

The Border Regional Authority

Údarás Réigiúnach na Teorann

Regional Planning Guidelines

(2010-2022)

Scoping Report

Aug 2009



Executive Summary

The overall objective of Regional Planning Guidelines (RPGs) is to provide a long-term strategic planning framework for the development of a region over a period of 12-20 years, whilst working to implement the strategic planning framework set out in the National Spatial Strategy (NSS).

RPGs address a wide range of matters including, inter alia:

- Trends in relation to economic development, population and housing;
- Settlement strategies and transportation including public transportation;
- Water services and waste management infrastructure;
- Energy and communications networks;
- Social infrastructure and
- Conservation of the natural and cultural heritage.

Government policy in relation to balanced regional development outlined in the NSS, sets clear obligations on the development plan process to substantively engage with the regional planning guideline process and to move the implementation of the NSS forward. It is noted that Planning and Development Bill 2009 is geared to ensure a close alignment between the National Spatial Strategy, Regional Planning Guidelines, development plans and local area plans.

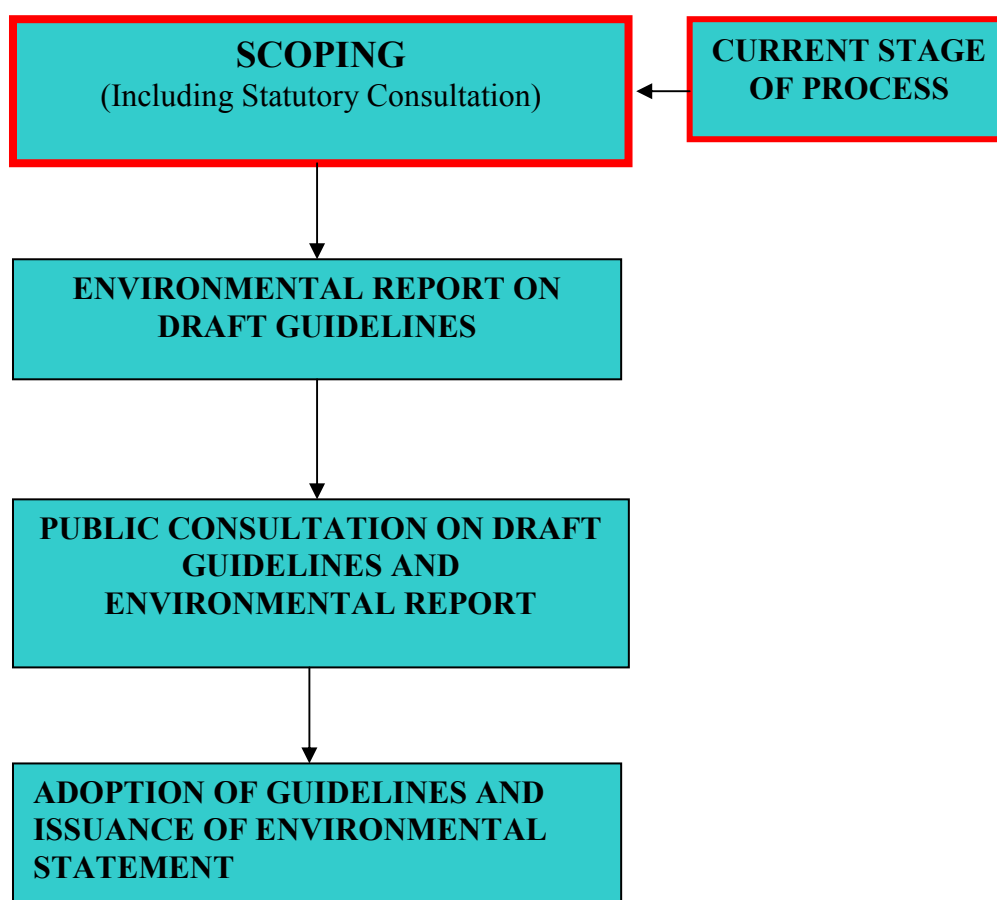
Responding with the appropriate detailed land use planning policies to the trends and types of development and development issues described above, is a key element of local planning processes at city, county and local area levels. The development plan, as the planning policy framework at local level, sets both the policy context for initiating and taking forward individual development proposals by both private and public authorities and also the agenda in relation to the long term development of cities, counties and towns. Therefore, it is through the development plan process that RPGs will be substantively implemented.

The current RPGs were adopted in July 2004 giving the Border Regional Authority its first opportunity to put in place a cohesive strategic long-term framework for the development of the Region. The vision was that the RPGs would assist in achieving the potential of the Region, having due regard of its neighbours in Northern Ireland, other regions and internationally and ultimately to assist in the national objective of more balanced regional development, by providing a spatial framework at regional level which embraced the uniqueness of the Region and facilitated its development.

The RPGs were framed recognising the Border Region “is challenged by some of the most difficult socio-economic and physical barriers to development. The bulk of the Region has little natural geographic or economic cohesiveness or identity, and has always been characterised by peripherality and disadvantage. The distortion effect created by strong urban centres close to the border in Northern Ireland has been prominent, and the difficult and

sensitive political situation has compounded the natural disadvantage of the Region. Persistent weaknesses in infrastructure have resulted in underperformance, and the inability of the Region to compete for employment on a national or international scale”.¹

Strategically the RPGs laid out a 20 year " Vision for the Region " stating that the Border Region, would, by 2020, be a competitive area recognised as, and prospering from, its unique interface between two economies, where economic success will benefit all, through the building of distinct sub-regional identities, in an outstanding natural environment, with innovative people, which in themselves, will be our most valuable asset.



The Strategic Environmental Assessment

The SEA process is, in the case of the RPG's, a statutory requirement designed to ensure that significant environmental effects arising from policies, plans and programmes are identified, assessed, mitigated, communicated to decision-makers, and monitored. The environmental report is required to identify, evaluate and describe the likely significant effects on the environment of implementing the RPG's. The environmental report is the primary element

¹ Border Regional Authority Regional Planning Guidelines 2004

in the SEA process and is recognised as a key mechanism in promoting sustainable development.

The purpose of this Scoping Report is to identify at an early stage in the SEA process, the significant environmental issues in the Region so that they can be given proper consideration in the Environmental Report.

The Border Region is well endowed with a rich and diverse range of man-made and natural resources which needs to be acknowledged and dealt with appropriately within the new RPGs.

In accordance with the European Directive (2001/42/EC) on the Assessment of the Effects of Certain Plans and Programmes on the Environment (SEA Directive) Environmental issues arising in the Environmental Report will be considered under the following headings:

- Biodiversity (including flora and fauna)
- Population
- Human Health
- Soil
- Water
- Air
- Climatic factors
- Material Assets
- Cultural heritage, including Architectural and Archaeological
- Landscape
- the interrelationship between the above

Annex 1 of the SEA Directive also requires secondary and cumulative effects to be considered

The Environmental Report must include the following:-

- Consider alternative approaches to the making of the Guidelines;
- Present information on the existing state of the environment,;
- Assess the likely significant environmental impacts arising from implementation of the Guidelines;
- Where appropriate, outline mitigation measures to be introduced; and
- Outline how monitoring of the environmental impacts will take place during the life of the Guidelines.

It is worth highlighting that issues in relation to water quality and climate change have gained prominence since the drafting of the current Guidelines, and are likely to feature strongly during the review process. Mindful of the rich biodiversity in the Border Region, the protection of sites of significant ecological importance is also considered to be a key priority in the review process.

The more significant environmental issues to be addressed in the Environmental Report include; settlement patterns, water quality, biodiversity,

landscape and cultural heritage, built heritage, transportation, agriculture, tourism, afforestation, energy resources, greenhouse gas emissions and climate change, flood risk, waste management, coastal management.

Achieving a good quality of life for the people who live in, work in or visit the Region is considered to be a key objective of the SEA process. Securing economic development and social equity, together with preserving and enhancing the urban and rural character of the Region, are closely associated with environmental issues.

Appropriate Assessment must also be carried out on the RPG review in accordance with Article 6 of the Habitats Directive. It is a parallel, but a separate process to SEA and will be documented as such. Appropriate Assessment is an evaluation and assessment of the potential impacts of policies and objectives in the new Guidelines on European sites such as cSACs and SPAs (also referred to as Natura 2000 sites) both within, and outside the Region. Like SEA, a report will be prepared assessing how the Guidelines will impact on all Natura 2000 sites, with the ultimate aim of avoiding any negative impacts.

Ensuring that the RPG's integrate with existing plans and programmes is also considered to be of significant importance. Much work has already been carried out in this field, and it is important that the review process taps into that resource. Of particular importance in the Border Region, are the existing plans and strategies in Northern Ireland which deal with numerous cross border environmental issues that should be factored into the RPG review process. Also of particular importance is ensuring that the Guidelines support aims and objectives of the River Basin Management Plans and associated Programme of Measures (POM's).

The provision of strategic infrastructure services and facilities is considered critical for the future development of the Region. The provision of the infrastructure identified in the Guidelines will have positive socio-economic benefits for the Region. The environmental report will seek to ensure that this infrastructure is delivered in the most environmentally sustainable manner possible.

A significant level of consultation will take part as part of the SEA process including consultation with the public and the Environmental agencies both north and south of the border. This will be supported by use of the Border Regional Authorities web site and Local Authority web sites within the Region. A series of meetings/workshops are being held, on an ongoing basis, with selected groups as considered appropriate.

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1 Introduction



This is a Scoping Report in respect to the making of the Regional Planning Guidelines for the Border Region (RPG's). The report forms part of the Strategic Environmental Assessment (SEA) process. The Report will evolve through data collection, consultation and analysis to form the basis for the Environmental Report

The Planning and Development (Strategic Environmental Assessment) Regulations 2004 requires that certain Plans and Programmes, prepared by statutory bodies, which are likely to have a significant impact on the environment, be subject to the SEA process. Under the Regulations the SEA process is mandatory in the case Regional Planning Guidelines.

The SEA process is designed to ensure that significant environmental effects arising from policies, plans and programmes are identified, assessed, mitigated, communicated to decision-makers, and monitored. The environmental report is required to identify, evaluate and describe the likely significant effects on the environment of implementing the RPG's. The environmental report is the primary element in the SEA process and is recognised as a key mechanism in promoting sustainable development.

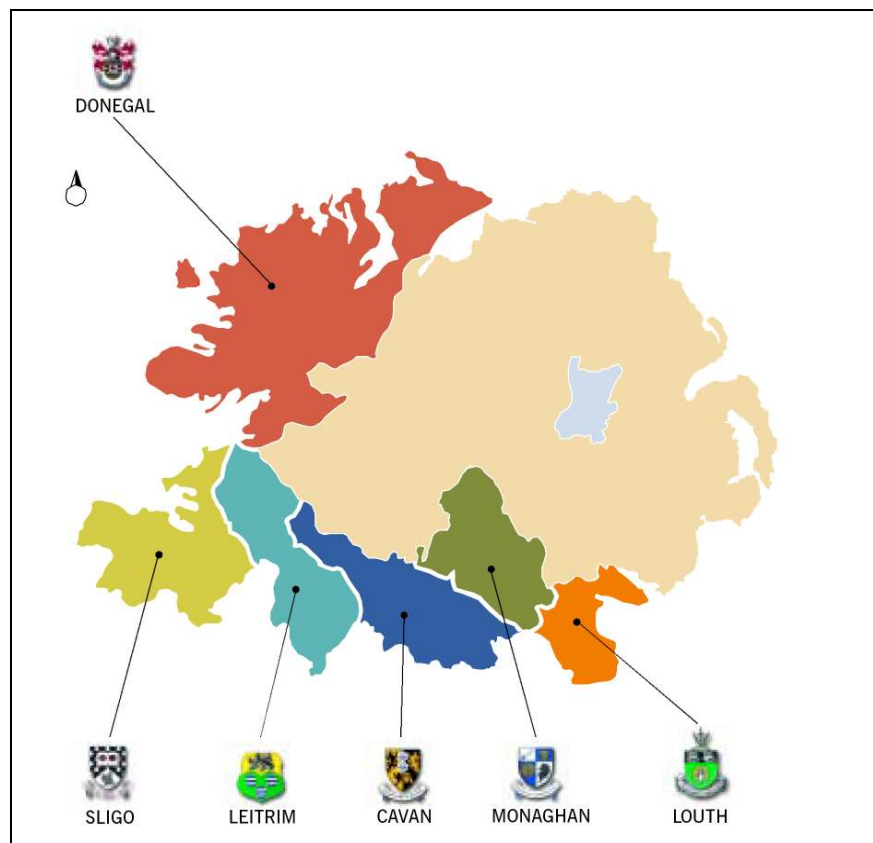
In accordance with the European Directive (2001/42/EC) on the Assessment of the Effects of Certain Plans and Programmes on the Environment where certain strategic actions form part of a hierarchy of plans and or programmes and where matters are more appropriately assessed at a different level within the hierarchy, then additional assessment is not dealt with in this report.

1.1 The Border Region

The Border Region derives its name from its location relative to Northern Ireland. It comprises the six Counties of Donegal, Sligo, Leitrim, Cavan, Monaghan and Louth.

The population of the Region is 468,375 (CSO, Census 2006) which accounts for 11.04% of the national population. It encompasses an area of 12,156 sq. km. from the Atlantic Ocean on the West Coast to the Irish Sea on the East Coast. One of the key strengths of the Region is its Areas of Outstanding Natural Beauty. Along with its strong cultural and heritage assets, it can be seen as an area very suitable for a strong tourism base. The Region is the

source of Ireland's two longest rivers - the Shannon and the Erne. Both rivers are linked to form the 300km Shannon-Erne Waterway, which is one of the worlds greatest waterways. It has a considerable coastal area and unique mountain ranges.



Map 1 Border Regional Counties

1.2 Legislative Background

The European Directive (2001/42/EC) on the Assessment of the Effects of Certain Plans and Programmes on the Environment (the SEA Directive), was transposed into national legislation in Ireland by the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (S.I. 435/2004) and the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (S.I. 436/2004). The latter Regulation governs the review of the Guidelines.

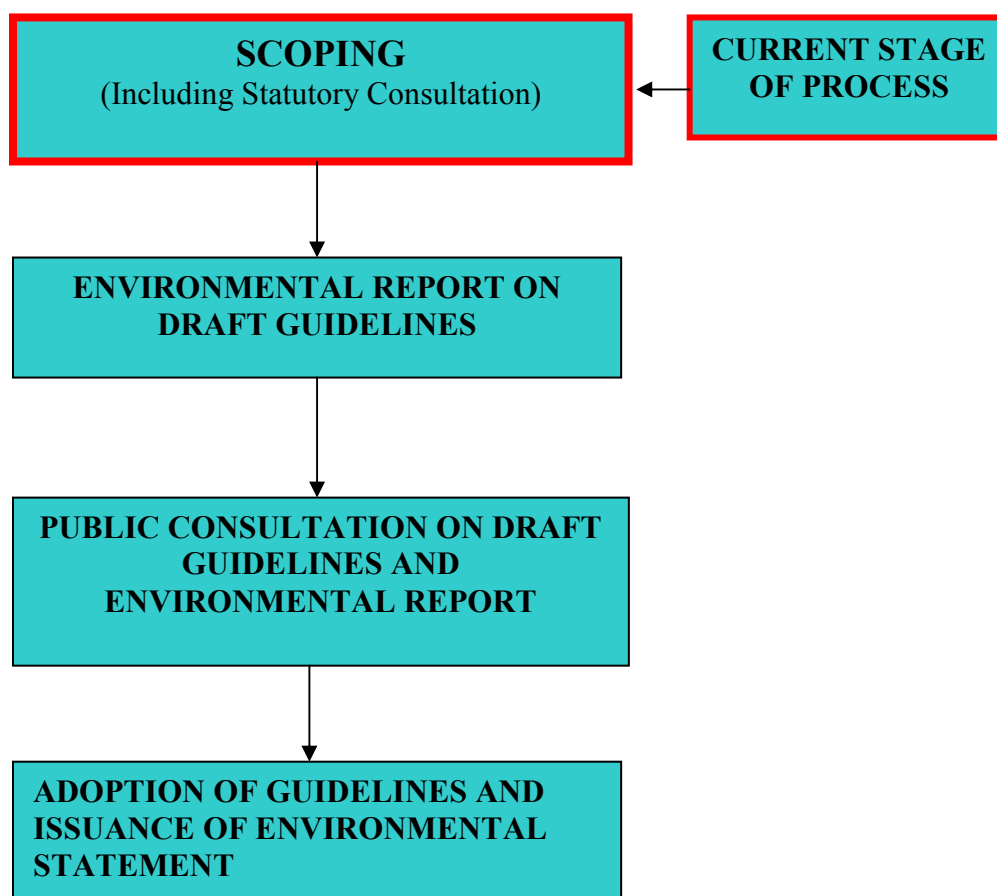
The SEA Directive requires that certain Plans and Programmes, prepared by statutory bodies, which are likely to have a significant impact on the environment, be subject to the SEA process. The SEA process is comprised of the following steps:

- Screening: Decision on whether or not an SEA of a Plan/Programme is required;
- Scoping: Consultation with the defined statutory bodies on the scope and level of detail to be considered in the assessment;

- Environmental Assessment: An assessment of the likely significant impacts on the environment as a result of the Plan or Programme;
- An Environmental Report;
- Consultation on the draft Plan/Programme and associated Environmental Report;
- Evaluation of the submissions and observations made on the draft Plan/Programme and Environmental Report; and
- Issuance of an SEA Statement identifying how environmental considerations and consultation have been integrated into the Final Plan/Programme.

Figure 1 shows the key steps required to complete the statutory SEA process in accordance with the relevant national legislation.

Figure 1 Stages in SEA Process



1.3 SEA Guidance

The following Guidance / Methodology documents will be amongst the documents referred to during the SEA process:

Ireland

- Development of Strategic Environmental Assessment (SEA) Methodologies for Plans and Programmes in Ireland. Synthesis Report. 2003. Environmental Protection Agency.

<http://www.epa.ie/downloads/advice/ea/name,13547,en.html>

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

<http://www.environ.ie/en/Publications/DevelopmentandHousing/Planning/FileDownload,1616,en.pdf>

- Strategic Environmental Assessment (SEA) Checklist - Consultation Draft. January 2008. Environmental Protection Agency.

http://www.epa.ie/downloads/consultation/strategic_environmental_assessment_jan086.pdf

- Guidelines on SEA. Department of Communications, Energy and Natural Resources.

<http://www.dcmnr.gov.ie/Marine/Environmental+Assessment/Environmental+Assessment.htm>

Other

- A Practical Guide to the Strategic Environmental Assessment Directive. September 2005. Office of the Deputy Prime Minister.

http://www.ehsni.gov.uk/bm_sea_practicalguide.pdf

- Strategic Environmental Assessment. Services and Standards for Responsible Authorities. Environment and Heritage Service.

<http://www.ehsni.gov.uk/sea-servicesandstandards.pdf>

- Strategic Environmental Assessment Toolkit (Version 1). September 2006. Scottish Executive.

<http://www.scotland.gov.uk/Publications/2006/09/13104943/0>

- Strategic Environmental Assessment and Biodiversity: Guidance for Practitioners. June 2004. Countryside Council for Wales, English Nature, the Environment Agency and the RSPB.

<http://www.english-nature.org.uk/pubs/publication/PDF/SEAbiodiversityGuide.pdf>

1.4 Methodology

An outline of the methodology use in the preparation of the Environmental Report is given in the Table 1 below.

Table 1 Outline of Methodology in preparing Environmental Report

Action	Comments
Screening	An Environmental Report is mandatory for Regional Planning Guidelines, therefore no Screening was undertaken.
Scoping Report	Scoping Report set out the policy context and baseline environmental data
Consultation with the Environmental Authorities	The Environmental Authorities; Environmental Protection Authority, the Department of the Environment Heritage and Local Government, The Department of Communications, Energy and Natural Resources as well as Geological Survey Ireland and the Northern Ireland Environmental Agency will be consulted in respect to the Scoping Report
Preparation of Environmental Report	The current RPG's and relevant International, National, Regional and Local Plans and Guidelines will be considered as appropriate. A key part of the plan making process was the consideration of the outcome of workshops and meetings held with the selected groups and the pre draft submissions and Interdepartmental consultations. At a regional level regular meetings were held with the Technical Working Group and at a National level, meetings were held with Department Officials, Regional Project Managers and SEA officers.
Formulation and Assessment of Alternatives	Alternative approaches to the making of the Guidelines will be considered and the most appropriate option selected.
Mitigation	Mitigation measures will be considered and suitable measures formulated
Monitoring	Environmental objectives, Indicators and targets will be formulated against which the implementation of the Guidelines will be assessed.
Ongoing consideration of the SEA process	The submissions from environmental authorities and other notified bodies, the public and other interested parties will be considered as well as the outcomes from the workshops and meetings held during the course of the process. Also, other relevant plans/guidelines will be considered. During each stage of the making of the Guidelines environmental issues will be considered.
Assessment of aims, policies and objectives	Strategic Environmental Objectives will be developed against which the environmental impacts of each of the aims, policies and objectives of the Plan will be assessed.

1.5 Content of Environmental Report

The content of an environmental report is given under Article 13E (1) of the Planning and Development (Strategic Environmental Assessment) Regulations 2004, for details refer to Appendix 1. An SEA must consider all, or a combination, of the following topics as listed in the SEA Directive:-

- Biodiversity
- Population
- Human Health
- Fauna
- Flora
- Soil
- Water
- Air
- Climatic factors
- Material Assets
- Cultural heritage, including Architectural and Archaeological
- Landscape
- The interrelationship between the above

Annex 1 of the Directive also requires secondary and cumulative effects to be considered.

Table 2 is a checklist based on the contents of an environmental report as set out under Article 13E (1) of the SEA Regulations mentioned above. Column 1 sets out the requirements of the aforementioned Regulations. Column 2 will outline the relevant the chapters where these requirements are addressed. Column 2 will be completed in the Environmental Report.

Table 2 Checklist on Contents of Environmental Report

Requirement under Article 13E (1) of the SEA Regulations 2004	Where dealt with in relevant Chapter within Report
A non-technical summary of the information provided under the above headings	Non-Technical Summary
An outline of the contents and main objectives of the plan or programme, or modification to a plan or programme, and relationship with other relevant plans or programmes;	Refer to Chapter : [The balance of this column will be completed in Environmental Report]
The relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan or programme, or modification to a plan or programme,	Refer to Chapter :
The environmental characteristics of areas likely to be significantly affected	Refer to Chapter :
Any existing environmental problems which are relevant to the plan or programme, or modification to a plan or programme, including, in particular, those relating to any areas of a particular environmental importance, such as areas designated pursuant to the Birds Directive or the Habitats Directive	Refer to Chapter :
The environmental protection objectives, established at international, European Union or national level, which are relevant to the plan or programme, or modification to a plan or programme, and the way those objectives and any environmental considerations have been taken into account during its preparation	Refer to Chapter :
The likely significant effects on the environment, including on issues such as biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors	Refer to Chapter :
The measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the plan or programme, or modification to a plan or programme	Refer to Chapter :
An outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know-how) encountered in compiling the required information	Refer to Chapter :
A description of the measures envisaged concerning monitoring of the significant environmental effects of implementation of the plan or programme, or modification to a plan or programme	Refer to Chapter :

1.6 Scoping

The purpose of this Scoping Report is to identify the significant environmental issues so that they can be given proper consideration and assessment in the Environmental Report. Also, as part of the scoping process, consultation was undertaken with the three statutory bodies;

- The Environmental Protection Agency.

- The Department of the Environmental, Heritage and Local Government (Planning and Environmental Section and Development and Applications Section)
 - The Department of Communications, Marine and Natural Resources.
- Consultations have also taken place with;
- The Northern Ireland Environmental Agency (NIEA)
 - Geological Survey Ireland.

The main objective of scoping is to identify key issues of concern that should be addressed in the assessment of the Plan and to determine the appropriate level of detail to be included. The scoping exercise should as a minimum answer the following questions:

- What are the relevant significant issues to be addressed by the SEA?
- Against what environmental objectives should the potential options be evaluated?

1.7 Baseline Data

In order to facilitate the identification, evaluation and monitoring of the impacts of the RPG's, baseline data focused on relevant aspects of the environment which are likely to be significantly affected will be presented in the Environmental report.

1.8 Transboundary Environmental Effects

Under section 15 E(1) of the SEA Regulations a Regional Authority shall, following consultation with the Minister, forward a copy of the draft guidelines and associated environmental report to a Member State likely to be affected, (i.e: Northern Ireland), where the Regional Authority considers that the implementation of the Guidelines is likely to have significant effects on the environment of such Member State, or where a Member State is likely to be significantly affected, so requests. Preliminary consultations have taken place with the Northern Ireland Environmental Agency (NIEA) and close contact will be maintained with this Agency throughout the process. Once completed, the Scoping Report will be forwarded to the NIEA for their consideration.

1.9 SEA Statement

In accordance with Article 15 G (1) of the SEA Regulations it will be necessary to prepare a statement summarising -

- How environmental considerations have been integrated into the RPG's,
- How the Environmental Report and the outcome of consultations were taken into account, and the reasons for choosing the plan as adopted in the light of other reasonable alternatives considered;
- The measures decided upon to monitor the significant environmental effects of implementing the RPG's.

1.10 Difficulties Encountered

The Environmental Report will be informed by existing data as provided for in the SEA Guidelines produced by the Department of Environment Heritage and Local Government (DEHLG) 2004 which states that the SEA process “does not require major new research”. Where there are difficulties encountered that might restrain the SEA process, they will be highlighted in the Environmental Report.

2 Consultations

2.1 Submission from Environmental Authorities

The following is a list of bodies notified in accordance with Article 15C (1) of the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (SEA Regulations)

Ireland

- Environmental Protection Agency
- Department of the Environment, Heritage and Local Government (Planning and Environmental Section and Development and Applications Section)
- Department of Communications, Energy and Natural Resources
- Geological Survey Ireland

Northern Ireland

- The Northern Ireland Environment Agency (NIEA)

2.1.1 Department of Communication, Energy and Natural Resources

The submission from the Department of Communication, Energy and Natural Resources pointed towards the need to comply with a wide range of environmental legislation. The Department provided a list of certain legislation in this regard and also a list of bodies that should be consulted.

2.1.2 Eastern Regional Fisheries Board

The submission from the Eastern Regional Fisheries Board stated, inter alia, *“in order to protect and conserve fish and fish habitats it is vital that all potential developments are carried out in a sustainable fashion”*. The issue of *“policing pollution incidents or investigating more chronic problems”*, where rivers cross the boundary with Northern Ireland, was referred to and *“official coordination between the relevant authorities”* was called for.

Issues in respect to the capacity of municipal services (water, wastewater and waste treatment facilities), were raised. It was considered that *“the capacity of these facilities should be in line with demand in order to minimize potential negative impacts on aquatic”*.

2.1.3 North Western Regional Fisheries Board

The Fisheries Board highlighted the importance of considering the protection of particularly sensitive water-bodies in the Environment Report, the Habitats Report and in the development of the RPGs. The Board made recommendations as to the scope and level of detail to be included in these reports. In this regard, the submission made reference to the environmental concerns arising from, Wastewater Treatment Plants, Ribbon Development Road Construction, Water Abstraction and Renewable Energies.

The Board stated that it had responsibility for the conservation, protection, development and management, promotion and marketing of fisheries in its region. The Board described the extent of the geographical area for which it had responsibility within the Border Region.

The following issues were mentioned in the submission;

- Decline in Salmon stocks,
- the importance of achieving good quality water within and outside of the region
- the contribution of angling including sea angling to tourism and recreation within the region
- the promotion and marketing of angling,
- the proliferation of [individual wastewater treatment] systems and the build up of phosphorous and lack of statutory monitoring or maintenance of these system
- the impact of forestry on sensitive catchments,
- the need to control the run-off of nutrients from a agricultural activities and combating the associated problems of eutrophication,
- achieving compliance with the Habitats Directive and Water Framework Directive
- the impact of infrastructural works on the aquatic environment.

In conclusion the submission states; *“it very important that the guidelines reflect the need for the protection of the environment and ensure that development is carried out in a manner which is sustainable in the long term in accordance with Government policy”*.

2.1.4 Geological Society of Ireland (GSI)

The submission from the GSI indicated that the majority of EIS that they deal with as a prescribed body rarely deal with geological heritage. The GSI outlined their role and responsibilities in respect to the geological heritage of Ireland. They also outlined details of ongoing work under the Irish Geological Heritage Programme in identifying and assessing sites of geological interest. These sites may be selected as NHA's, others may be promoted as County Geological Sites. The GSI referred to an audit of geological heritage sites at County level and the need for co-funding of these surveys. While an audit has been carried out in the case of County Sligo, the submission states that no such audit has been carried out in respect to Counties, Donegal, Leitrim, Cavan, Monaghan and Louth. The submission includes a document entitled, *“Geology in Local Authority Planning, An outline guide to inclusion of*

geological heritage in County Development Plans and Heritage Plans". This document outlines, *inter alia*, how the GSI may be able to assist Local Authorities to prepare the geological dimensions of Heritage and Development plans. A number of policy objectives for inclusion in County Development Plans in respect to the protection of geological heritage sites are mentioned in the submission. Likewise specific guidance in the making of Heritage Plans is contained in the submission.

2.1.5 Northern Ireland Environmental Agency.

The Northern Ireland Environment Agency in their response raised issues in respect to the protection of natural heritage areas and the built environment within Northern Ireland. The submission acknowledged that the main environmental challenges facing Ireland and Northern Ireland will be shared by many of the areas adjoining the border. Among the challenges to be addressed included the spread of invasive species and changes to valued landscapes, rural character and adaptation to climate change. It was considered that the new guidelines should contain a requirement that any development requiring an assessment under the Habitats Directive should include an assessment of the likely impacts on Natura 2000 sites in Northern Ireland.

2.1.6 Department of Environment Heritage and Local Government - Heritage Council Section

This submission contains the following points:-

- The Regional Planning Guidelines (RPGs) must include a Strategic Environmental Assessment, under the provisions of the SEA Directive 2001/42/EC and SI 436 of 2004
- The Regional Planning Guidelines should embrace the key tenets of the National Heritage Plan 2002 to ensure that the impacts on the historic environment are fully anticipated
- Decisions on population centres, the location of infrastructure, and the impact of locational decisions in regard to these issues should fully take account of their effect on the historic environment
- It is recommended that the Border Regional Authority take cognisance of an important EU Report from the European Landscape Character Assessment Initiative
- A holistic regional spatial plan should be based on a robust landscape classification which identifies broad patterns of variation in landscape and seascape character
- The new guidelines should specifically state a preference for a plan-led route rather than detached housing estates with few facilities onto the periphery of urban areas
- The Regional Planning Guidelines must take into account the National Spatial Strategy (NSS) and it is imperative that there is close co-operation, collaboration and co-ordination between the Border Regional Authority and the Spatial Policy Section in the Department of Environment Heritage and Local Government
- The Heritage Council strongly supports sustainable policies dealing with the interdependent issues such as land use, transport and the environment

and recommends that they should be given prominence in the new guidelines

- Transport infrastructure and transport management proposals in relation to historic towns and cities and their public realm needs to be given specific consideration in the Regional Planning Guidelines
- The Regional Planning Guidelines must contain regional climate change policies and strategies take into account cultural and natural heritage
- The new guidelines should state that all statutory and non-statutory spatial plans should be 'evidence-based', with a sequential approach to zoning and development objectives and policies
- The Regional Planning Guidelines must strategically address the issues of biodiversity in the Border Region, and particularly in the Lakelands area of the region
- The guidelines need to take account of the policies in the Green City Guidelines (September 2008)
- The future impacts of sea level rise, increased coastal erosion, and coastal flooding on activities along the coast must be considered at regional level within a regional Integrated Coastal Zone Management policy framework
- There needs to be national policy on the impacts of offshore renewables and a national Strategic Environmental Assessment (SEA) on cumulative effect of ad hoc development of offshore wind farms is required
- The renewed Regional Planning Guidelines should focus on the promotion of quality public realm and urban design for villages and small towns and should encourage the use of non-statutory plans and village design statements
- There should be more investment in high quality, well-designed recreational facilities such as canals, rivers, and coastal areas
- Waterways should be considered as the focus of a "corridor" wider than the waterway, taking in the physical landscape, the towns and villages and their associated activities from farming, factories, tourism, and the policies and the recommendations from the Upper Shannon Study (2005) inform the Regional Planning Guidelines
- The Regional Planning Guidelines could set targets for the number and disposition of Architectural Conservation Areas to be put in place across the region
- The emerging Department of Environment Heritage and Local Government consolidated National Monument Bill which provides for a new system for the identification, registration and conservation of historic landscapes must be considered

2.1.7 Environmental Protection Agency

The submission from the EPA included an EPA SEA Pack which sets out, in some detail, best practice in respect to the SEA process. The Pack states that it is a matter for the Regional Authority and its SEA Team to ensure that the contents of the Pack are taken into account and followed as appropriate during the SEA process.

The EPA suggest the convening of a Scoping Meeting/Workshop with key staff within the Regional Authority and to consider having personnel from

National Parks and Wildlife, Department of Communications, Energy and Natural Resources and the EPA attend such a meeting/workshop. The submission refers to the legislative requirements in respect to amendments to the Draft Plan. Also the need to comply with requirements in respect to; Habitats Directive, the SEA Statement and consultation with the Environmental Authorities is highlighted.

The advice given will be given particular consideration during the SEA process.

2.2 Meetings/Workshops

2.2.1 Meeting/workshop with Local Authority Planners and EPA.

As part of the Scoping exercise a meeting/workshop was held on 11th March 2009 at which a designated Planner from each of the six Local Authorities within the Border Region attended. Each Planner made a presentation and submission on the significant environmental issues relating to their respective counties that should be considered as part of the SEA process. A wide range of environmental issues were raised and discussed. The Planners responded (by way of a short presentation and a subsequent submission) to a questionnaire which was prepared prior to the meeting. The meeting was also attended by a representative of the Environmental Protection Agency who provided advice and guidance on the way forward. A report on this meeting entitled "*Report on SEA Scoping Meeting/Workshop held with Local Authority Planners in Athlone on 11 March 2009*", has been compiled and will be made available on the Border Regional Authority web site at ; www.border.ie , along with this Scoping Report. The report includes a copy of each of the submissions made, the advice and guidance given and conclusions drawn from the meeting. The meeting raised a wide range of environmental issues under each of the topic headings and made comment on how these issues might be addressed in the RPG's. Recurring issues that were raised included surface water quality, groundwater quality, water conservation, waste management, human health & quality of life, population increase, infrastructure needs, loss of biodiversity, use of natural resources, energy conservation, urban air quality, traffic management, climate change, flood risk & coastal protection, landscape, loss of agricultural land and cultural heritage.

A further meeting was held between SEA Officer for the Border Region and a representative of EPA. The meeting was held on 26th June 09 at which a working copy of the Scoping Report was reviewed.

2.2.2 Meeting with the NS Share River Basin District Project Team.

A meeting was held between Border Regional Authority Project Manager, SEA Officer and key environmental personnel involved in the NS Share River Basin District Project. The NS share project is the vehicle for delivering the three River basin Districts Management Plans for the North Western International River Basin District, the Neagh Bann International River Basin District and the North Eastern River Basin District.

Following an introduction outlining the work of the RPG's, the NS representatives outlined details in respect to the Water Framework Directive and emphasised key aspects of the River Basin Project. The following objectives were highlighted by the NS team;

Objective 1- Enable 'protected areas' to achieve their stricter status standards.

In this regard the team considered the following items of particular importance;

- Drinking Water Abstractions
- Economically significant species (shellfish)
- Recreational and bathing waters
- Nutrient sensitive areas (Nitrates & Urban Waste Water Treatment Directive sensitive areas)
- Protected habitats and species (Freshwater Pearl Mussel)

The NS representatives considered that measures outlined in the management plans must be put in place in order to achieve these objectives in all protected area cases by 2015 (no derogations)

Objective 2 - Prevent deterioration, and in particular maintain high or good water status

The NS representatives considered that provided that WFD objectives are reflected in linked plans and programmes (particularly development and land-use plans) this should provide protection against deterioration in status in all cases.

Objective 3 - Improve waters where appropriate to achieve at least good standards

The team outlined that supplementary measures will need to be considered in the case of key water pressures.

Objective 3 - Progressively reduce chemical pollution

The team gave outline details of a programme of measures (basic measures and supplementary measures) that needed to be carried out in order to meet the objectives.

The importance of protecting the Freshwater Pearl Mussel was highlighted by the team in some detail. In this regard the following pressures were identified;

- Hydrological & Morphological Pressures
 - Overgrazing
 - Peat Cutting
 - Urban Land Use
 - Abstractions

- Diffuse Pressures
 - Forestry
 - Agriculture
 - On-site Wastewater Treatment Systems
- Point Source Pressures
 - Municipal & Industrial Discharges
 - Quarries/ Mines/ Landfills/ Contaminated Land

A brief discussion on the Habitats Directive Assessment process took place and in particular, how it might be dealt with relative to the SEA process. The NS team offered assistance, particularly in respect to the provision of environmental information that might be used as part of the SEA process. In this regard the assistance of a GIS officer who works with Donegal County Council and has worked on the NS project was suggested.

Attendees

Padraig Maguire	Border Regional Authority
Paudge Keenaghan	Leitrim Co. Council and SEA officer for RPG's
Alan G Barr	RPS Consultants for River Basin Plans
Jennifer Haddow	RPS Consultants for River Basin Plans
Anthony Mc Nally	NS Share Project Officer

3 Policy Context

3.1 Content and main objectives of the Guidelines

The overall objective of Regional Planning Guidelines (RPGs) is to provide a long-term strategic planning framework for the development of a region over a period of 12-20 years, whilst working to implement the strategic planning framework set out in the National Spatial Strategy (NSS).

RPGs address a wide range of matters including, *inter alia*:

- Trends in relation to economic development, population and housing;
- Settlement strategies and transportation including public transportation;
- Water services and waste management infrastructure;
- Energy and communications networks;
- Social infrastructure and
- Conservation of the natural and cultural heritage.

Government policy in relation to balanced regional development outlined in the NSS, sets clear obligations on the development plan process to substantively engage with the regional planning guideline process and to move the implementation of the NSS forward. It is noted that Planning and Development Bill 2009 aims to ensure a much closer alignment between the National Spatial Strategy, Regional Planning Guidelines, development plans and local area plans

Responding with the appropriate detailed land use planning policies to the trends and types of development and development issues described above, is a key element of local planning processes at city, county and urban levels. The development plan, as the planning policy framework at local level, sets both the policy context for initiating and taking forward individual development proposals by both private and public authorities and also the agenda in relation to the long term development of cities, counties and towns. Therefore, it is through the development plan process that RPGs will be substantively implemented.

The current RPGs were adopted in July 2004 enabling the Border Regional Authority to put in place a cohesive strategic long-term framework for its development. The vision was that the RPGs would assist in achieving the potential of the Region, having due regard of its neighbours in Northern Ireland, other regions and internationally and ultimately assist in the national objective of more balanced regional development, by providing a spatial framework at regional level which embraced the uniqueness of the Region and facilitated its development.

The RPGs were framed recognising the Border Region “is challenged by some of the most difficult socio-economic and physical barriers to development. The bulk of the Region has little natural geographic or economic cohesiveness or identity, and has always been characterised by peripherality and disadvantage. The distortion effect created by strong urban centres close to the border in Northern Ireland has been prominent, and the difficult and sensitive political situation has compounded the natural disadvantage of the Region. Persistent weaknesses in infrastructure have resulted in underperformance, and the inability of the Region to compete for employment on a national or international scale.”²

Strategically the RPGs laid out a 20 year "Vision for the Region" stating that the Border Region, would, by 2020, be a competitive area recognised as, and prospering from, its unique interface between two economies, where economic success will benefit all, through the building of distinct sub-regional identities, in an outstanding natural environment, with innovative people, which in themselves, will be our most valuable asset. It was hoped that this would principally be achieved through:

- concentration of critical mass and the promotion and development of the three new Regional Gateways of Dundalk, Sligo and Letterkenny, as a priority for investment, and as key employment locations, with appropriate first class infrastructure and with an indigenous, educated and skilled labour force;
- further enhancing the urban structure in the Region by building on the strengths of the Hubs of Cavan and Monaghan, the Primary Development Centre of Drogheda, the Regionally Strategic Town of Carrick on Shannon, and other Key Towns and Villages;

² Border Regional Authority Regional Planning Guidelines 2004

- building on distinct sub regional identities and promoting strategic links with Northern Ireland;
- sustaining rural areas and rural communities;
- sustaining the uniqueness of the Gaeltacht;
- supporting the international marketing of the Region through distinct images of particular locations, with an emphasis on the quality of the natural environment and its benefits;
- targeting and co-ordinating key transport and communication links
- provision of a high quality built and physical environment, with essential infrastructure including housing, transport, water services, schools, healthcare, retail, community and recreational facilities.

3.2 Relevant Policy, Plans, Programmes and Guidelines

The review of the existing RPG's must be considered within the context of a hierarchy of policies, plans and strategies which include international, EU, national, regional and local levels. The relationship of the Guidelines to these documents is set out below.

Figure 2 Hierarchy of Policies, Plans and Strategies



Table 3 presents a list of the national and international strategic policies and objectives under the various environmental topics that are relevant to the SEA process and will be taken into consideration as appropriate. The list is not exhaustive and is subject to change as the SEA process is advanced. Policies and objectives shown on a white background refer to European strategies. Those shown on a blue background refer to international strategies and those on grey background refer to national/regional strategies.

Table 3 Relevant National & International strategic policies and objectives.

Topic	Policy, Plan or Programme	Relevance objectives
Biodiversity	UN Convention of Biological Diversity (1992)	Maintain and enhance biodiversity.
	EU Biodiversity Strategy Communication on a European Community Biodiversity Strategy	Prevent and eliminate the causes of biodiversity loss and maintain and enhance current levels of biodiversity.
	European Union Habitats Directive (92/42/EEC)	Lists certain habitats and species that must be given protection.
	EU Birds Directive (as modified) (EU/78/409)	Designation of Special Protection Areas for birds.
	National Bio-diversity Plan 2002	To secure the conservation, including where possible the enhancement and sustainable use, of biological diversity in Ireland
	<u>Irish National Forest Standards (2000)</u>	<u>Aims to ensure sustainable forest management</u>
	European Communities (Natural Habitats) Regulations, SI 94/1997, as amended SI 233/1998 and SI 378/2005	These Regulations give effect to Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (Habitats Directive) and the Minister to designate special areas of conservation (endangered species and habitats of endangered species) as a contribution to an EU Community network to be known as NATURA 2000.
Human Health	WHO Air Quality Guidelines (1999) and Guidelines for Europe (1987) Non Statutory	Seeks to eliminate or minimise certain airborne pollutants for the protection of human health.
	The Stockholm Convention (2001)	Objectives seek to protect human health and the environment from persistent organic pollutants (POPs).
	The EU CAFÉ Programme Commission communication of 4 May 2001 "The Clean Air for Europe (CAFE) Programme: Towards a Thematic Strategy for Air Quality".	Seeks to prevent and reduce air pollution and impacts on human health from air pollution.
	The EU Environment and Health Strategy 2004-2010	Seeks to prevent and reduce the impacts pollution on human health.
Water	EU Water Framework Directive (2000/60/EC) 2000	Aims to prevent any deterioration in the status of any waters and to achieve at least "good status" in all waters by 2015
	The Groundwater Directive (1980/68/EC) 1980	Seeks to maintain and enhance the quality of all ground waters in the EU.
	EU Urban Waste water treatment directive (91/271/EEC) 1991	Sets targets dates for the provision of specified waste water treatment infrastructure and services.
	EU Floods Directive (2007/60/EC)	The Floods Directive applies to river basins and coastal areas at risk of flooding. With trends such as climate change and increased domestic and economic development in flood risk zones, this poses a threat of flooding in coastal and river basin areas.
	The Nitrates Directive (91/676/EEC)	This Directive has the objective of reducing water pollution caused or

		induced by nitrates from agricultural sources and preventing further such pollution.
	Drinking Water Directive (80/778/EEC) as amended by Directive 98/83/EC	The primary objective is to protect the health of the consumers in the European Union and to make sure drinking water is wholesome and clean.
	The Local Government (Water Pollution) Act, 1977 (Water Quality Standards for Phosphorous) Regulations, 1998	Rivers of good quality to be retained as such, rivers of poor quality to be improved
	Managing Ireland's Rivers and Lakes: Catchment based Strategy Against Pollution (1997)	This document details a strategy to protect water quality against pollution by phosphorus from all sources.
	River Basin Management Plans for River Basin Districts (RBD's)	Seeks to establish an integrated monitoring and management system for all waters within an RBD, to develop a dynamic programme of management measures and to produce a River Basin Management Plan, which will be continually updated.
	OPW Guidelines on Flood Risk (2005)	Seeks to prevent development that is sensitive to the effects of flooding in flood prone or marginal areas. Must not reduce the flood plain or restrict flow across floodplains.
Climate / Air	Kyoto Protocol (1997)	Aim of the UN Protocol is to combat climate change. Industrialised countries will have to reduce their combined greenhouse gas emissions by a minimum of 5% by 2012.
	Second European Climate Change Programme (ECCP II) 2005	Seeks to develop the necessary elements of a strategy to implement the Kyoto protocol.
	White Paper on 'European transport policy for 2010', COM (2001) 370	Seeks to develop a modern sustainable transport system.
	"The IPPC Directive" Directive 96/61/EC concerning integrated pollution, prevention and control	Seeks to minimise pollution and maximize resource efficiency in industry through licensing and guidance.
	Ozone in Ambient Air Regulations 2004 (S.I. No. 53 of 2004).	Objectives include the reduction of certain airborne pollutants for the protection of human health and the environment
	"Air Framework Directive" Directive on Air Quality Assessment and Management (Framework Directive) (1996/62/EC)	Seeks the prevention and/or reduction of airborne pollutants for the protection of human health and environment.
	Directive on national emission ceilings for certain atmospheric pollutants (2001/81/EC)	Seeks to limit the national emissions of certain airborne pollutants for the protection of human health and the environment.
	EC Directive 2008/50/EC on ambient air quality and cleaner air for Europe	Replaces the air framework directive and the first three daughter directives. Sets standards and target dates for reducing concentrations of fine particles, which are among the most dangerous pollutants for human health.
	Adopting to climate change in Europe – options to EU action {SEC(2007) 849}	Seeks to initiate a Europe-wide public debated and consultation on developing responses to climate change at EU level
	National Climate Change Strategy 2007-2012	Established measures by which Ireland can meet its 2008-2012 targets in respect to

		green house gas emissions
Cultural Heritage (Landscape Architecture Archaeology)	European Landscape Convention 2000	Encourages public authorities to adopt policies at local, national and international level to protect and manage landscapes
	Granada Convention for protection of the Architectural Heritage of Europe 1985	Established common principles and strategy, informed Part IV of the 2000 Planning and Development Act 2000-2004
	European Convention on protection of the Archaeological Heritage 1992	Requires that appropriate consideration be given to archaeological issues at all stages of the planning and development process
	Architectural Heritage Protection- Guidelines for Planning Authorities 2004	The protection of structures, or parts of structures, which are of special architectural, historical, archaeological, artistic, cultural, scientific, social, or technical interest, and; the preservation of the character of architectural conservation areas.
	National Heritage Plan 2002	Plan forms the basis of a strategic approach to the protection and management of heritage up to 2007
	National Inventory of Architectural Heritage	To establish inventory of buildings of value
	Framework and Principles for the Protection of the Archaeological Heritage (1999)	This document sets out the archaeological policies and principles which should be applied by all public bodies when undertaking or authorising development.
	Policy Paper on Ireland's Landscape and the National Heritage, The Heritage Council, (2002)	Policy paper sets out a vision for the Irish landscape to allow people to harness the landscape for economic benefit whilst acknowledging that in the long run such benefits can only be sustained through an appreciation and awareness of the contribution of that landscape to our quality of life.
	Landscape and landscape and Assessment, Guidelines for Planning Authorities -2000	Sets out how a landscape character assessment should be conducted.
Sustainable Development	Agenda 21 (1992). Action for Sustainable Development	Aims to promote sustainable development at a local and regional level by taking into account environmental protection in the development process.
	"The Gothenburg Strategy" Communication from the Commission on Sustainable Europe for a Better World" 2001	Seeks to make the future development of the EU more sustainable.
	The Sixth Environmental Action Programme (EAP) of the European Community 2002- 2012 Statutory	Seeks to make the future development of the EU more sustainable.
	The SEA Directive (2001/42/EC)	Objective is to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development, by ensuring that, in accordance with this Directive, an environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment.
	EIA Directive (85/337/EEC as amended by 97/11/EC and 2003/35/EC)	Requires that certain developments be assessed for likely environmental effects (commonly known as environmental impact assessment (EIA)) before planning permission can be granted.

	Guidelines for Planning Authorities on Sustainable Rural Housing 2005	To address the issue of sustainable rural housing
	Wind Energy Guidelines 2004	To ensure a consistency of approach in the identification of suitable locations for wind farm development and the treatment of planning applications for wind farm developments
	Sustainable development- a strategy for Ireland 1997	To promote the consideration of sustainable principles in drafting and implementation of the Guidelines
	Green Paper on Sustainable Energy 1999	The paper sets out how Ireland will progress to meeting its energy requirements. It concentrates on Ireland's need to limit CO2 emissions under the Kyoto Protocol.
	Transport 21 (2005)	Seeks to develop an integrated transport system across Ireland
	Traffic Management Guidelines (2003)	Provides guidance on a number of traffic management issues including public transport
	Making Ireland's Development Sustainable 2002	Linking economic, social and environmental objectives whilst considering long term consequences in drafting policy
	Delivering A Sustainable Energy Future For Ireland _ The Energy Policy Framework 2007 - 2020	Seeks to reduce energy demand and energy related emissions
Waste	The Waste Framework Directive" Council Directive 75/442/EEC of 15 July 1975 on waste "the Waste Framework Directive" and amending acts.	Seeks to) minimise the quantities of waste production in the EU, reduce the environmental impacts from the management of these wastes and defines what constitutes a waste or hazardous waste.
	"The Landfill Directive" Council Directive 99/31/EC of 26 April 1999 on the landfill of waste	Seeks to) reduce the environmental impact from the landfilling of waste & divert certain quantities and types of waste from European landfills.
	"The WEEE Directive" Directive 2002/96/EC of 27 January 2003 on waste electrical and electronic equipment	Seek more environmentally sensitive management of waste electric and electronic equipment.
	Replacement Waste Management Plan for the Connacht Region 2006 -2011	The Plan adopts a regional approach to integrated waste management and sets targets for 2013 for municipal waste in the region
	National Waste Prevention Programme	Seeks to decouple waste generation from economic activity in Ireland
Major Accidents	EU Major Accident (Seveso) Directive (96/82/EC) 1996	Seeks to avoid and minimize the effects of major accidents

White background refers to European strategies
Blue background refers to international strategies
Grey background to national/regional strategies

3.2.1 Guidelines for Planning Authorities

The Department of the Environment, Heritage and Local Government publish a range of Planning Guidelines. These guidelines may be viewed on the Department web site at;
<http://www.environ.ie/en/Publications/DevelopmentandHousing/Planning/>.

3.2.2 National and Regional Context

The RPG's must conform to various national and regional policies. The Planning and Development Act, 2000 as amended, specifically requires Planning Authorities to have regard to ministerial guidelines from the Department of the Environment, Heritage and Local Government.

3.2.3 The National Development Plan 2007-2013

The National Development Plan (NDP) 2007-2013 aligns the NSS centrally within it through a specific horizontal chapter on balanced regional development. This Government commitment to aligning the regional development dimension of the NDP 2007-2013 with the NSS objectives and the prioritisation of capital investment in line with the NSS establishes the Strategy as a viable and practical policy measure to encourage more balanced regional development. This places the NSS at the heart of capital infrastructure decisions over the next seven years.

The National Development Plan forms the basis on which national capital expenditure will be based over the next number of years. It sets out within a sustainable economic and budgetary framework indicative seven-year investment allocations for the various sectoral areas.

It includes the following objectives;

- Continuing sustainable national economic and employment growth,
- Consolidating and improving Ireland's international competitiveness,
- Fostering balanced regional development,
- Promoting social inclusion.

3.2.4 National Spatial Strategy

The National Spatial Strategy ([NSS](#)) 2002-2020 (published on 28th November 2002) is a 20-year coherent national planning framework for Ireland. It aims to achieve a better balance of social, economic and physical development across Ireland, supported by more effective and integrated planning. The Minister for the Environment, Heritage and Local Government leads the Strategy's implementation. The commitment to prepare the NSS was included in the National Development Plan 2000 – 2006.

In order to drive development in the regions, the NSS requires that areas of sufficient scale and critical mass be built up through a network of gateways and hubs. While the National Development Plan 2000-2006 identified Dublin, Cork, Limerick/Shannon, Galway and Waterford as existing gateways, the NSS designated four new national level gateways - the towns of Dundalk and Sligo and the linked gateways of Letterkenny/(Derry) and the Midland towns of Athlone/Tullamore/Mullingar.

In addition, the NSS identified nine, strategically located, medium-sized "hubs" which will support, and be supported by, the gateways and will link out to wider rural areas. The hubs are Cavan, Ennis, Kilkenny, Mallow, Monaghan, Tuam and Wexford, along with the linked hubs of Ballina/Castlebar and

Tralee/Killarney, working together to promote regional development in their areas. The role of the gateways acting at the national level, together with the hubs acting at the regional and county levels, needs to be partnered by the county towns and other larger towns as a focus for business, residential, service and amenity functions. The NSS also identifies an important need to support the role of smaller towns, villages and rural areas at the local level.

The NSS is being implemented through the translation of its strategic policies into regional and local planning by regional and local authorities. It is also being implemented through the uptake of its approach into national plans and the plans and programmes of Government Departments and agencies, particularly in their investment and other plans as they relate to regional development, for example, in Transport 21, extending and upgrading municipal wastewater treatment systems, provision of schools and housing.

The NSS sets out the policies on spatial planning adopted by the Government at national level. At regional level, a key policy bridge between national development priorities and local planning has been put in place with the adoption in mid 2004 of Regional Planning Guidelines (RPGs). RPGs put in place policies to translate the overall national approach of the NSS into policies at regional and local level. While working within the national framework of gateways, hubs, other towns, villages and rural areas, the RPGs provide more detailed regional level guidance, assisting planning authorities in framing County, City and Local Area Development Plans. As well as overseeing the implementation of RPGs, the Department monitors the preparation of County, City and Local Area Development Plans to ensure that they are consistent with the objectives of the NSS.

The guiding principles of the strategy are;

- To bring people and their jobs closer together;
- To reduce the level of migration eastward;
- Facilitating north - south interaction;
- Providing a wider variety of employment and leisure options for smaller urban centres;
- Improving accessibility to facilities and services;
- Lower levels of congestion in major urban areas; and;
- Achieve a higher quality environment in both urban and rural areas.

3.2.4.1 National Spatial Strategy (NSS) Update and Outlook

Since the beginning of 2009, the Department of the Environment, Heritage and Local Government has been undertaking an NSS Update and Outlook comprising of a detailed analysis of NSS implementation to date and ongoing challenges, effectiveness of planning and delivery mechanisms at central, regional and local levels and identification of critical investments necessary to grow the gateways' and regions' economic performance and competitiveness.

In view of the current challenges facing Ireland and planning for the medium to long term, the Update and Outlook is focusing on how the NSS can contribute to economic renewal and competitiveness, through:

- enhanced prioritisation of infrastructure investment;
- strengthening governance arrangements in gateways; and
- improved integration of environmental considerations within the planning process.

The draft report is at a very advanced stage and, Minister for the Environment, Heritage and Local Government is preparing to bring the final report to Government in early Autumn 2009.

3.2.5 Shaping our Future (RDS Northern Ireland)

Shaping Our Future is a Regional Development Strategy (RDS) to guide the future development of Northern Ireland to 2025 and help meet the needs of a fast growing Region with a population approaching two million. The vision is to create an outward-looking, dynamic and livable Region and to sustain a high quality of life for all.

A long-term perspective is taken keeping the needs of future generations in mind. Thus, the recurring theme of Sustainability runs through the Regional Development Strategy (RDS), with a strong emphasis on social cohesion and economic progress.

The pivotal section is the Spatial Development Strategy (Chapter 5) which is a hub, corridor and gateway framework for regional development. It is designed to promote balanced and integrated growth across the network of Cities, Main and Small Towns, and their rural hinterlands, to enhance equality of opportunity in all parts of the Region, and offer the locational choice to meet the wider variety of needs in a divided society. The Strategy encourages the creation of balanced local communities characterised by social mix, variety of uses and a focus on 'a sense of place'.

The Spatial Development Strategy is designed to reinforce and strengthen the hubs, corridors and gateways, making best use of key regional assets to accommodate growth, through;

- Investing in the urban hubs
- Creating an upgraded and integrated transport system
- Enhancing the regional gateways

In addition to the above objectives this document is relevant as it discusses the strengthening regional cohesion and co-operation in the protection and management of the environment through:

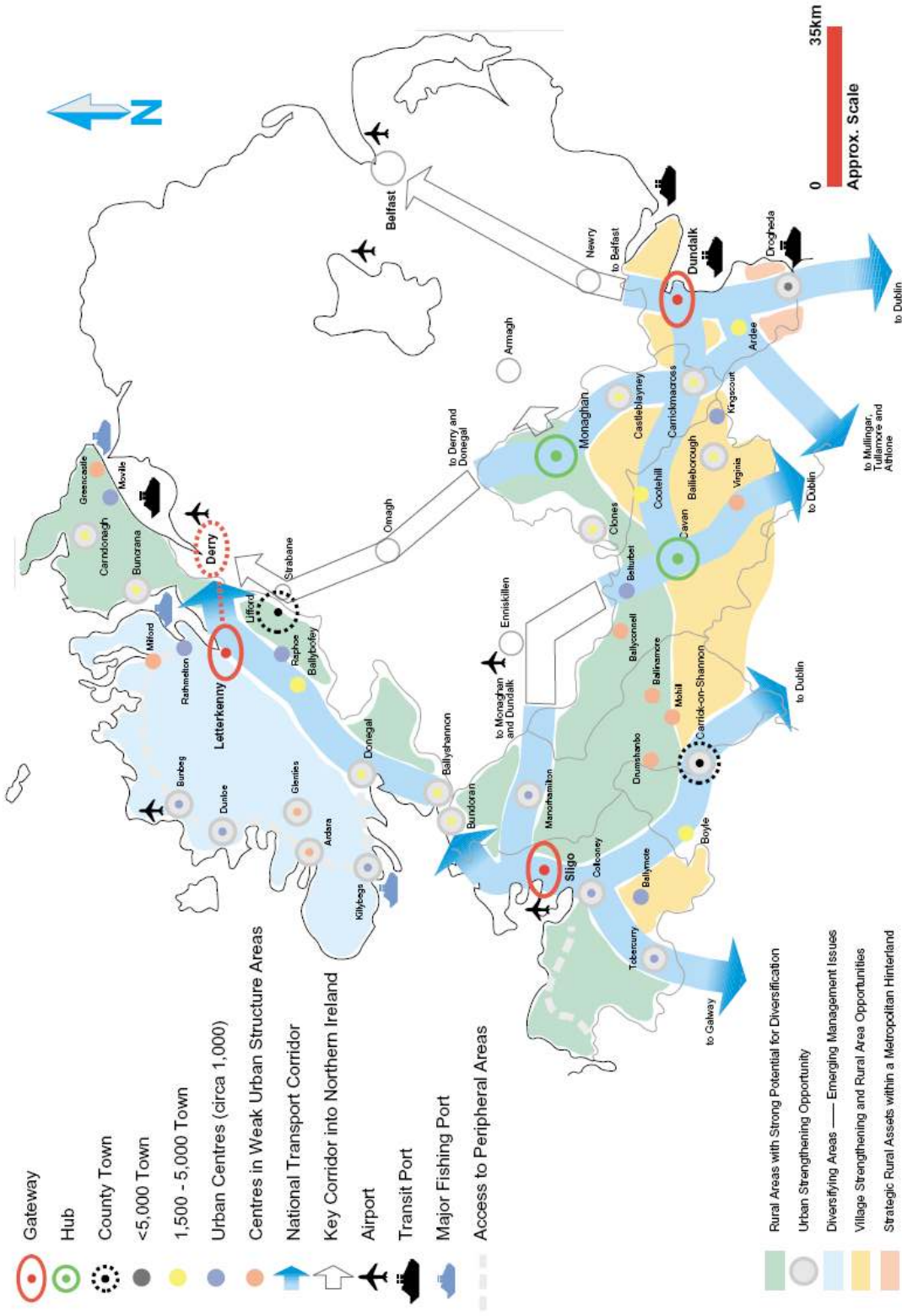
- The development of joint programmes of co-operation to share best practice in relation to the sustainable management of landscapes and ecosystems.
- Taking joint action in the environmental management of major river

basins and water catchment areas such as the Foyle River Basin, the Erne/Shannon waterway system, the Bann/Blackwater system and in Carlingford Lough.

- Making appropriate designations within the respective jurisdictions for cross-border areas requiring special protection.
- Expanding and developing cross-border cultural trails.

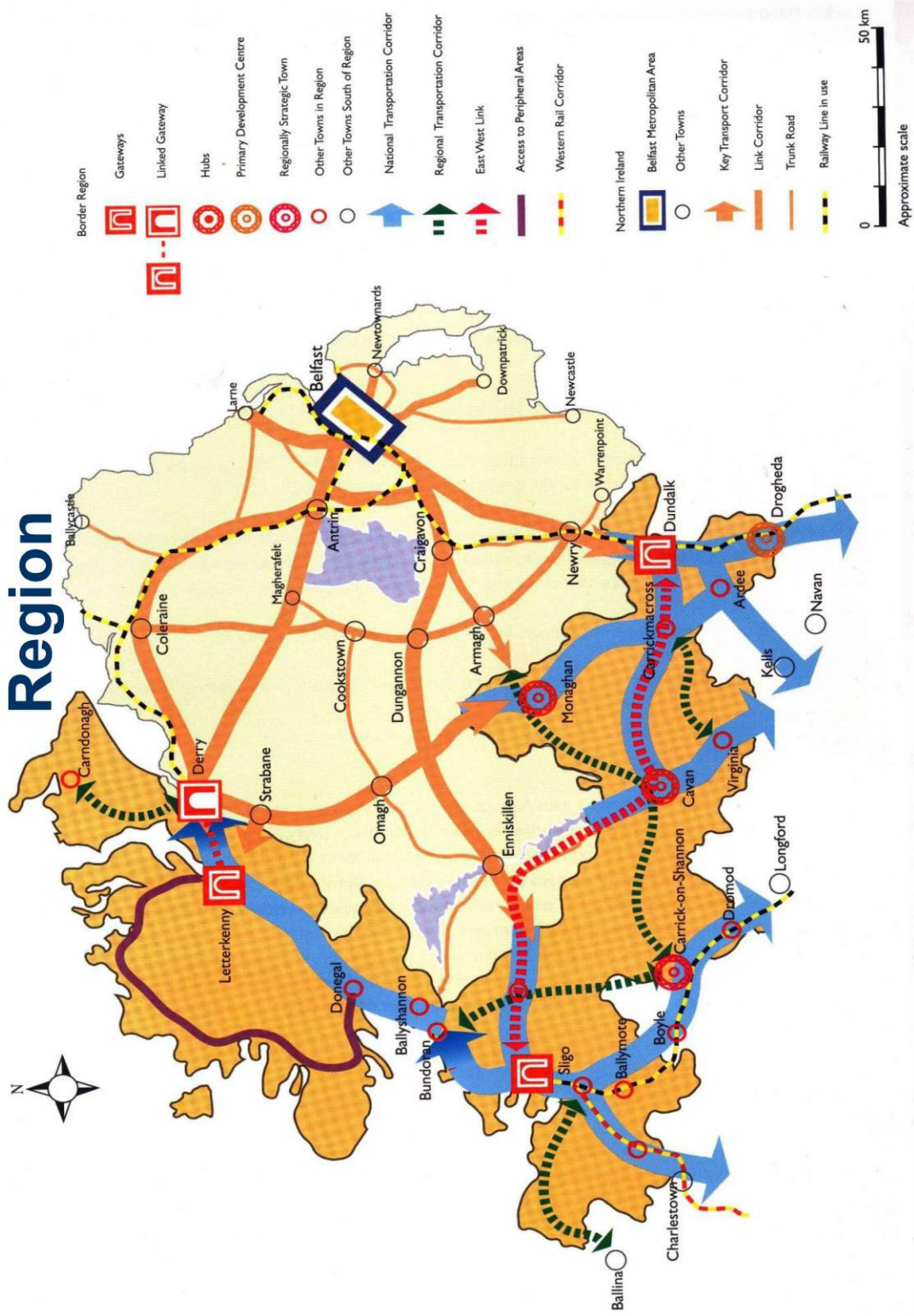
The RDS is presently under review and is due to be released in draft by the end of 2009.

Maps 2 and 3 are extracts taken from the NSS and the RDS respectively. They indicate a hierarchy of Settlements within their respective areas. They also indicate major transport corridors linking the Border Region and Northern Ireland with further links leading southwards.



Map 2 Border Region in context of National Spatial Strategy 2002 – 2020

RDS and NSS Compatibility in Border Region



Map 3 Spatial Relationship between National Spatial Strategy and Regional Development Strategy for Northern Ireland

3.2.6 North South Environmental Co-Operation

The North South Ministerial Council (NSMC), which was established under the Good Friday Agreement, comprises Ministers of the Northern Ireland Administration and the Irish Government, working together to take forward co-operation between both parts of the island to mutual benefit.

At the inaugural plenary meeting of the Council in December 1999 a range of areas for co-operation were agreed including environment and co-operation is ongoing on a range of environmental issues, including Water Quality Waste Management Research into Environmental Protection Informational Exchange and Environmental Awareness Spatial Strategy and Natural Heritage. Further details may be viewed at;

<http://www.environ.ie/en/Environment/NorthSouthUnit/#Water%20Quality>

3.2.7 Ireland's Environment 2008

Ireland's Environment 2008, the Environmental Protection Agency's fourth state of the environment report, provides an overall assessment of Ireland's environment. It reviews the quality of all aspects of the natural environment, identifies environmental pressures, and provides an assessment of the impacts and potential responses. The overall conclusion of the report is that the quality of Ireland's environment is relatively good but that there are some key environmental challenges facing Ireland resulting from the major economic, social and demographic changes that have occurred in recent years. In addition, analysis of likely future developments across all sectors of the economy suggests that pressure on environmental quality will continue to build over the next two decades.

The EPA Report, identifies environmental policy obligations which include commitments on waste, nature, water and air emissions,. According to the Report those obligations that pose the most substantial challenges include the following.

- To prevent the deterioration of water quality in any water body and to achieve 'good' status or higher for all water bodies by 2015 under the Water Framework Directive.
- Under the Kyoto Protocol to the UNFCCC, to reduce greenhouse gas emissions to 13 per cent over 1990 levels over the period 2008–2012, corresponding to average limit of 62.8 Mt CO₂e annually.
- Under the European Commission's 'Climate Action and Renewable Energy Package', to reduce greenhouse gas emissions by 20 per cent in 2020 relative to 2005 levels (equivalent to a target of 37.9 Mt CO₂e total emissions). If an international agreement is achieved, further reductions, up to 30 per cent, will be required.
- Under the Habitats and Birds Directives, to fulfil Ireland's obligations on the designation, classification, management and protection of sites.

- Under the National Emissions Ceiling Directive, to achieve the emissions reductions targets for transboundary gases, particularly with respect to nitrogen oxides (NOX) emissions.
- Under the EU Landfill Directive, progressively to reduce biodegradable municipal waste disposed in landfill to achieve a maximum of 451,000 tonnes landfilled by 2016.

3.2.8 Northern Ireland State of the Environment Report (2008)

Among the more significant environmental issues outlined in the Northern Ireland State of the Environment Report (2008) are in respect to climate change, economic growth, rural land use and water quality.

Climate Change

There is a need to greatly reduce greenhouse gas emissions and to change the way the environment is managed in order to cope with predicted changes in climate such as extreme weather conditions.

Economic Growth

Many benefits have come with economic growth along with significant environmental costs. More sustainable ways of pursuing economic expansion and limiting the impact on the environment need to be found.

Rural Land Use

More sustainable agricultural and rural land use practices need to be adopted to allow for compatibility between modern agricultural practices and a high quality environment

Water Quality

Nutrient enrichment, or eutrophication, is the greatest threat to the state of Northern Ireland waters and their biodiversity. Positive steps to address the diffuse sources of pollution causing this issue are required.

The content of both Reports, (Ireland's Environment 2008 and Northern Ireland State of the Environment Report (2008)), will be taken into consideration in the formulation of the Environmental Report.

3.2.9 National Climate Change Strategy 2007-2012

Under the Kyoto Protocol, Ireland agreed to a target of limiting its greenhouse gas emissions to 13% above 1990 levels by the first commitment period 2008 – 2012. Ireland ratified the Kyoto Protocol in 2002, along with the EU and all other Member States and is legally bound to meet the challenging greenhouse gas emissions reduction target. To ensure Ireland reaches its target and building on measures put in place following the publication of the first National Climate Change Strategy in 2000, the Government has published the new National Climate Change Strategy 2007-2012.

Human-induced climate change is a global issue and is the primary environmental challenge of the twenty first century. Increased levels of

greenhouse gases such as carbon dioxide are contributing to the natural greenhouse effect and accelerating irreversible changes in the climate. What is distinctive about the current period of global warming, compared to previous cycles of climate change, is the extent and rate of change, which exceeds natural variation. The impacts of climate change present very serious global risks and threaten the basic components of life, including health, access to water, food production and the use of land. As the earth gets warmer the damage from climate change will accelerate. In Ireland transport is by far the fastest growing sector, with emissions more than double what they were in 1990. Irish per capita emissions of greenhouse gases remain among the highest in Europe, reflecting both the large contribution from agriculture and the almost total reliance on the private car and road haulage to meet transport needs.

This Strategy and climate change in general, is relevant across a wide range of environmental topics, including Energy, Settlement patterns, Transportation, Biodiversity and Flood Risk Management.

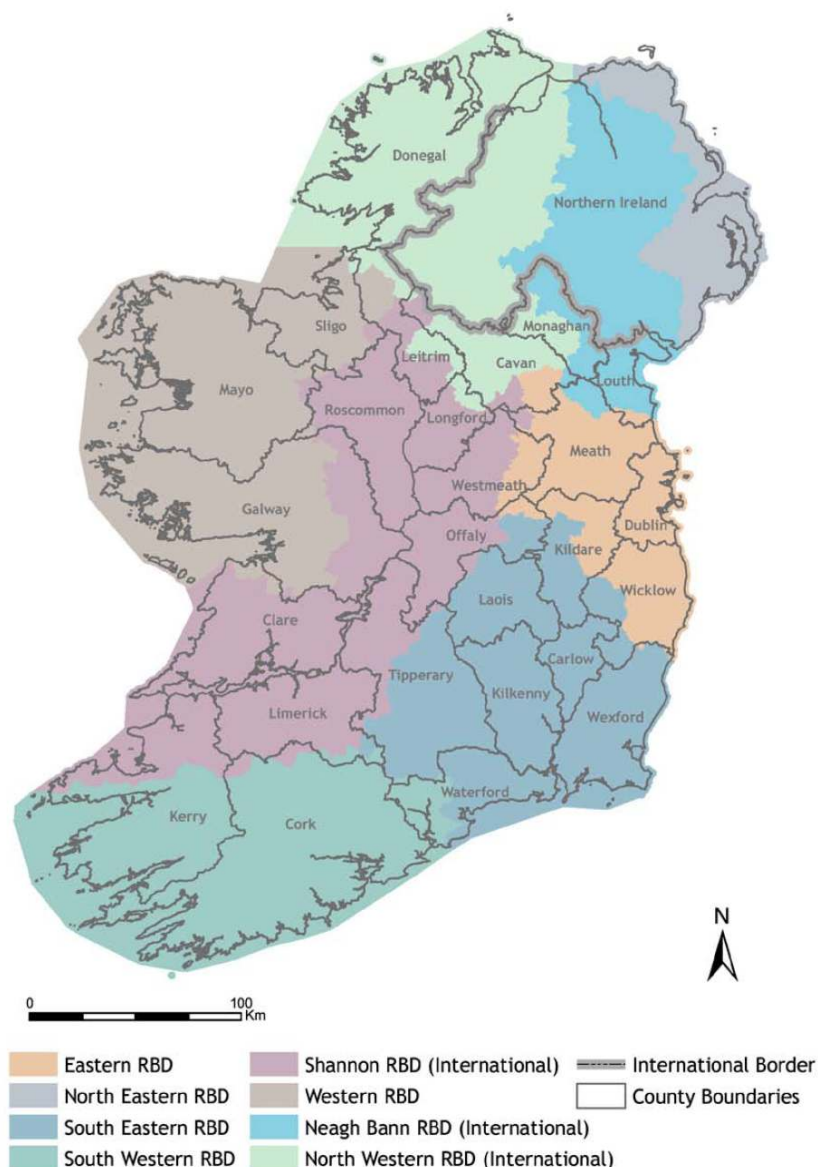
3.2.10 Delivering a Sustainable Energy Future for Ireland; The Energy Policy Framework 2007 - 2020

This White Paper sets out the Government's Energy Policy Framework 2007-2020 to deliver a sustainable energy future for Ireland. Ireland faces similar energy challenges to those being confronted worldwide. The Irish situation is made more acute by the small internal energy market, peripherality and limited indigenous fuel resources. Sustained economic and population growth during the Celtic Tiger period has also added to the challenges for Irish energy policy. There are however major opportunities to be realised in harnessing the full potential of renewable and bioenergy resources. The framework sets out plans for reducing energy demand and energy related emissions through ambitious renewable energy targets (including co-firing biomass with peat), new state-of-the-art power generation plant and interconnection to wider markets which will contribute in a major way to national climate change targets. The White Paper includes actions to ensure security of energy supply, actions to promote the sustainability of energy supply and use, actions to enhance the competitiveness of energy supply and an integrated approach to delivery. Energy supply actions include ensuring that electricity supply consistently meets demand, ensuring the physical security and reliability of gas supplies to Ireland, enhancing the diversity of fuels used for power generation, delivering electricity and gas to homes and businesses over efficient, reliable and secure networks, creating a stable attractive environment for hydrocarbon exploration and production and being prepared for energy supply disruptions. The actions to promote the sustainability of energy supply and use include addressing climate change by reducing energy related greenhouse gas emissions, accelerating the growth of renewable energy sources, promoting the sustainable use of energy in transport, delivering an integrated approach to the sustainable development and use of bioenergy resources, maximising energy efficiency and energy savings across the economy, accelerating energy research development and Innovation and programmes in support of sustainable energy goals. The

actions to enhance the competitiveness of energy supply include delivering competition and consumer choice in the energy market, delivering the all-island energy market framework, ensuring that the regulatory framework meets the evolving energy policy challenges, ensuring a sustainable future for semi-state energy enterprises, ensuring affordable energy for everyone and creating jobs, growth and innovation in the energy sector and an integrated approach to delivery. Finally, the integrated approach to delivery includes strengthening national capabilities in the energy policy field, ensuring a whole of Government approach to energy policy, reaching out to stakeholders in implementing the strategic goals for energy and ensuring accountability and transparency through regular progress reporting and review

3.2.11 Water Framework Directive 2000

The Water Framework Directive (WFD) sets a framework for the comprehensive management of water resources in the European Community. It addresses inland surface waters, estuarine and coastal waters and groundwater. The fundamental objective of the Water Framework Directive aims at maintaining “high status” of waters where it exists, preventing any deterioration in the existing status of waters and achieving at least “good status” in relation to all waters by 2015. Member States will have to ensure that a co-ordinated approach is adopted for the achievement of the objectives of the WFD and for the implementation of programmes of measures for this purpose. Irrespective of political boundaries, the river basin is the natural unit for water management; Ireland is divided into eight (8) River Basin Districts. The bulk of the Border Region lies within two river basin districts shared with Northern Ireland. These are the (2) of which impact upon County Louth. The bulk of County Louth falls within the Neagh Bann International River Basin District, much of which is shared with large areas of Northern Ireland. The remainder of the County, primarily to the south, lies within the Eastern river Basin District.



Map 4 River Basin Districts on the Island of Ireland (Source: DELG and DEHLG, 2003)

The North South (NS) Share River Basin District Project is the vehicle for delivering the objectives of the Water Framework Directive within the three River Basin Districts listed below. The project has been superseded by the NS SHARE2 project which operates until January 2010 and will deliver final River Basin Management Plans. The North South Share Project comprises of three river basin districts.

1. North Western International River Basin District
2. Neagh Bann International River Basin District
3. North Eastern River Basin District

The North Western and Neagh Bann River Basin Districts are shared between the Republic of Ireland and Northern Ireland whilst the North Eastern RBD is

completely within Northern Ireland. Further detail in respect to the NS Project may be viewed at; <http://www.nsshare.com/index.html>

The impact of RBMPs on regional planning is considered significant. RBDs include various counties due to their sheer size. It is considered appropriate that RBMPs are considered in parallel with regional spatial plans as they operate at similar spatial scales. The assessment of RBMPs in the Border Region will be closely linked and coordinated with the RPG review process.

3.2.12 Irish Coastal Protection Strategy Study (ICPSS)

The Department of Agriculture, Fisheries and food is currently engaged in a detailed study of possible coastal flooding scenarios for the entire Irish coast. The study, entitled the Irish Coastal Protection Strategy Study (ICPSS) will examine how to best manage the risks associated with Coastal Flooding and Erosion. Among other aims the study will develop a GIS based coastal database, identify extreme flood outline scenarios for individual locations, identify indicative flood plains, identify erosion risk outlines for the years 2030 and 2050, provide an economic assessment of assets at risk from coastal flooding and erosion, develop a storm surge prediction model, and a coastal flood warning system. The draft ICPSS reports are to be issued for consultation with local authorities during the course of the development plan period. The initial findings of the ICPSS provide detailed scenarios for the east of the Region centred upon County Louth.

3.2.13 Waste Management Plans

Under Part II of the 1996 Waste Management Act (as amended) local authorities are required to make waste management plans in respect of their functional areas. The Environmental Protection Agency is required to make a national hazardous waste management plan.

The statutory objective of these plans is to -

- prevent or minimise the production and harmful nature of waste,
- encourage and support the recovery of waste,
- ensure that such waste as cannot be prevented or recovered is safely disposed of, and
- address the need to give effect to the polluter pays principle, in relation to waste disposal.

3.2.14 Local/Regional Waste Management Plans

All local authorities have now reviewed their Regional Waste Management Plans. It is evident from the plans that local authorities have been guided by the various policy statements on waste. In particular, these plans make provision for the development of an integrated waste management infrastructure, including

- "kerbside" collection of recyclable materials in urban areas;
- "bring" facilities for recyclable materials in rural areas;
- civic amenity sites and waste transfer stations;

- biological treatment of "green" and organic household waste;
- materials recovery facilities;
- recycling capacity for construction and demolition waste; thermal treatment facilities; and
- residual landfill requirements.

Nationally there are 10 Waste Management Plans. Within the Border Region, Donegal is governed by the Donegal Waste Management Plan, Sligo and Leitrim are governed by the Connacht Waste Management Plan and Cavan, Monaghan and Louth are governed by the North East Waste Management Plan.

3.2.15 EPA National Hazardous Waste Management Plan

Under the Waste Management Act 1996, as amended, the Environmental Protection Agency (EPA) is required to make a national hazardous waste management plan which, among other things, deals with the prevention of hazardous waste and the setting of targets towards this goal, identifying facilities currently available for the collection, recovery or disposal of hazardous wastes, and make recommendations regarding infrastructure, waste facilities and other physical resources considered to be necessary for the management of these wastes.

4 Habitats Directive Assessment

The requirements relating to the assessment of Land Use Plans in respect to Natura 200 sites (SAC's and SPA's) are set out in Article 6 of the Habitats Directive (43/92/EU). In accordance with the requirements of the Directive and as outlined in Department of the Environment Heritage and Local Government (DEHLG) Circular letter SEA 1/08 & NPWS 1/08 dated 15 February, 2008, the RPG's must be 'screened' to determine whether an Appropriate Assessment is required. It is proposed that a separate Habitats Directive Report will be prepared in parallel with the SEA process, and will be suitably integrated into the Environmental Report. The report will be prepared having regard to the Guidelines set out by the (DEHLG) and in particular to the Draft Guidance Note entitled "Regional Planning Guidelines and Habitats Directive Assessment" issued in June 2009.

Birds Directive

Council Directive 79/409/EEC on the conservation of wild birds, commonly referred to as the Birds Directive, is the EU's oldest piece of nature legislation and one of the most important, creating a comprehensive scheme of protection for all wild bird species naturally occurring in the Union. It was adopted unanimously by the Member States in 1979 as a response to increasing concern about the declines in Europe's wild bird populations resulting from pollution, loss of habitats as well as unsustainable use. It was also in recognition that wild birds, many of which are migratory, are a shared heritage of the Member States and that their effective conservation required international co-operation. Council Directive No. 79/409/EEC of 2nd April 1979 (Birds Directive) on the conservation of wild birds is implemented in Ireland under the Wildlife Acts. Under the terms of the Directive all member States of the European Union, including Ireland, are bound to take measures to protect all wild birds and their habitats.

The directive recognises that habitat loss and degradation are the most serious threats to the conservation of wild birds. It therefore places great emphasis on the protection of habitats for endangered as well as migratory species (listed in Annex I), especially through the establishment of a coherent network of Special Protection Areas (SPAs) comprising all the most suitable territories for these species. Since 1994 all SPAs form an integral part of the NATURA 2000 ecological network.

The Directive allows for the making of derogations from its protective measures where the species covered by the declaration are causing damage to crops, livestock and fauna or represent a threat to public health or to air safety.

Further information on this Directive may be obtained at the following web site;

http://ec.europa.eu/environment/nature/legislation/birdsdirective/index_en.htm

5 Alternative Approaches to the making of the Guidelines

Article 5 of the SEA Directive requires the Environmental Report to consider “reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme” and the significant environmental effects of the alternatives selected.

In accordance with Article 5, the Report should ensure that;

- ‘Reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme, are identified, described and evaluated’ (Article 5.1)
- The Environmental Report includes ‘an outline of the reasons for selecting the alternatives dealt with’ (Annex 1(h))
- A statement is prepared summarising ‘... the reasons for choosing the plan or programme as adopted, in the light of the reasonable alternatives dealt with.’ (Article 9.1(b))

As outlined in DEHLG SEA Guidelines, certain strategic issues have already been determined at national or regional level. Also, lower tier plans such as Area Plans, will be framed in a policy context set by levels above them. The preparation of RPG’s must have regard to national and regional policy and guidelines and demonstrate consistency with same. Having regard to the foregoing the strategic alternatives available in the RPG’s are limited.

It is a requirement under the Schedule 2B of the Planning and Development (SEA) Regulations 2004 to give; “an outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know-how) encountered in compiling the required information...”

In accordance with the above requirements it is intended that a number of ‘reasonable alternatives’ will be formulated and evaluated and suitably presented within the Environmental Report.