



Kilkenny Local Authorities

**KILKENNY CITY DEVELOPMENT PLAN
2008-2014**

VARIATION NO. 1 CORE STRATEGY

Screening for Strategic Environmental Assessment

Forward Planning
May 2011

1.0 INTRODUCTION

Kilkenny Borough and County Councils intend to make a variation entitled “Variation No. 1 Core Strategy” to the Kilkenny City & Environs Development Plan 2008-2014 under the Planning and Development Act 2000 (as amended). The purpose of this report is to consider whether Variation No. 1 requires Strategic Environmental Assessment (SEA).

2.0 OBJECTIVES OF THE VARIATION

Section 7 of the Planning and Development (Amendment) Act 2010, sets out that the written statement of a Development Plan must contain a Core Strategy which shows that the development objectives in the development plan are consistent, as far as practicable, with national and regional development objectives set out in the National Spatial Strategy and Regional Planning Guidelines. A planning authority shall prepare a core strategy not later than one year after the making of the Regional Planning Guidelines and shall vary the development plan accordingly. The Regional Planning Guidelines for the South East Region were adopted on the 26th July 2010 and this variation provides for the inclusion of the core strategy in the Development Plan.

The variation includes text and a set of maps illustrating the core strategy at city level and its impact on the City & Environs zoning map.

At present, the Kilkenny City & Environs Development Plan contains a total of 224 hectares of undeveloped land zoned for residential uses. The current City & Environs zoning map is included as Map A.

The Regional Planning Guidelines have allocated County Kilkenny a projected zoning requirement of 254 hectares over the period 2010-2016. The Regional Planning Guidelines have divided the county allocation between the gateway (Waterford environs in Co. Kilkenny), the hub (Kilkenny City) and the remainder. For Kilkenny City there is an allocation of 48 hectares. Therefore the core strategy will necessitate a significant level of phasing of development land, in order to meet the objectives of the Regional Planning Guidelines.

The preferred population projection for the City (Central Scenario) as set out in Chapter 2 of the 2008 Development Plan provided for a population of 29,268 in 2020. The RPGs project a figure of 28,200 for the City in 2022, therefore the projected population of the Development plan is revised downwards in this Variation.

Housing and Retail Strategies

The Housing and Retail Strategies as included in the 2008 Development Plan will be revised as necessary to ensure that the population targets of the Core Strategy for the city are taken into account. As outlined above, the revised population target is less than the population projected for in 2008, therefore this revision will involve a reduction in the level of development envisaged. The cumulative effects of the Variation, which includes the Core Strategy and any consequent revisions to the Development Plan, are assessed here.

The SEA screening for the Variation (No. 2) to the Kilkenny County Development Plan has been undertaken separately.

3.0 MANDATORY REQUIREMENTS

Under SI No. 346 of 2004, Planning & Development (Strategic Environmental Assessment) Regulations 2004, where a Planning Authority proposes to make a variation of a development plan under Section 13 of the Planning and Development Acts 2000-2010, it shall, before giving notice under section 13(2), consider whether or not the proposed variation would be likely to have significant effects on the environment, taking into account relevant criteria set out in Schedule 2A. Section 4 below sets out the required report pursuant to Article 13K of the 2004 regulations.

4.0 ASSESSMENT OF LIKELY SIGNIFICANT ENVIRONMENTAL EFFECTS

Criteria for determining the likely significant environmental impacts (Schedule 2(A) of SEA Regulations 2004)

4.1 CHARACTERISTICS OF THE PLAN (Variation)

(i) The degree, to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.

This variation will establish a revised land use framework for the City & Environs. The variation will form part of the City & Environs Development Plan and will comply with the Regional Planning Guidelines for the South East and with other relevant guidelines.

The variation introduces a core strategy for Kilkenny City that provides a positive framework for guiding private development and public investment and provides a means (via policies and objectives) to influence future development to create a sustainable environment.

The total amount of undeveloped land in the city zoned for residential equals approximately 224 hectares. This amount now needs to be reduced significantly to correspond, as far as practicable, to the Regional Planning Guidelines allocation of 48 hectares.

Table 4.1: Comparison of RPGs and zoned land

| Area | (Area in hectares) | |
|---------------------|--------------------------|---|
| | Existing level of zoning | Regional Planning Guidelines allocation |
| Kilkenny city (hub) | 224 | 48 |

Therefore the potential level of development in Kilkenny city will be reduced from that proposed under the existing Development Plan (2008-2014).

(ii) The degree to which the plan influences other plans, including those in a hierarchy.

This proposed Variation is intended to bring the objectives of the Development Plan into alignment with the Regional Planning Guidelines. In its making, the Variation has regard to other relevant planning and environmental policy and legislation including European Union directives, Ministerial guidelines and other national and regional plans and policies.

The City & Environs area contains three local area plans as follows:

| LAP | Adoption Date | Status |
|------------------|---------------|--|
| City Centre | October 2005 | Expires in October 2011 |
| Western Environs | 17th May 2004 | Expired - Incorporated into City & Environs Plan 2008-2014 |
| Loughmacask | April 2008 | Expires in April 2014 unless extended |

This variation will influence the two LAPs that are still in force (City Centre LAP and Loughmacask LAP). Where any provision of a Local Area Plan conflicts with the provisions of the development plan as varied, the provision of the local area plan shall cease to have any effect.

(iii) The relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development.

The Variation will be made pursuant to the provisions of the Planning and Development Acts 2000-2010 Section 13; as such the plan seeks to achieve development in a sustainable manner in line with the settlement structure as set out by the National Spatial Strategy and Regional Planning Guidelines.

(iv) Environmental problems relevant to the plan.

There are no strategically significant environmental problems identified in relation to the Variation.

A brief overview of any environmental issues pertaining to the Variation is detailed below. For each issue, the existing relevant policies from the CDP are included and any amendment to the existing policies is clearly outlined.

1. Water

1.1 Water Framework Directive

This Directive establishes a framework for the protection of all waters including rivers, lakes, estuaries, coastal waters, groundwater, canals and other artificial bodies for the benefit of everyone. Good ecological and chemical status for all waters must be achieved by 2015 with no deterioration in existing status in the meantime. The South Eastern River Basin Management Plan (*Water Matters*) 2009-2015 was published in 2010.

Section 8.5.1.1 of the CDP sets out the policies (IE34-38) in relation to the Water Framework Directive.

IE34 To actively participate in the implementation of the Water Framework Directive

IE35 To jointly with other local authorities and the relevant Public Authorities, participate and co-operate in the South Eastern River Basin District Management Project

IE36 To implement the South Eastern River Basin Management Plan

IE37 To increase public awareness of water quality issues and the measures required to protect and where required, improve the quality of all waters

IE38 To take account of the findings of the National Programs of Measures Studies being developed for the River Basin Management Plans

Policies in relation to water quality in general are also set out in Section 8.5 (Policies IE39-45).

IE39 Ensure the sustainable and economic provision of an adequate supply of good quality water for industrial, domestic and other beneficial uses, including the propagation of healthy fish stocks.

IE40 Implement its adopted Water Quality Management Plans in order to prevent pollution and to ensure that beneficial uses of the waters e.g. industrial, domestic and agricultural abstraction, fishing and recreation, are protected.

IE41 Ensure the protection of sources of potable water and will continue the process of monitoring the quality of water resources.

IE42 Prevent industrial water pollution by ensuring that development is appropriately located, by seeking effluent reduction and 'clean production' where feasible, by requiring that waste water treatment facilities are adequate, and that effluents are treated and discharged in a satisfactory manner.

IE43 Prevent pollution of water by means of development management and enforcement measures.

IE44 Implement the measures quoted under the Water Quality Standards Reports for Phosphorous and Dangerous Substances Regulations.

IE45 To implement the Water Quality Management Plans for the River Nore pending adoption of the South East River Basin Management Plan

These policies will not be affected by this Variation.

1.2 Drinking Water/Water Supply

Capacity

The City is served by two schemes, the Troyswood and Radestown plants. There is limited spare capacity in these schemes at present.

| Scheme Name | Comment |
|------------------------|------------------------|
| Troyswood Regional WSS | Limited spare capacity |
| Radestown | Limited spare capacity |

Future requirements

As stated under point (i) above, the objective of this Variation is to bring the City & Environs Development Plan into line with the Regional Planning Guidelines. This will entail a reduction in the amount of land available for development and consequently a reduction in the level of capacity required.

Quality

A report on *The Provision and Quality of Drinking Water in Ireland – A Report for the Years 2007-2008* (Office of Environment Enforcement EPA, 2009)¹ contains detail on water quality in County Kilkenny. Both public water supplies supplying the city were included on the Remedial Action List (RAL) of public water supplies.

Table 4.2 below sets out the proposed actions in response to this.

Table 4.2: Actions for Schemes included in RAL

| Scheme | Population served | Primary reason for inclusion on the Remedial Action List | Proposed Action |
|------------------------------|--------------------------|--|---|
| Kilkenny City (Radestown) WS | 8,625 | Elevated levels of THM's ² above the current standard in the Drinking Water Regulations | Application with DoE for funding to bring additional sources into production. This new source would eliminate the problem. |
| Kilkenny City (Troyswood) WS | 11,521 | Excessive levels of aluminium in the treated water | Improvements being implemented at treatment plant. Problem resolved. Awaiting further tests before can be removed from RAL. |

1

[http://www.epa.ie/downloads/pubs/water/drinking/Final%20DW%20Report%202007%20\(2\).pdf](http://www.epa.ie/downloads/pubs/water/drinking/Final%20DW%20Report%202007%20(2).pdf)

² Trihalomethanes

Policies in relation to the quality of drinking water are listed in Section 8.7 of the CDP, IE46-50.

IE46 Ensure an adequate, sustainable and economic supply of good quality water in sufficient quantities for the domestic, commercial and industrial needs of Kilkenny City and Environs;

IE48 To protect the sources of water supply from polluting activities;

IE49 Implement the Water Quality Management Plan for the River Nore;

IE50 To ensure that there is sufficient spare capacity in the water supply network to cater for all anticipated requirements;

ACTIONS

Provide and plan for the Kilkenny City Regional Water supply scheme.

Leakage

The CDP contains a policy for water conservation and the elimination of leakages as follows:

IE47: Conserve water supplies within the existing supply system and to eliminate leakage at all available opportunities

ACTIONS

Continue the Kilkenny City and Environs Water Conservation Scheme to reduce unaccounted for water from 45% to 20%

A Water Conservation Project is underway across the county at present. This commenced in March 2009 and is scheduled to become a permanent element in the operation of all water supply schemes. The first stage of this project divided the water supply schemes into different zones and installed meters. The second stage is active leakage control, which includes detecting and repairing leaks. The continuation of second stage works will become a permanent feature of the management of the county's water networks. The third stage includes for the replacement of sections of sub-standard mains, where abnormally high levels of leakage or high mains burst frequencies are recorded.

These policies and actions in relation to water supply, quality and conservation will not be affected by this Variation.

1.3 Waste Water Treatment

Details of the Purcellsinch treatment plant is set out below.

| WWTP Name | WWTP Type | Design P.E. (Population Equivalent) | Current load P.E. | Comment on upgrade |
|------------------|------------------|--|--------------------------|--|
| Purcellsinch | Secondary | 107,650 | 85,000 | EIS application for major upgrade with An Bord Pleanála since October 2008. Improvements to discharge quality required and short term improvement measures planned for 2012 – funding dependant. |

The EPA report *Urban Waste Water Discharges in Ireland for Population Equivalents Greater than 500 Persons – A Report for the Years 2006 and 2007* sets out which plants have treatment that is not appropriate based on the effluent results and/or have taken less than the recommended numbers of samples.

Red is used to highlight the treatment plants that did not meet the overall requirements of the Urban Waste Water Treatment Regulations 2001, and Purcellsinch was highlighted in red for both 2006 and 2007. As set out in the table above, an EIS application for an upgrade is currently with An Bord Pleanála, ref. PL10.JA0011. No information is available yet on a decision date.

Future requirements

As stated under point (i) above, the objective of this Variation is to bring the City Development Plan into line with the Regional Planning Guidelines. This will entail a reduction in the amount of land available for development and consequently a reduction in the level of capacity required.

1.4 Groundwater Protection

The Geological Survey of Ireland has completed a Groundwater Protection Scheme for County Kilkenny. Section 8.5 states that “The Councils will continue to take appropriate measures in relation to agricultural, industrial and residential development in order to prevent ground and surface water pollution.”

Policies in relation to the promotion of waste water treatment are set out in IE51-55.

IE51 Prioritise the upgrading of the Purcellsinch wastewater treatment plant.

IE52 Provide for the necessary drainage facilities to serve the needs of all development within the City and Environs and to prevent pollution;

IE53 Separate the disposal of foul and surface water effluents through the provision of separate sewerage networks;

IE54 To maximise the benefit from capital expenditure by ensuring the economic use of existing and planned waste water treatment facilities;

IE55 Meet in full the requirements of the E.U. Urban Waste Water Treatment Directive.

These policies will not be affected by this variation.

1.8 Flood Prevention and Management

A Strategic Flood Risk Assessment has been carried out for this Variation and is attached as Appendix 1.

No other significant environmental problems are identified in relation to the proposed Variation.

(v) The relevance of the plan for the implementation of European Union legislation on the environment (e.g. plans linked to waste management or water protection).

Issues relating to EU legislation on the environment are addressed in the City Development Plan as outlined above and this variation will ensure the continued implementation of these objectives.

4.2 CHARACTERISTICS OF THE EFFECTS AND OF THE AREA LIKELY TO BE AFFECTED

- (i) The probability, duration, frequency and reversibility of the effects.

The development of lands in the city would result in impacts on environmental resources. However, given that this Variation proposes a significant reduction in the amount of land available for development, it is considered that there will be no significant negative effects from the implementation of this Variation.

However, with regards to positive effects, it is considered that the probability of these occurring is high.

The County and City have experienced growth over the last few years. In 2002 the population of the County was 80,339, and this had grown to 87,558 in 2006³. The population of the City grew from 20,735 to 22,179 over the same period. A key challenge for Kilkenny is ensuring that the sustainable development of the City is promoted so as to enable it to fulfill its role as a hub.

The Variation implements the objectives of the Regional Planning Guidelines and contains policies and objectives to ensure this challenge is met in accordance with the recommendations of the DoEHLG *Guidelines on Sustainable Residential Development in Urban Areas* (2009). The Variation is therefore anticipated to have a positive effect in relation to sustainable residential development.

It is expected that the effects will be permanent, until such time that any new policies and/or objectives are identified in a revised City DP. The City Development Plan review will commence in 2012.

- (ii) The cumulative nature of the effects.

No cumulative negative effects are anticipated given that the Variation will focus on the principles of sustainable development and the considerations of the future. It is anticipated that the cumulative effects on the environment will be positive and that with every development and redevelopment that the area will be rejuvenated with an improved physical and visual environment.

- (iii) The transboundary nature of the effects.

The Variation will have no national, regional or inter-county transboundary effects.

- (iv) The risk to human health or the environment (e.g. due to accidents).

The implementation of the Variation will not result in any risks to human health.

³ CSO, Volume 1, Table 5

Section 8.10 of the City & Environs Development Plan 2008, Control of Major Accident Hazards Directive (Seveso II Directive), noted that in 2008 there was one Seveso II site within the county; Grassland Fertilisers on the Tullaroan Road in Kilkenny City (Upper Tier). This remains the only Seveso site within the City plan area.

(v) The magnitude and spatial extent of the effect (geographical area and size of the population likely to be affected).

The Variation directly relates to the area within the Kilkenny City and Environs development boundary. This is an area of approximately 2,000 hectares. The effects will be mainly on the areas of residential or mixed use land which will be phased for development. According to the Census in 2006, the population of the City was 22,179 and the Regional Planning Guidelines estimated that the 2010 population was 24,000⁴.

(vi) The value and vulnerability of the area likely to be affected due to:

a) Special natural characteristics or cultural heritage,

EU Protected Habitats and Species

County Kilkenny contains 8 candidate Special Areas of Conservation. The River Barrow and River Nore cSAC (002162) runs through the city. One Special Protection Area is also under consideration for the River Nore for kingfishers, proposed SPA 004233. Details have not been published for this site to date.

A separate Appropriate Assessment Screening of this variation has been carried out in accordance with the requirements of Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC).

Nationally Protected Habitats and Species

The City contains four Proposed Natural Heritage Areas. These are illustrated on Map B, Environmental Features in Kilkenny City.

Policies for the protection of designated sites and species are set out in H57-H61 of the CDP as follows:

H57 To protect natural heritage sites designated in National and European legislation. This includes sites proposed to be designated or designated as Special Areas of Conservation (SAC), Natural Heritage Areas (NHA), Nature Reserves and Wildfowl Sanctuaries. This protection will extend to any additions or alterations to sites that may arise during the lifetime of this plan.

H58 To assess all proposed developments (individually or in combination with other proposals, as appropriate) which are likely to impact on designated natural heritage sites or those sites proposed to be designated.

H59 To consult with the prescribed bodies and relevant government agencies when assessing developments which are likely to impact on designated natural heritage sites or those sites proposed to be designated.

⁴ Appendix 1 of *South Eastern Regional Planning Guidelines*, 2010.

H60 To ensure that any development in or near a designated natural heritage site will avoid any significant adverse impact on the features for which the site has been designated.

H61 To require an appropriate environmental assessment in respect of any proposed development likely to have an impact on a designated natural heritage site, or those sites proposed to be designated.

Policies for Protected Species are set out in Section 7.11.2, policies H62-H64 as follows:

H62 To protect and, where possible, enhance the plant and animal species and their habitats that have been identified under EU Habitats Directive, EU Birds Directive, the Wildlife Act and the Flora Protection Order.

H63 Ensure that development does not have a significant adverse impact on plant, animal or bird species protected by national or European legislation.

H64 Consult with the National Parks and Wildlife Service, and take account of any licensing requirements, when undertaking, or approving development which is likely to affect plant, animal or bird species protected by national or European legislation.

Non-designated habitats and species

A Habitat Survey Report for Kilkenny City was published in 2010. This mapped and assessed habitats within Kilkenny City and Environs. The findings of this report will be incorporated into the 2012 review of the Development Plan.

Policies for nature conservation outside of designated areas are found in Section 7.11.3 of the CDP, policies H65-69.

H65 Identify, in co-operation with the relevant statutory authorities and other relevant groups, sites of local nature conservation interest, not otherwise protected by legislation.

H66 To protect and enhance wildlife habitats and landscape features which form part of habitat networks, such as river corridors and associated habitats.

H67 To ensure that any development in or near sites of local conservation interest will minimise any significant adverse impact on the features for which the site has been designated.

H68 Minimise the loss of habitats and features of the wider countryside (hedgerows, ponds, streams, wetlands, trees etc) through the planning process, which are not within designated sites.

H69 Where the loss of habitats and features of the wider countryside is unavoidable as part of a development, to ensure that appropriate mitigation and/or compensatory measures are put in place, to conserve and enhance biodiversity and landscape character.

Landscape designations

There are no landscapes of national or international protection status within the area.

Policies in relation to natural heritage will not be affected by this Variation.

Cultural Heritage

There are a number of Recorded Monuments within the city and environs area. A zone of Archaeological Potential is also identified in the Development Plan. These are protected by legislation and will not be affected by this variation.

Protected Structures

There are approximately 213 protected structures within the City. A full list of these is included in Appendix D to the Development Plan and these will not be affected by this variation. There are also a number of structures identified in the National Inventory of Architectural Heritage (NIAH).

It is an Action of the CDP to respond to the Ministerial recommendation to include in the RPS, structures which have been identified as being of Regional, National or International significance in the NIAH survey of the city and county published in 2006. These will not be affected by this Variation.

Architectural Conservation Areas (ACAs)

Nine ACAs are designated in the city. These will not be affected by the amended zoning map. Section 7.8 of the City Development Plan refers to Architectural Conservation Areas, as does Appendix E.

The city has significant cultural heritage as outlined above. Policies are outlined in the CDP in relation to archaeological heritage (H13-H26). Policies in relation to architectural protection are also outlined in the CDP (H27-H35), and for ACAs in Section 7.8 (H36-H45).

Archaeological heritage Policies from CDP

- H13 Protect and enhance archaeological sites, monuments (including their setting), underwater archaeology, including those that are listed in the Record of Monuments and Places, and in the Urban Archaeological Survey of County Kilkenny or newly discovered sub-surface archaeological remains.
- H14 To ensure the preservation in-situ, or preservation by record of:
 - The archaeological monuments included in the record of monuments and places as established under section 12 of the National monuments (Amendment Act, 1994
 - Any other sites and features of historical or archaeological interest.
 - Any subsurface archaeological features that may be discovered during the course of infrastructural/development works.
- H15 Provide guidance to developers and property owners regarding the archaeological implications of a proposed development.
- H16 Promote pre-planning consultations in relation to the archaeological heritage with the planning authority and with the Department of the Environment, Heritage and Local Government in its capacity of being charged with the implementation of the National Monuments Acts.
- H17 To require an appropriate archaeological assessment to be carried out in respect of any proposed development likely to have an impact on a Recorded Monument, a Zone of Archaeological Potential, or their settings.
- H18 To ensure the protection of archaeological material in situ by ensuring that only minimal impact on archaeological layers is allowed.

- H19 To require that sites of archaeological interest shall be subject to archaeological investigations and recording according to best practice, in advance of redevelopment where preservation in situ is not feasible.
 - H20 To encourage the dissemination of the results of archaeological excavation in a timely and appropriate manner.
 - H21 To acknowledge the importance of underwater archaeology by requiring that any proposed developments that may have implications for the underwater heritage shall be subject to an underwater archaeological assessment in advance of works.
 - H22 Facilitate and where feasible create public rights of way to sites of archaeological and historical interest and to National Monuments in state and Local Authority ownership in the city. The Council will also seek the preservation, maintenance and improvement of all existing right of ways to such areas where appropriate.
 - H23 To assist in the implementation of the conservation plans for the City Walls, Rothe House and St Mary's Church and Graveyard.
 - H24 Conserve and protect historic graveyards and churches within Kilkenny and to encourage their maintenance in accordance with conservation principles and as resources allow.
 - H25 To continue to support and assist communities in the care and conservation of historic graveyards through its Historic Graveyards Grants Scheme.
 - H26 To preserve, protect and where necessary enhance, significant heritage objects such as mass rocks, holy wells and/or other significant cultural features, that form part of the cultural heritage of the City and Environs.

Architectural heritage Policies from CDP

- H27 To ensure the protection of the architectural heritage of Kilkenny City & Environs by including all structures considered to be of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest in the Record of Protected Structures.
- H28 To have regard to the Architectural Heritage Protection Guidelines issued by the Department of the Environment Heritage and Local Government in 2004 when assessing proposals for development affecting a protected structure.
- H29 To promote principles of best practice in conservation in terms of use of appropriate materials and repair techniques through the administration of the Conservation Grants Scheme funded by The Department of the Environment Heritage and Local Government.
- H30 To ensure the protection of the architectural heritage through promoting the importance of regular maintenance of structures contained within the Record of Protected Structures.
- H31 To provide assistance to owners of protected structures in undertaking essential repairs and maintenance by the provision of relevant information.
- H32 To promote by example the principles of best practice in conservation of the built heritage through the custodianship of Protected Structures in the Council's ownership/care.
- H33 To encourage the sympathetic retention, reuse and rehabilitation of Protected Structures and their setting

- H34 To protect elements of designed landscapes of special interest located within the attendant grounds of Protected Structures, including boundary features.
- H35 To require an architectural impact assessment/conservation method statement for developments within the grounds of country house estates which are Protected Structures.

Architectural Conservation Area Policies from CDP

- H36 To ensure the preservation of the special character of each ACA particularly with regard to building scale, proportions, historical plot sizes, building lines, height, general land use, building materials, historic street furniture and paving.
- H37 To have regard to the Architectural Heritage Protection Guidelines, 2004 issued by the Department of the Environment, Heritage and Local Government when assessing proposals for development affecting an ACA.
- H38 To consider the designation of Architectural Conservation Areas where appropriate and provide a local policy framework for the preservation of the character of these areas.
- H39 To ensure the retention, repair rather than replacement, and the regular maintenance of original/early features in buildings which contribute to the character of an ACA, such as chimney stacks, roof coverings, roof profiles, external wall treatments, doors and windows, shop fronts and pub fronts and to ensure the use of appropriate materials and repair techniques when repairs are being carried out.
- H40 To ensure that inappropriate materials such as windows, doors and fascias constructed in aluminium or uPVC are not introduced to buildings within an ACA.
- H41 To encourage high quality, contemporary design and materials where appropriate when new buildings are being introduced into an ACA and the retention of the historic scale and plot size.
- H42 To ensure the preservation of the special character of an ACA when assessing proposals for advertising.
- H43 To retain historic items of street furniture where they contribute to the character of the ACA and to protect historic items of street furniture and roadside items as appropriate.
- H44 To ensure the conservation of all historic shopfronts and pub fronts. Where replacement is necessary, to encourage the introduction of shop fronts and pub fronts of contemporary high quality design and materials into the ACA.
- H45 To seek the retention of mature trees/significant planting (those in good condition) which contribute to the character of each ACA where appropriate.

None of these policies will be affected by the Variation.

Section 7.3 of the Development Plan sets out the Views and Prospects in the city. These views will not be affected by this Variation.

It is not anticipated that the value and vulnerability of the special natural characteristics or cultural assets in the City will be negatively affected through implementation of the variation, given their status and protection at both national level and in the CDP. The development management process will ensure that any development proposal in the vicinity of these areas will include demonstration, where necessary, of how adverse impacts on natural or cultural heritage would be avoided or what mitigation measures are proposed. This will involve consultation with the

Department of the Environment, Heritage and Local Government, National Parks and Wildlife Service, Heritage Officer, or Conservation Officer as appropriate.

b) Exceeded environmental quality standards or limit values.

It is not expected that environmental quality standards will be exceeded or that the value of vulnerable areas will be affected as a result of the proposed variation. Development proposals will be subject to assessment as part of a planning application and will be required to demonstrate compliance with environmental quality standards and limits.

c) Intensive land use.

This variation decreases the amount of residential zoned land available for development within the city from that zoned under the previous Plan. As such, it is considered likely that the future developments resulting from the new zoning will not intensify land uses within the city to a degree that would adversely impact upon the existing natural and built environment. Quality design standards and guidelines are already provided in the CDP with appropriate policies and objectives which seek to reduce the potentially negative impact of any increased land uses within the area. These standards will be augmented with reference to the 2009 Departmental Guidelines on *Sustainable Residential Development in Urban Areas*.

(vii) The effects on areas or landscapes which have recognised national, European Union or international protection status.

As outlined previously in Section 4.2 (vi) (a), there are no landscapes of national, European or International protection status within or affected by the proposed variation.

There is a candidate Special Area of Conservation in the City (Site code 002162). There are 4 proposed Natural Heritage Areas. There are also a number of Recorded Monuments in the city.

The CDP recognises the importance of sites with national and European designations, and sets out policies for their protection (as outlined above). This variation corresponds with those objectives. It is not anticipated that the implementation of the variation would have any significant adverse impacts on areas of recognised national, European or international protection status.

5.0 STATUTORY CONSULTATION

The specified environmental authorities that should be consulted are:

- The Environmental Protection Agency (EPA)
- The Department of the Environment, Heritage and Local Government (DoEHLG)
- The Department of Communications, Marine and Natural Resources (DCMNR)

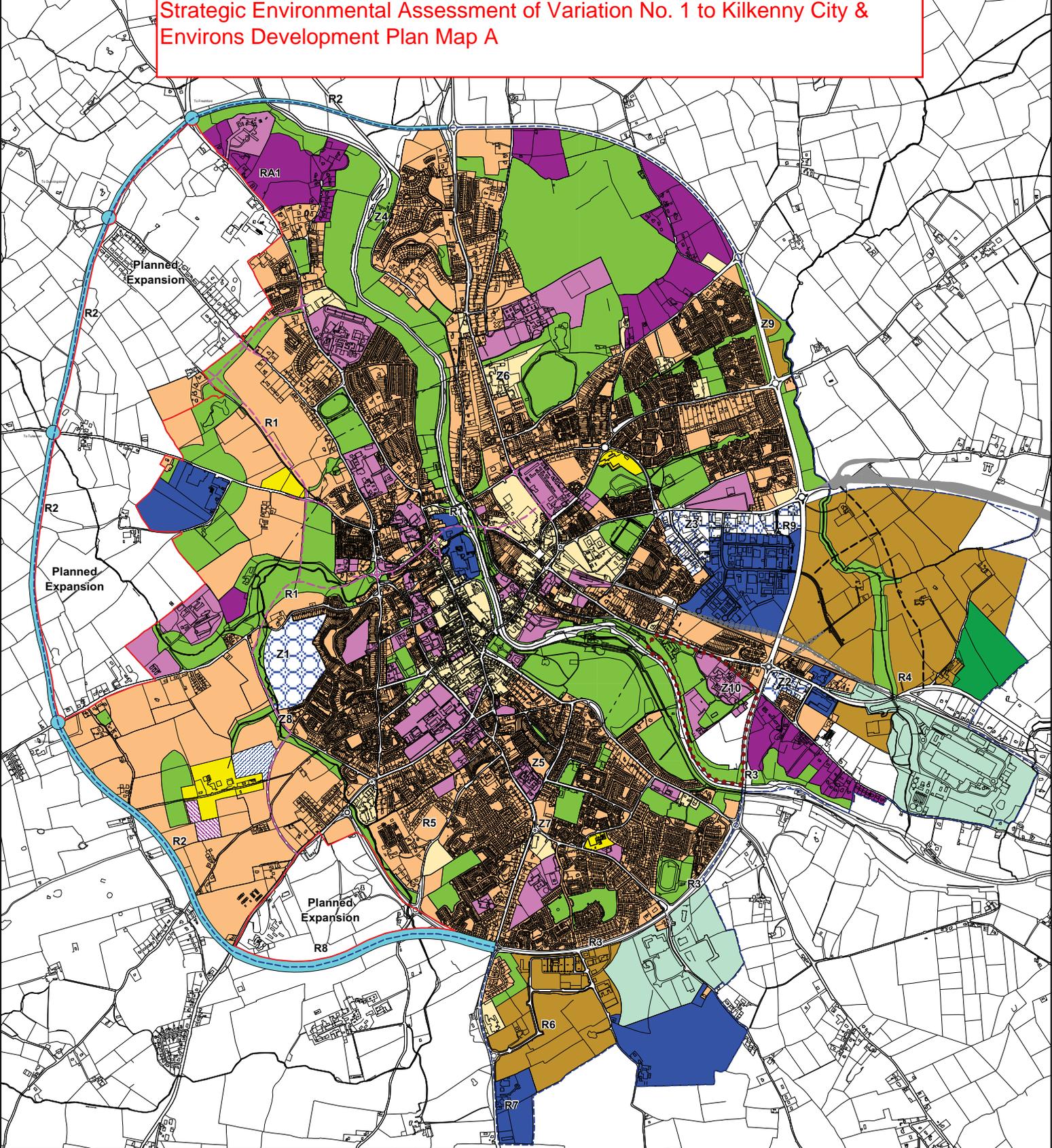
These three authorities were consulted under Article 13K(3) of the Regulations through correspondence sent on the 6th April 2011. The Department of Communications, Marine and Natural Resources and EPA responded but neither of the authorities advised that an SEA should be carried out.

6.0 CONCLUSION

It is not anticipated that the Proposed Varied City Development Plan will have strategic environmental effects and at this stage in the process it is considered that an SEA will not be required. Localised environmental effects as a result of any proposed development carried out on the land within the plan area can be dealt with through the assessment of individual planning applications.

In terms of the provisions of Article 13K(4) of the Regulations, following the appropriate consultation period the Planning Authority shall determine whether or not implementation of the proposed variation would be likely to have significant effects on the environment, taking account of the relevant criteria set out in Schedule 2A of the Regulations (see 4.0 above) and any submission or observation received from the environmental authorities (see 5.0 above). A decision was taken on the 4th May 2011 to not carry out an SEA and in accordance with Article 13K(5)(b) the environmental authorities were notified of this decision on the 4th May 2011.

Strategic Environmental Assessment of Variation No. 1 to Kilkenny City & Environs Development Plan Map A



**Kilkenny City & Environs
Development Plan 2008-2014**

Figure 9.1: Zoning Objectives Map



| | | | | | |
|--|------------------------------------|--|---------------------|--|--|
| | Residential | | Business Park | | N9 Corridor |
| | Residential (Low Density) | | Agritrade | | Proposed Ring Road |
| | Neighbourhood/Village Centre | | Agriculture | | Indicative Road Lines |
| | Industrial/Warehousing | | General Business | | Indicative Line Of Central Access Scheme |
| | Community Facilities | | Mixed Use | | Development Boundary |
| | Recreation, Amenity and Open Space | | Reserved Site | | Borough Boundary |
| | Industrial Technology Park | | New School Campus | | Proposed Master Plan Area |
| | | | R1 Road Objectives | | Planned Expansion |
| | | | Z1 Zoning Objective | | |

Scale 1:10,000

Based on Ordnance Survey of Ireland Map,
Licence No. "Kilkenny/CCMA/08/12"

Kilkenny City and Environs
Development Plan 2008-2014

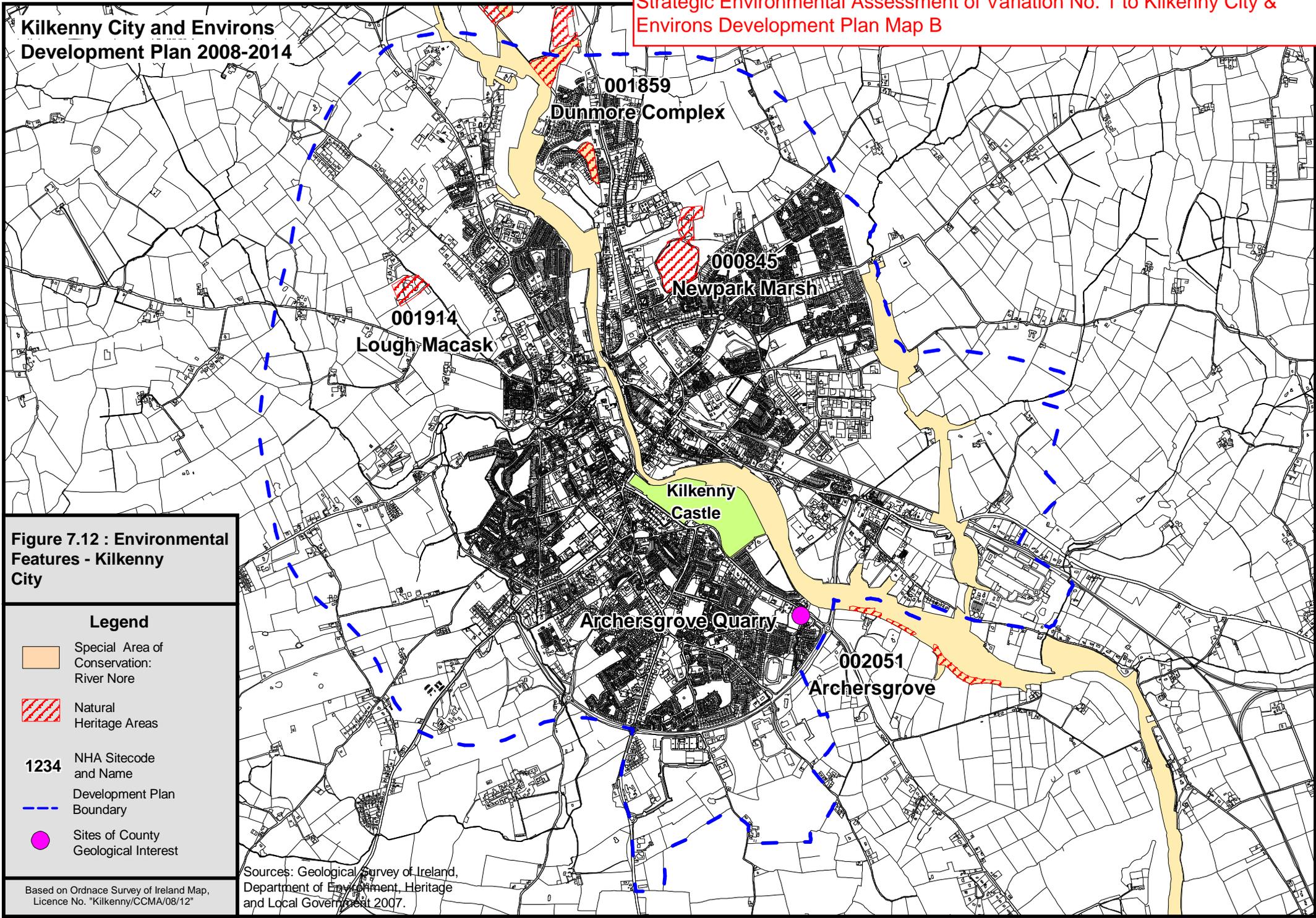


Figure 7.12 : Environmental Features - Kilkenny City

Legend

- Special Area of Conservation: River Nore
- Natural Heritage Areas
- 1234 NHA Sitecode and Name
- Development Plan Boundary
- Sites of County Geological Interest

Based on Ordnance Survey of Ireland Map, Licence No. "Kilkenny/CCMA/08/12"

Sources: Geological Survey of Ireland, Department of Environment, Heritage and Local Government 2007.