

Amendment

No.1



Comhairle Contae an Chláir  
Clare County Council

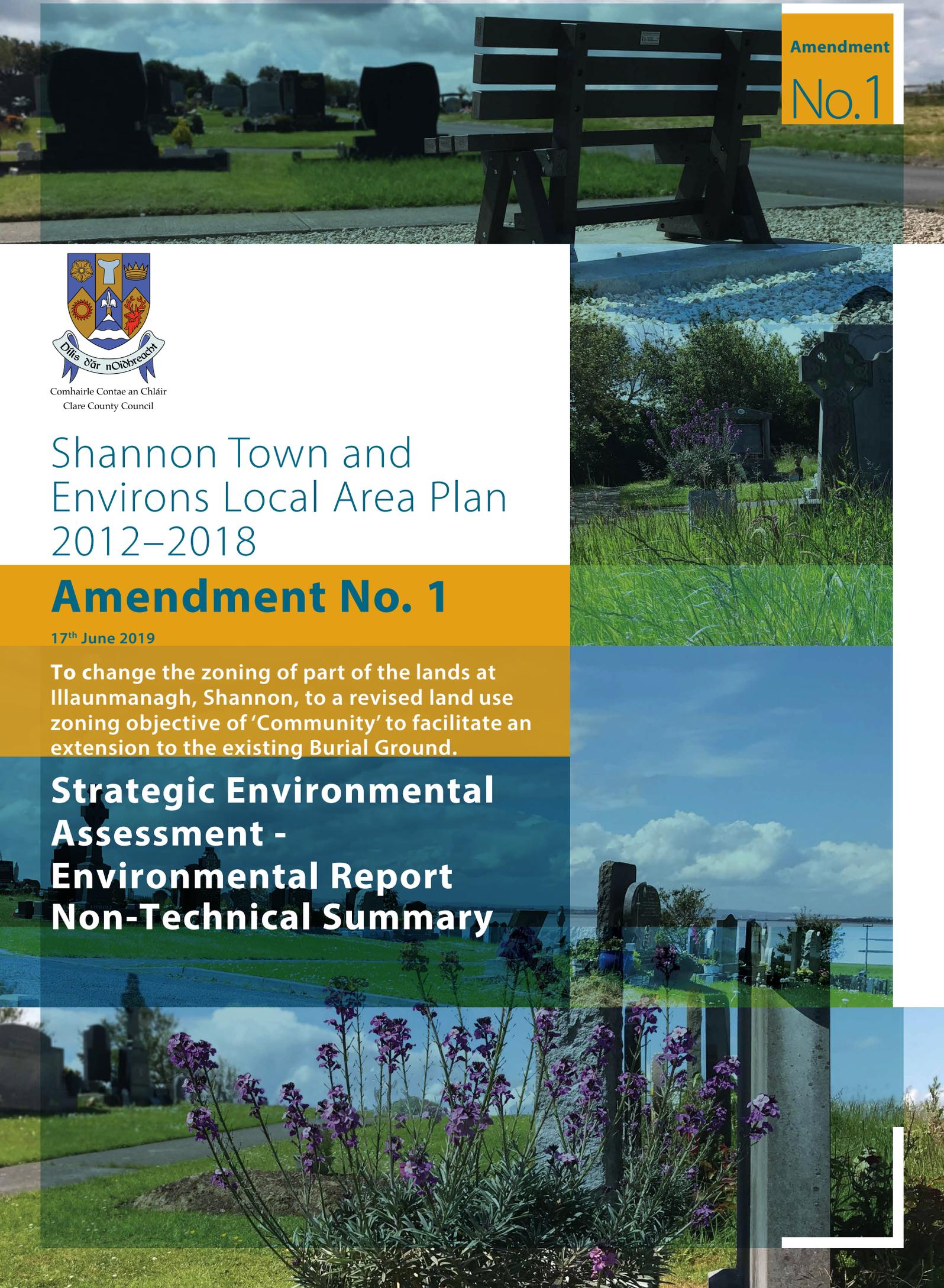
# Shannon Town and Environs Local Area Plan 2012–2018

## Amendment No. 1

17<sup>th</sup> June 2019

To change the zoning of part of the lands at Illaunmanagh, Shannon, to a revised land use zoning objective of 'Community' to facilitate an extension to the existing Burial Ground.

### Strategic Environmental Assessment - Environmental Report Non-Technical Summary



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# 1 INTRODUCTION

The Shannon Town and Environs Local Area Plan (LAP) 2012 – 2018 sets out the land-use plan for the proper planning and sustainable development of the settlement of Shannon and its environs. On 12<sup>th</sup> June 2017, the elected members of Clare County Council resolved to defer the making of a new Shannon Town and Environs LAP for a period not exceeding five years, and therefore the 2012 – 2018 LAP remains in effect until a new Plan is made in 2023.

Under Section 18 of the Planning and Development Act 2000 (as amended), Clare County Council now intends to amend the Shannon Town and Environs LAP 2012 – 2018, to change the zoning of part of the lands at Illaunmanagh, from 'Open Space OS5' to 'Community C18', in order to facilitate an extension to the existing Burial Ground at this location.

Strategic Environmental Assessment (SEA) is the formal, systematic evaluation of the likely significant environmental effects of implementing a plan or programme, or modification to a plan or programme, before a decision is made to adopt it. The main stages of the SEA process are:

- Screening: determining whether or not SEA is required;
- Scoping: determining the range of environmental issues to be covered by the SEA – includes consultation with statutory consultees;
- **Identification, evaluation and mitigation of potential impacts and preparation of the Environmental Report (current stage);**
- Consultation, revision and post-adoption activities, including:
  - Public consultation on the Draft Plan/Programme and associated Environmental Report;
  - Evaluation of submission and observations made on the Draft Plan/Programme and associated Environmental Report;
  - Integration of environmental considerations into the final Plan/Programme;
  - Issuing the SEA Statement: describes the rationale for decisions taken and extent to which environmental considerations and consultation have been integrated into the final Plan/Programme.
  - Monitoring: monitoring of environmental effects over the lifetime of the Plan/Programme

Screening and Scoping have been completed. An SEA Environmental Report has now been prepared, which sets out the results of the environmental assessment of the proposed amendment to the Shannon Town and Environs LAP 2012 – 2018.

## 2 PROPOSED AMENDMENT TO SHANNON TOWN AND ENVIRONS LAP 2012-2018

The Shannon Town and Environs Local Area Plan (LAP) 2012 – 2018 consists of a written statement and a land-use zoning map. The zoning strategy for the LAP area was prepared in accordance with the overall strategy of the Clare County Development Plan, which sets the policy framework to ensure that the availability and orderly development of suitably zoned lands, housing in the countryside and infrastructure provision are sufficient to accommodate the population requirements within the lifetime of the Plan.

Under the proposed amendment to the LAP, Clare County Council proposes to change the zoning of part of the lands at Illaunmanagh, Shannon, which are currently zoned as 'Open Space OS5' to a revised land-use zoning of 'Community C18' in order to facilitate an extension to the existing Burial Ground at this location. The proposed amendment area measures approximately 1.25 hectares. The proposed land-use zoning for the amendment area is as follows;

### **Community C18**

*"The lands are zoned as Community to solely facilitate the extension of the Illaunmanagh Burial Ground. Any proposed development to extend the Burial Ground onto these lands shall be subject to the requirement to undertake an appropriate assessment at project level."*

### 3 SEAMETHODOLOGY

The purpose of Strategic Environmental Assessment (SEA) is to facilitate environmental protection and to ensure the integration of environmental considerations into the adoption of a proposed plan or programme, or amendment to a plan or programme.

The SEA of the proposed amendment to the Shannon Town and Environs LAP 2012 – 2018 has been carried out in line with best practice guidance and methodology, including the following:

- *'SEA of Local Authority Land Use Plans - EPA Recommendations and Resources'* (EPA, 2019)
- *'SEA Pack'* (EPA, 2018)
- *'SEA Spatial Information Sources Inventory'* (EPA, 2018)
- *'Developing and Assessing Alternatives in Strategic Environmental Assessment (SEA)'* (EPA, 2015)
- *'Integrating Climate Change into Strategic Environmental Assessment in Ireland - A Guidance Note'* (EPA, 2015)
- *'Assessment of the Effects of Certain Plans and Programmes on the Environment - Guidelines for Regional Authorities and Planning Authorities'* (Department of the Environment, Heritage and Local Government, 2004)
- *'Development of Strategic Environmental Methodologies for Plans and Programmes in Ireland'* (EPA, 2003)

The Environmental Report has been prepared in accordance with Article 8 (14D) of the Planning and Development (SEA) Regulations 2004, as amended by the Planning and Development (SEA) (Amendment) Regulations 2011, which sets out the required contents of the Environmental Report.

As part of the overall process of environmental assessment, a screening for Appropriate Assessment (AA) has also been carried out in accordance with the Habitats Directive (92/43/EEC) and S.I. No. 477/2011 (the European Communities (Birds and Natural Habitats) Regulations 2011). Where there is potential for significant or indeterminate effects on the conservation objectives of any European site(s) as a result of implementation of a proposed Plan/Programme or amendment to a Plan/Programme, an Appropriate Assessment must be undertaken by the competent authority, based on objective scientific information. This information is presented in a Natura Impact Report (NIR). The AA screening exercise of the proposed amendment to the Shannon Town and Environs LAP 2012 – 2018 concluded that the potential exists for effects on the conservation objectives of European sites, and therefore an AA and the preparation of an NIR has also been carried out.

## 4 RELEVANT PLANS AND PROGRAMMES

The Shannon Town and Environs Local Area Plan (LAP) 2012 – 2018 sits within a hierarchy of legislation, plans, programmes and strategies, which includes international, EU, national, regional and local levels. The LAP must comply with relevant higher-level legislation, plans and strategic actions and may, in turn, guide lower level strategic actions.

The Shannon Town and Environs LAP 2012 – 2018 was prepared with cognisance of the relevant spatial planning policies and objectives of the Clare County Development Plan 2011 – 2017 (i.e. the Plan in place at the time of its preparation), which was subject to SEA prior to its adoption. The Shannon Town and Environs LAP 2012 - 2018 is also required to comply with the current Clare County Development Plan 2017 – 2023 (as varied), which was also subject to SEA.

Some of the key Plans, Programmes and Policies of key relevance to Clare County Council and the Shannon Town and Environs LAP 2012 - 2018 include:

- Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (Habitats Directive)
- Directive 2000/60/EC Water Framework Directive as amended
- Directive 2007/60/EC Flood Risk Management Assessment and Management of Flood Risk
- National River Basin District Management Plan (2018)
- Project 2040 National Planning Framework (2018)
- The Planning System and Flood Risk Management – Guidelines for Planning Authorities 2009
- Clare County Development Plan 2017 – 2023 (as varied)
- Draft Regional Spatial and Economic Strategy for the Southern Region
- Shannon Estuary Strategic Integrated Framework Plan for the Shannon Estuary 2013 – 2020
- Shannon Municipal District Written Statement & Settlement Plans (Vol 3b of Clare County Development Plan 2017 – 2023 (as varied))

## **5 DESCRIPTION OF THE ENVIRONMENTAL BASELINE**

### **5.1 Population**

Shannon is located on the River Shannon, which forms part of the southern boundary of County Clare. The settlement is defined by a number of component parts, namely Shannon Airport, Shannon Free Zone and Smithstown Industrial Estates, Shannon town, Hurlers Cross and agricultural lands to the east, west and north. Shannon is a major industrial and employment centre base for a broad range of economic sectors within County Clare and the wider region.

The population of the Shannon Town and Environs LAP 2012-2018 area as recorded during the 2016 Census is 9,729 persons. The analysis of population trends over time shows that population growth levels within the area have been consistent over time, however, slower than originally predicted.

### **5.2 Biodiversity, Flora and Fauna**

The landscape surrounding Shannon town, Shannon Freezone and Shannon Airport is predominantly agricultural land, interspersed with pockets of woodland and scrub, small lakes (Ballycunneen Lough), rivers and streams, extensive hedgerows and field boundaries, and various types of grasslands, particularly wet grassland. The Shannon Estuary is a significant part of the Shannon Town and Environs LAP 2012-2018 area also, and of key biodiversity importance.

There are two Natura 2000 sites located within the boundary of the Shannon Town and Environs LAP 2012 - 2018: the Lower River Shannon SAC, and the River Shannon and River Fergus Estuaries Special Protection Area (SPA). Where a plan or project is likely to have a significant effect upon a European site (either individually or in-combination with other plans or projects) an appropriate assessment (AA) is required under Article 6(3) of the Habitats Directive (Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora). An appropriate assessment of the proposed amendment to the Shannon Town and Environs LAP 2012 - 2018 has been carried out, the results of which are presented in a Natura Impact Report which forms part of the proposed amendment for public display and consideration.

There is one proposed Natural Heritage Area (pNHA) located within the Plan area boundary; the Fergus Estuary and Inner Shannon, North Shore pNHA.

### **5.3 Soil and Geology**

A large proportion of the Shannon Town and Environs LAP 2012 – 2018 Plan Area has no soil grouping, however the main Great Soil Groups in the Area are Gleys, Grey Brown Podzolics and Brown Earths. The proposed Amendment site is located in an area with deep well-drained mineral soils, derived from mainly calcareous parent materials. This defines the soil type of this area as being typical of grey brown podzolics and brown earths. The adjacent soil type is made of marine/estuarine sediments due to proximity to the estuary.

The geology of the landscape surrounding the Fergus Estuary and Upper Shannon Estuary, including the Shannon Town and Environs Plan Area, is underlain predominantly by limestone. There are areas of exposed limestone, or where the bedrock is within one metre of the surface, and the majority of the area is overlain by limestone derived till or estuarine sediment.

## 5.4 Water

The Water Framework Directive (WFD) groundwater status in the Shannon Town and Environs LAP 2012 - 2018 Area is determined to be of 'good' status.

The most notable surface water features within the Plan Area are the Shannon Estuary and Fergus Estuary which together form the country's largest estuarine complex. The latest Environmental Protection Agency (EPA) Water Quality Report (*'Water Quality in 2017: an Indicator's Report'*, EPA, 2018) notes that the number of river water bodies at satisfactory quality (high or good) declined in 16 catchments, including the Upper Shannon and Shannon Estuary South. It also states that since 2007, there has been a significant decrease in dissolved inorganic nitrogen in seven water bodies, including the Fergus Estuary in Co. Clare.

The principal source supplying water to the Plan Area is the Castle Lake scheme. Castle Lake is a proposed Natural Heritage Area (pNHA), which feeds the Owenogarney or Ratty River, which in turn forms part of the Ratty River Cave Special Area of Conservation (SAC) and flows into the Shannon Estuary.

Management of flood-related issues is of critical importance to the future sustainable development of Co. Clare. The Clare County Development Plan 2017 – 2023 (as varied) includes a Strategic Flood Risk Assessment (SFRA) for the county. Within the Shannon settlement, the SFRA notes there is a coastal, tidal and fluvial risk of flooding, as well as risk of defence overtopping or breach. Much of Shannon consists of low-lying coastal flatlands, protected from tidal flooding by embankments at a level of approximately 7.3 metres O.D. The current proposed amendment has been subject to a Strategic Flood Risk Assessment, the conclusion of which states "The flood risk assessment confirms that as the proposed Amendment site is within Flood Zone C, it is at low risk of flooding and the amendment as proposed is considered appropriate."

It is an objective of the Clare County Development Plan 2017 – 2023 (as varied) to ensure that proposals for development in areas where there is a risk of flooding, (based on the Flood Risk Maps contained in Volume 2 of the Clare County Development Plan 2017-2023 (as varied), or any updated version), shall have regard to *'The Planning System and Flood Risk Management (and Technical Appendices) - Guidelines for Planning Authorities 2009'* and any future OPW flood assessment information.

## 5.5 Air and Climate

The EPA has installed a number of air quality monitoring stations throughout Ireland, including Shannon. The index rating derived at Shannon is for overall air quality in Zone D which is made up of rural parts of the country, villages and towns. Currently the air quality there is 'Good'.

County Clare has a temperate oceanic climate, resulting in mild winters and cool summers. Ireland is a Party to the Kyoto Protocol and the Paris Agreement, which are international agreements that sets limitations and reduction targets for greenhouse gases for developed countries.

## 5.6 Material Assets

### Transportation

The Shannon Town and Environs LAP 2012 – 2018 area includes the following key transport infrastructure:

- Shannon Airport
- N18/M18 Motorway
- N19 National Primary Road

- R471 Regional Road- Shannon to Sixmilebridge
- R472 Regional Road - Shannon to Newmarket on Fergus
- Shannon Estuary

#### **Waste Management**

There are currently two waste facilities within the Shannon Town and Environs LAP Plan Area; Enva Ireland Limited (Shannon) Hazardous Waste Facility and Tradaree Point Sludge Treatment Facility.

#### **Water Supply**

Water supply in the Shannon Town and Environs LAP 2012-2018 Area is derived from the Castle Lake scheme at Sixmilebridge. Shannon Airport has its own water supply independent from the Castle Lake public supply which serves the majority of the plan area. This supply is derived from Rosroe Lough.

#### **Wastewater Management**

The Plan Area relies principally on wastewater treatment plants and individual septic tank units. The safe treatment and disposal of sewerage is fundamental to the sustainable development of our society.

### **5.7 Cultural Heritage**

The Shannon Town and Environs LAP 2012 – 2018 Plan Area has an important built heritage, including archaeological and architectural heritage.

The Record of Protected Structures (RPS) and Architectural Conservation Areas (ACAs), together with policies pertaining to the protection of vernacular and industrial architecture, cover the architectural heritage of Co. Clare. There are three structures within the Plan Area included on the Record of Protected Structures. The nearest of these to the proposed amendment area is Hastings Cottage located at Illaunamanagh Point. Hastings Cottage is now almost completely ruined and overgrown and lies adjacent to the eastern boundary of the graveyard. Clare County Council intends to facilitate the sensitive restoration of this important historical building and site, subject to the consideration of all environmental constraints.

The protection of archaeological areas and sites is covered by the legislation contained in the National Monuments Acts 1930 to 1994 (as amended) and covers man-made structures built prior to the year 1700 AD, with some exceptions. The significant breadth of archaeological heritage within the Plan Area varies from castles, churches, graveyards, earthworks, enclosures, ring forts, Fulacht Fia and megalithic wedge tomb which contribute in total to over 70 recorded monuments.

### **5.8 Landscape**

The proposed amendment area of the Shannon Town and Environs LAP 2012 – 2018 is located within a Clare County Council Heritage Landscape: Heritage Landscape 3 – The Fergus/Shannon Estuary. Heritage Landscapes define places where the majority of County Clare’s sensitive environmental resources – scenic, ecological and historic – occur together. The principle role of Heritage Landscapes is to sustain natural and cultural heritage. These landscapes have to continue to evolve to accommodate both the renewal of existing houses, farms, roads, power-lines etc., as well as the development of new facilities needed to support the community.

A Landscape Character Assessment of Co. Clare was published by Clare County Council in 2003 and provides an analysis of the character, value, and sensitivity of

landscapes identified within the County. The Landscape Character Assessment identifies Landscape Character Types, Landscape Character Areas and Seascape Character Areas.

The Shannon Town and Environs LAP 2012 – 2018 area encompasses the Landscape Character Types of River Valley Farmland, Built-up Areas and Flat Estuarine Farmland and Islands. It also encompasses the Landscape Character Areas of Sixmilebridge Farmland and Fergus Estuary, and the Seascape Character Areas of the Fergus Estuary.

## 6 STRATEGIC ENVIRONMENTAL OBJECTIVES

Strategic Environmental Objectives (SEOs), or environmental protection objectives, are methodological measures against which the environmental effects of a proposed Plan/Programme, or amendment to a Plan/Programme, can be assessed. The use of SEOs allows for the identification of areas in which potential adverse impacts are likely to occur as a result of implementation of the Plan/Programme. As part of the SEA process, measures can then be identified to avoid, reduce or mitigate such impacts.

The proposed amendment to the Shannon Town and Environs LAP 2012 - 2018 has been assessed against the same SEOs used for the original Plan. However, as part of this exercise, the original SEOs have also been reviewed against those used in the environmental assessment of the current Clare County Development Plan 2017 – 2023 (as varied), and updated where relevant.

The SEOs for the assessment of the proposed amendment are set out under the headings of Population, Biodiversity: Flora and Fauna, Soil and Geology, Water, Air and Climate, Material Assets, Cultural Heritage and Landscape. Material Assets encompass the topics of Transportation, Waste Management, Water Supply, Wastewater Treatment Infrastructure and Renewable Energy.

## 7 IMPACT ASSESSMENT

The results of the impact assessment are set out in matrix format and use the following broad scale rating system to indicate potential environmental effects:

- **Positive effect:** a change which improves the quality of the environment
- **Negative effect:** a change which reduces or lessens the quality of the environment
- **Neutral effect:** a change which does not affect the quality of the environment
- **Uncertain effect:** the scale and nature of the effect, either positive or negative, cannot be determined at this stage

Overall, it has been assessed that the effects on the environment of implementing the proposed amendment to the Shannon Town and Environs LAP 2012 – 2018 are predominantly neutral, i.e. a change which does not affect the quality of the environment.

A potential negative effect on the environment has been identified in relation to two SEOs:

- **Population P5:** Provision of green spaces for amenity.
- **Biodiversity B11:** Promote green infrastructure networks, including riparian zones and wildlife corridors.

Within the context of the overall Plan area, and the remaining total area that is currently zoned as Open Space, it is not considered that the proposed amendment will have a *significant* negative effect on the environment. Notwithstanding this, the potential negative effects are further addressed in Section 8 of the Environmental Report on mitigation measures.

The potential for a positive effect on the environment has also been identified in relation to two SEOs:

- **Cultural Heritage CH1:** Protect and conserve the cultural heritage including the built environment and settings; archaeological (recorded and unrecorded monuments), architectural (Protected Structures, Architectural Conservation Areas, vernacular buildings, materials and urban fabric) and manmade landscape features (e.g. field walls, footpaths, gate piers etc.).
- **Landscape L4:** Minimise visual impacts through appropriate design, assessment and siting.

The SEA process is also required to take account of reasonable alternatives, having regard to the objectives and geographical scope of the Plan/Programme under assessment. With regard to the proposed amendment to the Shannon Town and Environs LAP 2012 – 2018, the purpose of this amendment is solely to facilitate an extension to Illaunmanagh Burial Ground. The existing graveyard at Illaunmanagh is bordered by lands zoned as Open Space, the use of which for a cemetery is listed within the current Plan as 'not normally permitted'. Under the current Land Use Zoning Matrix, a cemetery is however considered as an 'open to consideration' use within lands zoned as Community, Commercial or Agriculture. The existing Illaunmanagh Burial Ground is currently zoned for Community use and it is therefore considered that this zoning is the most appropriate type for the proposed extension area.

## 8 MITIGATION MEASURES

The SEA Directive requires that where significant adverse environmental effects associated with the implementation of a proposed Plan/Programme are identified, a clear link should be presented with relevant and appropriate mitigation measure(s). Mitigation measures are required to prevent, reduce and as fully as possible offset any significant effects on the environment of implementing the Plan/Programme.

No significant adverse environmental effects have been identified during the assessment of the proposed amendment to the Shannon Town and Environs LAP 2012 – 2018. A potential negative effect was identified in relation to SEO Population P5: Provision of green spaces for amenity, and SEO Biodiversity B11: Promote green infrastructure networks, including riparian zones and wildlife corridors. It is not considered that this will give rise to any significant negative effects on the environment. In terms of mitigation however, any works carried out within the subject area at Illaunmanagh as a result of the proposed amendment will remain subject to the statutory planning and environmental framework and the relevant policies and objectives set out in the current LAP and Clare County Development Plan 2017 – 2023 (as varied).

## 9 MONITORING

As set out in the SEA Environmental Report on the current Shannon Town and Environs LAP 2012 – 2018, Clare County Council is responsible for monitoring implementation of the Plan. This includes:

- collating existing relevant monitored data,
- devising a monitoring programme,
- Preparation and publication of a monitoring report,
- ensuring all relevant agencies are aware of their involvement,
- ensuring all arrangements are in place for the timely collection of monitoring data,
- evaluating the results of monitoring and/or the carrying out of corrective action, if necessary

While considerable environmental data is directly available to the Local Authority, for example, water quality, recycling rates, etc., the Council also works with other agencies with environmental mandates, such as the Environmental Protection Agency, National Parks and Wildlife Service, and Inland Fisheries Ireland, to gather data for the purposes of monitoring implementation of the Plan.

Monitoring of the proposed amendment to the Shannon Town and Environs LAP 2012 – 2018 will be incorporated into the existing LAP monitoring programme. This monitoring is based on a series of targets and indicators identified during preparation and assessment of the Plan, which measure changes in the environment, especially changes which are critical in terms of environmental quality, for example, water or air pollution levels.

## 10 NEXT STEPS

The proposed amendment to the Shannon Town and Environs LAP 2012 – 2018, along with the Environmental Report and the Natura Impact Report, will be placed on public display in the offices of Clare County Council and made available on the Clare County Council website at: [www.clarecoco.ie](http://www.clarecoco.ie). Copies of this documentation will also be forwarded to the prescribed environmental bodies.

Submissions or observations in respect of the Environmental Report will be invited to be made to Clare County Council during the specified period, which will not be less than six weeks from the date of notice of the proposed amendment. Following this consultation period, any submissions or observations received will be reviewed, and incorporated into the Environmental Report and proposed amendment where appropriate.

An SEA Statement will be issued by Clare County Council following the amendment of the LAP, which describes the rationale for decisions taken and extent to which environmental considerations and consultation have been integrated into the amended Plan.

SHANNON TOWN AND  
ENVIRONS LOCAL  
AREA PLAN

2012  
2018



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