

IPI MEMBERS BRIEFING: EIA & AA

An Update from the OPR- Research and Training Team

12 March 2021

Sinéad Mullen, Senior Planner

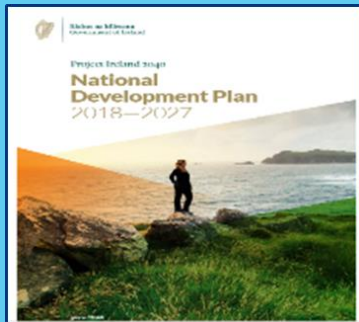


**Oifig an
Rialaitheora Pleanála**
Office of the
Planning Regulator

OPR Functions

Statutory Plans

Assessment of city/county and local area plans made by local authorities for fit with national and regional policy and legislative requirements



Local authority Reviews

Reviews and examinations of local authority and An Bord Pleanála systems and procedures in the **delivery of planning services** to the public



Research & Training

Building knowledge and information base in planning through training for local authority members and staff, public information, research



OPR Achievements:



Elected Member Training

- Eight events to date (big attendance)
- Two year programme
- Extensive online resources
- Oireachtas



Public Awareness

- Planning Leaflet series
- Eco Eye (4 episodes)
- Planning Library
- Newsletter
- Planning Regulator guest speaker events
[including DECC, Climate Advisory Council, DECC, LDA, ICLRD, CCMA, IBEC]



Staff Training

- Support IPI Online CPD (May 2020)
- Sponsoring the continuation EPA ESM training
- Regional SEA Fora
- Support CARO
- More to come in 2021..





Research, training and public awareness



Statutory mandate to conduct education, research and training programmes:

- ▶ **Research:** into planning matters relevant to the OPR's functions or at the request of the Minister
- ▶ **Training:** for elected members and staff of regional and local authorities

OPR Strategy Statement Action:

Establishment of the **National Planning Knowledge Group (NPKG)**: includes representation from the Higher Education Institutions (HEI), non-governmental organisations (NGOs), planning institutes, government organisations, departments and representatives from planning authorities.



Planning Research Framework

<https://opr.iw.ie/view-file/29>

Planning Research Framework- Goal & Objectives

GOAL

To develop an effective research programme that addresses the gaps in planning theory and practice, supports the delivery of best practice in the planning system, facilitates greater public understanding and participation and develops necessary tools and applications for practitioners and researchers.

Objectives

- | | | | | | | |
|--|---|--|---|---|---|--|
| ↓ | ↓ | ↓ | ↓ | ↓ | ↓ | ↓ |
| 1. To promote the overall sustainable development agenda | 2. To provide support and reassurance for practitioners and promote confidence in the planning system | 3. To address themes and issues identified as knowledge gaps by stakeholders | 4. To work in partnership with other stakeholders to strengthen collaboration | 5. To advocate and support the use of new technologies and innovation | 6. To avoid repetition of existing research | 7. To prepare a two year programme of research with an annual review |

Planning Research Framework- Structure

First Strand: Planning Issues



Core planning themes

e.g. housing, urban & rural regeneration, transport, environment etc.

Reflect current policy context

Responsive

Second Strand: Planning Performance



Focus on the processes behind the system.

Identify trends, patterns, establish causes and linkages.

Highlight good (& *poor*) practice in order to learn and improve systems and procedures.

Third Strand: Planning Practice



Practical assistance for day-to-day work.

Close gaps between high level policy, academia & frontline service.

Promote education, learning from experience and knowledge sharing.

Evaluation Criteria :

Opportunity, range and scope:

	<i>will the project.....</i>	
1	<i>Be relevant to a range of different local authorities and regional assemblies and take into account regional variations?</i>	
2	<i>Consider both urban and rural areas?</i>	
3	<i>Engage with a variety of stakeholders?</i>	

Principles and standards:

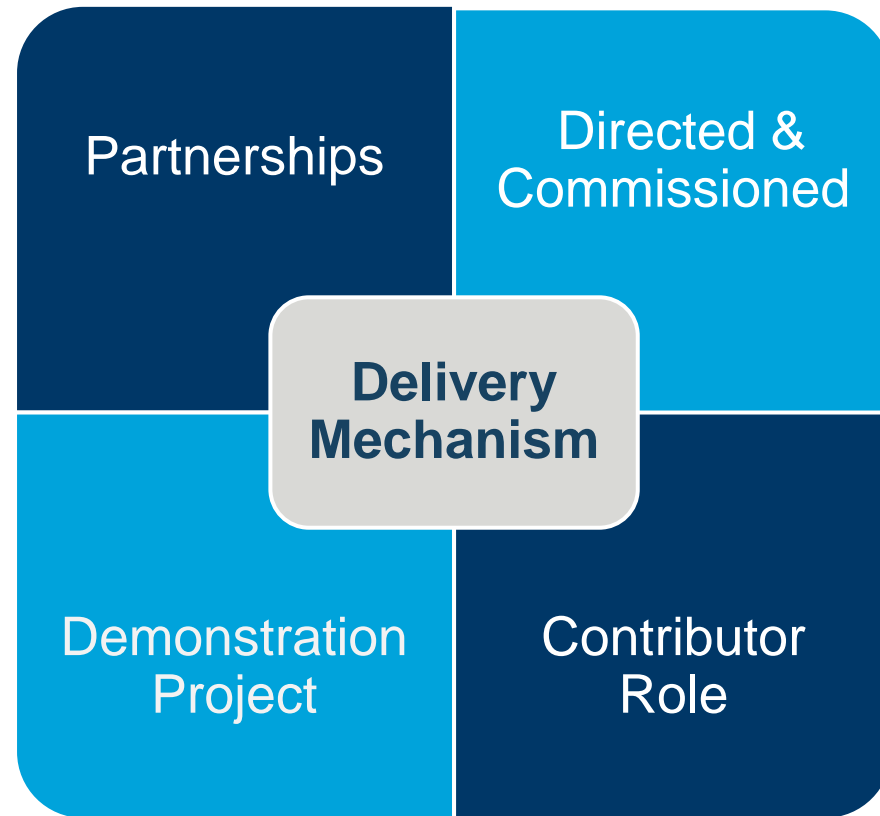
	<i>will the project.....</i>	
1	<i>Contribute, in an original way, to the study of an under-researched topic about/related to planning?</i>	
2	<i>Be conducted in an ethical way?</i>	
3	<i>Promote robustness and trustworthiness?</i>	
4	<i>Provide a strong evidence base to inform planning?</i>	
5	<i>Deliver value for money?</i>	

Relevance, appropriateness and application

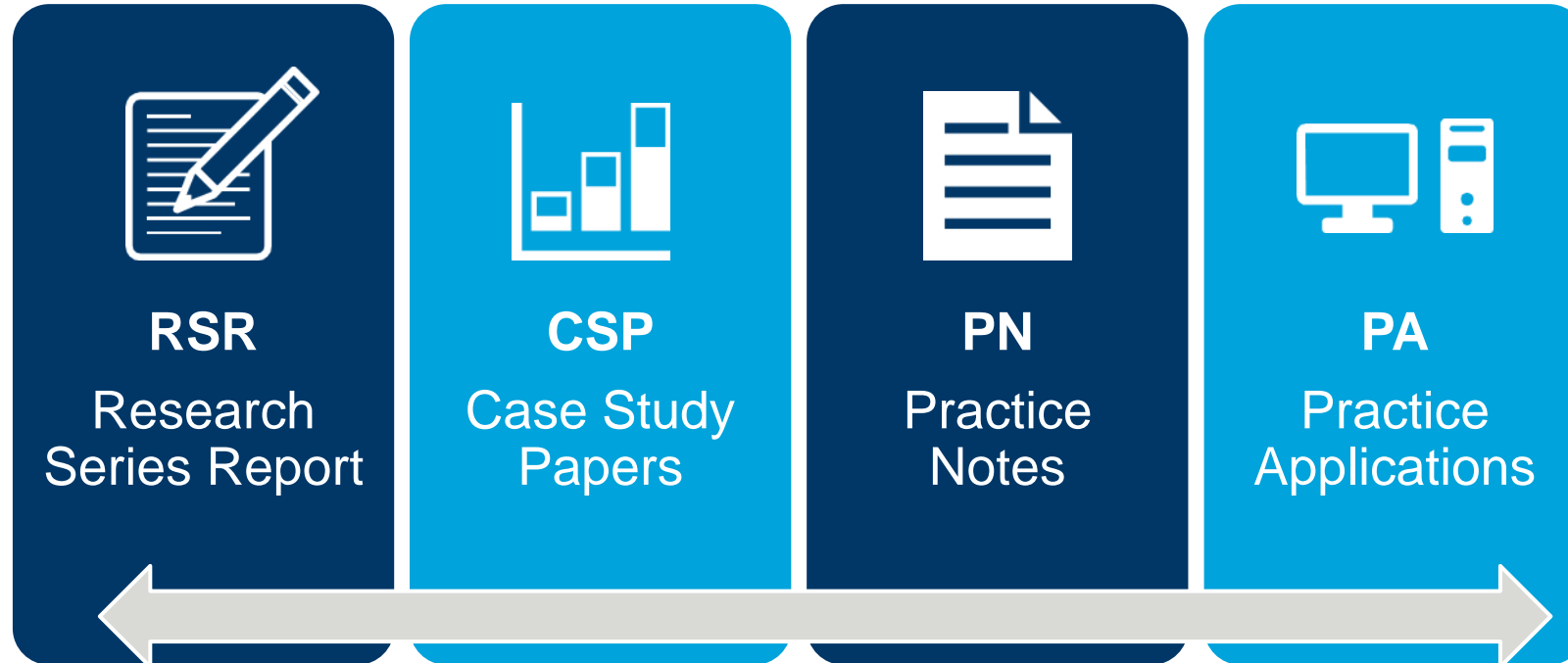
	<i>will the project.....</i>	
1	<i>Support the OPR's Research Goal?</i>	
2	<i>Promote the overarching principles of proper planning and sustainable development?</i>	
3	<i>Relate to government policy such as that set out in the NPF, S.28 Guidelines, Climate Action Plan etc.?</i>	
4	<i>Promote greater understanding and confidence in the planning system?</i>	
5	<i>Provide support for practitioners?</i>	
6	<i>Strengthen collaboration between stakeholders?</i>	
7	<i>Help narrow the gaps between strategic policy, academia and practice?</i>	
8	<i>Address the needs and requirements of various stakeholders?</i>	
9	<i>Promote effective use of modern technology?</i>	
10	<i>Avoid duplication with research undertaken by another stakeholder?</i>	
11	<i>Result in clear and accessible reports or other outputs?</i>	

Planning Research Framework

how are we going to do it?



Planning Research Framework: what are we going to produce?



STRATEGIC PLANNING RESEARCH PROGRAMME

Timeline		Strand One: PLANNING ISSUES			Strand Two: PLANNING PERFORMANCE			Strand Three: PLANNING PRACTICE		
		Project:	Delivery Option:	Output:	Project:	Delivery Option:	Output:	Project:	Delivery Option:	Output:
2020	Short Term	Climate: Assessment of Climate Effects of Spatial Plans (SPACES) Methodology	DC	RSR PN	Indicators vs Outcomes: RTPI – Measuring Planning Outcomes Study	CR	RSR CSP	EIA and AA Screening: Practice templates	DC	PN
								Development Plan App: Managing Timelines Software Tool	DC	PA
2021	Medium Term	CV19: Planning Implications (i) Changing Spatial Relationships between Home and Workplace (ii) Analysis of policy responses	DC/ P/ CR	RSR	Planning Application Processing: Analysis of LA validation processes – learnings	DC	CSP	Planning Conditions: including a Standard Condition Compendium	DC	PN PA
					Pre-Application Consultations: Survey of practices, case studies – learnings	DC	CSP	Pre-Application Consultation: Derived from survey across the 31 planning authorities	DC	CSP PN
2022	Longer Term	EPA Five Year Report – Achieving Climate Neutrality by 2050	CR	RSR	Operation of Part 8 Processes: Survey of practices, case studies – learnings	DC	CSP	Marine Planning: Dealing with Marine Development Consents in Nearshore Areas	DC	PN
		Brownfield Land Activation Measures: Experiences/best practice	P	RSR/ CSP	Housing: Development Plans and Traveller Accommodation Plans	DC	CSP	EIA & SEA Transboundary Consultation: Practical Steps	P	PN
		Compact Growth: Case Studies	CR	CSP	Development Plan Progress Reports: Survey of practices, SEA monitoring – learnings		RSR CSP	River Basin Plans: Factoring in to PA Decisions	CR	PN
		Brownfield Land Activation Measures: Experiences/best practice	P	RSR/ CSP						
2023 +		Marine Planning: Adapting Regional Marine Planning Approaches to Ireland	DC	RSR						
		Opportunities Emerging &/to be developed			Opportunities Emerging &/to be developed			Opportunities Emerging &/to be developed		



OPR Practice Note PN01

Appropriate Assessment Screening for Development Management



Óifig an
Rialaitheora Pleanála
Office of the
Planning Regulator



What is a 'Practice Note'?



Paper that examines a specific subject matter from the perspective of the practitioner.



Key messages translated from policy and legislation into pragmatic advice for day-to-day work of a planning practitioner.



Complementary tool to give support and reassurance.



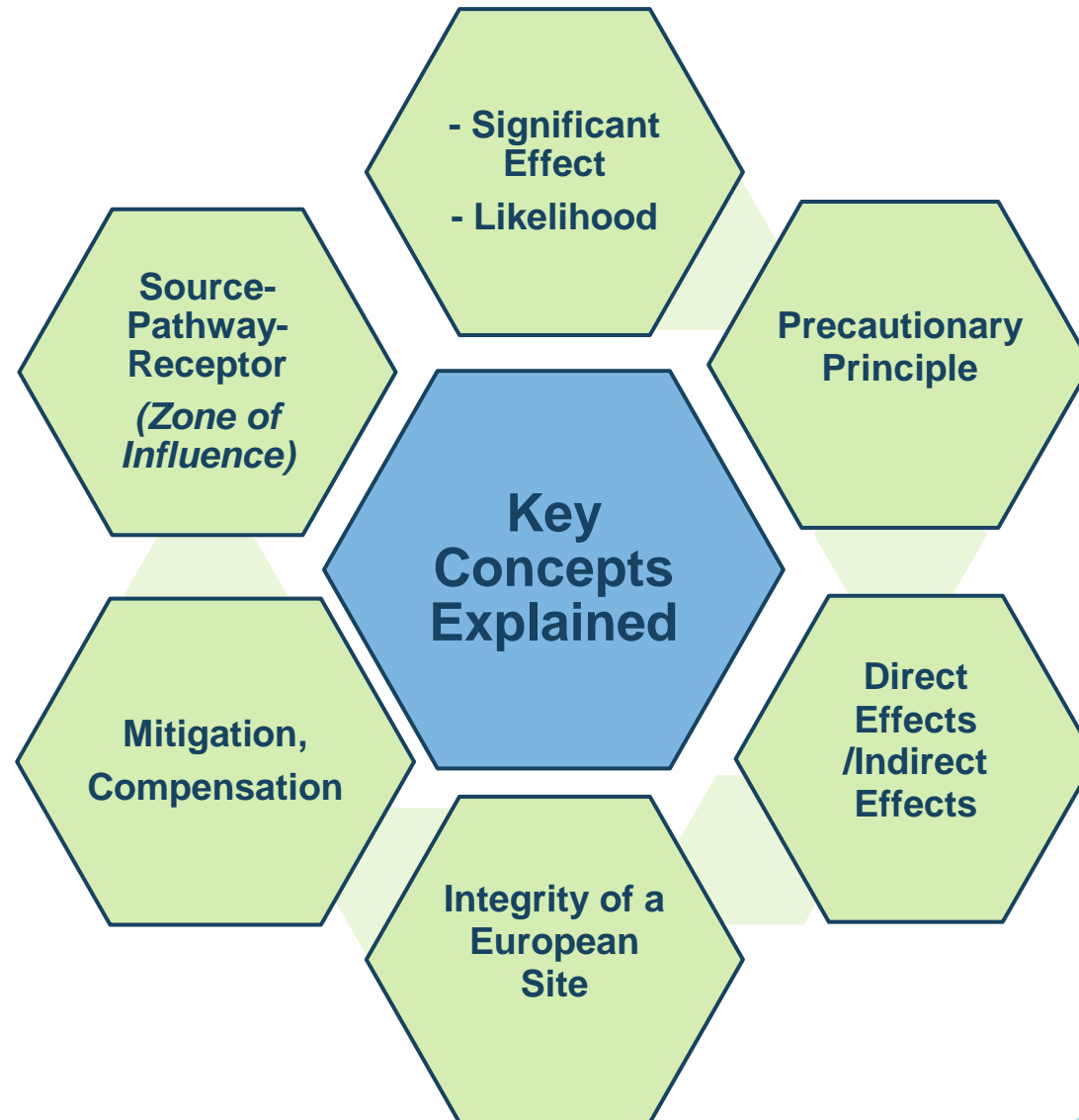
Sharing collective knowledge and learnings

A 'Practice Note' is not....



- ✗ **Not** a substitute for learning, understanding or reading the principal legislation, guidelines or case law.
- ✗ **Not** binding – a planning authority does not have to adopt or incorporate any recommendations outlined.
- ✗ **Not** a legal digest – it does reflect recent case law.

What does PN01 address?



Undertaking Screening for Appropriate Assessment

Steps and matters to be considered:



1. **Describe** the proposed development and local site characteristics.



2. **Identify** the relevant European sites and compile information on qualifying interests and conservation objectives.

- (a) Identify all European sites that might be affected using the Source-Pathway-Receptor model.
- (b) Identify the qualifying interests of the site concerned and the conservation objectives.
- (c) Determine which of those qualifying interests/conservation objectives could be affected by the proposed development.



3. **Assess** the likely significant direct and indirect effects on the conservation objectives of the site(s) in relation to:

- (a) the project alone, and
- (b) In combination with other plans and projects.



4. **Screening determination statement and conclusion:**
In the absence of mitigation measures, determine if the project alone or in combination with other plans and projects could undermine the conservation objectives of the site(s) and give rise to likely significant effects.

Source-Pathway-Receptor Model:



Source

Identify the characteristics of the proposed development such as the nature, size and location and the type of impacts.



Pathway

Identify the existence and characteristics of the pathways that could link European sites and their qualifying interests to the proposed development.



Receptor

Establish the location, nature and sensitivities of the qualifying species and habitats, the ecological conditions underpinning their survival and the conservation objectives specified to maintain or restore favourable conservation status.

Section 6.0

Implications for Development Management

- ✓ Clear and concise advice on the practical elements of Development Management
- ✓ Frequently asked questions that practitioners deal with on a day-to-day basis

E.g. 247 pre-application, validation, local authority development.

Appendices...

- ▶ Template Screening Template Forms that can be used for simple and complex cases.
- ▶ Worked up Case Studies:
 - A domestic extension
 - Large housing development
 - Intensive agricultural development (piggery)

Template Screening Form

STEP 1. Description of the project/proposal and local site characteristics:

(a) File Reference No:

(b) Brief description of the project or plan:

(c) Brief description of site characteristics:

(d) Relevant prescribed development
DHLGH (N° 15)

(e) Response to...

STEP 2. Identification of relevant Natura 2000 sites using Source-Pathway-Receptor model and compilation of information on qualifying interests and conservation objectives.

European Site (code)	List of Qualifying Interest/Special Conservation Interest ¹	Distance from proposed development ² (km)	Connections (Source-Pathway-Receptor)	Considered further in screening Y/N

STEP 3. Assessment of Likely Significant Effects

(a) Identify **all** potential direct and indirect impacts that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project under the following headings:

Impacts:

Possible Significance of Impacts:
(duration/magnitude etc.)

Construction phase e.g.

- Vegetation clearance
- Demolition
- Surface water runoff from soil excavation/infill/landscaping (including borrow pits)
- Dust, noise, vibration
- Lighting disturbance
- Impact on ground water/dewatering
- Storage of excavated/construction materials

Step 4. Screening Determination Statement

The assessment of significance of effects:

Describe how the proposed development (alone or in combination) is/is **not likely** to have **significant** effects on European site(s) in view of its conservation objectives.

Conclusion:

	Tick as Appropriate:	Recommendation:
(i) It is clear that there is no likelihood of significant effects on a European site.	<input type="checkbox"/>	The proposal can be screened out: appropriate assessment not required.
(ii) It is uncertain whether the proposal will have a significant effect on a European site.	<input type="checkbox"/>	<input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
(iii) Significant effects are likely.	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
Signature and Date of Recommending Officer:		
Signature and Date of the Decision Maker:		

Plus...



Further Reading and Reference Material (including Case Law)

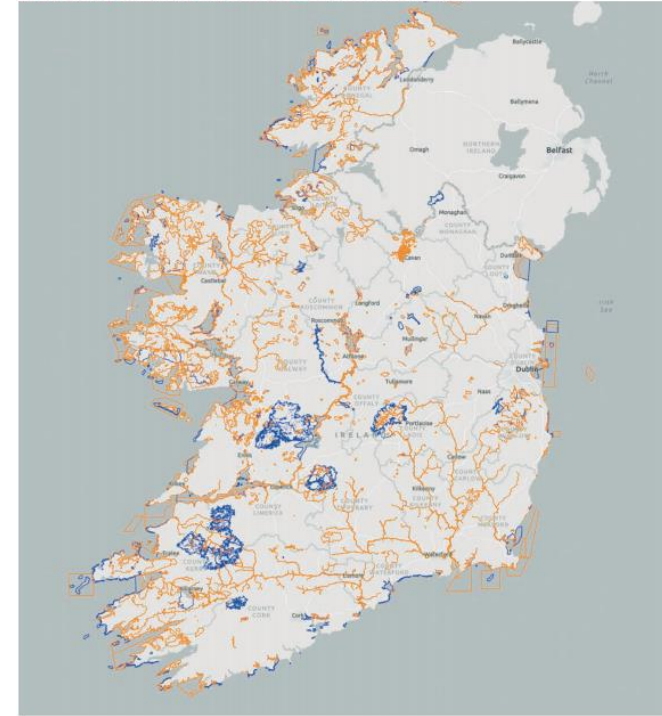


Details European Sites & the Natura 2000 Network including a map of the Irish sites



Tables listing protected habitats and species

Figure 1. Map illustrating the Natura 2000 Network in Ireland





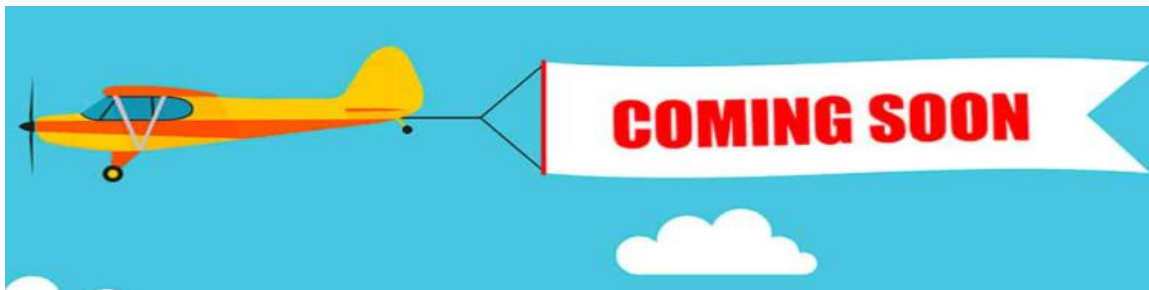
OPR Practice Note PN01

Appropriate Assessment Screening for Development Management



Óifig an
Rialaitheora Pleanála
Office of the
Planning Regulator

<https://www.opr.ie/planning-practice/>



- ▶ **Practice Note 02 EIA Screening**
- ▶ **Development Plan Timeline Calculator**



Óifig an
Rialaitheora Pleanála
Office of the
Planning Regulator

AboutNewsInformation on ComplaintsEvaluation of Statutory PlansPublicationsResearch and TrainingContact UsCalculatorEnglish

Plan-Making Calculator

Welcome to the OPR Plan-Making Calculator

This calculator estimates the timeframe for making or reviewing a city or county development plan.

The timeframes are based on the statutory timeframes set out in the Planning and Development Act 2000, as amended (the Act).

To use the calculator, scroll down to the input section and select the step (from 1-16) you want to start from. Then, input the date relating to this step. You can start from any step of the plan-making process. The calculator will provide the full timeframe for the plan-making process, no matter what step you select at the input stage. We recommend for best outcomes to use this calculator on your desktop or laptop rather than a phone.

Finally....



- ▶ Urge you all to register on our website for our newsletter for automatic updates.



- ▶ Check out our website resources:
<https://www.opr.ie/>

- ▶ Email us: research@opr.ie
- ▶ Located at **Park House, Dublin 7**

Thank you