

Screening Determination for Strategic Environmental Assessment under SEA Directive 2001/42/EC as transposed into Irish law under Statutory Instrument (S.I.) 435/2004 European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (as amended)

For the Kilkenny County Council Noise Action Plan 2024-2028

Kilkenny County Council (KCC), the Action Planning Authority (APA) has undertaken screening of the Kilkenny County Council Noise Action Plan 2024-2028 (Ref: 15794A-20-R01-04-F02) for Strategic Environmental Assessment (SEA) under Directive 2001/42/EC. The assessment for screening was carried out using the criteria for determining the likely significance of effects as set out in Schedule 1 of S.I. 435/2004 (as amended) (the 'SEA Regulations') and is set out in the SEA Screening Report (REF: 13354A-20-R032-01-F03) dated 19th December 2024 prepared by Logika Consultants Ltd. on behalf of Noise Consultants Ltd for KCC of the Kilkenny County Council Noise Action Plan 2024-2028.

Following assessment of the criteria and having regard to the nature of the plan and the potential for likely significant environmental effects from implementation of the plan, the APA has determined that the plan will not give rise to likely significant effects on the environment. This determination has been made following consideration of the information contained in the SEA Screening Report and the criteria set out in Schedule 1 to S.I. 435/2004 (as amended). Furthermore, this determination is informed by consultation with the following statutory Environmental Authorities for SEA which was carried out alongside the statutory and public consultation of the Kilkenny Noise Action Plan 2024-2028 from the 30th of September 2024 to the 11th of November 2024: the Environmental Protection Agency (EPA); the Minister for Housing, the Local Government and Heritage, Development Application Unit; Department of Environment, Climate and Communications; and Department of Agriculture, Food and the Marine. No specific correspondence or feedback was received from the statutory Environmental Authorities for SEA.

The principal reasons the Kilkenny County Council Noise Action Plan (NAP) 2024-2028 does not require SEA are as follows:

- Although the KCC NAP does set out a locational framework for noise, it is limited in terms of scale (i.e. it is strategic) and does not necessarily drive specific changes or actions, such as operating conditions or allocate resources that are at a site-specific level. The KCC NAP does not directly specify detailed projects or activities that would necessitate Environmental Impact Assessment (EIA). Therefore, the degree to which the NAP drives other activities, is not significant in the context of the SEA Regulations.
- The KCC NAP has minimal influence on other plans and programs within Kilkenny County and primarily promotes environmental best practices and signposts existing mechanisms or environmental instruments that can be used to implement its aims, which in themselves may have been subject to environmental assessment.
- The KCC 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 KCC NAP 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.

- The KCC NAP covers an area which includes 21 Natura 2000 sites regarding flora, fauna, species, and habitats. Measures included in the NAP are not likely to have specific geographic relevance because there are no Most Important Areas (MIA) or Priority Important Areas (PIA) which overlap with the geographic extent of the protected sites. Therefore, the NAP and its subsequent interventions will not lead to significant positive or negative noise effects on protected sites. It should also be noted that the factors to which ecologically designated sites are protected does not necessarily correlate with changing noise levels. Therefore, in summary, the KCC NAP is not considered to have a significant effect upon recognised protected sites within the Kilkenny County.
- The KCC NAP is not considered to have significant environmental transboundary effects, nor human health or environmental risks, and is unlikely to have cumulative effects, in the context of the SEA Regulations as it complies with other plans which have been assessed.

Determination: In making the determination, the information contained within the SEA Screening Report (Ref: 13354A-20-R032-01-F03) has been taken into account and carefully considered. The APA hereby confirms agreement that a Strategic Environmental Assessment (SEA) is not required for the Kilkenny County Council Noise Action Plan 2024-2028, in accordance with the European Union Directive 2001/42/EC (the SEA Directive) and Statutory Instrument No. 435 of 2004, European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (as amended).

Signed on behalf of the Kilkenny County Council:

Signature:



Senior Planner

Dated:

23/12/24