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Screening for SEA Determination for the Draft Shannon Town Centre Masterplan

A Screening for Strategic Environmental Assessment (SEA) Determination is being made by Clare County Council regarding the Draft Shannon Town Centre Masterplan.

The Shannon Town Centre Masterplan will be non-statutory and will not form public policy. The Draft Masterplan provides a schematic layout and direction for the future planning of Shannon Town Centre.

The SEA Directive [Article 3 (2)] requires, subject to certain exceptions, that SEA is carried out for all plans and programmes:

- (a) which are prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use and which set the framework for future development consent of projects that are subject to the EIA Directive 2011/92/EU, as amended, or
- (b) which, in view of the likely effect on sites, have been determined to require an assessment pursuant to Article 6 or 7 of Habitats Directive 92/43/EEC.

The SEA Directive has been transposed into Irish law by the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (Statutory Instrument No. (SI No. 435 of 2004), as amended, and the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (SI No. 436 of 2004), as amended. Article 9 of the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (SI No. 435 of 2004), as amended, requires, subject to certain exceptions, that SEA is carried out for all plans and programmes:

- (a) which are prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism and town and country planning or land use, 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 Draft Plan is not directly connected with or necessary to the management of a European Site; and following the undertaking of Screening for Appropriate Assessment it has been determined that there is no potential to affect the integrity of any European Site(s). Consequently, it has been determined that Appropriate Assessment of the Draft Shannon Town Centre Masterplan is not required. This process has been undertaken in accordance with the requirements under: European Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora; and European Union (Birds and Natural Habitats) (Amendment) Regulations 2021.

Taking into account the content of the Draft Shannon Town Centre Masterplan, the Screening for Appropriate Assessment and the SEA assessment as outlined in the SEA Screening Report with respect to Schedule 2A 'Criteria for determining whether a plan is likely to have significant effects on the environment', it has been determined that SEA is not required in accordance with SEA requirements under: Directive 2001/42/EC of the European Parliament and of the Council of Ministers of 27 June 2001 on the Assessment of the Effects of Certain Plans and Programmes on the Environment; and European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (SI No. 435 of 2004), as amended.

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