

**2019**

**STRATEGIC  
ENVIRONMENTAL  
ASSESSMENT  
SCREENING REPORT OF  
THE COUNTY LAOIS  
NOISE ACTION PLAN  
2019 -2022**

Prepared under S.I. 435 of 2004 for Laois County Council

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**This report has been prepared by Minogue and Associates with all reasonable skill, care and diligence. Information report herein is based on the interpretation of data collected and has been accepted in good faith as being accurate and valid. This report is prepared for Laois County Council and we accept no responsibility to third parties to whom this report, or any part thereof, is made known. Any such party relies on the report at their own risk**

# 1 COUNTY LAOIS NOISE ACTION PLAN 2019-2022

## 1.1 INTRODUCTION

The European Union Strategic Environmental Assessment (SEA) Directive (2001/42/EC) requires an environmental assessment be carried out for all plans that are prepared for certain specified sectors, including transport of which the proposed *Laois Noise Action Plan 2019-2022* relates.

The following Regulations transpose this Directive into Irish law:

- The European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (S.I. 435 of 2004),
- The Planning and Development (Strategic Environmental Assessment) Regulations 2004 (S.I. 436 of 2004) and further amended by
- S.I. No. 200 of 2011 (European Communities (Environmental Assessment of Certain Plans and Programmes) (Amendment) Regulations 2011) and S.I. No. 201 of 2011 (Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations 2011).

In deciding whether a particular plan is likely to have significant environmental effects, regard must be had to the criteria set out in Annex II of the SEA Directive. The approach to this screening assessment is to identify the relevant sections of the *County Laois Noise Action Plan 2019-2022* (hereafter called the draft plan) and thereafter to assess same for potential environmental effects. Section Three of this report assesses these against the criteria contained in Schedule 2a of the Regulations. This Screening Assessment is being prepared under the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (S.I. 435 of 2004).

In preparing this SEA Screening Report, the following guidance has been used:

- Guidance Note for Noise Action Planning For the first round of the Environmental Noise Regulations 2006- updated Sections June 2018 (EPA).

## 1.2 AIM AND PURPOSE OF THE DRAFT PLAN

This Noise Action Plan 2019 has been prepared by Laois County Council to address environmental noise from major roads with more than three million vehicles per annum. The action planning area covers the M7, M8, N80, N77 and sections of the R445. It also covers the major rail line between Hazelhatch and Portarlinton within the functional area of Laois. It is a follow up to the 2014 Noise Action Plan which addressed environmental noise from roads with more than three million vehicles per annum and the 2008 Noise Action Plan which addressed environmental noise from roads with more than six million vehicles p.a.

The plan has been prepared in accordance with the requirements of EU Directive 2002/49/EC (known as the Environmental Noise Directive, or “END”), which was transposed into Irish Law by the Environmental Noise Regulations 2006, SI No. 140 of 2006.

The aim of the Directive and the Regulations is to provide for the implementation of an EC common approach to avoid, prevent or reduce on a prioritised basis the harmful effects, including annoyance, due to exposure to environmental noise. Environmental noise is unwanted or harmful outdoor sound created by human activities, including noise emitted by means of transport, road traffic, rail

traffic, air traffic and noise in agglomerations over a specified size. Types of noise not included in the Regulations are noise that is caused by the exposed person, noise from domestic activities, noise created by neighbours, noise at workplaces or noise inside means of transport or due to military activities in military areas.

Noise Mapping Bodies and Local Planning Authorities were assigned responsibility under the regulations to draw up noise maps for the third round of the process in 2017 and prepare action plans for noise from the following noise sources:

- Sections of rail route above a flow threshold of 30,000 train passages per year.
- Major airports with more than 50,000 movements per year -a movement being a takeoff or landing. (Not applicable to Laois).
- Sections of major roads with a flow threshold of 3 million vehicles per annum.
- Agglomerations with more than 100,000 inhabitants. (Not applicable to Laois)

Local authorities play an active role in noise management in Ireland through dealing with complaints from members of the public.

Transport Infrastructure Ireland (TII) formerly the National Roads Authority (NRA), as the noise mapping body for major national roads, has prepared noise maps for the sections of the National Routes – (M and N routes) in Laois that were confirmed by verified vehicle count data to have more than 3 million vehicles per annum. The TII on behalf of Laois County Council has prepared noise maps for Regional roads (R route) with more than 3 million vehicles per annum. The TII has estimated from the noise maps and from geo directory data that approximately 4,612 individuals living within the action planning area in Laois may be located in environmental noise bands from 55 to >75dB Lden. Approximately 2,945 individuals may be located in noise bands from 50 to >70dB Lnight. Iarnród Éireann has prepared noise maps for the main rail line between Hazelhatch and Portarlinton which occurs within the Laois boundary area. Iarnród Éireann has estimated from the noise maps and from geo directory data that approximately 100 individuals living within the action planning area in Laois may be located in environmental noise bands from 55 to >59dB Lden.

The purpose of this Action Plan is to endeavour to manage the existing noise environment and protect the future noise environment within the action planning area. Management of the existing noise environment may be achieved by prioritising areas for which further assessment and possible noise mitigation may be required. Protection of the future noise environment may be achieved by acoustical planning, which further incorporates noise into the planning process via measures such as land-use planning, development planning, sound insulation measures, traffic planning and control of environmental noise sources.

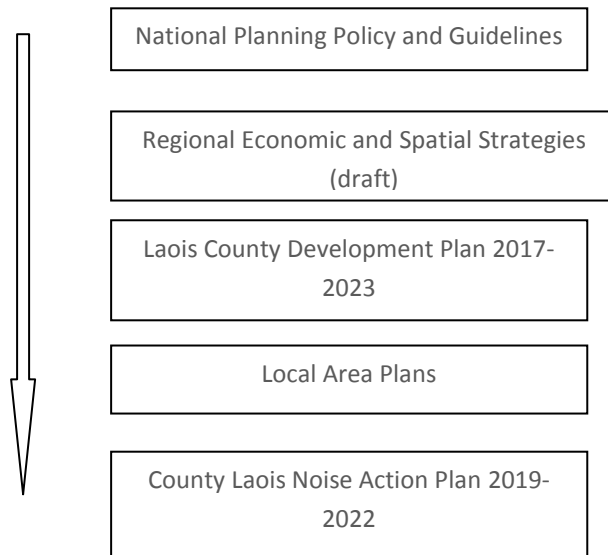
The Laois Noise Action Plan has the following Policy Statement:

*Laois County Council will seek to address environmental noise from major roads in the county, will endeavour to maintain satisfactory noise environments where they exist and will have regard to acoustical planning in the planning process (within the confines of Planning and Development Act 2000, as amended) to endeavour to ensure that future*

*developments include provisions to protect the population from the effects of environmental noise in the interests of residential amenity and public health.*

Figure A below illustrates where the *draft Plan* is situated within the landuse planning hierarchy. Each of these land use strategies have been subject to the SEA process.

**FIGURE A: PLANNING HIERARCHY**



## 2 ENVIRONMENTAL CONSIDERATIONS

The SEA Environmental Report of the Laois County Development Plan 2017-2023<sup>1</sup>, provides the following descriptions of the environmental resources around the County:

### 2.1 BIODIVERSITY, FLORA AND FAUNA

Ecologically rich areas in Laois include hedgerows, drainage ditches, eskers, wetlands, relic woodland and semi-natural woodland. These habitats support a variety of species and ecosystems that contribute to the unique biodiversity of Laois. Many of these areas are coming under pressure as development intensifies the demand for land. It is imperative that measures are put in place to respond to these pressures and that any development will not have a detrimental effect on the natural environment.

Ecological designations include:

- Special Protection Areas;
- Special Areas of Conservation;
- Natural Heritage Areas and Proposed Natural Heritage Areas;
- Nature Reserves;

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<sup>1</sup> The description of environmental considerations is taken from the Non Technical Summary of the SEA ER of the Laois County Development Plan 2017-2023.

- Freshwater Pearl Mussel catchments
- Certain entries to the Water Framework Directive Register of Protected Areas ; and
- RAMSAR sites<sup>7</sup>

There are eight Special Areas of Conservation (SACs) within the Plan area and two Special Protection Area (SPA) . There are two Natural Heritage Areas (NHAs), twenty eight proposed National Heritage Areas (pNHAs) and four Nature Reserves within the Plan area. The River Nore is designated as a Salmonid Water under the European Communities (Quality of Salmonid Waters) Regulations 1998 (SI No. 293 of 1988). Designated Salmonid Waters are capable of supporting salmon (*Salmo salar*), trout (*Salmo trutta*), char (*Salvelinus*) and whitefish (*Coregonus*). Ecological networks are important in connecting areas of local biodiversity with each other and with nearby designated sites so as to prevent islands of habitat from being isolated entities. Within and surrounding the County, the ecological networks are made up of components including undeveloped foothill/upland areas, rivers and lakes, woodlands, lands used for agriculture, parks, gardens and hedgerows within and surrounding the Plan area. These components provide habitats for flora and fauna and facilitate linkages to the surrounding countryside for flora and fauna.

## 2.2 POPULATION AND HUMAN HEALTH

For the review of the County Development Plan, the Planning Authority carried out an assessment which involved an evaluation of the dynamics and distribution of population and settlement within the county for the period 2006-2011. This assessment revealed:

- Laois was the fastest growing county in Ireland between 2006 and 2011. Strong population growth is a longstanding trend in County Laois. Over the last 20 years, its population growth rate has been higher than the wider Midlands or the State. Further significant growth is anticipated.
- County Laois has the highest population of 0-18 year olds, as a proportion of its overall population. Nearly 39% of the Laois population is aged under 25, this compares to 36% of the Midlands population and 34% of the State's population.
- County Laois has a balanced rural/urban population. It is becoming more urbanised but rural life and the rural economy remain important. Average farm sizes and farm incomes in County Laois are higher than the Midlands or State average.
- County Laois is becoming more diverse in terms of the nationality and ethnicity of its residents.
- County Laois has the highest rate of outbound commuters in the Midlands, with Dublin and Kildare being the most popular destination.

### HUMAN HEALTH

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The impact of implementing the Plan on human health is determined by the impacts which the Plan will have upon environmental vectors. Environmental vectors are environmental components, such as air, water or soil, through which contaminants or pollutants, which has the potential to cause harm, can be transported so that they come into contact with human beings. Hazards or nuisances to human health can arise as a result of exposure to these vectors arising from incompatible

adjacent land uses for example. These factors have been considered with regard to the description of: the baseline of each environmental component; and the identification and evaluation of the likely significant environmental effects of implementing the Plan. Emission limits for discharges to air, soil and water are set with regards to internationally recognised exposure limit values. These are generally set to be many times the safe exposure limit - in order to provide protection. In the event that a land-use plan began to have adverse health effects on surrounding populations it is likely that it would have been identified as being in breach of such emission standards at a very early stage - and long before the manifestation of any adverse health effects in the population.

### 2.3 SOIL

The Laois County audit of County Geological Sites (CGSs) was conducted in 2016 as an action of the Laois County Development Plan 2011-2017, through a partnership between Geological Survey Ireland, Laois County Council, and the Heritage Council. All geological heritage sites identified by GSI are classified as CGSs pending any further NHA designation by NPWS. The inclusion of CGSs in the County Development Plan ensures the recognition and appropriate protection of geological heritage. The Geological Survey has identified and documented 30 CGSs within County Laois.

**Contaminated Soil** Given the urban nature of certain areas within the County and the range of land use activities which have taken place historically, soils may have been contaminated to some degree in the past in certain areas. Such contamination has the potential to affect water quality, biodiversity and flora and fauna and human health. Both the existing 2011-2017 Plan and the 2017-2023 Plan include provisions in relation to environmental protection and degraded/contaminated lands.

### 2.4 WATER RESOURCES

Human activities, if not properly managed, can cause deterioration in water quality. Pressures exerted by human activities include the following: sewage and other effluents discharged to waters from point sources, e.g. pipes from treatment plants; discharges arising from diffuse or dispersed activities on land; abstractions from waters; and structural alterations to water bodies. Since 2000, Water Management in the EU has been directed by the Water Framework Directive 2000/60/EC (WFD). The WFD requires that all Member States implement the necessary measures to prevent deterioration of the status of all waters - surface, ground, estuarine and coastal - and protect, enhance and restore all waters with the aim of achieving “good status”. All public bodies are required to coordinate their policies and operations so as to maintain the good status of water bodies which are currently unpolluted and improve polluted water bodies to good status.

The largest catchment in the County is the Nore catchment which drains the south west of the County and includes the Nore River and all of its tributaries. This catchment is generally a mixture good status. The north-east and east of the County forms part of the Barrow catchment which includes the River Barrow and its tributaries. The waters in the Liffey catchment are generally classified as being of good or moderate status.

Flooding is an environmental phenomenon which, as well have causing economic and social impacts, could in certain circumstances pose a risk to human health. In 2009 the Department of the Environment, Heritage and Local Government published The Planning System and Flood Risk Management Guidelines for Planning Authorities. These are aimed at ensuring a more consistent,

rigorous and systematic approach which will fully incorporate flood risk assessment and management into the planning system. Planning authorities are required to undertake flood risk identification, assessment and management processes as appropriate when preparing Development Plans and other plans and in the consideration of applications for planning permission. In compliance with the aforementioned Guidelines, a Strategic Flood Risk Assessment (SFRA) has been undertaken alongside the preparation of the new County Plan. There is historic and predictive evidence of flooding in various locations across the County. All recommendations made by the SFRA in relation to flooding risk management have been integrated into the Plan.

## 2.5 AIR AND CLIMATIC FACTORS

In order to protect human health, vegetation and ecosystems, EU Directives set down air quality standards in Ireland and the other Member States for a wide variety of pollutants. These pollutants are generated through fuel combustion, in space heating, traffic, electricity generation and industry and, in sufficient amounts, could affect the well-being of the areas inhabitants. The EU Directives include details regarding how ambient air quality should be monitored, assessed and managed. In order to comply with air quality standards directives, the EPA measures the levels of a number of atmospheric pollutants.

The EPA's (2015) Air Quality in Ireland 2014 identifies that, overall, air quality in Ireland compares favourably with other EU Member States and continues to be of good quality relative to other EU countries. The Plan facilitates improvements in sustainable mobility, thereby facilitating reductions in and limiting increases of emissions to air including noise. Such emissions would occur otherwise with higher levels of motorised transport and associated traffic.

### CLIMATIC FACTORS

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The key issue involving the assessment of the effects of implementing the plan on climatic factors relates to greenhouse gas emissions arising from transport. Climatic factors also interact with flooding. The Plan facilitates improvements in sustainable mobility, thereby facilitating reductions in and limiting increases of greenhouse gas emissions. Such emissions would occur otherwise with higher levels of motorised transport and associated traffic. Ireland's emissions profile has changed considerably since 1990, with the contribution from transport more than doubling and the share from agriculture reducing since 1998. Travel is a source of:

1. Noise; 2. Air emissions; and 3. Energy use (42.2% of Total Final Energy Consumption in Ireland in 2015 was taken up by transport, the largest take up of any sector). For 2015, total national greenhouse gas emissions are estimated to be 3.7% higher than emissions in 2014. This follows the 0.3% decrease in emissions reported for 2014, most likely attributable to a mild winter in that year. Emission reductions have been recorded in 8 of the last 10 years, however this has largely been as a result of reduced economic activity. There is now strong evidence that emissions are once again increasing in line with economic and employment growth, particularly in the Transport sector. Greenhouse gas emissions from the Transport sector increased by 4.2% in 2015. This is the third successive year of increases in transport emission.



The EPA 2015 publication Ireland's Greenhouse Gas Emission Projections 2014-2035, identifies that:

- Under the 'worst case' scenario, Ireland is projected to cumulatively exceed its obligations by 4 Mt of CO<sub>2</sub>e over the period 2013-2020.
- Under the 'best case' scenario, Ireland is projected to cumulatively meet its compliance obligations over the 2013-2020 period and meet its 2020 target. The report identifies that achieving the outlook under the 'best case' scenario will require focus and effort which includes meeting renewable targets for transport and heat as well as energy efficiency targets.
- Transport emissions are projected to show strong growth over the period to 2020 with a 13%-19% increase on current levels depending on the level of policy implementation. Relative to 2005, transport emissions are projected to remain the same or, at best, decrease by 4% by 2020.

Maximising sustainable mobility will help Ireland meet its emission target for greenhouse gases under the 2020 EU Effort Sharing target which commits Ireland to reducing emissions from those sectors that are not covered by the Emissions Trading Scheme (e.g. transport, agriculture, residential) to 20% below 2005 levels. Subsequently, by 2030, Ireland is required to reduce its carbon emissions by up to 30% compared to 2005 levels. Land-use planning contributes to the number and the extent of which journeys occur. By addressing journey time through land use planning and providing more sustainable modes and levels of mobility (as is provided for by the Plan), noise and other emissions to air and energy use can be minimised. Furthermore, by concentrating populations, greenfield development - and its associated impacts - can be minimised and the cost of service provision can be reduced.

## 2.6 MATERIAL ASSETS

The provision of an adequate supply of water and wastewater treatment facilities is critical to facilitate and sustain the growth of the County over the lifetime of the plan and beyond.. Laois County Council will work closely with Irish Water to ensure that the County Development Plan and - in particular the Core Strategy - continue to align with both the National Spatial Strategy and the Regional Planning Guidelines and that the provision of water/ wastewater services will not be a limiting factor in terms of targeted growth.

Waste Water Irish Water provide public wastewater collection, treatment and disposal infrastructure. While significant resources have been invested in such facilities, there are still notable deficiencies throughout the County. Deficiencies in wastewater services have also been identified as a barrier to the economic development of the County and addressing this issue is therefore critical to the success and well-being of the County. Laois is served by 14 urban wastewater treatment plants. The largest wastewater treatment plants are located at Portlaoise and Portarlington. Wastewater collection and treatment capacity has struggled to keep pace with development in the county. Many networks and plants in the county are operating at capacity, with consequential negative impacts on receiving water quality.

Drinking Water Irish Water being the Water Services body for the state and County Laois is responsible for providing and maintaining adequate public water supply infrastructure. Compliance with the drinking water requirements is determined by comparing the results of analyses submitted by water suppliers to the standard for 48 parameters specified in the European Communities

(Drinking Water) Regulations (No. 2), 2007. To ensure that these standards are met, each water supply must be monitored on a regular basis.

Waste The Eastern–Midlands Region Waste Management Plan (WMP) 2015-2021 provides the framework for solid waste management in the region and sets out a range of policies and actions to meet specified mandatory and performance based targets. The WMP seeks to assist and support resource efficiency and waste prevention initiatives. A key WMP target is to achieve a 1% reduction per annum in the quantity of household waste generated per capita over the period of the WMP. In tandem, the WMP identifies measures to develop a circular economy whereby waste management initiatives are no longer confined to treating and disposing of waste, instead supporting initiatives that value waste as a resource or potential raw material.

## 2.7 CULTURAL HERITAGE

Archaeological Heritage Laois has a significant archaeological heritage, which provides a valuable cultural, educational and tourism resource. A number of areas of archaeological potential and significance are present in Laois. The Record of Monuments and Places (RMP) was established under Section 12 of the National Monuments (Amendment) Act 1994 and structures, features, objects or sites listed in this Record are known as Recorded Monuments. The term Monument refers to any artificial or partly artificial building or structure, that has been carved, sculptured or worked upon or which appears to have been purposely put or arranged in position. It also includes any, or part of any prehistoric or ancient tomb, grave or burial deposit, or ritual, industrial or habitation site. Monuments that predate 1700 AD are automatically accorded the title Historic Monument. These monuments are found throughout the County with clusters found in towns and lower concentrations found in upland and peatland areas.

Architectural Heritage Laois has a wealth of architectural heritage. The three main towns, of Portlaoise, Portarlinton and Mountmellick have relatively intact cores while Abbeyleix is designated as a Heritage Town. There are many other urban settlements across the county that are significant in terms of built heritage and cultural associations including the villages of Ballinakill and Timahoe which was the site of an abbey founded by St. Mochua in the 6th Century. Part IV of the Planning & Development Act requires every development plan to include a record of protected structures (RPS). A ‘protected structure’ is a structure or a specific feature of the structure as may be specified that a Planning Authority considers to be of special interest from an architectural, historical, archaeological, artistic, cultural, scientific, social or technical point of view.

## 2.8 LANDSCAPE

The landscape assessment that has been undertaken as part of the Plan identifies a number of distinctive landscape categories each containing a number of landscape areas. The individual landscape areas are described below under each of the landscape categories.

1. Hills and upland areas Although lacking in terms of dramatic peaks, hills and uplands are a prominent feature of the county, particularly in the North West and south-east. From the tops of these hills panoramic views of the lowland landscapes of Laois and adjacent counties are gained. The hills also act as orientating features. The Seven Hills, Cullenagh, Cullahill, Fossy Mountains and the

upland areas around Swan, Luggacurren and Wolfhill are prominent by virtue of landmarks at their summits as well as their topography: A church on the Wolfhill acts as a prominent local landmark.

2. Lowland agricultural areas The Lowland LCT covers the largest proportion of County Laois. In terms of land use, it is comprised primarily of pastoral and tillage agriculture. It is generally a flat open landscape [around Ballylynan, Barrowhouse and the environs of Graiguecullen especially] with long range views towards the upland areas. Field patterns tend to be of large scale and are generally bounded by deciduous hedgerows containing mature trees. Farm sizes are larger than average. Throughout the county there is an abundance of 18th and 19th century demesnes with extensive areas of mixed woodland and parkland bounded by original stonewalls, creating an attractive landscape setting for the numerous estate houses.

3. River corridors and lakes A number of key river corridors traverse County Laois. This LCT contains a wealth of historic features providing longstanding evidence of human influence on the landscape including Norman fortifications, castles, demesnes and industrial artifacts such as mills, canals and bridges. The River Nore is the largest and most prominent of the river corridors. The river enters the county north of Borris-in-Ossory and runs generally in a southeast trajectory through Castletown, west of Abbeyleix, east of Durrow and onto Ballyragget, County Kilkenny. It merges with a number of other rivers along the way including Whitehorse [near Mountrath] and Erkina, Gully and Owenbeg [near Durrow]. The river is enclosed and well wooded along much of its length, containing areas of mixed deciduous woodland of great antiquity and species diversity including specimen oak in Abbeyleix Demesne.

4. Mountain areas The Sliabh Bloom Mountains are the only mountain range in the county, covering an area of approx. 25,000 hectares with the remaining 12,000 hectares in County Offaly. In addition to the multiple nature designations including extensive NHA's, SAC's, and SPA, tourist infrastructure in the form of picnic areas, walking trails, archaeological artifacts, the mountains offer a sense of remoteness and a range of spectacular views over the rest of County Laois and many adjoining counties. They also contain the largest unbroken area of upland blanket peat in Ireland.

5. Peatland areas Topography is strikingly flat, geology is generally Carboniferous Limestone (type varies according to specific location) and land cover is raised bog much of which is now exhausted and being considered for alternative uses including afforestation, amenity and wind energy.

6. Urban fringe areas Elevations range from 20-100 metres and geology is generally Carboniferous Limestone. The majority of the centres of the county population are located in this landscape type including the largest urban settlements of Portlaoise, Portarlinton, Mountmellick and Graiguecullen. This landscape type also overlaps with LCT's 2 \*[Lakes] and 5 [Peatland Areas].

In terms of urban fringe, the defining characteristics include the radiating road routes on which development has taken place in a ribbon-type physical form. Individual sites are often suburban in design and their more formal and sculptured character does not usually integrate sympathetically with the overall landscape context. Another characteristic of this LCT is the frequently disused or underused nature of former agricultural lands which are now zoned and set aside for future development or may be required for orbital route schemes.

7. Rolling hill areas Undulating with variable topography usually ranging from 70 metres to 90 metres. Geology comprises Silurian greywackes and slates with Old Red Sandstone at lower elevations. Overall, this is a complex landscape incorporating several elements within a rolling landform. Landcover reflects this complexity with tillage and pasture agriculture, pockets of wetlands and raised bog, small coniferous plantations and occasional deciduous copses. Varied enclosures include hedgerows with significant amounts of trees and some post and wire fencing. Settlement is quite frequent though commonly dispersed. Considerable evidence of new one-off house building in the vicinity of settlements Landscape character areas in County Laois which are most sensitive to development include the 'Mountain Areas', the 'Hills and Upland Areas' and the 'River Corridors and Lakes'. These areas have the potential to be the most sensitive to new developments as they often have limited ability to accommodate change.

### 3 SCHEDULE 2A SCREENING ASSESSMENT

#### 3.1 INTRODUCTION

The following section and table below presents the SEA screening assessment of the **draft Plan** against the criteria provided in Schedule 2a of the Planning and Development (Strategic Environmental Assessment) Regulations 2001-2011 which details the criteria for determining whether a plan or programme is likely to have significant effects on the environment. The Screening assessment should be read in conjunction with the Laois Noise Action Plan 2019-2022 as well as the Habitats Directive Screening report.

TABLE 2A SEA SCREENING

<b>Criteria for determining whether the proposed draft Plan is likely to have significant effects on the environment</b>
<b>1. The characteristics of the Plan having regard, in particular, to:</b>
<b><i>the degree to which the Plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources,</i></b>
<p>The Plan provides detail on further areas of assessment and references potential measures that may be taken following further assessment. These will be undertaken in compliance with the requirements of the Laois County Development Plan 2017-2023 and relevant environmental protection measures. In this regard potential noise impact of development is already managed through a range of statutory provisions including forward planning and development control, and environmental assessments such as the Environmental Impact Assessment, Strategic Environmental Assessments and current, relevant guidance relating to noise.</p> <p>The draft plan contributes and supports the Laois CDP 2017-2023.</p>
<b><i>the degree to which the Plan influences other plans, including those in a hierarchy,</i></b>
<p>The Noise Action Plan requires that all future proposals for development/works under the Action Plan demonstrate compliance with the requirements of environmental and planning legislation and planning and licensing processes, including existing provisions of relevant land use plan(s) including the Laois County Development 2017-2023, and Local Areas such as Portlaoise LAP 2018-2024, Portarlinton 2018-2024 and Mountmellick 2018-2024 amongst others.</p> <p>The plan notes in Section 7.3.4 Consultation Measures that:</p> <p><i>In areas where Laois County Council do not have a regulatory role, but where improvements in regulatory controls will effect a reduction in environmental noise from major roads, Laois County Council will consult and liaise with the relevant authorities.</i></p> <p><i>These areas may include:</i></p> <p><i>Liaising with the TII to extend speed restriction zones for national roads passing through built-up areas. Of relevance to the present and future action planning areas.</i></p> <p><i>Liaising with the TII to impose set back distances for developments alongside national roads.</i></p>

*Consult with the Department of Housing and Local Government regarding present restrictions on Planning Authorities in relation to the imposition of planning measures to address noise in the assessment of applications*

*Recommend to the Planning Authority that measures proposed in this action plan be included in any revision to the Laois County Development Plan and in relevant Local Area Plans.*

*Implement new guidance document on pre planning for noise through planning applications – to be published on Laois Co Co Website. See appendix VII.*

The plan will support and underpin the primary landuse and planning framework for County Laois and allows for consultation in areas outside the County Council’s regulatory role.

***the relevance of the Draft Plan in the integration of environmental considerations in particular with a view to promoting sustainable development,***

The plan highlights and references the relationships and interactions between environmental noise factors and human health in particular. In addition, by enhancing the existing noise environment, the draft plan will assist in meeting the SEOs for Human Health, as well as Biodiversity SEOs, as it will reduce noise emissions associated with transport with positive effects in reducing disturbance to species.

The draft plan also lists particularly relevant policies from the Laois CDP 2017-2023 as they relate to public transport, and modal shifts, for example:

*TRANS 39 Promote walking and cycling as sustainable transport modes and healthy recreation activities throughout the county;*

*TRANS 40 Encourage and facilitate safe walking and cycling routes in the county, as a viable alternative to the private car, in accordance with initiatives contained within ‘Smarter Travel, A Sustainable Transport Future*

Therefore the plan is considered to augment and integrate environmental considerations with a view to promoting sustainable development.

***Environmental problems relevant to the Draft Plan***

The SEA ER of the Laois CDP 2017-2023, provides considerable detail on environmental problems relevant to the County. The draft Plan recognises the role environmental quality (noise) can have on human health and well being and this is reflected in the Action Plan Policy Statement (See Section 1.2).

The environmental report conducted as part of the SEA process on the entire content of the Laois CDP 2017-2023 discussed various issues of concern in the plan area and provided various mitigating measure to decrease impacts considered to be severe or significant.

The Draft Plan does not conflict with the objectives of the Development Plan, and should actions be developed over time they will be in line with the local authority mandate and therefore compliant with provisions of the Laois CDP 2017-2023 and supporting environmental assessments and guidance.

***the relevance of the Draft Plan to the implementation of European Union legislation on the***

***environment (e.g. plans linked to waste-management or water protection).***

The plan has been prepared in accordance with the requirements of EU Directive 2002/49/EC (known as the Environmental Noise Directive, or “END”), which was transposed into Irish Law by the Environmental Noise Regulations 2006, SI No. 140 of 2006.

The aim of the Directive and the Regulations is to provide for the implementation of an EC common approach to avoid, prevent or reduce on a prioritised basis the harmful effects, including annoyance, due to exposure to environmental noise

**2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:**

***the probability, duration, frequency and reversibility of the effects,***

At this juncture there are no landuse effects or areas identified for physical development; therefore no effects are identified. Mitigation measures for existing large roads including the M7 and M8 motorways have already provided physical barriers associated with noise mitigation. Future developments and proposed measures are not identified for specific areas and include the forward planning process and relevant policies of the CDP 2017-2023. A measure relating to extending lower speed signs are minor in nature (are currently under consideration by elected members) and would not give rise to significant effects.

***the cumulative nature of the effects,***

Given that the Draft Plan only identifies areas of further assessment and does not specify particular measures *per se*, cumulative effects are not identified to arise. Once the environmental protection measures within the existing County Development Plan are followed, adhered to and implemented, in the event of physical infrastructure proposals arising in the future, it is predicted that the Draft Plan would not give rise to cumulative effects.

***the transboundary nature of the effects***

In terms of negative transboundary environmental effects/impacts it is considered that with proper regard and consistency with the environmental protection policies and objectives contained in the Laois CDP 2017-2023 should physical infrastructure proposals arise from the Draft plan, and the completion of appropriate environmental assessments and planning process for any proposed development arising from the strategy, no negative transboundary environmental effects are predicted.

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

As above, the draft plan is not identified as giving rise to effects that would present as risks to human health or the environment; moreover, given the focus of the draft plan positive effects on human health through reduction of noise emissions are identified.

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

No landuse effects or areas identified for physical development other than a number of towns where extension of speed signs are being considered; these are small scale in nature, magnitude and scale;

therefore no effects are identified

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

**(a) special natural characteristics or cultural heritage**

The County has numerous areas designated under natural and cultural heritage. The Draft Plan will not set the context for landuse or development activities outside of that already facilitated within existing landuse plans and therefore no areas likely to be affected are identified.

**(b) exceeded environmental quality standards or limit values,**

It is anticipated that environmental quality standards will not be exceeded by the draft Plan as it aims to implement the an EC common approach to avoid, prevent or reduce on a prioritised basis the harmful effects, including annoyance, due to exposure to environmental noise.

**(c) intensive land-use,**

The draft Plan does not provide for additional landuse or intensification of same; landuse zonings will remain as provided in the relevant CDP 2017-2023. Therefore such effects are not identified.

**(d) the effects on areas or landscapes which have a recognised national, European Union or international protection status.**

The Laois CDP 2017-2023 recognises the importance of sites with National and European designations and sets out policies and objectives for their protection. These include sites designated under the EU Birds, and Habitats Directive, Nature Reserves and Freshwater Pearl Mussel catchments amongst others.

It is not considered that the implementation of the Draft Plan will have significant negative effects on areas or landscapes which have recognised national, European Union or international protection status.

A Habitats Directive Screening Statement has been prepared in tandem with this SEA Screening to assess if likely significant effects arise in relation to conservation management objectives of European Sites and the draft plan. This has found that no such effects are identified.

### 3.2 CONCLUSION TO SEA SCREENING ASSESSMENT

Section 9 (1) of the (2004) Regulations (S.I. No. 435) states *“subject to sub-article (2), an environmental assessment shall be carried out for all plans and programmes*

*(a) which are prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications and tourism, and which set the framework for future development consent of projects listed in Annexes I and II to the Environmental Impact Assessment Directive, or*



*(b) which are not directly connected with or necessary to the management of a European site but, either individually or in combination with other plans, are likely to have a significant effect on any such site.”*

The Laois Noise Action Plan 2019-2022 has been prepared by Laois County Council to address environmental noise from major roads with more than three million vehicles per annum. The action planning area covers the M7, M8, N80, N77 and sections of the R445. It also covers the major rail line between Hazelhatch and Portarlinton within the functional area of Laois. It is a follow up to the 2014 Noise Action Plan which addressed environmental noise from roads with more than three million vehicles per annum and the 2008 Noise Action Plan which addressed environmental noise from roads with more than six million vehicles p.a.

The plan has been prepared in accordance with the requirements of EU Directive 2002/49/EC (known as the Environmental Noise Directive, or “END”), which was transposed into Irish Law by the Environmental Noise Regulations 2006, SI No. 140 of 2006.

The aim of the Directive and the Regulations is to provide for the implementation of an EC common approach to avoid, prevent or reduce on a prioritised basis the harmful effects, including annoyance, due to exposure to environmental noise.

In and of itself, the Laois Noise Action Plan 2019-2022 does not set the framework for future development consent of projects listed in the EIA Directive in Annex I and II. In this regard, the draft plan will not be placing limits on activities or development, influence location, nature, size or operating conditions nor will they dictate or specifically direct the allocation of resources at this juncture.

The Screening Statement in support of Appropriate Assessment undertaken on this Draft Plan has likewise determined no stage 2 appropriate assessment is required in relation to the strategy.

Therefore, on the basis of the above assessment and consideration of the criteria as set out in Schedule 2a of the Regulations 2011 (as amended) it is considered the Laois Noise Action Plan 2019-2021 is unlikely to give rise to significant environmental effects and does not require full SEA.

### 3.3 CONSULTATION WITH ENVIRONMENTAL AUTHORITIES

The draft County Laois Noise Action Plan, and accompanying SEA Screening and Screening statement in support of appropriate assessment were issued to statutory authorities for a four week period from 4<sup>th</sup> March to 1<sup>st</sup> April 2019. One submission was received from the Environmental Protection Agency.

## ANNEX A: DETAILED COMMENTARY

### A1. INTRODUCTION

In undertaking the SEA Screening assessment, the Strategic Environmental Objectives (SEOs) prepared for the Laois County Development Plan 2017-2023 were used, these are as follows:

- B1: To ensure compliance with the Habitats and Birds Directives with regard to the protection of European Sites and Annexed habitats and species
- B2: To ensure compliance with Article 10 of the Habitats Directive with regard to the management of features of the landscape which - by virtue of their linear and continuous structure or their function act as stepping stones (designated or not) - are of major importance for wild fauna and flora and essential for the migration, dispersal and genetic exchange of wild species
- B3: To avoid significant impacts on relevant habitats, species, environmental features or other sustaining resources in designated sites including Wildlife Sites and to ensure compliance with the Wildlife Acts 1976-2010 with regard to the protection of listed species
- PHH1: To protect populations and human health from exposure to incompatible landuses
- S1: To avoid damage to the hydrogeological and ecological function of the soil resource
- W1: To maintain and improve, where possible, the quality and status of surface waters
- W2: To prevent pollution and contamination of ground water
- W3: To comply as appropriate with the provisions of the Planning System and Flood Risk Management: Guidelines for Planning Authorities (DEHLG, 2009)
- M1: To serve new development with adequate and appropriate waste water treatment
- M2: To serve new development with adequate drinking water that is both wholesome and clean
- M3: To reduce waste volumes, minimise waste to landfill and increase recycling and reuse
- C1: To reduce travel related emissions to air and to encourage modal change from car to more sustainable forms of transport
- CH1: To protect archaeological heritage including entries to the Record of Monuments and Places and/or their context
- CH2: To protect architectural heritage including entries to the Record of Protected Structures and Architectural Conservation Areas and their context
- L1: To minimise significant adverse visual impacts within and adjacent to the County

The Table below provides a commentary of the relevant sections of the Laois Noise Action Plan 2019-2022.

**TABLE 1 SEA COMMENTARY OF RELEVANT SECTIONS OF THE LAOIS NOISE ACTION PLAN 2019-2022**

Laois Noise Action Plan Text	SEA Commentary
<p><i>Policy Statement: Laois County Council will seek to address environmental noise from major roads in the county, will endeavour to maintain satisfactory noise environments where they exist and will have regard to acoustical planning in the planning process (within the</i></p>	<p>This policy statement is consistent with Population and Human Health SEOs of the SEA ER of the CDP 2017-2023: PHH1: To protect populations and human health from exposure to incompatible landuses. Indirect, positive effects may also arise in relation to Biodiversity (B3) and Air Quality and Climate</p>

Laois Noise Action Plan Text	SEA Commentary
<i>confines of Planning and Development Act 2000, as amended) to endeavour to ensure that future developments include provisions to protect the population from the effects of environmental noise in the interests of residential amenity and public health.</i>	SEOs (C1)
Chapter 7 Mitigation and Monitoring Measures	
Section 7.2.1 Existing developments	This section refers to measures already provided in relation to the M7 and M8 motorways which received planning consent.
<p>Section 7.2.2 Future developments</p> <p>The measures available for the protection of future developments from exposure to noise from major roads include acoustical planning measures in land use zoning and development layout, design and specifications.</p> <p>Examples include: locating residential developments away from major roads; using the lands around major roads feeding into towns for commercial/industrial development; incorporating noise issues into the design of housing developments (see section 2.2.7)</p> <p>By locating the access roads and green areas on the major road side of the development, thus increasing the separation distance between the houses and the roads; using a higher standard of insulation for new dwellings adjacent to major roads and also using higher standards of insulation for the exposed façades of new dwellings. Some of these acoustical planning measures although not all, are within the control of the planning authority</p>	This section refers to the forward planning and development control in line with the Laois CDP 2017-2023 and significant effects are not identified, moreover consistency with the Population and Health SEOs are identified.
<p>7.3. Proposed Measures for Laois Action Planning Area</p> <p>7.3.1 Mitigation Measures: Residences located within the action planning area will be tested using the decision matrix -Matrix A -to prioritise areas for which further assessment may be required. Reducing traffic density is the most effective way to reduce road noise emissions. Laois County Council will strive to reduce traffic density on a countywide basis by Promoting Public Transport</p>	<p>This section refers to specific relevant policies in the Laois CDP 2017-2023 which has been subject to full SEA and AA. Example policies include:</p> <p>TRANS 61 Support the maintenance and enhancement of rail infrastructure and associated facilities in County Laois, particularly the</p> <p>i. Examination of options for how to increase the capacity of the Dublin to Galway line in compliance with the requirements of the Habitats and Birds Directives ;</p> <p>ii. Develop a light rail link between the main line service at Portlaoise and the Toghher National Enterprise Park in order to develop a large intermodal facility;</p>

Laois Noise Action Plan Text	SEA Commentary
	<p>TRANS 62 Support provision of additional rail links within the midlands region or other regions adjoining County Laois;</p> <p>TRANS 63 Encourage co-ordination by providers to promote linked up services enabling complete coverage of the county independent of private vehicular transport and promote the provision of appropriately sited and designed facilities, bus shelters and bus lanes which facilitate increased public transport usage; all of which contribute to the development of integrated sustainable transport systems.</p>
<p>7.3.2 Protection Measures for future improvement:</p> <p>Laois County Council will endeavour to utilise the planning process as necessary:  To incorporate the aims of the present and future noise action plans into the county development plan and into relevant local area plans, protecting larger areas from road noise. Special consideration should be given to zoning objectives, speed limits and established settlements within the area.</p> <p>Developers are encouraged (or required at the discretion of the Planning Authority) to produce a sound impact assessment and implement mitigation measures as follows:</p> <ul style="list-style-type: none"> <li>o For new developments proposed within the current action planning area or</li> <li>o For developments proposed near major roads (i.e. traffic volumes in excess of 3 million vehicles per annum or otherwise on a case by case basis).</li> </ul> <p>Where developments are planned adjacent to major roads, to incorporate acoustical planning into the development design e.g. designing the development so that the access road is adjacent to the major road noise source. It may also involve the use of buffer zones and/or noise barriers and traffic calming measures.</p> <p>To ensure that all future developments are designed and constructed so as to minimise noise disturbance.</p> <p>The above measures may be restricted under the existing provisions of the current Planning, Building and Fire Acts</p>	<p>Again as with the above, reference to these measures relate back to the Laois CDP 2017-2023.</p> <p>These measures are consistent with the provisions of the CDP, supporting environmental assessments and are not identified as conflicting with SEOs.</p>

