

SEA SCREENING TEMPLATE

Part A – Plan/Programme (PP) and Responsible Authority

Title of PP: Rural Policy and Design Guidance, 2014

Responsible Authority: MEPA

Contact Person: Perit Elizabeth Ellul

Position: Chairperson Working Group ODZ (Outside Development Zone) Policy

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Date: 14th July 2014

Part B – Key Facts

Responsible Authority: MEPA

Title of PP: Rural Policy and Design Guidance, 2014

Purpose of PP: the consolidation and revision, into one document, of the existing three policy documents namely: the Policy and Design Guidance – Agriculture, Farm Diversification and Stables (AFDS) 2008, the Development Control Guidance: Development Outside Built-Up Areas (PLP 20) 1995, and the Development Control Guidance : Swimming Pools Outside Development Zone 2000. The aim of this document is to consolidate, ensure consistency of the existing three policy documents, and to learn from existing policy flaws which could have had a significant effect on the environment.

Is the PP the result of legislative, regulatory or administrative provisions? Explain.
Yes. The preparation and revision of ODZ policies is covered by the Environment and Development Planning Act 2010.

Period covered by PP: Not applicable

Envisaged Frequency of Updates: As required.

Area covered by PP (ideally also attach map): All areas ODZ.

Summary of PP content: Policy deals with new developments which are directly related to agriculture activity, and which may also include some tourism activity. Any rebuilding takes place on its permitted floor space (i.e. the footprint shall be reduced or shall remain the same) implying the release of land for agriculture which was taken up with the previous buildings; and the change of use only of listed buildings which shall be allowed to sustain their restoration and upkeep.

Part C – SEA Criteria

SEA Criterion	Yes/No (no other answer except Yes/No)	Explanation
<p>Is the PP subject to preparation and/or adoption by a national, regional or local authority</p> <p>OR</p> <p>prepared by an authority for adoption through a legislative procedure by Parliament or Government (Regulation 3)</p>	Yes	MEPA
<p>Is the PP required by legislative, regulatory or administrative provisions? (Regulation 3)</p>	Yes	The formulation or revision of policies is regulated by the Environment and Development Planning Act 2010.
<p>Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use</p> <p>AND</p> <p>does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Regulation 4(2)(a))</p>	<p>Yes</p> <p>Yes</p>	<p>Town and country planning, land use, as per presently used policies.</p> <p>Depending on the scale of the development, it revises the framework for future development consent of projects listed in Annex II of Directive 85/337/EEC, as per presently used policies.</p>
<p>Will the PP, in view of its likely effect on sites, require an assessment under Articles 6 or 7 of the Habitats Directive? (Regulation 4(2)(b))</p>	No	Policies in the document seek to limit or prohibit outright development on such designated sites, as per previous AFDS document.
<p>Does the PP determine the use of small areas at local level</p> <p>OR</p> <p>is it a minor modification of a PP subject to Regulation 4(2)(a) (Regulation 4(3))</p>	<p>No</p> <p>Yes</p>	<p>The Rural Policy and Guidance shall be used in Outside Development Zones.</p> <p>It is a minor modification as per Regulation 4(3) to presently adopted policies, i.e. the AFDS, PLP 20 and Swimming Pools Policy.</p>

SEA Criterion	Yes/No (no other answer except Yes/No)	Explanation
Does the PP set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Regulation 4(4))	Yes	The policy shall amend the existing framework for future development in all the ODZ areas.
Is the PP likely to have a significant effect on the environment? (Regulation 4(5))	No	The changes made from the existing policies are not considered to have a significant impact on the environment.
Is the PP's sole purpose to serve national defence or civil emergency OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7 OR Is it a financial or budget PP?	No No No	Not applicable. The policy, as per existing one, sets the framework for projects which may be subject to funding by the EAGGF. Not applicable.

Part D – Likely Significance of Effects on the Environment

Responsible Authority: MEPA

Title of PP: ODZ Policy and Design Guidance 2014

Criteria for determining the likely significance of effects on the environment	Likely to have significant environmental effects? Yes/No (no other answer except Yes/No)	Summary of significant environmental effects (negative and positive)
the degree to which the PP sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	No	The PP will affect the ODZ area but not significantly more than the present policies since the scheduled/protected land is still being protected. The policy has the necessary safeguards to ensure that the impacts are not going to be significant.
the degree to which the PP influences other plans and programmes including those in a hierarchy	No	The hierarchy of protection according to the Structure Plan Explanatory Memorandum is reiterated in this revised document.
the relevance of the PP for the integration of environmental considerations in particular with a view to promoting sustainable development	No	Sustainable development is ensured because new development supports and is intrinsically related to agriculture (farms, greenhouses, reservoirs etc) and tourism. The initiatives proposed are in line with the Rural Diversification Plan prepared by Government. Redevelopment on the permitted floor space (with a reduction in footprint on a case by case basis) shall be allowed to ensure buildings are compatible with the rural landscape. Scheduled buildings shall be regenerated and restored by reuse.
environmental problems relevant to the PP	No	It is envisaged that there will not be significant environmental problems.

the relevance of the PP for the implementation of Community legislation on the environment (e.g. PPs linked to waste management or water protection)	No	One of the objectives of the new policy is to encourage water conservation and to ensure the sustainable management of water resources. This has been achieved by encouraging the construction of underground reservoirs on land holdings for the collection of rain water.
the probability, duration, frequency and reversibility of the effects	No	A new policy which prohibits the proliferation of vacant buildings, and therefore ensures reversibility has been introduced. The use of timber for new stables, for example, also ensures reversibility.
the cumulative nature of the effects	No	There shall be no increased cumulative effect from the current set of policies with respect to new development, agro-tourism accommodation will only be allowed on 60 tumoli of consolidated land, generates employment and ensures agricultural activity throughout.
the transboundary nature of the effects	No	No transboundary effects are envisaged, as the main issues are of a local relevance.
the risks to human health or the environment (e.g. due to accidents)	No	None of the policies being proposed are likely to present significant risks to human health or the environment. The Department of Health will be consulted at project level when required.
the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	No	Although the revised policy deals with the ODZ areas, the policy document contains suitable safeguards to ensure that any potential impacts are addressed at an early stage, through appropriate consultation with the relevant authorities/departments, and through appropriate mitigation.

Criteria for determining the likely significance of effects on the environment	Likely to have significant environmental effects? Yes/No (no other answer except Yes/No)	Summary of significant environmental effects (negative and positive)
<p>the value and vulnerability of the area likely to be affected due to:</p> <ul style="list-style-type: none"> (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values (iii) intensive land-use 	No	<p>Any development in the ODZ has to protect and respect the environmental characteristics of the area. The range and scale of uses which may be permitted will be determined within the context of the site and the environmental quality standards. The value and vulnerability of the area shall be determined on each specific site which shall be subject to consultation with the relevant authority regulating this.</p>
<p>the effects on areas or landscapes which have a recognised national, Community or international protection status</p>	No	<p>Not significant because the revised policy safeguards sites and features which have a protection status, i.e. SACs, SPAs, AELs, SSIs, AAls and SAls (incl the buffer zones), and Protected Landscape Areas.</p>

Part E – Summary of Environmental Effects

The changes introduced in the revised policy document are not likely to have a significant environmental effect. As mentioned in Part B – Key Facts these are the Policy and Design Guidance – Agriculture, Farm Diversification and Stables (AFDS) 2008, the Development Control Guidance: Development Outside Built-Up Areas (PLP 20) 1995, and the Development Control Guidance : Swimming Pools Outside Development Zone 2000.

Apart from this, it is ensured that any new development (building) is regulated in area and size and is solely related to agricultural activity, and this is inbuilt in the policies themselves.

Any redevelopment shall ensure consolidation of permitted buildings while at the same time releasing land for agricultural activity. Also, this shall take place on its permitted floor space implying that the footprint of the permitted building/s may be reduced, again releasing land, and this shall be done on a case by case basis.

Scheduled buildings shall be allowed rehabilitation and a change of use while ensuring that the historic aspect of the building is not compromised.

In addition to these safeguards, proliferation of vacant buildings ODZ shall be discouraged and not promoted.

The policy shall be monitored regularly and will be reviewed as necessary to ensure that the impact on the environment is kept within check.

Part F – Screening Outcome

Screening is required under the Strategic Environmental Assessment Regulations, 2010 (Legal Notice 497 of 2010). It is our view that:

- An SEA is required because the PP falls under the scope of Regulation 4(3) of the Regulations and is likely to have significant environmental effects
- An SEA is required because the PP falls under the scope of Regulation 4(4) of the Regulations and is likely to have significant environmental effects
- An SEA is not required because the PP is unlikely to have significant environmental effects.

Perit Elizabeth Ellul

Name of Officer responsible for the Screening Report

Signature of Officer responsible for the Screening Report

MEPA

Name of Responsible Authority

14th July 2014

Date

Notes to Responsible Authorities:

1. The SEA Focal Point cannot provide any feedback to incomplete Screening Templates
2. All responsible authorities should provide the SEA Focal Point with an original signed copy of each Screening Template prepared
3. All responsible authorities should provide the SEA Focal Point with a copy of the public notification which is obligatory under Regulation 4(7) of the Strategic Environmental Assessment Regulations, 2010.