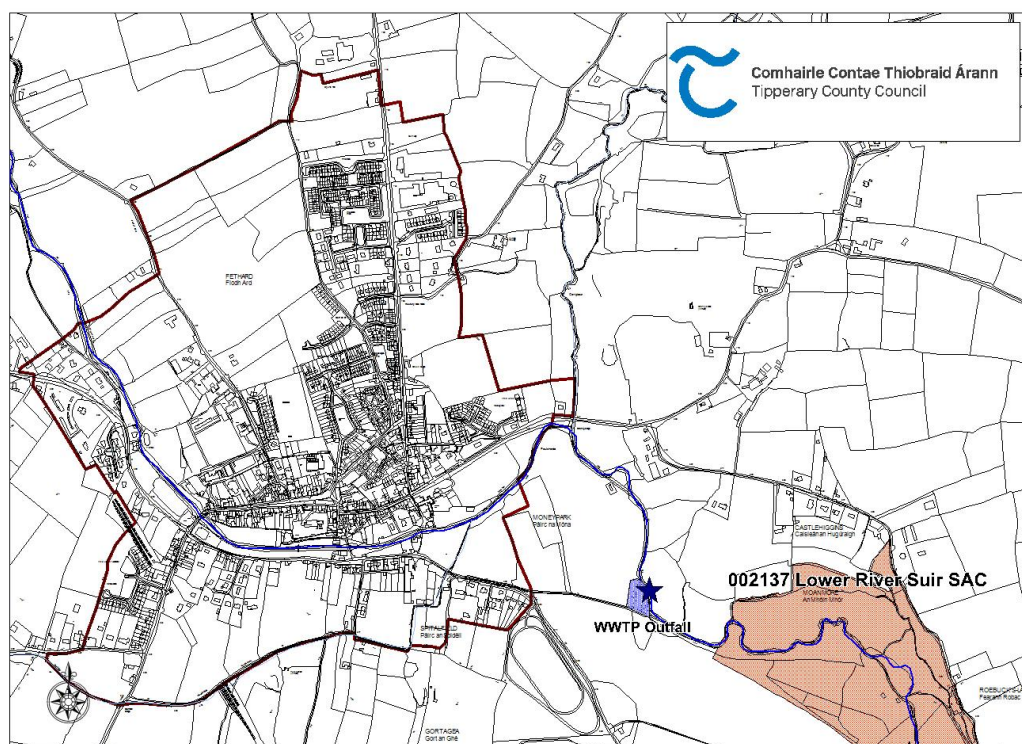


Figure 3: Location of Fethard Wastewater Treatment Plant

Plans have been prepared to increase the capacity of the WWTP to 6000 p.e., and it is likely that these improvement works to the Fethard WWTP will be addressed in the Irish

⁷⁷ AER 2015

Water Capital Investment Programme (CIT) 2017-2021, however the CIT is not yet available and until the time that capacity is increased, the limited capacity of the WWTP will be a consideration in the assessment of new development in Fethard. Perspective developers are advised to liaise with Irish Water and the Environment Section of the Council in advance of making any plans for new development in order to determine if their proposal is viable in the current situation and to investigate alternative solutions.

The continued operation of the WWTP to the high standard demonstrated and the recent upgrade of the sewerage network, in particular the works to separate the foul and storm water sewers, will continue to mitigate the impacts of the wastewater discharge on the Clashawley River.

Surface Water Services

The surface water collection network in Fethard town previously (up to 2015) consisted of combined or partially combined sewers and surface water sewers. Funding was made available under the Water Services Investment Programme 2010-2012 for water conservation measures in Fethard, including flow metering, mains replacement and provision of sluice valves to remedy the problems.

The Fethard WWTP Upgrade Works⁸ have improved the condition of the sewerage system by upgrading the sewerage system by installation of new foul and storm sewers and rehabilitation of existing sewers. These works were completed in spring 2016.

Surface water separation has reduced the volume of surface water draining to the Fethard WWTP and reduced the frequency of overflows of sewage to the Clashawley River from Combined Storm Overflows (CSO's). By reducing the volume of surface water runoff draining to the network, there is a marked reduction in the occurrence of spills to the Clashawley River during prolonged rainfall events.

Water services

In 2011 it was recorded that water supply in Fethard was affected due to deficiencies in the watermain network and leakage problems. Funding was secured in 2013, under the South Tipperary Water Conservation & Network Management Project, Stage 3 - Network Rehabilitation Works Fethard Regional Water Supply Scheme (Fethard

⁸ STAGE 3 - NETWORK REHABILITATION, FETHARD REGIONAL WATER SUPPLY SCHEME & SEWERAGE SCHEME UPGRADE WORKS (Fethard Sewerage Scheme Upgrade Works (Fethard SS))

RWSS). The objective of the network rehabilitation in the Fethard RWSS was to rehabilitate sections of watermains within Mullinahone, Drangan, Cloneen and Killenaule under Contract No. 2 and Fethard town, Ballingarry and Coalbrook under Contract No. 3. In addition, to the project outlined above, there are rehabilitation works ongoing in Fethard by Irish Water, including augmentation of the supply from the River Anner and UV treatment at Mullenbawn and it is envisaged that water supply will not be a constraining factor in the planned development of Fethard.

The proposed settlement Plan does not plan for growth and development to an extent that would be a material increase in loading or capacity of the existing water infrastructure in Fethard. The ability of the receiving environment is noted and new development in Fethard will be permitted where it is established that it can be accommodated in the context of the existing infrastructure and in cases where there is no adverse impact on the environment.

Archaeology and Heritage

The unique archaeological heritage of Fethard is acknowledged in the current LAP for the settlement. Fethard is one of the best preserved medieval settlements in Ireland and in view of this; the LAP sets out a detailed framework for the management and control of new development to ensure that heritage is protected and that opportunities for the improvement of the setting of heritage are availed of as they arise. In addition, the LAP sets out a framework for public realm improvements as funding opportunities arise. Fethard remains a member of the Irish Walled Towns Network.

Key risks to heritage could arise as a result of increased traffic on the Rocklow Road that could affect the North Gate, proposed OPW flood relief measures and works in the vicinity of the town walls that could result access to or damage the walls.

The proposed Plan will continue to protect the archaeological and built heritage of Fethard through the archaeological and built heritage protection policies of the County Development Plan and appropriate local policies and objectives as set out in the settlement Plan.

Flooding

Fethard is designated as an Area for Further Assessment (AFA) in accordance with the River Suir Catchment Flood Risk Management Plan (CFRAMs), this identifies it as an area at risk of flooding that warrants the preparation of a Flood Risk Management Plan

by the OPW and the undertaking of additional flood control measures in due course. Low levels of flood risk are identified within the Plan area where the river adjoins the town walls and more extensive areas of flooding are identified along the banks of the River in the Plan area to the northwest and south east. Flood risk measures will be required to respect the built heritage and tourism potential of the settlement. Lands will not be zoned for new development within flood risk areas. For further detail please refer to Appendix 1.

River Water quality

Fethard is located on the Clashawley River. There are six EPA water quality monitoring points on the River, as follows:

<p>Clashawley 16C01-0100 16C01-0200 16C01-0300 16C01-0400 Q4 (2011) 16C01-0500 Q4 (2011) 16C01-0600 Q4 (2011)</p>	<p>There are two branches to the Clashawley, which join to form the main channel for the final two stations. Colour, ammonia, BOD and o-phosphate were elevated at stations 0100, 0200 and 0300 in January following heavy rain. Nitrates remain elevated at station 0100 d/s of Killenaule. Ecology is good over the length of the river.</p>	<p>No significant change from 2012.</p>
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There was no site identified for further assessment in the EPA Report on River Water Quality in Tipperary 2013. For further detail, please refer to the AA Screening Report.

The relevance of the plan for the implementation of European Union legislation on the environment (e.g. plans linked to waste-management or water protection).

As the overriding Plan, the South Tipperary County Development Plan (as varied) is the primary framework for the implementation of European Union legislation on the environment.

2. 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.

Water Services

Works have been carried out to the waste water and surface water drainage systems and further works are ongoing on the water supply system in Fethard. These works are accompanied by the relevant consents and assessments and in particular appropriate assessment. No negative environmental effect is anticipated as such infrastructure will not be permitted where it will damage the environment. Such infrastructural work will have short term duration and will be reversible.

Transport

A local link road is proposed from Clonmel Rd to Rocklow Rd to Killenaule Rd as set out in the current LAP. This involves crossing the Clashawley River and it is envisaged that this objective will remain relevant in the proposed Settlement Plan. It is not possible at this stage to determine effects as road only indicative and is a long term objective. The road will be developed as part of development proposals for the adjoining lands. The proposed road will give rise to limited environmental impact during construction and will lead to significantly improved traffic movement from residential/industrial land at the Killenaule Rd. This would alleviate congestion in the town centre (reduce potential for damage to the North Gate and the historic core of the settlement) and contribute in a positive light to public safety, convenience and environmental improvement. A further local link route is proposed from lands at Peppardstown Road to the Cloneen Road, this will be delivered over the long term as part of new development and is will not give rise to significant impacts on the environment.

Built Heritage

Loss or damage to built heritage and in particular to the medieval heritage and Walls of Fethard is likely to be irreversible and must be avoided through the application of appropriate planning policy. In addition, care must be taken through the use of appropriate planning policy, to ensure that opportunities for improved access and public realm improvement are implemented and to ensure that the medieval core of the town is not negatively affected by growth.

Flood Works

Plans for Flood relief measures are being prepared by the OPW (outside of the scope of this Variation process). These will be supported by the appropriate environmental assessments necessary to ensure that works proposed are acceptable having consideration to the receiving environment.

The cumulative nature of the effects.

Future growth and development in Fethard will be in line with that already proposed in the South Tipperary County Development Plan (as varied), therefore, there shall be no cumulative impacts arising from the implementation of the settlement plan.

The transboundary nature of the effects.

It is considered that there will be no significant transboundary effects.

The risks to human health or the environment (e.g. due to accidents).

Future growth and development in Fethard (as a Service Centre) will be in line with that already proposed in the South Tipperary County Development Plan (as varied), therefore, there shall be no additional impacts on human health or the environment arising from the implementation of the Settlement Plan.

The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).

The magnitude and spatial extent of the effects will be at the local level and confined to the existing plan boundary area which is not proposed to change.

The value and vulnerability of the area likely to be affected due to:

(a) special natural characteristics or cultural heritage;

- **Architectural Conservation Areas (ACA):**

A significant part of the town centre of Fethard is designated as an ACA. This is set out in the County Development Plan (as varied). The proposed variation will not amend the extent of or objectives for the ACA.

- **Record of Protected Structures:**

Protected structures located within Fethard, are listed in the County Development Plan (as varied) Record of Protected Structures (RPS). Policy for the protection of the RPS will not change.

- **National Monuments:**

There are a number of National Monuments located within the Plan area and Fethard is of national significance with respect to its archaeological heritage. The Fethard Medieval Town Walls are national monuments and protected structures and lend a special character to the town. The current LAP and County Development Plan (as

varied) acknowledges the special archaeological significance of the settlement and this will remain unchanged.

- **Archaeological Sites:**

There is a designated zone of archaeological importance located within the Plan area, this is not proposed to be amended.

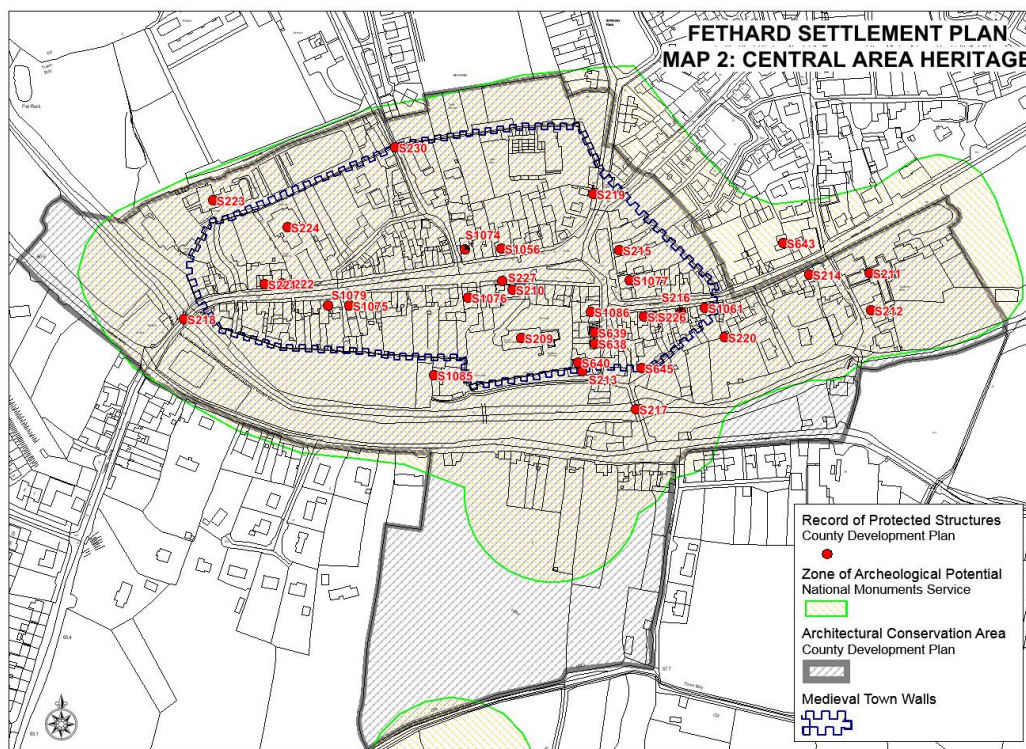


Figure 4: Extract from Fethard LAP 2011 - Historical Features

Proposed Special Areas of Conservation:

There is one Special Area of Conservation (SAC) applicable to the Plan.

Site name and site code: Lower River Suir SAC: 002137:

This site is located approximately 0.5km east of the plan boundary for Fethard. The proposed variation is subject to AA screening, in line with the requirements of article 6(3) of the EU Habitats directive. Please refer to AA screening report for further detail.

- **Proposed Natural Heritage Areas:**

There is one proposed NHA (ref 000966) located within the Plan boundary at Moneypark, Fethard. This has a site ID of 2904 – Irish Semi-Natural Grass lands survey BEC Consultants 2013 and is listed as being of 1.2ha in area Bedrock at surface-Calcareous; Limestone till (Carboniferous). The current zoning for this site is

agriculture, it is not envisaged that this will change.

Please refer to map below which sets out the location of NHA and SAC in relation to the Plan Boundary.

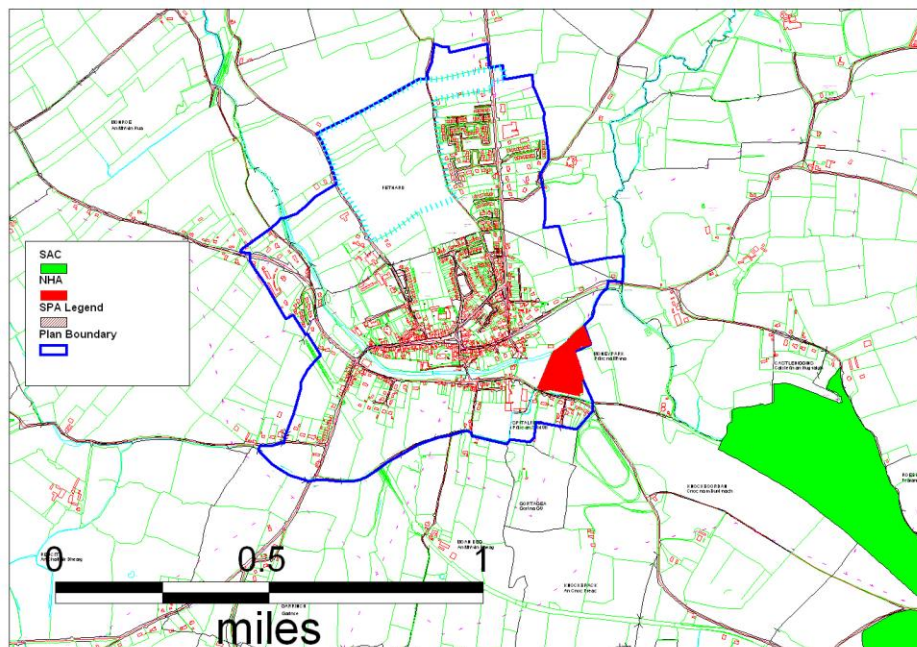


Figure 5: Location of SAC and NHA

- **Special Protection Area:**

None identified

- **Nature Reserve:**

None identified

- **Geological Sites:**

None identified

(b) Exceeded environmental quality standards or limit values;

Not applicable

(c) Intensive land-use.

It is not anticipated that any intensive land-uses will be permitted on the basis of proposed settlement plan.

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

No designated landscapes in plan area.

2.1 FLOOD RISK

In accordance with Section 4.29 of The Planning System and Flood Risk Management Guidelines for Planning Authorities 2009, the SEA Screening Process is required to identify and take account of any significant flooding issue.

A Stage 1 Flood Risk Identification was carried out as part of the preparation of the LAP 2011 to establish whether a flood risk issue exists or may exist in the future. At this time a range of sources were consulted including, South Tipperary County Flood Maps, Alluvial Deposit Maps from the Geological Survey of Ireland, Benefiting Land Maps from the Office of Public Works, Historic 6 inch mapping, walkover surveys and local knowledge information. The Stage 1 Flood Risk Identification has been updated for the purposes of this screening process and the findings are set out in Appendix 1.

It is notable that the Suir Catchment Flood Risk Management Plan⁹ is currently being prepared and flood extent plans have been published. In addition, the Council will closely liaise with the OPW in the preparation of flood management options to ensure that the archaeological heritage of the settlement is carefully considered in any works proposed.

Any additional information will inform the land use zoning, policies and objectives proposed settlement plan, however, it is not envisaged that the pre-cautionary approach taken to flood risk management will change. It is considered that there is no significant flooding issue within the plan boundary which would trigger the need for an SEA.

⁹ <http://southeastcfam.irish-surge-forecast.ie/>

3. STATUTORY CONSULTATION

The SEA screening report was issued to the prescribed environmental authorities including, the Environmental Protection Agency (EPA), the Minister for the Housing, Planning Community and Local Government, the Minister for Communications, Climate Action and Environment pursuant to Article 13K (3)(a) of the Planning and Development Regulations 2001, as inserted by Article 7 of the Planning and Development (Strategic Environmental Assessment) Regulations 2004.

The notice stated:

- A. that the planning authority proposes to prepare Variation No.4 of the South Tipperary County Development Plan (as varied) to incorporate a Settlement Plan for Fethard in accordance with Section 13 of the Planning and Development Act 2000 (as varied).
- B. that the planning authority must determine whether or not implementation of the proposed Variation would be likely to have significant effects on the environment and that, in so doing, it must take account of relevant criteria set out in Schedule 2A, and
- C. that a submission or observation in relation to whether or not implementation of the proposed Variation would be likely to have significant effects on the environment may be made to the authority within a specified period which shall be not less than 3 weeks from the date of the notice.

The Council must determine whether or not the implementation of the proposed variation would be likely to have significant effects on the environment, taking account of the relevant criteria as set out under Schedule 2A and any submissions/observations received from the prescribed environmental authorities.

3.1 Responses received from the Statutory Environmental Authorities

3.1.1 Waterford City and County Council

Waterford City and County Council have no comment.

3.1.2 Kilkenny County Council

Kilkenny County Council have no comment.

3.1.3 The Environmental Protection Agency (EPA)

It was stated that the EPA note the determination in Section 4 Screening Recommendation of the SEA Screening Report for the Proposed Variation that... 'the proposed variation will not affect the planning framework and planned vision for Fethard as a 'District Centre' as outlined in the settlement strategy...'. Key aspects which should be considered include:

- That the development of lands is linked to the provision of appropriate critical infrastructure service (water, wastewater etc.)
- That the development of lands is appropriate to the level of flood risk identified and in accordance with The Planning System and Flood Risk Management Guidelines for Planning Authorities (DoEHLG/OPW, 2009). You are referred to the recently prepared River Suir CFRAMS/Flood Risk Maps currently out for consultation which should be taken into account, where appropriate.
- That the potential for negative environmental effects on both designated and non-designated biodiversity is fully assessed and any adverse effects identified mitigated.
- That the protection of surface and groundwater quality and associated habitats and species is fully assessed and any adverse effects mitigated.

It is also stated that:

A copy of your decision regarding the determination should be made available for public inspection at your offices, local authority website and should also be notified to any Environmental Authorities already consulted.

The comments from the statutory consultees are noted and have been considered in this SEA screening determination and report and will inform the preparation of the Draft Settlement Plan for Fethard.

4. SCREENING DETERMINATION

In accordance with Article 14(A) 5 it is determined that the implementation of the proposed Settlement Plan for Fethard (Variation No. 4 of the South Tipperary County Development Plan 2009 (as varied)) will not result in any significant impact on the environment therefore; SEA is not required for the following reasons:

Note: Give particular consideration the following	Tick Y/N as appropriate
Will the proposed Variation provide a framework for development consent for projects listed in the EIA Directive?	Only in so far as it contributes to the overarching County Development Plan
Is the proposed Variation likely to have a significant effect on a Natura 2000 site which leads to a requirement for Article 6 or 7 assessments?	N (this variation is subject to a separate AA screening process, see attached)
Consideration	
<p>Having consideration to:</p> <ul style="list-style-type: none"> • The existing SEA and AA processes carried out for the County Development Plan 2009 (as varied), • The stated purpose of the proposed Variation, which is to incorporate the planning framework for Fethard as part of the County Development Plan (as varied), where it will be subject to the overriding policies and objectives of the County Development Plan 2009 (as varied), • The proposed variation will not affect the planning framework and planned vision for Fethard as a ‘District Centre’ as outlined in the settlement strategy. • The proposed Variation supports and underpins the significance, relevance and intent of existing policies and objectives of the County Development Plan regarding the protection of the cultural and natural environment, • Mitigation measures incorporated in the existing LAP and the County Development plan 2009 (as varied) will be carried forward in the planning framework for Fethard. • The nature and scale of the settlement including the built heritage 	

significance of Fethard and existing environmental characteristics of the area,

- **The positive impacts on the environment likely to occur as a result of the implementation of the proposed Variation.**
- **The finding of the AA screening process for the proposed variation,**

It is considered that there would be **no significant impact** on the environment as a result of the implementation of the proposed variation.

SCREENING DETERMINATION

Screening Determination	Tick	as
	appropriate	

It is the recommendation of the Council that the proposed variation is likely to have significant effects on the environment, therefore SEA is required.

It is the recommendation of the Council that the proposed variation is not likely to have significant effects on the environment, therefore SEA is not required.



APPENDIX 1

SEA SCREENING REPORT – STAGE 1 FLOOD RISK

IDENTIFICATION FOR FETHARD

1.0 Introduction

This is the Stage 1 Flood Risk Identification for the preparation of a new Settlement Plan for Fethard, prepared in accordance with the Planning System and Flood Risk Management Guidelines for Planning Authorities’, published by the Department of the Environment, Heritage and Local Government and the OPW in November 2009. This reviews and updates the existing Flood Risk Identification carried for Fethard during the preparation of the Fethard LAP in 2011. The purpose of this process is to identify whether there may be any flooding or surface water management issues related to the plan area that may warrant further investigation through stage 2 and 3 Flood Risk Assessment. This stage 1 Flood Risk Identification process forms an integral part of the SEA process and will inform the approach to future planning and development in Fethard.

2.0 Flood Risk Identification (Stage 1)

The following sources of information have been investigated in order to determine flood risk potential.

Sources of Flood Risk Data considered:	
1	CFRAMS Draft Flood Risk mapping prepared for the Suir Catchment - part of the South East CFRAMS, OPW 2016.
2	Predictive and historic flood maps, and benefiting land maps, such as those at www.floodmaps.ie .
3	Predictive flood maps produced under the CFRAM.
4	River Basin Management Plans and reports.
5	Indicative assessment of existing flood risk under preliminary flood risk assessment.
6	Previous Strategic Flood Risk Assessments
7	Expert advice from OPW
8	Consultation with local authority
9	Topographical maps.

10	Information on flood defence and performance
11	GSI Alluvial deposit map.
12	Liable to flood markings on the old 6 inch maps.
13	Local Libraries and newspaper reports.
14	Interviews with local people.
15	Walkover survey to assess potential sources of flooding.
16	National, regional and local spatial plans.

1. CFRAMS Draft Flood Risk mapping prepared for the Suir Catchment - part of the South East CFRAMS, OPW 2016.

Fethard is designated as an Area for Further Assessment (AFA) in accordance with the River Suir Catchment Flood Risk Management Plan (CFRAMs), this identifies it as an area at risk of flooding that warrants the preparation of a Flood Risk Management Plan by the OPW and the undertaking of additional flood control measures/works in due course. Low levels of flood risk are identified within the Plan area where the river adjoins the town walls and more extensive areas of flooding are identified along the banks of the River in the Plan area to the northwest and south east.

The updated flood extent maps have been checked against the existing zoning maps as set out in the Fethard LAP 2011, and it was found that (within the Plan area) all areas at flood risk are zoned for amenity use (riverside parkland) and therefore, there is no risk to persons or property as a result of flooding in these areas.

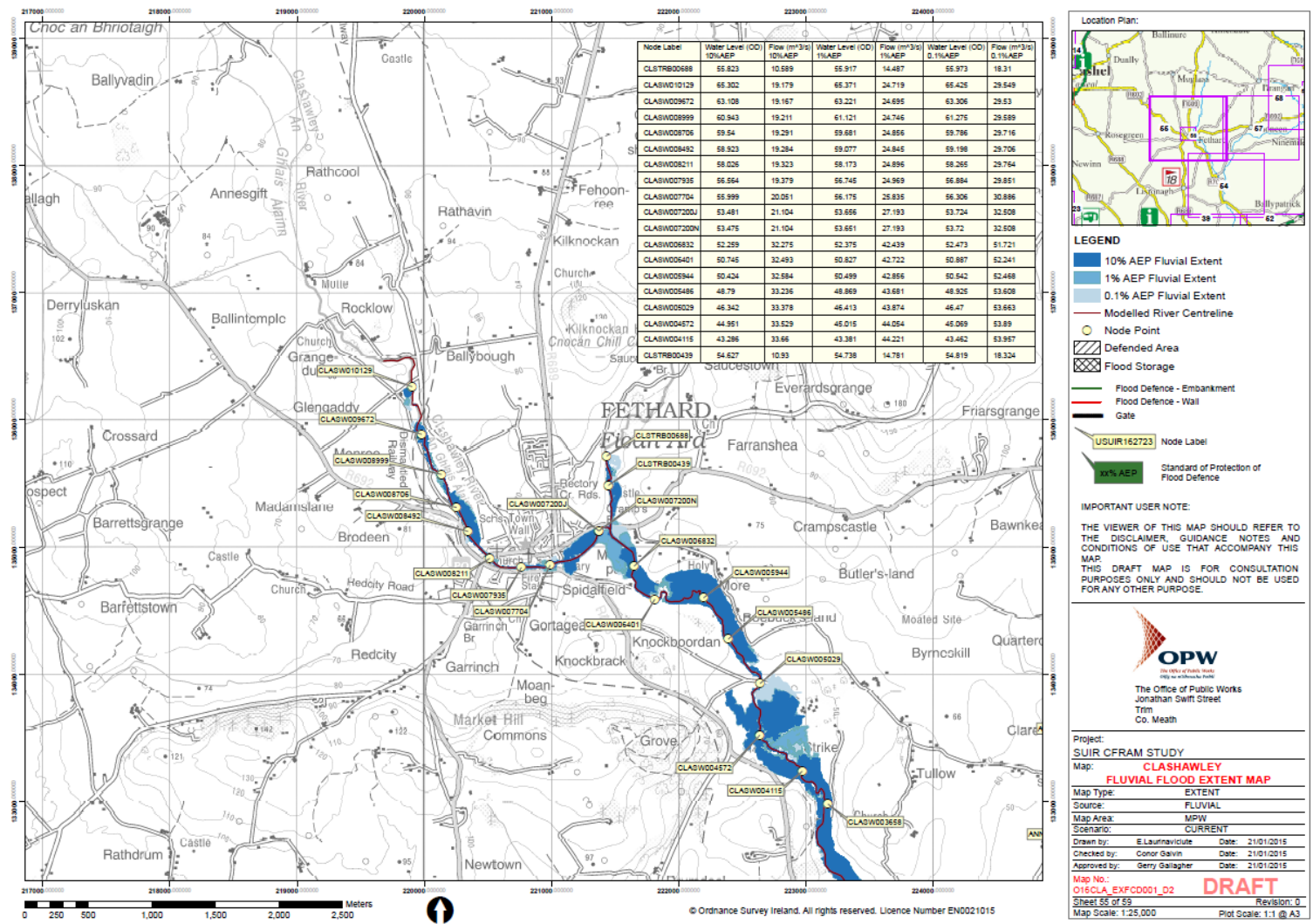


Figure 6: OPW Flood extent map 2015

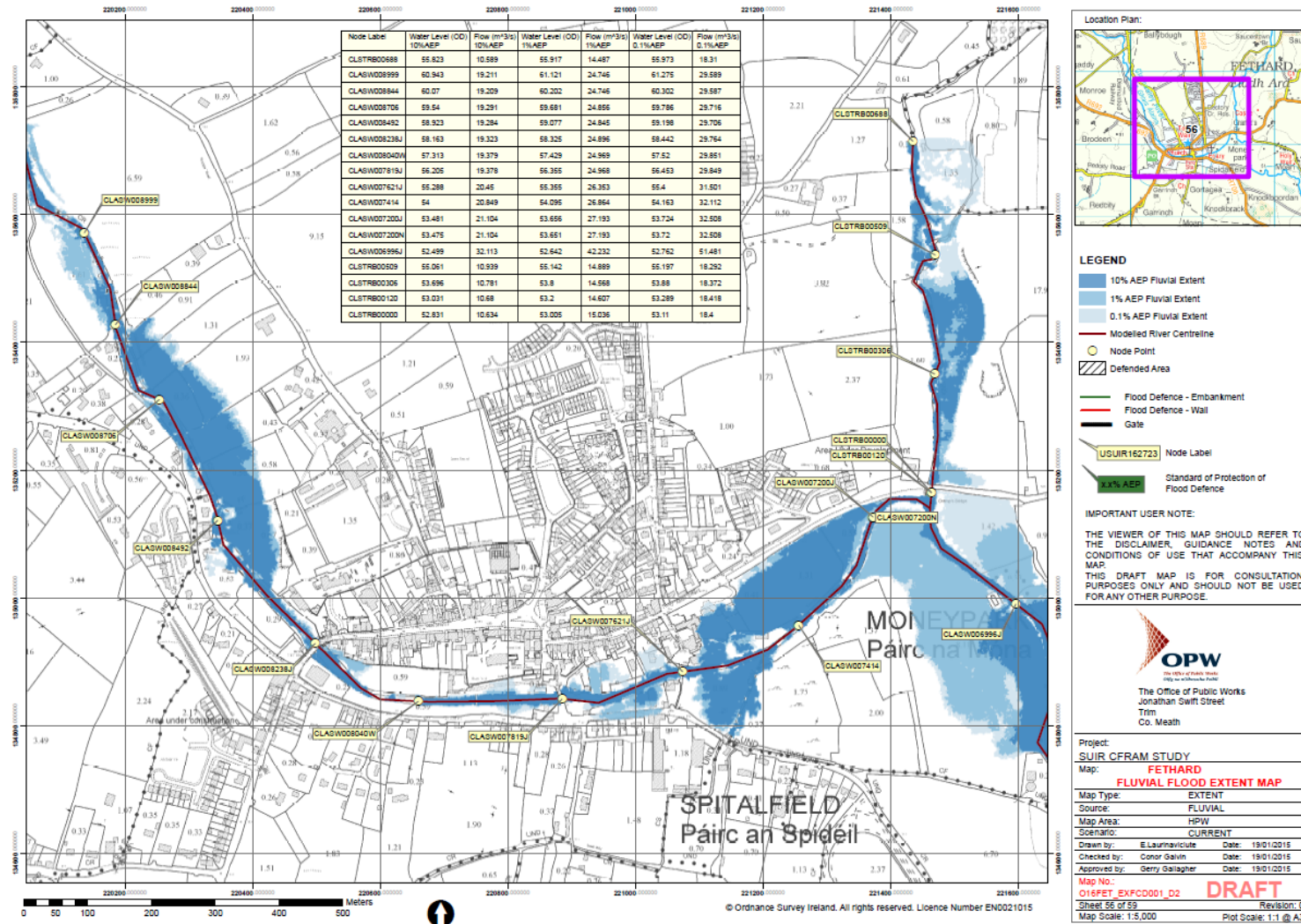


Figure 7: Detail of OPW Flood Extent map 2015

2. Predictive and historic flood maps, and benefiting land maps, such as those at www.floodmaps.ie.

This website was consulted. It was found that 4 flood events were recorded for Fethard. Reference was also made to the South Tipperary Flood Report 2000. None of these was in an area designated for growth.

1. Flood Event: Clashawley River Fethard Town Oct 2004
2. Flood Event: Rocklow Fethard Nov 2000
3. Flood Event: Fethard Nov 2000
4. Flood Event: Clashawley Fethard Recurring

Floodmaps.ie was consulted again in August 2016, and it was found that there was no additional flood event data recorded for Fethard.

3. River Basin Management Plans and reports.

The SEA Scoping Report for the River Suir Flood Risk Management plan was consulted. Section 2.4 deals with flood events. Flooding in the vicinity of Fethard is not identified. It is noted that Fethard is identified as An Area for Further Assessment (AFA) in the SEA Screening Report prepared for the South East CRAMS, Fethard will be subject to detailed SEA and AA as part of the Suir CFRAM.

4. Indicative assessment of existing flood risk under preliminary flood risk assessment.

It is noted that the River Clashawley runs in a west to east direction through the southern urban area of Fethard. It is noted that the OPW has recorded flood events in and around the town. The River is generally unrestricted and benefits from a substantial buffer/amenity area along its banks. The Town is identified as an AFA in the OPW SUIR CFRAM project.

5. Previous Strategic Flood Risk Assessments

Two previous flood risk assessments were consulted, as follows:

- | | |
|--------|--|
| 07/849 | Permission for construction of 1 No. Storey and a half dwelling with entrance. This project requires all the necessary demolition, excavation and groundworks involved including bringing foul drainage from dwelling to proposed manhole on laneway for the purpose of pumping foul drainage to the nearest main drainage connection point (M.H.) on Cashel Road. |
| 09/438 | Permission refused for two dwellings with reference to previous planning ref. P3.7982. One reason for refusal on grounds of flood risk. |

6. Expert advice from OPW

THE OPW held a Public Information Day in Fethard to discuss proposed Flood Relief Measures for Fethard on 27th July 2016. A Planning Official attended and reviewed the proposed flood measures.

7. Consultation with local authority

On-Site meeting with the Area Engineer and Local overseer was held during the preparation of the flood risk assessment in 2011, areas at flood risk were identified.

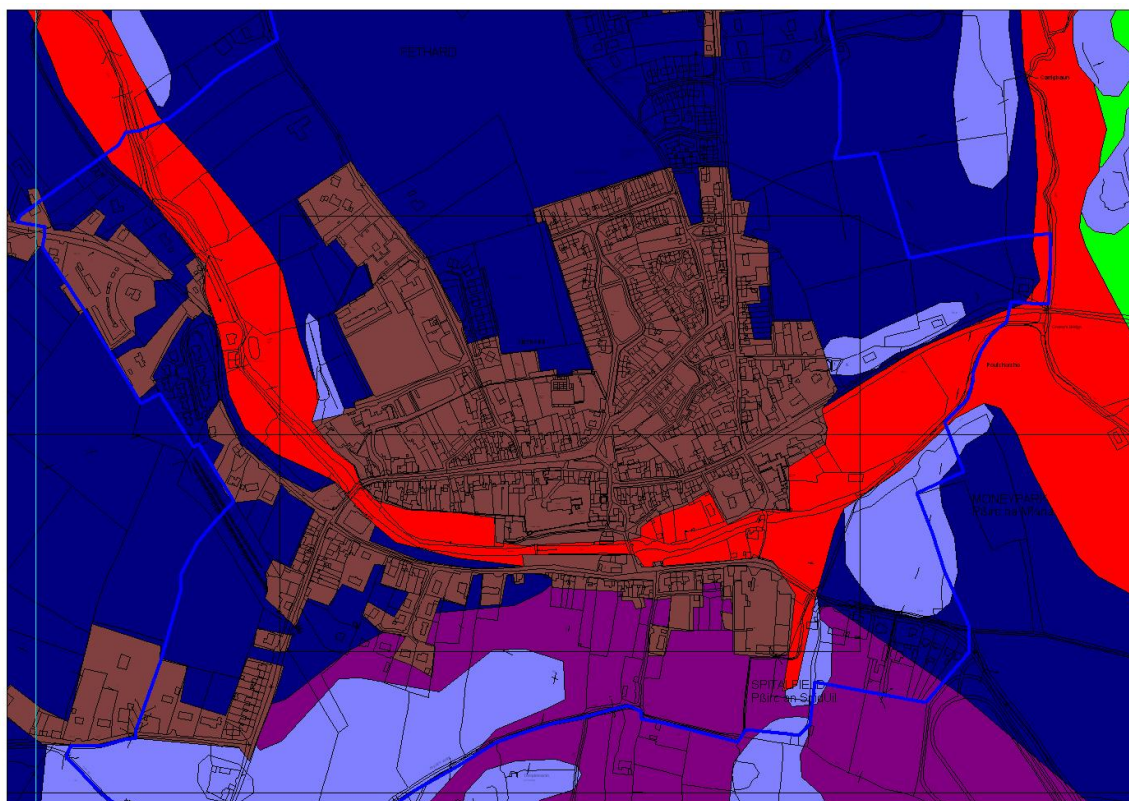
8. Topographical maps.

No useful data could be ascertained.

9. Information on flood defence and performance.

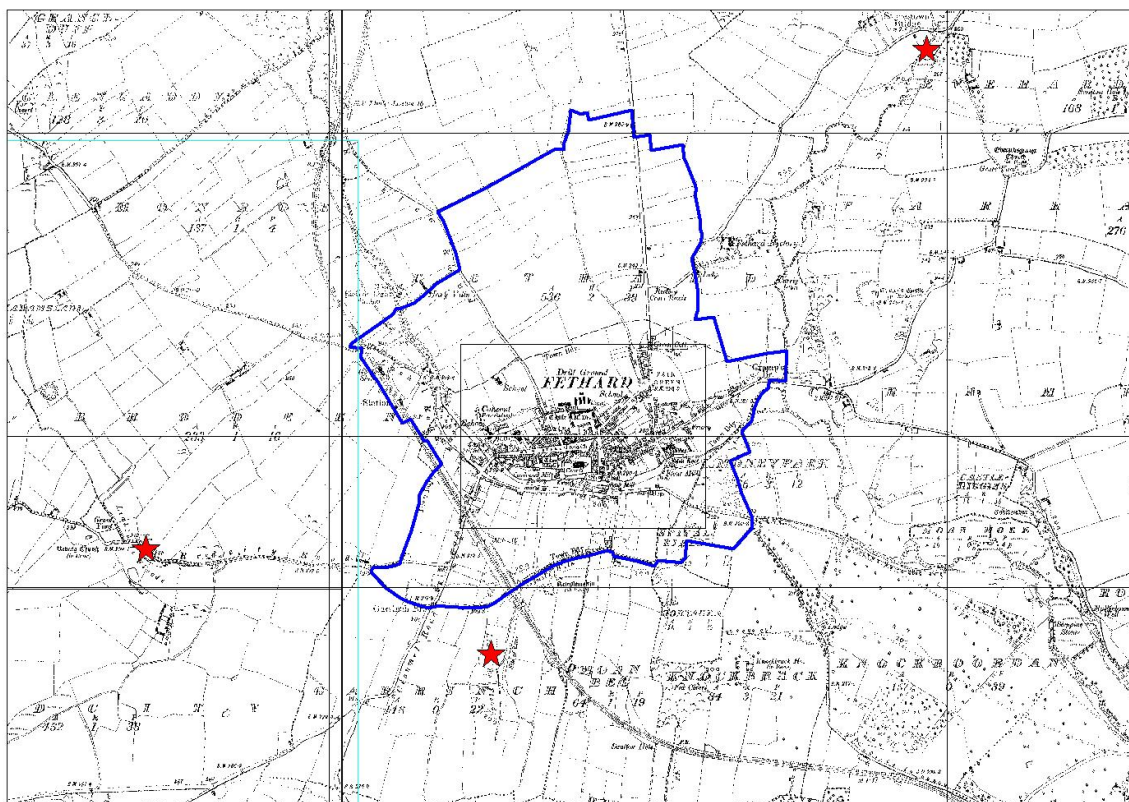
There is no constructed flood defence scheme in Fethard, this is at draft stage preparation by the OPW.

10. GSI Alluvial deposit map.



The GSI Soils map (2006) is set out above for Fethard. The red are represents that area where alluvial soils have been historically deposited. Alluvial soil mapping alone is not a definitive gauge of areas at flood risk, however, it a useful indicator of areas where flood events have occurred historically.

11. Liable to flood markings on the old 6 inch maps.



3 sites are identified as liable to flooding on the historic 6-inch maps, none of these are located within the Plan boundary, and they are as follows;

1. Red City Road approaching Fethard (SW)
2. Knockelly Road (Saucestown bridge) (NE)
3. Garrinch (S)

Other notable features of the area include the AbbeyMill weir on the river. This historically powered the Mill and remains of the wier remain and the Flour Mill dam to the rear of the Abbey are in evidence.

12. Local Libraries and newspaper reports

Reference was made to the historic report '*Preliminary report on flooding in South Tipperary as a result of extreme meteorological conditions, between 5th and 8th November 2000*', South Tipperary County Council. This report identifies the key areas affected by flooding, and the economic cost of this flooding during the extreme weather event of 2000.

13. Interviews with local people.

A workshop was held with the local elected members on the 28th July 2016, flooding was not raised as an issue. The Draft Settlement Plan will be on public display when prepared and any concerns relating to flooding in the area will be taken into consideration.

14. Walkover survey to assess potential sources of flooding.

The preparation of the proposed settlement plan will be supported by detailed surveys and inspections.

15. National, regional and local spatial plans.

National and regional plans are not relevant to local flood risk in Fethard. Local Spatial plans were consulted as appropriate.

3.0 Conclusion

This is the Stage 1 Flood Risk Identification for the review of the Fethard LAP 2011 in order to prepare a new settlement statement to replace the existing LAP.

Fethard is located on the banks of the Clashawley River, which flows to the south of the settlement outside of the main urban area. Flood Risk Maps have been produced by the OPW (set out above) and these demonstrate that the Clashawley River may overflow its banks on an intermittent basis; the severity of such events will depend on a number of influences. The River has a clearly defined flood plain and in general there is little area zoned for new development within this region. It is recommended that the current precautionary approach to development in Fethard (to direct new development and especially development vulnerable to flood risk away from the flood plain area to minimise potential flood risk) be carried through to the settlement statement unchanged. It is proposed not to zone areas at flood risk for new development in the proximity of the river and flood plain and therefore, flood risk will not occur.

The Planning Authority is satisfied that there is no potential flood risk identified in areas planned for development in the Fethard plan area based on an assessment of all the sources listed above and bearing in mind a precautionary approach.

It is concluded that there will be no significant flood risk to the Plan area and any surrounding areas as a result of the implementation of the proposed settlement Plan for Fethard.