

Report

Kilkenny County Council Noise Action Plan 2024-2028

SEA Screening

For Kilkenny County Council (KCC)

20 December 2024

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Prepared By:	Charlotte Pigott
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3rd Floor St Augustine's Court, 1 St. Augustine's Place, Bristol, BS1 4UD Tel: +44(0)117 974 1086
 24 Greville Street, Farringdon, London, EC1N 8SS Tel: +44(0)20 3873 4780
 First Floor, Patten House, Moulders Lane, Warrington WA1 2BA Tel: +44(0)1925 937 195
 8-9 Ship St, Brighton and Hove, Brighton BN1 1AD Tel: +44(0)20 3873 4780
 Avenue du Port, 86c Box 204, 1000 Bruxelles Tel: +44(0)20 3873 4780

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1 Introduction

1.1 Background

This Strategic Environmental Assessment (SEA) Screening Report has been prepared by Logika Consultants Ltd. on behalf of Noise Consultants Ltd for, Kilkenny County Council (KCC) the Action Planning Authority (APA). This SEA Screening report considers the applicability of the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations S.I.435/2004¹ as amended by the European Communities (Environmental Assessment of Certain Plans and Programmes) (Amendment) Regulations 2011, S.I. No. 200² of (hereafter referred to as the 'SEA Regulations') in relation to the KCC Noise Action Plan (NAP) 2024 – 2028 dated 15th December 2024 (Ref: 15794A-20-R01-04-F02). The focus of this SEA Screening report is to provide justification for whether SEA is needed.

The requirement to prepare a NAP is set for members of the European Union under the Environmental Noise Directive (END) (2002/49/EC), a legal instrument for addressing adverse effects of environmental noise which have been transposed into Irish law³ and require preparation of strategic noise mapping and implementation of NAPs. The Environmental Protection Agency (EPA) is the national competent authority responsible for implementing the END and will ultimately report noise mapping and action planning to the European Commission.

Within Ireland the 31 Local Planning Authorities are designated as APAs responsible for making and approving NAPs in consultation. The entirety of the administrative area within KCC is covered by the KCC NAP and is the focus of this SEA Screening report.

The purpose of the KCC NAP is to provide a strategic overview of the management of noise issues and effects within County Kilkenny. The NAP aims to develop clear priorities based on detailed noise mapping results, with a view to preventing environmental noise where necessary; particularly where exposure to noise levels can induce harmful effects on human health. The NAP also identifies areas to preserve environmental acoustic quality where the baseline is good.

The END requires routine updates to noise mapping and action planning every four years. The NAP to which this SEA Screening report refers to is for the period 2024 – 2028. Further details are set out within **Section 3** of this report.

SEA is a formal process used to evaluate the likely significant environmental effects of implementing a plan or programme before a decision is made to formally adopt the plan or programme. This SEA Screening Report considers the applicability of the SEA Regulations and the NAP ('pre-screening') as a 'plan or programme', presents details of the SEA screening process and ultimately determines whether further assessment is required in respect of the NAP.

¹ Irish Statute Book, S.I. 435/2004, European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (Accessed February 2024) Available at: [S.I. No. 435/2004 - European Communities \(Environmental Assessment of Certain Plans and Programmes\) Regulations 2004 \(irishstatutebook.ie\)](https://www.irishstatutebook.ie/eli/2004/si/435/made/en/print)

² Irish Statute Book, S.I. 200/2011, European Communities (Environmental Assessment of Certain Plans and Programmes) (Amendment) Regulations 2011 (Accessed February 2024) Available at: <https://www.irishstatutebook.ie/eli/2011/si/200/made/en/print>

³ The END was transposed into Irish Law by the Environmental Noise Regulations 2006 (S.I. 140/2006) (the "Regulations"). The Regulations were revised by the European Communities (Environmental Noise) Regulations 2018 (S.I. 549/2018) and amended through the European Communities (Environmental Noise) (Amendment) Regulations 2021 (S.I. 663/2021).

An Appropriate Assessment Screening Report has been prepared concurrently with this SEA Screening Report. This considers European Directives 92/43/EEC and 2009/147/EC (the 'Habitats directive' and the 'Birds directive', respectively), which are transposed into Irish law by the European Communities (Birds and Natural Habitats Regulations 2011 (S. I. No. 477 of 2011)), the 'Habitat Regulations'.

The structure of this SEA Screening Report is as follows:

- **Section 2: Strategic Environmental Assessment Legal Context and Approach.** This sets out the regulatory context and purpose of the SEA Regulations, along with a summary of the SEA process, focussing on Screening. Reference to SEA Screening guidance is presented;
- **Section 3: Summary of the Kilkenny County Council Noise Action Plan 2024 – 2028.** This summarises the NAP with a focus on the content of the NAP that has potential relevance for the purpose of the SEA Regulations;
- **Section 4: Kilkenny County Council Environmental Context.** This sets out the geographical context of the NAP and at a high level, environmental considerations proportionate to SEA and considering biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage, and landscape;
- **Section 5: SEA Statutory Screening.** Sets out the findings of pre-screening and considers the NAP against the criteria defined by SEA Regulations and guidance. This section also sets out the next steps in respect of consultation; and
- **Section 6: Consultation and Next Steps.**

2 Strategic Environmental Assessment Legal Context and Approach

2.1 The SEA Regulatory Context

SEA is a systematic process designed to assess likely significant environmental effects of implementing a plan or programme before it is formally adopted or implemented.

European Union (EU) Directive 2001/42/EC7 (the 'SEA Directive') requires EU Member States to ensure that certain plans and programmes are subject to a requirement for SEA. In the context of transport sectoral plans, the 'SEA Directive is transposed into Irish law through the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (S. I. 435/2004). This legislation has been amended by the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2011 (S.I. 200/ 2011). For all other sectorial plans, the SEA Directive is transposed into Irish law by Planning and Development (Strategic Environmental Assessment) Regulations⁴ (S. I. 436/2004), as amended by Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations 2011⁵ (S. I. 201/2011). As set out within the EPA Draft Guidance for Noise Action Planning⁶, the NAP is a form of 'Transport' sectoral plan. Therefore, if an SEA is required for NAPs, they would fall under the remit of S.I. 435, as amended, and not S.I. 436 of 2004.

Pre-screening checks have followed the Environmental Protection Agency (EPA) report Development of Strategic Environmental Assessment (SEA) Methodologies for Plans and Programmes in Ireland (2001-DS-EEP-2/5)' – Synthesis Report⁷. The SEA process is defined by a series of stages which has been described in Section 2.2.

2.2 SEA Screening

2.2.1 Overview

The procedure of undertaking SEA screening is based upon the evaluation of specific criteria in Annex II of the SEA Directive (Schedule 1)⁸.

⁴ Irish Statute Book, S.I. 436/2004, Planning and Development (Strategic Environmental Assessment) Regulations 2004 (Accessed February 2024) Available at:

<https://www.irishstatutebook.ie/eli/2004/si/436/made/en/print>

⁵ Irish Statute Book, S.I. 201/2011, Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations 2011 (Accessed February 2024) Available at:

<https://www.irishstatutebook.ie/eli/2011/si/201/made/en/pdf>

⁶ Environmental Protection Agency (2024). DRAFT Guidance Note for Noise Action Planning For the European Communities (Environmental Noise) Regulations 2018, Draft Version 2 (January 2024).

⁷ Scott and Marsden (2001), Environmental Protection Agency Report, Development of Strategic Environmental Assessment Methodologies for Plans and Programmes in Ireland (2001-DS-EEP-2/5) – Synthesis Report (Accessed July 2024) Available at: <https://www.epa.ie/publications/monitoring--assessment/assessment/strategic-environmental-assessment/synthesis-report-on-developing-a-strategic-environmental-assessment-sea-methodologies-for-plans-and-programmes-in-ireland.php>

⁸ European Union, Directive 2001/42/EC, Assessment of the Effects of Certain Plans and Programmes on the Environment, as transposed by Irish Statute Book, S.I. 435/2004, European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (Accessed February 2024) Available at: <https://www.irishstatutebook.ie/eli/2004/si/435/made/en/print#article1>

According to the EPA Good Practice Guidance on SEA Screening⁹, the screening process covers three different stages as below:

- Applicability;
- Statutory Screening¹⁰; and
- Determination.

The core guidance⁷ states that the overall characteristics of the proposal should be checked to determine if the proposal is a plan or programme as defined for and is not exempt from the requirements of the SEA Directive. This is therefore the first stage of 'Applicability' screening.

If it is determined that the proposal is a plan or programme as defined for purposes of the SEA Directive and is otherwise exempt from those requirements, further consideration must be given to any potential environmental significance resulting from implementing the plan itself. At this stage, the significance criteria outlined in Annex II (2) of the SEA Directive (Stage 2 'Statutory Screening') should be followed.

2.2.2 Stage 1 'Applicability' Methodology

The applicability stage of SEA screening consists of a 4-step process as outlined in the EPA Good Practice Guide on Screening (2021). **Table 2-1** sets out these stages as below:

Table 2-1: Stage 1 Applicability Steps

Applicability Step	Step Guidance
Step 1	Establish and identify the status of the plan to be assessed, or the competent authority compiling the programme. Is the plan (i.e. The NAP) prepared and/or adopted by an authority at national, regional, or local level? Is the plan prepared by a relevant authority for associated adoption through a parliamentary or governmental legislative procedure?
Step 2	Establish the description of the plan or programme. Is the NAP required by legislative, regulatory, or administrative provisions?
Step 3	Determine if the NAP is not exempt from SEA screening. Is the sole purpose of the NAP for national defence, civil emergency, or finance/budget?
Step 4	Does the NAP require mandatory SEA?

⁹ Environmental Protection Agency, SEA Screening Good Practice 2021 [Accessed February 2024] available at: <https://www.epa.ie/publications/monitoring--assessment/assessment/strategic-environmental-assessment/sea-screening-good-practice-2021.php>

¹⁰ "Screening" is used to denote two distinct concepts in the Good Practice Guidance. In the first instance, it is used to describe the determination of whether a proposal requires SEA for any reason, including whether it is a plan or programme as defined in the SEA Directive. In the second instance, it is used to describe a particular step in that determination process, which is the statutory requirement to consider whether a proposal, having been determined to be a plan or programme as defined in the SEA Directive, is likely to have significant effects on the environment, which step requires, amongst other things, consultation with environmental authorities. To distinguish the two concepts, this report calls the former "Screening" and the latter "Statutory Screening".

Applicability Step	Step Guidance
	<p>Is the NAP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecoms, tourism, town and country planning or land use, and does the NAP set the framework for future development consent of projects listed in the Annexes of the EIA Directive?</p> <p>Or</p> <p>Will the NAP require assessment under Article 6 or 7 of the EU Habitats Directive?</p>

Following this stage of SEA screening, there are three possible outcomes regarding whether the SEA Directive applies in this case:

- The SEA Directive **does not** apply to the NAP – this means that the NAP is not of a type which falls within the remit of the regulations themselves, and therefore there is no requirement to notify environmental authorities.
- The SEA Directive **does** apply to the NAP – this means that the NAP is of a type that falls within the remit of the regulations and therefore triggers mandatory SEA. This then triggers the process of proceeding to SEA scoping and relevant consultation with designated authorities.
- The SEA Directive **may** apply to the NAP – in this scenario, the NAP may be within the remit of the SEA Directive because there is some uncertainty with the provisions considered at Stage 1 screening, therefore a case-by-case determination is required. At this point, the screening would proceed to Stage 2.

2.2.3 Stage 2 'Statutory Screening' (If Applicable)

If the SEA Directive applies to the NAP and the NAP is not otherwise exempt from the SEA Directive, Stage 2 Statutory Screening helps to determine if SEA is required for the NAP. While it is not a mandatory requirement, the production of a screening report has become good practice as part of the overarching process.

Stage 2 is a four-step process as per the EPA's Good Practice Guidance on SEA Screening Reports. Table 2 below summarises the next steps.

Table 2-2: Stage 2 Screening Steps

Screening Step	Step Guidance
Step 1	Describe the features of the NAP and the environment in which it would be received, outlining any environmental challenges.
Step 2	Identify the potential for significant environmental effects.
Step 3	Statutory consultation with designated environmental authorities (a minimum of 4 weeks).
Step 4	Draft determination.

Part of this screening stage includes a screening of environmental significance, to assess whether the plan is likely to result in significant effects and therefore taken forward for SEA. The criteria for undertaking this are embedded into Annex II of the SEA Directive and is transposed into Irish legislation as Schedule 1 of the European Communities (Environmental Assessment of Certain Plans and

Programmes) Regulations 2004 as amended. The criteria that will be used as part of Section 5 of this report, is outlined in Appendix A Stage 2 SEA Statutory Screening. The aforementioned EPA's Good Practice Guidance on SEA and the Department of Housing, Local Government and Heritage Strategic Environmental Assessment Guidelines for Regional Assemblies and Planning Authorities (2022)¹¹ have been used to guide this assessment.

At this stage it is required to consult with the relevant environmental authorities for a minimum of 4 weeks (Step 3), after which a draft determination can be prepared (Step 4) and finalised as Stage 3 following the input from consultation.

2.2.4 Stage 3 'Determination'

Following the consultation with the relevant authorities, after the competent authority has made their final decision as to whether SEA applies to the NAP, a summary of the screening should be available for public inspection both digitally and as a hard copy. A copy of the final determination should also be made available to relevant SEA authorities who were consulted during screening.

2.3 Appropriate Assessment

It should be noted that concurrently an Appropriate Assessment (AA) Screening is being undertaken. The AA Screening considers European Directives 92/43/EEC and 2009/147/EC (the 'Habitats directive' and the 'Birds directive', respectively), which are transposed into Irish law by the European Communities (Birds and Natural Habitats Regulations 2011 (S. I. No. 477 of 2011)), the 'Habitat Regulations'. The overarching goal of the Habitat Regulations are to uphold or restore the 'favourable conservation status' of habitats and species recognised as of European Community Interest. These specific habitats and species are outlined in the Habitats and Birds Directives, with the designation of Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) aimed at safeguarding them. Together, these designations are commonly referred to as European Sites, also known as Natura 2000 sites.

The Habitats directive does not specifically define what is a plan or project. Relevant case law¹², as well as a judgement in the High Court (England and Wales)¹³ concluded that for the purposes of the Habitats directive, if an activity could have impacts upon a European site, it should therefore be considered as a plan or project. As such, should the AA Screening determine that the likely impacts upon a Natura 2000 site, either alone or in combination with other projects or plans and considers these to be significant, then tis will also trigger the requirement of SEA for the plan.

¹¹ Department of Housing, Local Government and Heritage (2022). Strategic Environmental Assessment Guidelines for Regional Assemblies and Planning Authorities. (Accessed February 2024) Available at: [218356_6c57ccf6-3d2b-4c43-b871-1698e7daab5d \(1\).pdf](#)

¹² European Court of Justice judgement in case C-127/02 "Waddenzee"

¹³ R. (on the application of Akester) v Department for Environment, Food and Rural Affairs (Case No. CO/1834/2009) [2010] EWHC 232

3 Kilkenny County Council Noise Action Plan 2024-2028

3.1 Background and Overview

Once adopted the KCC NAP will replace the current NAP for the period 2019-2023. As required by the END, the NAP seeks to provide a framework for long-term management of environmental noise from transport systems referring to the results of the strategic noise maps to inform assessments of population exposure and harmful effects of noise. As part of this management, the protection of Quiet Areas in open county within the Kilkenny Council is also set out within the NAP. The temporal framework for the NAP is 4 years¹⁴, at which time the noise mapping and NAP will be reviewed as well as the NAP, and where necessary revised.

For the purpose of the SEA, relevant sections of the NAP include the overarching long-term strategy which incorporates the Noise Policy Statement and Responsible Aims, are set out in **Section 3.2** and **3.3** of this report.

The management of noise within County Kilkenny focusses on Prevention, Protection and Mitigation Measures.

Prevention measures, as set out in the NAP, could include the implementation of separately adopted planning policy within relevant Development Plans and associated guidance which will, for instance require Acoustic Design Statements for new residential applications.

Protection measures, as set out in the NAP, include the protection of desirably quiet areas and consideration of their formal designation as Quiet Areas in open county.

Mitigation measures, as set out in the NAP, include the identification and implementation of priority important areas. Noise mitigation measures within these areas should be evaluated for their effectiveness through the following steps as set out in the NAP:

- Noise measurements at Priority Important Areas;
- Review of the assumptions used to identify the Priority Important Areas;
- Re-evaluation of Priority Important Areas;
- Identification of practical noise mitigation measures;
- Appraisal of noise mitigation measures monetised benefits to health;
- Financial assessment of noise mitigation measures;
- Cost-benefit analysis; and
- Recommendation of noise mitigation measure(s).

3.2 Noise Policy Statement

The Noise Policy Statement for the County Kilkenny is detailed as follows:

¹⁴ The European Commission allowed for one additional year for the Round 4 NAPs, reducing the five-year implementation period to four-years.

"Kilkenny County Council will adopt a strategic approach to managing environmental noise from roads within its functional area, and will aim to:

- **Prevention** – manage the risk of additional members of the community being exposed to undesirable noise levels where it is likely to have significant adverse impact on health and quality of life.
- **Protection** - protect areas which are desirably quiet, or which offer a sense of tranquillity through a process of identification and validation followed by formal designation of 'Quiet Areas in open country'.
- **Mitigation** – identify, and prioritise, appropriate mitigation measures to reduce noise levels where they are potentially harmful."

3.3 Responsible Aims

The Responsible Aims that underpin the Noise Policy Statement and are set out within the NAP, are as follows:

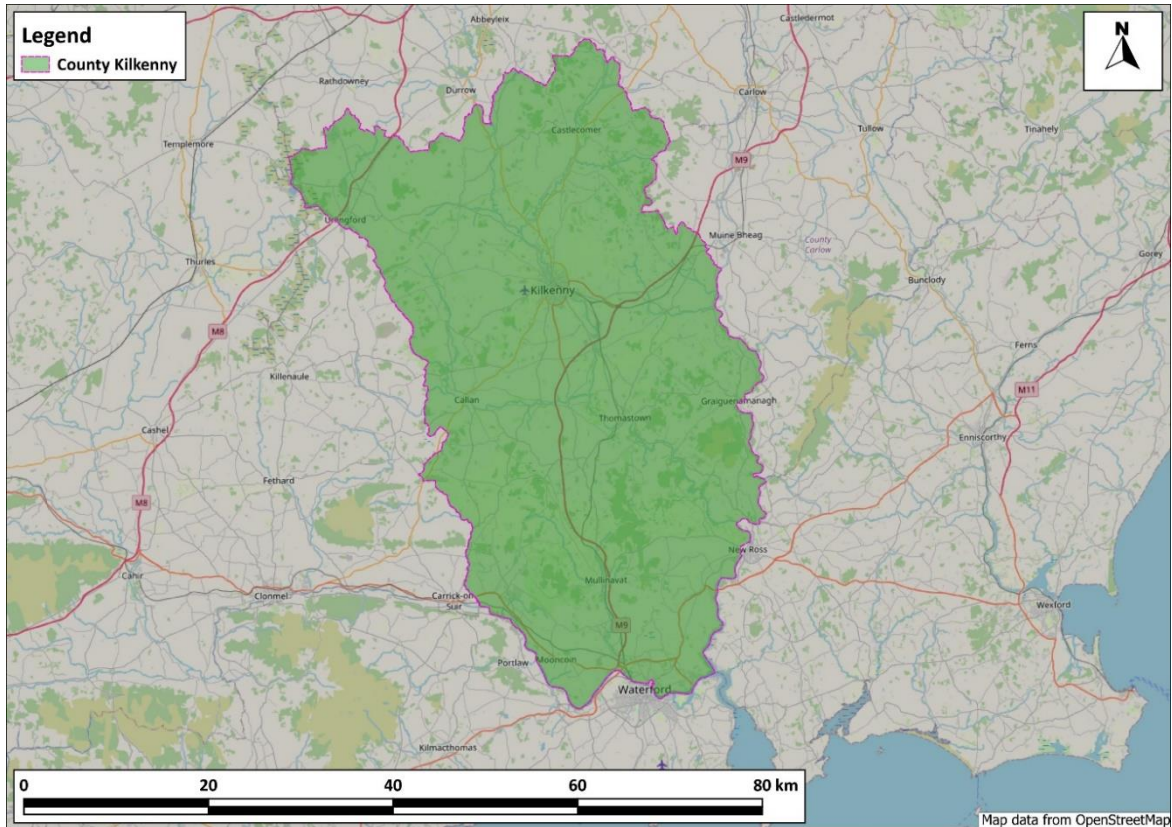
- **“RA_1 - Policy and Guidance Development** – Encourage the integration of noise considerations into the ongoing process of policy and guidance development, and actively promote existing policies and guidance related to noise.
- **RA_2 - Working Groups** – Participate in technical working groups pertinent to the implementation of the Environmental Noise Directive and with the assistance of the Environmental Protection Agency, a Round 4 Noise Action Plan Implementation Working Group shall be established.
- **RA_3 - Noise Mitigation** – In collaboration and consultation with relevant Noise Mapping Bodies, noise management interventions shall be applied on a priority basis during existing maintenance and improvement programs, where appropriate. This application will be based on a relevant evaluation of whole-life costs and benefits.
- **RA_4 - Protection** – Assess and, where appropriate, propose Candidate Quiet Areas in open county to the Environmental Protection Agency for designation as Quiet Areas in open country by the Minister.
- **RA_5 - Prevention** – Evaluate and condition planning proposals for noise sensitive development near major noise sources.
- **RA_6 - Community Engagement** – Commit to proactive and inclusive engagement with communities and collaboratively address noise issues for the improvement of our shared living environment.
- **RA_7 - Manage Noise Complaints** – Review and respond to all environmental noise complaints in accordance with their Customer Charter.
- **RA_8 - Regulatory Engagement** – Report the progress on the implementation of Noise Action Plans, including the investigation and implementation of noise management measures in Priority Important Areas, and the assessment of Candidate Quiet Areas in open country for preservation of environmental noise quality, to the Environmental Protection Agency on an annual basis."

4 County Kilkenny Environmental Context

4.1 Context

The administrative area of KCC covers an area of 2,073km², as shown in **Figure 4-1**.

Figure 4-1: County Kilkenny Boundary



As detailed in the NAP, the total population of the County Kilkenny is approximately 104,160. In terms of noise sources, there are approximately 182,086 metres of major road, and no major rail or aircraft sources. There are also a total of 64 noise sensitive buildings (schools and hospitals) located within County Kilkenny.

The environmental context of County Kilkenny has been identified to understand the environmental issues, trends, and characteristics. Setting this environmental context can inform, if the NAP were considered a plan or programme in accordance with the SEA Regulations, what potential significant environmental effects could arise. The environmental context is set out with reference to the environmental issues indicated within the SEA Regulations (biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape). The information presented is proportionate to the strategic nature of the environmental assessment required and the scale of the NAP itself.

4.2 Baseline

4.2.1 Biodiversity, Flora, and Fauna

The County Kilkenny baseline for biodiversity can be quantified in terms of the number of designated sites and indication of the habitats and species across the area. Government data indicates that there are 5 Special Protection Areas (SPA) and 16 Special Areas of Conservation (SAC) located within County Kilkenny¹⁵. These sites are designated as Natura 2000 sites, which is an EU-wide network of protected areas covering vulnerable species and habitats, designated under the Birds and Habitats directives¹⁶. Further details on these SPA and SAC sites and why they are designated, can be found within the accompanying AA Screening of the NAP. There are two Ramsar sites identified across County Kilkenny, which are wetlands of international importance designated under the Ramsar convention and are also often designated as SPA and SAC sites¹⁷.

Habitats identified in County Kilkenny include, coastal, forest (alluvial woodland and old oak woodland), heath and scrub, freshwater, grassland, and rocky, as well as bogs, mires and fens¹⁸. In term of identified species in County Kilkenny, there are a number of species records present, including arthropods, amphibians, non-vascular plants, and mammals including otter, bats, pine marten and mountain hare¹⁹. Article 6 of the habitat's directive obligates Ireland to maintain and/or restore natural habitats and species of wild fauna and flora. The National Biodiversity Action Plan²⁰ aims to meet urgent conservation and restoration needs for habitats and species in Ireland.

4.2.2 Population and Noise

The focus of the County Kilkenny baseline for population and noise is about the number of people affected by noise. Assessment within the NAP suggests that 0.84% of the population is classed as Highly Annoyed (HA) by noise with 0.26% of the population classed as Highly Sleep Disturbed (HSD). The population of the County Kilkenny is more likely to be at risk of noise annoyance or sleep disturbance from road traffic noise, as railway noise and aircraft noise thresholds are not exceeded within County Kilkenny. While variations between regions can present a different picture, from a national perspective approximately 10.3% of people in Ireland consider their health to either be fair, bad, or very bad²¹. In terms of the population who are affected by ambient noise, national figures suggest that as of 2017, approximately 950,200 people across Ireland were directly exposed to high levels of noise above 55dB, from noise sources including road, rail and air²². Noise levels can be concentrated

¹⁵ Environmental Protection Agency, SEA GIS Report [Accessed August 2024] available at: <https://gis.epa.ie/EPAMaps/SEA>

¹⁶ European Environment Agency, The Natura 2000 protected areas network [Accessed August 2024] available at: <https://www.eea.europa.eu/themes/biodiversity/natura-2000#:~:text=Natura%202000%20is%20a%20network,on%20land%20and%20at%20sea>.

¹⁷ Irish Ramsar Wetlands Committee, Ramsar sites in Ireland [Accessed August 2024] available at: <https://www.irishwetlands.ie/irish-ramsar-sites/>

¹⁸ National Parks and Wildlife Service, Habitat and Species Data, 2019 Article 17 Report, The Status of EU Protected Habitats and Species in Ireland, Terrestrial Habitats [Accessed August 2024] available at: <https://storymaps.arcgis.com/collections/1a721520030d404f899d658d5b6e159a>

¹⁹ National Parks and Wildlife Service, Habitat and Species Data, 2019 Article 17 Report, The Status of EU Protected Habitats and Species in Ireland, Terrestrial Species [Accessed August 2024] available at: <https://storymaps.arcgis.com/collections/1a721520030d404f899d658d5b6e159a>

²⁰ National Parks & Wildlife Service, National Biodiversity Action Plan [Accessed August 2024] available at: <https://www.npws.ie/legislation/national-biodiversity-action-plan>

²¹ Central Statistics Office, Census of Population 2022 – Summary Results, General Health [Accessed August 2024] available at: <https://www.cso.ie/en/releasesandpublications/ep/p-cpsr/censusofpopulation2022-summaryresults/healthdisabilitycaringandvolunteering/>

²² European Environment Agency, Ireland noise fact sheet 2021, Number of people exposed to high noise levels – Ireland [Accessed August 2024] available at:

into specific areas depending on receptors, perhaps making it difficult to positively affect change. While the data shows that there is a downward trend from 2018 onwards, 1,891 noise complaints were received by local authorities in 2019, which perhaps indicates the public concern over noise²³.

4.2.3 Water and Soils

The County Kilkenny baseline for water and soils can generally be quantified in terms of soil status, underlying geology and Water Framework Directive (WFD) status.

The WFD helps to quantify water quality status, bathing water quality, protected areas, and groundwater vulnerability across Ireland. Within County Kilkenny, there are 71 WFD waterbodies classified as having poor ecological status and two classified as bad²⁴. There are many WFD protected areas within the County Kilkenny, and there is also differentiated areas in terms of groundwater vulnerability, with areas of low, medium, high vulnerability as well as areas of extreme vulnerability and rock at or near the surface.

County Kilkenny's underlying geology is mainly composed of areas of Tournaisian and Viséan limestone and shale, as well as Namurian and Westphalian shale, sandstone, siltstone and coal. There are also areas of Lower-Middle Ordovician slate, sandstone, greywacke, conglomerate and Old Red Sandstone, conglomerate and mudstone²⁵.

4.2.4 Air Quality

The County Kilkenny baseline for air quality can be quantified in terms of emissions levels of PM_{2.5} and NO₂. In terms of both, EU legal air quality limits were met in 2022²⁶. Ireland is moving towards measuring their performance regarding these emissions to a more stringent air quality guideline set by the World Health Organisation (WHO) rather than the EU. Latest modelled maps for PM_{2.5} show European Monitoring and Evaluation Programme (EMEP) annual averages across County Kilkenny are predominantly <5.0ug/m³ and up to 7.0-8.0ug/m³ in the localised areas. Burning solid fuels in homes remains a key issue to reduce PM_{2.5} emissions across County Kilkenny and indeed Ireland. In terms of NO₂, latest modelled maps for NO₂ show EMEP annual averages across County Kilkenny range from <2.5ug/m³ and 5.05ug/m³ to between 10.05ug/m³ and 12.5ug/m³ in small, concentrated areas. NO₂ emissions are mainly derived from road traffic, which is a key barrier to the reduction of these emissions generally albeit the growing trend of vehicles being powered by non-fossil fuel means, is and will continue to benefit air quality.

4.2.5 Climatic Factors

CO₂ emissions data is not defined for County Kilkenny and so national emissions are considered. In 2022, CO₂ emissions across Ireland were estimated to be 60.76Mt CO₂ eq²⁷. This figure is 1.9% lower

<https://www.eea.europa.eu/themes/human/noise/noise-fact-sheets/noise-country-fact-sheets-2021/ireland>

²³ Environmental Protection Agency, Environmental Noise Complaints [Accessed August 2024] available at: <https://www.epa.ie/environment-and-you/noise/environmental-noise-complaints/>

²⁴ Environmental Protection Agency, SEA GIS Report [Accessed August 2024] available at: <https://gis.epa.ie/EPAMaps/SEA>

²⁵ Environmental Protection Agency, SEA GIS Report [Accessed August 2024] available at: <https://gis.epa.ie/EPAMaps/SEA>

²⁶ Environmental Protection Agency, Air [Accessed August 2024] available at: <https://www.epa.ie/environment-and-you/air/>

²⁷ Environmental Protection Agency, "Ireland's 2022 Greenhouse Gas Emissions show a welcome decrease, but much work remains to be done" [Accessed August 2024] available at: <https://www.epa.ie/news-releases/news-releases-2023/irelands-2022-greenhouse-gas-emissions-show-a-welcome-decrease-but-much-work-remains-to-be->

than the previous yearly data and is contextualised by the EU target to reduce emissions outside of the EU ETS scheme by 30% by 2030²⁸.

4.2.6 Material Assets

The County Kilkenny baseline for material assets can be quantified in terms of the rate of housebuilding as well as the number of vacant properties. In terms of housebuilding, across Ireland there was an overarching target to build 29,000 new units in 2023²⁹. This target was exceeded, with approximately 32,695 units built across Ireland. More specific data on vacant properties within County Kilkenny (including the area included in the agglomeration) suggests that there are approximately 3,140 properties vacant across the County³⁰. This baseline information is set against the Vacant Homes Action Plan 2023-2026, which aims to provide every citizen with good quality homes through various interventions and investments³¹.

4.2.7 Cultural Heritage

The County Kilkenny cultural heritage baseline indicated that there are many national heritage areas, sites, and monuments across area. For example, there are thousands of specific sites and monuments of cultural interest, including approximately 6,026 Sites and Monuments Records (SMR) and approximately 1,917 National Inventory of Architectural Heritage (NIAH) records within Kilkenny County³². As part of the Kilkenny City and Council Development Plan 2021-2027, there is a requirement to compile and maintain a Record of Protected Structures under the Planning Act 2000 (as amended)³³. RPS includes approximately 1,400 buildings, structures and features which are of special architectural interest across County Kilkenny. Across Ireland, key environmental issues such as land use change and climate change may have a long-term impact upon the cultural heritage baseline, due to the loss of heritage landscapes from human interventions, and increased biodiversity degradation which may have physical impacts on heritage assets across Ireland. Heritage Ireland 2030 sets out a framework to focus on protecting and managing Ireland's heritage assets³⁴.

4.2.8 Landscape

The County Kilkenny landscape baseline indicates that, in terms of land cover, the vast majority is comprised of natural grassland. Additionally, there are pockets of Peat Bogs, Coniferous Forest, Mixed

[done.php#:~:text=Provisional%20national%20total%20emissions%20\(including,EU%20and%20UN%20in%202024.](#)

²⁸ European Commission, Climate Action, Effort sharing 2021-2030: targets and flexibilities [Accessed August 2024] available at: https://climate.ec.europa.eu/eu-action/effort-sharing-member-states-emission-targets/effort-sharing-2021-2030-targets-and-flexibilities_en

²⁹ Government of Ireland, Housing for All Q4 2023 Progress Report [Accessed August 2024] available at: <https://assets.gov.ie/281768/bba967b9-80b9-4e5a-a876-d0239c805883.pdf>

³⁰ Central Statistics Office, Census of Population 2022 Profile 2 – housing in Ireland [Accessed August 2024] Available at: <https://www.cso.ie/en/releasesandpublications/ep/p-cpp2/censusofpopulation2022profile2-housinginireland/vacantdwelling/#:~:text=Vacancy%20by%20Dwelling%20Type%20and,fell%20by%207%25%20from%20140%2C120.>

³¹ Gov.ie, Vacant Homes Action Plan 2023-2026, Department of Housing, Local Government and Heritage [Accessed August 2024] available at: <https://www.gov.ie/en/publication/df86c-vacant-homes-action-plan-2023-2026/>

³² National Monuments Service, Historic Environment Viewer [Accessed August 2024] available at <https://www.archaeology.ie/archaeological-survey-ireland/historic-environment-viewer-application>

³³ Kilkenny County Development Plan 2021-2027, Kilkenny County Council [Accessed August 2024] available at: <https://ourplan.kilkenny.ie/>

³⁴ Gov.ie, Heritage Ireland 2030, Department of Housing, Local Government and Heritage [Accessed August 2024] available at: <https://www.gov.ie/en/publication/778b8-heritage-ireland-2030/>

Forest, Fruit Trees and Berry Plantations, Non-irrigated Land and Complex Cultivation Patterns, and Continuous Urban Fabric located across County Kilkenny.

The National Landscape Strategy for Ireland (2015-2025) is a key driver for landscape targets in Ireland and the County Kilkenny. The National Landscape Strategy for example, sets out to implement the European Landscape Convention to integrate landscape into the country's approach to sustainable development³⁵.

³⁵ Gov.ie, National Landscape Strategy, Department of Housing, Local government and Heritage [Accessed August 2024] available at: <https://www.gov.ie/en/publication/8a59b-national-landscape-strategy/>

5 SEA Screening

5.1 Stage 1 – SEA ‘Applicability’

5.1.1 Is the P/P prepared and/or adopted by an authority at national, regional, or local level or prepared by an authority for adoption through a legislative procedure by Parliament or Government?

Yes. The NAP is prepared and then will be adopted at a regional level by the Action Planning Authority, Kilkenny County Council.

5.1.2 Is the P/P required by legislative, regulatory, or administrative provisions?

Yes. The NAP is required by The Environmental Noise Directive (“END”) (2002/49/EC). A European Union legal instrument vital for protecting public health and the environment by addressing the adverse effects of environmental noise. The END was transposed into Irish Law by the Environmental Noise Regulations 2006 (S.I. 140/2006) (the “Regulations”). The Regulations were revised by the European Communities (Environmental Noise) Regulations 2018 (S.I. 549/2018) and amended through the European Communities (Environmental Noise) (Amendment) Regulations 2021 (S.I. 663/2021).

5.1.3 Is the P/P prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use?

Yes, the NAP is being prepared for the transportation sector. Noise issues and interventions may have relevance for other sectors but is being prepared in the context of planning and land use.

5.1.4 Does the P/P provide a framework for the development consent for projects listed in the EIA Directive?

According to the European Commission ‘Guidance on the implementation of Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment,’ this would “normally mean that the plan or programme contains criteria or conditions which guide the way the consenting authority decides an application for development consent. Such criteria could place limits on the type of activity or development which is to be permitted in a given area; or they could contain conditions which must be met by the applicant if permission is to be granted; or they could be designed to preserve certain characteristics of the area concerned (such as the mixture of land uses which promotes the economic vitality of the area).”

The NAP does **potentially** set a locational framework for interventions within identified Quiet Areas in open country and important areas regarding noise, but due to its broad and overarching level of intervention and recommendations, it does not therefore provide a framework for development consent for projects listed in the EIA Directive.

5.1.5 Is the P/P likely to have a significant effect on a Natura 2000 site which leads to a requirement for Article 6 or 7 assessments?

No. The NAP is a strategic-level document which is designed to provide direction for action through the designation of strategic priority areas to preserve low noise levels and reduce areas where noise disturbance is high. The NAP does however locate where potential interventions (including mitigation and prevention measures) could take place, which may correlate with Natura 2000 sites. However, as outlined in the Appropriate Assessment Screening Statement, the NAPs elements are not identified as having any direct or indirect impact on Natura 2000 site. Therefore, there are no predicted likely

significant effects upon the identified Natura 2000 sites and no requirement for Article 6 or 7 assessments.

5.1.6 Is the sole purpose of the P/P to serve national defence or civil emergency or is it a financial/budget P/P or is it co-financed by the current SF/RDF programme?

No. The NAP's sole purpose is not to serve national defence or civil emergency nor is it a financial/budget P/P nor is it co-financed by the current SF/RDF programme.

5.2 Outcome of Stage Applicability

The pre-screening checks as set out in **Section 5.1**, indicate that the NAP is not a plan or programme to which the SEA applies, as the NAP does not provide a framework for development consent for projects listed in the EIA Directive (see **Section 5.1.4**). However, for completeness the NAP was assessed further in relation to criteria 9(3) which states '*A competent authority shall determine whether plans and programmes (...) are likely to have significant+- effects on the environment*'. This is established by criteria set out in Schedule 1 of the SEA regulations (Stage 2 as follows).

5.3 Stage 2 – SEA 'Screening'

As the NAP does not provide a framework for development consent nor will it have a significant effect upon a Natura 2000 site (assessed through the categories established within the Stage 1 criteria), it is concluded that an SEA is not required. However, the NAP has been assessed further in relation to criteria 9(3) which states '*A competent authority shall determine whether plans and programmes (...) are likely to have significant effects on the environment*'. This is established by criteria set out in Schedule 1 of the SEA regulations³⁶. A table detailing the Stage 2 SEA screening of significance, is presented in Appendix A1 of this report.

5.4 Outcome of Stage 2 Screening (Steps 1 and 2)

The Stage 2 Screening of the Kilkenny County Council NAP, as detailed in Appendix A1, determines that no further SEA is required. It has been determined that the NAP will operate at a high level and therefore a full SEA would not be proportionate relative to the NAP itself. The NAP does not satisfy the conditions for mandatory SEA under S.I. 435/2004.

An earlier version of this report (Ref: 13354A-20-R032-01-F02 dated 26 September 2024) was prepared alongside the draft KCC Noise Action Plan (NAP) 2024 – 2028 dated 26th September 2024 (Ref: 15794A-20-R01-03-F02) and submitted to the environmental authorities for consultation (Step 3).

³⁶ Irish Statute Book, S.I. 435/2004, European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (Accessed February 2024) Available at: <https://www.irishstatutebook.ie/eli/2004/si/435/made/en/print#article1>

6 Consultation and Next Steps

6.1 Overview

Step 3 of Stage 2 of SEA Screening indicates there is a specific requirement to consult with relevant environmental authorities for a minimum of 4 weeks, regarding the outcomes of the SEA screening report. These authorities are:

- Environmental Protection Agency
- Minister for Housing, Local Government and Heritage, Development Application Unit
- Department of Environment, Climate and Communications
- Department of Agriculture, Food and the Marine

6.2 Outcome of Consultation

Following the consultation that was undertaken between the 30th September 2024 – 11th November 2024. No specific consultation responses have been received from the environmental authorities with particular reference to the SEA. Although consultation responses to the NAP have resulted in minor revisions and these have been updated within this SEA Screening Report, they have not changed the overall conclusions of the SEA Screening Report.

As consultation has been undertaken, a SEA Screening Statement / Determination (Stage 3: Determination) has been prepared by the competent authority. This Screening Statement should be made publicly available upon determination.

A1 Stage 2 SEA Statutory Screening

Table A-1 and Table A-2 set out the SEA criteria for determining the likely significance of effects referred in Article 3(5) of the SEA Directive (Steps 1 and 2 of Stage 2: SEA Screening).

Table A-1: Stage 2 Screening Table – The characteristics of plans and programmes

Criteria for determining the likely significance of effects referred to in Article 3(5) of the SEA Directive	Kilkenny County Council NAP
1 The characteristics of plans and programmes, having regard, in particular, to	
<p>The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources</p>	<p>The primary objective of the NAP is aimed at the long-term management of environmental noise and is based on the results of the strategic noise maps which informed assessments of population exposure and harmful effects of noise.</p> <p>Therefore, the mapping and the results of exposure assessments do not represent a framework. However, the NAP does set out principles and locational allocation of Priority Important Areas (PIAs), along with mitigation which could constitute a plan or programme depending on their scale, nature, and details of the mitigation.</p> <p>Where mitigation is set out in the NAP for Priority Important Areas these are suggested approaches and not site specific, they do not set out operating conditions or allocate resources. Therefore, the degree to which the NAP drives specific change is limited and therefore not significant.</p> <p>As there is no provision in legislation upon which the actions outlined in the NAP can be enforced, reliance will be made on various other plans and policies such as the Kilkenny County Council Development Plan 2021-2027³⁷, the National Planning Framework 2040³⁸, and the Planning Acts³⁹, for their implementation. Therefore, the degree to which the NAP drives other activities, is not significant.</p>
<p>The degree to which the plan or programme influences other plans and programme including those in a hierarchy</p>	<p>The degree to which the NAP influences other plans and programmes is deemed to be minimal. It can be argued that the NAP sits within a horizontal hierarchy. The NAP refers to and relies upon other plans and programmes existing and proposed</p>

³⁷ Kilkenny County Development Plan 2021-2027, Kilkenny County Council [Accessed August 2024] available at: <https://ourplan.kilkenny.ie/>

³⁸ Gov.ie, National Planning Framework, Project Ireland 2040, Department of Housing, Local Government and Heritage [Accessed December 2024] available at: <https://www.gov.ie/pdf/?file=https://assets.gov.ie/246231/39baaa8c-48dc-4f24-83bd-84bbcf8ff328.pdf#page=null>

³⁹ Irish Statute Book, Planning and Development Act 2000, No. 30 of 2000 (Accessed December 2024) available at: <https://www.irishstatutebook.ie/eli/2000/act/30/enacted/en/html>

Criteria for determining the likely significance of effects referred to in Article 3(5) of the SEA Directive	Kilkenny County Council NAP
	<p>within County Kilkenny. The NAP does not require new plans or policies to be created to help implement its key aims. Therefore, there are no new environmental effects as they already have been considered in the assessment of other plans and policies themselves. For example, as part of the the Kilkenny County Council Development Plan 2021-2027, an SEA was produced at draft stage to assess at a strategic level, the likely significant effects on the environment of implementing the plan.</p>
<p>The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development</p>	<p>The KCC NAP promotes environmental considerations and sustainable development, through the identification of noise-related issues in the area. Therefore, the NAP does not go as far as recommending specific actions to deliver sustainable development within County Kilkenny. The provision of noise important areas should make decision-makers aware or noise issues and should supplement other initiatives indirectly. Therefore, the NAP does not go against the principles of sustainable development, but it also does not have a direct influence over its integration. Therefore, the relevance of the NAP against this criteria is deemed to be not significant.</p>
<p>Environmental problems relevant to the plan or programme</p>	<p>The NAP directly addresses environmental noise within the County Kilkenny area and sets out clear priorities based on detailed noise mapping results, with a view to preventing environmental noise levels can induce harmful effects on human health.</p> <p>Overall, the NAP seeks to manage the risk of additional members of the community being exposed to undesirable noise levels where they would have an adverse effect to health. In SEA terms it is not deemed that, when considered against other environmental conditions and problems, the Kilkenny County Council NAP (as set out within Section 4) would give rise to significant environmental effects on account of the high level and strategic nature of the mitigation set out in the NAP. This is also on account of the reliance upon existing or emerging plans and policies that are already or will be considered in respect of SEA.</p>
<p>The relevance of the plan or programme for the implementation of European Union legislation on the environment (e.g. plans and programmes linked to waste-management or water protection)</p>	<p>The requirement to prepare a NAP is set for members of the European Union under the Environmental Noise Directive (END) (2002/49/EC), a legal instrument for addressing adverse effects of environmental noise which have been transposed into Irish law and require preparation of strategic noise mapping and implementation of NAPs. Therefore, the NAP must be consistent with the implementation of this EU Directive which is directly</p>

Criteria for determining the likely significance of effects referred to in Article 3(5) of the SEA Directive	Kilkenny County Council NAP
	related to the protection of the environment and human health.

Table A-2: Stage 2 Screening Table - Characteristics of the effects and of the area likely to be affected

Criteria for determining the likely significance of effects referred to in Article 3(5) of the SEA Directive	Kilkenny County Council NAP
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	The measures within the NAP aim to have an overall positive effect on noise levels and consequently human health and the environment in the long term. The mitigation set out is high level and strategic. Consequentially, details that would identify duration, frequency and reversibility of effects are not available. Furthermore, there is a reliance in the NAP placed upon existing or emerging plans and policies that are already or will be considered in respect of SEA, or other environmental instruments linked to infrastructure development.
The cumulative nature of the effects	The KCC NAP is prepared alongside other national plans and programmes to act in conformity with the suite of measures that they identify. The environmental impact of those measures will be evaluated within the plans themselves, some of which will be subject to mandatory SEA and AA. Therefore, because this NAP is not in direct conflict with the external overarching aims, the NAP itself is unlikely to have resulting significant effects and therefore cannot be cumulative in nature.
The transboundary nature of the effects	On account of the scale and nature of the NAP, and the high-level strategic nature of the mitigation presented, the KCC NAP will have no direct transboundary effects of its own account.
The risks to human health of the environment (e.g. due to accidents)	There are no expected risks to human health or the environment because of the NAP. Overall, the NAP seeks to manage the risk of additional members of the community being exposed to undesirable noise levels where they would have an adverse effect to health.
The magnitude and spatial extent of the effects (geographical area and	The Kilkenny County Council NAP covers a large geographic area. The overall population of the area is approximately 103,685. The population that is directly affected or considered as part of the NAP's aims (the

Criteria for determining the likely significance of effects referred to in Article 3(5) of the SEA Directive	Kilkenny County Council NAP
<p>size of the population likely to be affected)</p>	<p>implementation of noise important areas) is however considered to be limited and at a small scale compared to the wider context. For example, there are approximately 842 people within identified all Most Important Areas (MIA) associated with the 10 Priority Important Areas. The PIAs cover, statistically, approximately 182 people highly annoyed and approximately 57 highly sleep disturbed with the potential to benefit from consideration of noise management measures. On this basis and considering the strategic nature of the NAP mitigation, the environmental effects are not considered to be significant because they are strategic.</p>
<p>The value and vulnerability of the area likely to be affected due to:</p> <ul style="list-style-type: none"> • Special natural characteristics, or cultural heritage; • Exceeded environmental quality standards or limit values; or • Intensive land use 	<p>Where areas identified within the KCC NAP coincide with areas of special natural characteristics, or cultural heritage, owing to the reliance in the NAP placed upon existing or emerging plans and policies that are already or will be considered in respect of SEA, or other environmental instruments linked to infrastructure development, it is unlikely a significant effect would arise. This also applies to intensive land use.</p> <p>Through its noise policy statement, the NAP will aim to prevent additional members of the community being exposed to undesirable noise levels where it is likely significant adverse impacts are likely to occur. It will aim to protect areas which are desirably quiet, and it will also identify appropriate mitigation measures to reduce noise levels where they are potentially harmful. A set of implementation actions underpin the statement itself.</p>
<p>The effects on areas or landscapes which have a recognised national, European Union or international protection status</p>	<p>The KCC NAP covers an area which includes 5 SPA and 16 SAC sites, which are sites with national and EU protection status regarding flora, fauna, species and habitats.</p> <p>Measures included in the NAP are not likely to have specific geographic relevance because there is no MIA or PIA which overlap with the geographic extent of the identified SPA and SAC sites. Therefore, the NAP and its subsequent interventions may not necessarily lead to positive effects on protected sites. It should be noted that the factors to which SAC and SPA sites are designated for, do not necessarily correlate with changing noise levels. In summary, the Kilkenny NAP is not considered to have a significant effect upon recognised protected sites within the County. This is consistent with the findings of the AA Screening Report.</p> <p>Therefore, in summary, the KCC NAP is not considered to have a significant effect upon recognised protected sites within County Kilkenny itself. This is consistent with the findings of the AA Screening report.</p>
<p>Section 5: Summary and Conclusion</p>	

Criteria for determining the likely significance of effects referred to in Article 3(5) of the SEA Directive	Kilkenny County Council NAP
	<p>In terms of setting a framework, the KCC NAP does in one sense set out a locational framework for noise, but it is however limited in terms of scale and does not necessarily drive specific changes or actions.</p> <p>It should also be noted that the NAP will have a minimal influence on other plans and programmes within County Kilkenny. The NAP is inherently a plan which promotes environmental best practice, but it does not influence the implementation of sustainable development principles.</p> <p>There are several designated sites across County Kilkenny and various social, economic, and environmental factors which indicate a diverse geographic area. The NAP is also relevant in the context of EU Directive implementation and must be consistent with these relevant directions.</p> <p>In terms of the characteristics of effects the NAP is a strategy which should not have any transboundary effects of its own accord, nor bring any expected human health or environmental risks because of its implementation. The NAP is also unlikely to be cumulative in nature because it should be implemented in compliance with other plans and programmes that have been considered by the SEA process. While the County Kilkenny is geographically large, the NAP's interventions are relatively localised. Therefore, the vulnerability and value of the area likely to be affected by the NAP is also relatively localised because areas where environmental thresholds are (or are not) exceeded are small, pocketed areas within County Kilkenny. The effects of the NAP upon national, EU or internationally protected sites is not significant because the areas to which the NAP identifies for interventions are mostly not corresponding to protected sites within County Kilkenny.</p> <p>To conclude, this stage of the SEA screening process determines that the KCC NAP does not require further SEA consideration.</p>
Section 6: Statutory Consultation	
	<p>The following statutory and non-statutory bodies have been consulted with through the SEA screening process:</p> <ul style="list-style-type: none"> • Environmental Protection Agency; • Department of Agriculture, Food and the Marine; • Department of Environment, Climate and Communications; and • Development Applications Unit of the Department of Housing, Local Government and Heritage.



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