

Graiguenamanagh

C o u n t y K i l k e n n y



SEA Strategic Environmental Assessment

July 2008



Kilkenny County Council
Forward Planning

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1 STRATEGIC ENVIRONMENTAL ASSESSMENT

The Strategic Environmental Assessment (SEA) process is the formal systematic evaluation of the likely significant environmental effects of implementing a Plan or programme before a decision is made to adopt the Plan or programme. It informs Plans of the environmental impacts of policies and objectives and contributes to the integration of environmental considerations into Plan making.

1.1.1 Legal Framework

The EU Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (Strategic Environmental Assessment) are given effect by the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (S.I. No. 435 of 2004) and by the Planning and Development (SEA) Regulations 2004 (S.I. No. 436 of 2004).

1.1.2 The Screening Process

The SEA Regulations require case by- case screening of individual plans, based on the criteria in Schedule 2A to the Planning and Development Regulations 2001. These criteria must be taken into account in determining whether or not significant effects on the environment would be likely to arise. Whereas the Graiguenamanagh LAP does not fall within the mandatory requirements for the preparation of an SEA in population terms (1,097 persons in 2006), the plan making process has included the screening stage due to the particular characteristics of the plan area likely to be affected.

The key indicator that determines if an environmental assessment is required of particular non-mandatory plans, is if they are likely to have *significant environmental effects* on the environment or not. Where the planning authority is uncertain that there is a prima facie case for an SEA, the plan must be screened for its possible significant effects and the designated environmental authorities notified as part of the screening exercise.

The application of 'environmental significance criteria' is necessary in determining whether an SEA is required for small Plans/Policies or modifications to Plans/Policies. Annex II (2) of Directive 2001/42/EC sets out the 'statutory' criteria that should be addressed when undertaking this stage.

The designated authorities to be consulted are the Environmental Protection Agency (EPA); the Department of the Environment, Heritage and Local Government (DoEHLG); and the Department of Communications, Marine and Natural Resources. While the EPA must be consulted in all cases, consultation with the two Departments is conditional on the plan having significant effects within the remit of those Departments.

1.1.3 Consultation with Environmental Authorities

The designated authorities were notified by letter on 6th May 2008, enclosing a Screening Report and an Issues Report. The following comments were received:

Department of the Environment, Heritage and Local Government:

Natural Heritage

Because this plan has the potential to impact on the cSAC, in accordance with article 6.3 of the Habitats Directive, the plan should be screened to establish if it will have an impact on a Natura 2000 site and if it does an appropriate assessment is required of the implications for the site in view of the sites conservation objectives. If the assessment shows a negative impact on the sites then alternatives should be examined, and, in the absence of such alternatives, the plan could only be carried out for reasons of overriding public interest as detailed in article 6.4. Where a priority habitat is

present the plan or project could only be carried out for reasons relating to human health or public safety, to beneficial consequences of primary importance for the environment, or, further to an opinion from the Commission, to other imperative reasons of overriding public interest.

Built Heritage

As recognised in the Graiguenamanagh LAP Main Issues Report prepared for the renewal of the section of the current County Development Plan dealing with the town, the built heritage of Graiguenamanagh is a matter to be taken into account in setting out a new Local Area Plan. Any new Local Area Plan for Graiguenamanagh will intend to develop, improve and bring forward the physical environment of the town and the immediate area.

The opportunity exists in doing so to give increased recognition to the value of the architectural heritage component of the built environment of the town area. Such recognition will underpin the maintenance of a sense of place and locality within the town and the wider region. In turn this will reinforce an inherent sense of identity for both the inhabitants of the Graiguenamanagh locality and its visitors.

'Architectural heritage' is a material asset which is to be taken into account in both the making of a plan and its Strategic Environmental Assessment.

Department of Communications, Marine and Natural Resources:

In terms of the protection of water quality and fishery status of the receiving waters, the status objectives as set out in the Water Framework Directive should not be compromised as a result of this L.A.P.

Wastewater Treatment Plant capacity must be sufficient to take and treat the increased loadings both organic and hydraulic that are likely to arise from the projected population increases anticipated in the L.A.P. In this regard it is noted that Wastewater Treatment Plant capacity details (existing and planned) were not given in the S.E.A Screening Report (see also 3 below).

On Pg 7 (2.3.1(a).iv) of the S.E.A Screening Report there is mention of certain underlying environmental issues of concern including the requirement to up-grade the existing wastewater treatment facility. In view of the strategic location of Graiguenamanagh on the Duisce River and the close proximity to the Barrow, This Department is concerned that the water quality in the Duisce/Barrow system may be significantly impacted upon to lead to failure to comply with the status objective as set down in the Water Framework Directive. In particular details of the existing levels of wastewater treatment (including design capacity) and an evaluation of its adequacies to cope with the increased population anticipated as a result of the implementation of this L.A.P has not been made. This is not a matter that could be addressed piecemeal through an assessment of individual planning applications. Clearly sufficient Wastewater Treatment Plant capacity must be in place up front to cope with the levels of development anticipated as a result of implementing this L.A.P.

Environmental Protection Agency:

The following points should be considered:

- The designation of Graiguenamanagh as a district centre within Kilkenny County under the Draft CDP for Kilkenny County.
- The presence of significant tracts of riverside land designated as a candidate Special Area of Conservation (Duisce River and River Barrow).
- Biological quality values (Q values) of the Duisce River, at the confluence with the River Barrow, vary from 3 to 4 (moderately to slightly polluted).

- The inclusion of the Clogh-Castlecomer drinking water supply on the EPA's Remedial Action List (See Attached Appendix under 'Drinking Water').
- The significant cultural heritage of the town.
- The presence of significantly wooded areas in the Plan area.

We also note that SEA is to be carried out on the Callan and Castlecomer Local Area Plans. These are issues that should be taken into consideration when making your determination. SEA may be of significant assistance to you in developing a more strategically sustainable Local Area Plan for Graiguenamanagh. SEA will offer an opportunity to address many of the strategic and local concerns raised in your Public Consultation on the LAP.

1.1.4 Description of the Proposed Local Area Plan

The Draft LAP is intended to provide for the proper planning and sustainable development of Graiguenamanagh for a duration of six years, from adoption in 2008 until 2014, unless amended.

The vision for the future of Graiguenamanagh is aimed at the creation of a clean and safe, sustainable environment, in communities where people want to live, work and visit, and where residents have access to local job opportunities. The town needs to build upon its unique characteristics and to enhance its attraction for public and private sector investment and as a place for living, working and leisure/tourism. The Council is committed to delivering the vision through working in partnership with local people and organisations, and through promoting the objectives and policies contained within this LAP, so as to achieve a town that:

- Has a sustainable level of development appropriate to the character, heritage, amenity and strategic role of Graiguenamanagh as a District Centre;
- Is attractive to visitors while supporting and protecting the environment, heritage, character and amenity of the town, and in particular the River Barrow floodplain and the medieval legacy of the town centre;
- Has a high quality built environment with a well developed public realm and appropriate building forms, materials, heights and associated landscaping that complement and enhance the distinctive character of the town;
- Has a suitable range of community facilities and amenities to serve all sections of the local community, the wider rural catchment area and visitors to the town;
- Is well connected to, but has a strong local identity separate from, nearby settlements, in particular Thomastown, Inistioge, Carlow and New Ross;
- Has a pedestrian friendly town centre where conflict between the needs of pedestrian and motorist is minimised;
- Has a safe network of amenity walks within and through the town and linking the various natural and heritage features;
- Has a strong sense of community spirit, civic pride and social inclusiveness;
- Has an adequate level of service infrastructure to support existing and future populations in a manner that protects and complements the environment, including an adequate road network, traffic management and parking facilities, safe routes for pedestrians and cyclists, and adequate wastewater disposal, water supply and surface water drainage.

The Plan area extends to approximately 96 hectares (237 acres) and comprises the following land uses:

Graiguenamanagh Zoning/Land Use	Area (ha) approx.	% LAP Area
Residential - Established & Committed	37.0	38.1%
New Residential	8.6	8.8%
Industry	2.7	2.8%
Community/Education	6.1	6.3%
Mixed Use	6.7	6.9%
Open Space	22.4	23.0%
Agriculture	1.3	1.3%
Miscellaneous - (Roads, footpaths, etc)	12.4	12.8%
Totals:	97.2	100%

1.1.5 Identification of likely significant effects on the environment

The likely significant effects on the environment of implementing the proposed Graiguenamanagh LAP are categorised as follows:

- Human beings (includes population, economic and social activity)
- Material assets (includes infrastructure)
- Flora and fauna
- Archaeology and cultural heritage
- Landscape

Information on each likely significant effect together with proposed mitigation measures is outlined below.

For each category, the environmental baseline is summarized and potential significant effects identified together with potential mitigation measures required to prevent, reduce and as fully as possible offset any significant adverse effects. Where appropriate, these mitigation measures have been integrated into the Draft LAP as specific policies and objectives. The resultant likely significant effects on the environment of implementing the Plan are then described.

The Draft LAP has been formulated to ensure that the uses, developments and effects arising from proposals and/or permissions based upon the policies and objectives of the Plan (either individually or in combination with other plans or projects) will not give rise to significant adverse impacts on the environment. In addition, the LAP needs to comply with the provisions of the CDP (2008), including the relevant EU environmental legislation in its policies and implementation, and findings of the SEA as expressed in the Environmental Report of the CDP.

1.1.5.1 Biodiversity and Flora and Fauna

Environmental baseline:

The following two sites within the Graiguenamanagh LAP area are designated and protected under the Habitats Directive 1992 (92/43/EEC) as candidate Special Areas of Conservation –

- The River Barrow and River Nore cSAC (Site Code 002162)

The Duiske River, a tributary to the River Barrow, and its associated mill races that extend through the town centre, is also included in the cSAC.

Potential significant effects:

- Reduction in habitats from greenfield development, and disruption of ecological networks (e.g. corridors and stepping stones); and
- Pollution of river from soil erosion, agricultural silage/slurry, industrial and municipal effluents.

Proposed mitigation measures:

- Specific LAP policies and objectives to protect, conserve and enhance Graiguenamanagh's natural heritage and biodiversity;
- Designated ecological sites zoned as Open Space within draft LAP, with a minimum 30m wide buffer, free of development, around them where appropriate;
- Proposed greenfield development on lands low in habitat diversity;
- Planning applications within 30m of designated wetland sites to be accompanied by suitable assessment; and
- Applicants to be encouraged to enhance existing networks or create new networks between local biodiversity areas where such opportunities exist.

Likely Significant Effects on the Environment:

None. The overall impact on biodiversity of implementing the policies and objectives of the LAP is anticipated to be neutral to positive.

1.1.5.2 Population and Human Health

Environmental baseline:

The population of Graiguenamanagh was recorded as 1,097 persons at the 2006 Census. It is anticipated that this could increase to around 1,500 persons by 2014 and by 1,750 persons by 2020.

Potential significant effects:

- Development of additional residential units;
- Increased demand for retailing, services, leisure and community facilities and amenities;
- Increased demand for employment;
- Increased demand for transport and travel; and
- Impacts on the quality of drinking water sources can have the potential to impact upon human health (see Water Supply below).

Proposed mitigation measures:

- LAP Strategy is based on achieving a sustainable level of development appropriate to the character, heritage, amenity and the role of Graiguenamanagh as a District Centre of the County;
- Lands identified for development are all contiguous to the existing built up area of the town and within comfortable walking distance (10 minutes or 900m) of the town centre;
- Specific LAP policies and objectives to ensure that new housing developments satisfy a wide range of social, locational and design criteria;

- Specific LAP policies and objectives to strengthen the District Town function of Graiguenamanagh as a commercial, cultural and living centre by encouraging appropriate uses that support vibrant activity in the town centre;
- Specific LAP policies and objectives to actively encourage future employment provision on suitably zoned and serviced lands and through more actively promoting the tourism product;
- Specific LAP policies and objectives to ensure that the provision of community facilities are related to increases in the population of the town; and
- Specific LAP policies and objectives to promote the development of a safe and efficient transport network that will cater for the needs of all users.

Likely Significant Effects on the Environment:

None. Encouraging people to live in the town (as opposed to one-off houses in the countryside) has potential beneficial impact of reducing air pollution and greenhouse gas emissions, reducing the need to travel, and improving people's quality of life with regard to accessibility to essential services, jobs and facilities. The overall impact on human beings of implementing the policies and objectives of the LAP is anticipated to be positive.

1.1.5.3 Soil, Water, Air and Climatic Factors

Environmental baseline:

- Acid Brown Earth soils are dominant in the area, associated with lighter, shallower soils on the shores of the River Nore, and are derived from alluvial deposits (i.e. coarse textured gravels and sands). These soils are free draining soils subject to flooding.
- Graiguenamanagh is located within a river catchment assessed as being 'At Significant Risk' (SERBD); in an area with a Extreme-High Ground Water Vulnerability Rating; and in an area with a 'Probably Not at Significant Risk' Ground Water Risk Assessment.
- Air quality assessment not available.
- Climatic factors not considered applicable to local level assessment.

Potential significant effects:

- Contamination of soil from development that does not have adequate waste water infrastructure;
- Soil erosion resulting from construction works and resultant impact on water quality and fishery resources;
- Water quality problems with potential for significant adverse impact upon biodiversity, drinking water supplies and human health;
- Travel related emissions likely to continue to increase; and
- Air and climatic factors - (to be more appropriately assessed at regional level).

Proposed mitigation measures:

- To date there is no legislation which is specific to the protection of soil resources; and
- Provisions of CDP (2008) and relevant EU environmental legislation.

Likely Significant Effects on the Environment:

None. The overall impact on Soil, Water, Air and Climatic Factors of implementing the policies and objectives of the LAP is anticipated to be neutral.

1.1.5.4 Material assets (includes waste water, drinking water and transport infrastructure)

Environmental baseline:

Presently effluent is pumped to a treatment facility on the New Ross road and discharged from there to the River Barrow. The system comprises a Biological Nutrient Removal Plant with a PE of 3,000, installed in 2002. This is more than adequate to cater for the expected growth in Graiguenamanagh over the plan period and beyond.

Water is supplied from the Graiguenamanagh water supply scheme. In order to augment the system, there has been a recent proposal to drill an additional well at Ballinakill, to provide approx 300 cubic metres of water per day.

The existing road network has recently been supplemented by the opening of a western Relief Road, which is expected to remove much of the through traffic (HGVs in particular) from the town centre. The town centre streets, however, are narrow and liable to moderate levels of congestion from local traffic. There are frequent pedestrian conflict points, limited pedestrian crossing facilities, incomplete footpaths, and no facilities for cyclists. Off-street car parks are considered to be inadequate (although rarely at capacity). The town is poorly served by public transport.

Potential significant effects:

- Development of additional lands will lead to increase in the demand for foul water and surface water drainage, with resultant potential contamination risks;
- Water quality problems with potential for significant adverse impact upon biodiversity, drinking water supplies and human health;
- Travel related emissions likely to continue to increase;
- Development of additional lands will increase the amount of local traffic;
- Increasing car ownership will contribute to a deterioration in the town centre environment; and
- Reliance on private transport will exclude certain sectors of the population and diminishes the role of public transport.

Proposed mitigation measures:

- The treatment of wastewater is governed by the Urban Wastewater Directive (as amended 98/15/EEC), transposed into Irish Law by the Urban Waste Water Treatment Regulations 2001;
- Permissions for new development must demonstrate sufficient capacity to appropriately treat waste water;
- New developments will only be permitted subject to adequate capacity in water supply being available;
- Given existing provision and ongoing investment, water and sanitary services provision is not expected to constrain development in the foreseeable future;
- Specific LAP policies and objectives to promote the development of a safe and efficient transport network that will cater for the needs of all users and encourage priority for town centre access, walking, cycling, and public transport; and
- Specific LAP objective to seek the preparation of a town centre traffic management plan.

Likely Significant Effects on the Environment:

The overall impact on waste water, drinking water and transport infrastructure of implementing the policies and objectives of the LAP is anticipated to be neutral.

1.1.5.5 Cultural Heritage

Environmental baseline:

The town centre is designated a Zone of Archaeological Potential.

There are 11no. sites within Graiguenamanagh identified on the Record of Monuments and Places (RPM) for County Kilkenny, protected under the National Monuments.

There are 30no. structures on the Record of Protected Structures, and 1no. Proposed Protected Structure.

The NIAH survey identified 54no. structures of heritage interest in the town. In addition to the medieval heritage, the town has a number of surviving mills and warehouses that are a distinctive feature of industrial heritage.

Likely significant effects:

- Possible adverse impact on sites of archaeological interest or their settings; and
- Possible degradation of buildings or townscapes of architectural interest.

Proposed mitigation measures:

- Any direct impacts on Major Sites of Archaeological importance require the consent of the Minister for the Environment Heritage and Local Government under Section 14 of the National Monuments Act (1930) as amended by Section 5 of the National Monuments Act (2004);
- Planning applications may be required to be accompanied by an assessment undertaken by a certified conservation architect detailing the impacts of development upon the special interest and character of the surrounding architectural heritage;
- Specific LAP policy and objectives to protect the archaeological heritage;
- The requirement for archaeological assessment prior to the commencement of development, where required;
- Specific LAP policy and objectives to protect structures entered onto the Record of Protected Structures, or listed to be entered onto the Record; and
- Specific LAP policy and objectives to designate the medieval core of the town as an Architectural Conservation Area.

Likely Significant Effects on the Environment:

The overall impact on cultural heritage of implementing the policies and objectives of the LAP is anticipated to be positive.

1.1.5.6 Landscape

Environmental baseline:

Graiguenamanagh is located within a high quality natural environment comprising the steep-sided and well-wooded Barrow Valley. It falls within an Upland Area of High Amenity, as defined by the CDP (2008). The River Barrow provides an important visual and recreational resource. There are extensive County Woodlands to the north and south of the town. There are also a number of views and prospects of high amenity value adjoining public roads on the approaches to the town.

Likely significant effects:

- Possible adverse impact upon the integrity of landscape resources; and
- Possible adverse impacts on scenic views to and from the town.

Proposed mitigation measures:

The requirement for a landscape and visual assessment of proposed development, demonstrating that landscape impacts have been anticipated and avoided to a level consistent with the sensitivity of the landscape or view;

Specific LAP policy and objectives to protect existing amenity and open space and to promote the enhancement and provision of open spaces and open space links as the town continues to develop.

Likely Significant Effects on the Environment:

The overall impact on landscape of implementing the policies and objectives of the LAP is anticipated to be neutral to positive.

1.1.6 Consideration of Alternatives: Could Development Take Place Elsewhere

The Draft LAP has been formulated in the context of the CDP (2008) definition of Graiguenamanagh as a District Town, having well developed services and community facilities for the surrounding hinterland and capable of supporting additional residential development. Given the role of Graiguenamanagh in the County Settlement Hierarchy, and its potential to accommodate new development through land availability, as well as the proposed relief and employment improvements such as promotion of the local tourism product, it is anticipated that the population of the town could soon reach the 1,500 threshold adopted for a District Town.

As part of the plan making process, alternative plan scenarios were considered and broadly assessed against the main aims and objectives for Graiguenamanagh and the provisions of the CDP (2008). The submissions and observations received during the public consultation exercises, and in particular the many requests for re-zoning for predominantly residential uses, provided the basis for considering various conceptual alternatives during the early stages of plan inception.

In consideration of the potential of Graiguenamanagh as a more popular visitor destination, the objectives for the town are based on creating a compact settlement where people want to live, work and visit, and where residents have access to local job opportunities. The Plan therefore adheres to the principles of sustainability through the promotion of development which makes a positive contribution to the development of Graiguenamanagh, while recognising the importance of conserving and enhancing the quality of the built and natural environment, as well as the needs of all sections of the local community. It also ensures that realistic alternatives to one-off houses in the countryside are available by zoning appropriate lands on the periphery of the development area, thereby achieving potential beneficial impacts through reducing the need to travel, and improving people's quality of life with regard to accessibility to essential services, jobs and facilities.