

Strategic Environmental Assessment

Applicability Assessment Report

Kilmacow Masterplan

February 2025



Turley

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Client
Kilkenny County Council

Our reference
KILX3007

Feburary 2024

1. Introduction

- 1.1 The Kilmacow Masterplan (hereafter referred to as ‘the Plan’) is a non-statutory plan commissioned by Kilkenny County Council (KCC) for Kilmacow.
- 1.2 The purpose of the Plan is to guide the development of Kilmacow into the future and to influence and deliver on real change for the village to make it a more attractive destination in which to live, work, visit and do business.
- 1.3 Turley¹ has been commissioned by KCC to carry out a Strategic Environmental Assessment (SEA) applicability screening of the plan.
- 1.4 SEA screening is defined in the relevant guidance documents² as *“the process for deciding whether a particular plan, other than those for which SEA is mandatory, would be likely to have significant environmental effects, and would thus warrant SEA.”*
- 1.5 The purpose of this document is to carry out an assessment to determine, if SEA applies to the Plan in accordance with the European Directive 2001/42/EC on the Assessment of the Effects of Certain Plans and Programmes on the Environment (“SEA Directive”) as transposed by the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (S.I. 435 of 2004), as amended.
- 1.6 This SEA Applicability Report provides the findings of this process for the Plan.

¹ 4 Pembroke Street Upper, Dublin, D02 VN24, Ireland

² [Implementation of SEA Directive \(2001/42/EC\): Assessment of the Effects of Certain Plans and Programmes on the Environment- Guidelines for Regional Authorities and Planning Authorities \(Department of the Environment, Community and Local Government, 2004\)](#)

2. Strategic Environmental Assessment

Overview

2.1 Strategic Environmental Assessment SEA is defined as “the formal, systematic evaluation of the likely significant environmental effects of implementing a plan or programme before a decision is made to adopt that plan or programme.” (Department of the Environment, Community and Local Government, 2004).

2.2 The SEA process is comprised of the following steps:

- The Screening: This is a decision on whether or not SEA of a Plan or Programme is required. This is the current state of the SEA process to which this report relates. The preliminary stage to Screening is to determine if the SEA Directive applies to the Plan.

2.3 If the SEA is considered to be required following Screening, the following steps are required:

- Scoping: Consultation with the defined statutory bodies on the scope and level of detail to be considered in the assessment;
- Environmental Assessment: An assessment of the likely significant impacts on the environment as a result of the Plan or Programme;
- Preparation of an Environmental Report;
- Consultation on the Plan or Programme and associated Environmental Report;
- Evaluation of the submissions and observations made on the Plan or Programme and Environmental Report; and
- Issuance of a SEA Statement identifying how environmental considerations and consultation have been integrated into the Final Plan or Programme.



Figure 2.1: Screening in the overall SEA Process (Source: EPC, Good Practice Guidance on Screening, 2021).

- 2.4 SEA is intended to provide the framework for influencing decision-making at an earlier stage when plans and programmes – which give rise to individual projects – are being developed. SEA should result in more sustainable development through the systematic appraisal of policy options.

3. Guidance and Legislation

Legislative Overview

- 3.1 The SEA Directive – Directive 2001/42/EC on the Assessment of the Effects of Certain Plans and Programmes on the Environment – requires that an environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment.
- 3.2 The objective of the SEA Directive is *“to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans...with a view to promoting sustainable development.”* (Article 1 SEA Directive 2001).
- 3.3 Ireland made the decision to transpose the SEA Directive into Irish Law in 2004 through two separate statutory instruments or regulations, one specifically concerning specific listed town and country/land use plans (S.I. 436/2004) and one concerning all other sectors (S.I. 435/2004). The transposing regulations are as follows:
- European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations (S.I. 435/2004); and
 - Planning and Development (Strategic Environmental Assessment) Regulations (S.I. 436/2004).
- 3.4 Both pieces of legislation were amended in 2011 through the following amendment regulations:
- European Communities (Environmental Assessment of Certain Plans and Programmes) Amendment Regulations (S.I. 200/2011); and
 - Planning and Development (Strategic Environmental Assessment) Amendment Regulations (S.I. 201/2011).
- 3.5 The SEA Directive has also been given effect through other Irish Legislation. An example being, the Planning and Development Act [PDA] 2000, as amended, which includes a specific requirement to carry out and facilitate SEA alongside the preparation of the Regional Spatial and Economic Strategies; and the Water Services Act 2007, as amended, requires that: *“The purpose for which this Act is enacted includes giving effect to so much of the following as relates to water services”* – listing specifically Directive 2001/42/EC (EPA, Good Practice Guidance on Screening, 2021).

Guidance Documents

- 3.6 A number of national guidance documents on SEA were reviewed in the preparation of this SEA Screening Report including:
- SEA Screening Good Practice Guidance (EPA, 2021)

- Development of Strategic Environmental Assessment (SEA) Methodologies for Plans and Programmes in Ireland (EPA, 2003)
- Implementation of SEA Directive (2001/42/EC): Assessment of the Effects of Certain Plans and Programmes on the Environment – Guidelines for Regional Authorities and Planning Authorities (Department of the Environment, Community and Local Government, 2004)
- Implementation of Directive 2001/42 on the Assessment of the Effects of Certain Plans and Programmes on the Environment (European Commission, ND)
- SEA Resource Manual for Local and Regional Planning Authorities (EPA, 2015)
- Integrating Climate Factors into Strategic Environmental Assessment in Ireland – A Guidance Note (EPA, 2019)
- Synthesis Report on Developing Strategic Environmental Assessment (SEA) Methodologies for Plans and Programmes in Ireland (EPA, 2019)

4. Kilmacow Masterplan

Legislative Background

- 4.1 The Kilmacow Masterplan (hereafter Masterplan) is a non-statutory Plan, commissioned by KCC for the settlement of Kilmacow, Co. Kilkenny. The Plan was produced in collaboration with local residents, in addition to professional guidance and input from the design team. The Masterplan was developed through an iterative review and assessment process with the Strategic Projects and Public Realm Team (SPPR) in Turley's.

Scope and Description of the Plan

- 4.2 The new Plan will guide the development of Kilmacow into the future and is designed to influence and deliver real change for the village in order to make it a more attractive destination in which to live, work, visit and do business.
- 4.3 Kilmacow is a village in south Kilkenny, within an area which is predominantly rural in character. By virtue of its location within an attractive rural hinterland, close to Waterford City and national and regional roads, the village has the potential to fulfil a more significant role. It is envisaged that this Masterplan will guide development and re-imagine Kilmacow so that it can ultimately realise its full potential.
- 4.4 The aim of this Masterplan is to ensure that Kilmacow has the right objectives and projects in place to tackle issues of dereliction, vacant properties, and above all, to become a better place to live, work and run a business, ensuring the vitality and vibrancy of the village into the future.

Overview of the Plan.

- 4.5 Considering the Town Centre First policy objectives, our baseline analysis of the village and the feedback received from the local community, we have developed a set of principles to help guide the ideas, actions, and strategies for the Masterplan. These are:
1. **Streets and Public Spaces** – Provision of upgraded public realm and public amenity spaces to provide an attractive, vibrant core.
 2. **Movement** – Improved connectivity between the Upper and Lower Kilmacow as well as its surrounds, as connectivity is fundamental to the social and economic success of the village.
 3. **Heritage and identity** – celebrate the culture and heritage of Kilmacow, defining its image and making it a destination village for visitors.
 4. **Built Form and Use** – Reuse of existing vacant / derelict buildings to provide new community facilities and /or tourism offerings.

5. **Vitality and Vibrancy** – ensure Kilmacow is an economically viable community with the capacity to generate income and employment necessary to maintain or improve the village.

6. **Sustainability and Climate Resilience** – Resilient towns promote sustainable development, well-being, and inclusive growth.

4.6 Within the following section are a series of ideas to reinforce these placemaking pillars, with a focus on physical enhancements to the public realm alongside opportunities for events, activation, and branding. The proposals are individual actions within the Masterplan. Each proposal is recognised as playing a unique and important role in fulfilling the town’s Masterplan principles:

Table 4.1: Kilmacow Masterplan Interventions

Placemaking Theme	ID	Project	Description
Streets and Public Spaces	1	Public Realm Enhancement	<p>Preparation of a comprehensive public realm enhancement scheme to provide an attractive and vibrant village. The scheme will include new, level pavements which will support active travel choices and will serve the community as a whole.</p> <p>Key Features:</p> <ul style="list-style-type: none"> • Establishment of Town Team / Community Development Group for Kilmacow which would liaise with Kilkenny County Council and other agencies with regards the development of Kilmacow, with the view to achieving the objectives as set out in this masterplan. • Improve the balance of quality of public spaces through enhanced public realm • The need for new car and bicycle parking at the sports complex following any extension needs to be examined.

			<ul style="list-style-type: none"> • High quality materials (local materials e.g., limestone paving and sets) and high-quality detailing. • Resurfacing of uneven footpath and widening of footpaths to ensure accessibility for all residents' and visitors (level access). • Introduction of new street lighting on all roads to support safe and active travel. • Consistent approach to public realm to ensure continuity throughout the village, in terms of seating, bins, lighting columns etc. • Reduction of street clutter – removal of overhead lines where possible and undergrounded. • A Design Statement should be carried out for lands north of Church. • All new Public Realm enhancements / schemes should have regard to the Councils' Disability Inclusion Strategy and any associated guiding national documents.
	2	River Blackwater	<p>The River Blackwater formed a significant part of the workshop discussions and it was felt that the river could potentially open up a variety of improvements for the village, including tourism, renewable energy, biodiversity, green public spaces, and heritage. Any recreational amenities on the river or walkways along the river will be subject to a Feasibility Study.</p> <p>Key Features:</p>

			<ul style="list-style-type: none"> • A new centre dedicated to water-based activities such as kayaking, canoeing, swimming, fishing etc. • Links to the proposed loop walk with potential heritage trails, extending the existing sports complex, improving permeability within the village, and supporting health and well-being of residents and visitors. • Seating areas, landscaped areas, and lighting to be included, to provide an attractive area for rest and relaxation • Used to support the health and well-being of residents and visitors. • Examine the feasibility of providing Campervan parking spaces with basic services in a location proximate to the river within or bounding the village.
	3	New Public Amenity	<p>A new public amenity will be explored on lands surrounding Kilmacow Community Centre to create a 'Green Heart' and improve permeability between Upper and Lower Kilmacow, This will be explored through a future Feasibility Study aligned with a study of the River Blackwater to optimise its use for recreational and leisure purposes while protecting and expanding its habitat</p> <p>Key Features:</p> <ul style="list-style-type: none"> • C. 10 Hectares of new green space, with dedicated pedestrian and cycle trails, providing active travel choices. • Connection to the River Blackwater and proposed new centre for water-based recreational activities.

			<ul style="list-style-type: none"> • Potential to investigate the need for additional car parking to serve the new centre, which can also serve for parking for school collection, reducing traffic on the main through-fares. <p>Key Actions:</p> <ul style="list-style-type: none"> • Introduce wildlife friendly lighting to ensure pedestrian safety for residents and visitors along the River Blackwater • Explore potential to create a focal point. • Explore potential for rewilding in part of this area, contributing to the village's biodiversity. • Careful landscaping interventions could be introduced such as formalised planting, raised planters and/or planters with benches, picnic benches, and introduction of SuDS. • Addition of a bandstand or similar structure to provide sheltered seating area, making this area an attractive space to meet, mingle and play. • Explore the possibility of creating a new public amenity space within the village and /or securing lands with the view of providing allotments for use by local residents.
Movement	4	Loop Walk	<p>Residents suggested that Upper and Lower Kilmacow and the existing sports ground could be linked up via a formalised walkway to replace informal routes. The Loop Walk would be subject to a Feasibility Study to determine its location and function. A linked footpath/pedestrian route between the two villages would also require assessment.</p> <p>Key Features:</p>

			<ul style="list-style-type: none"> • The location of the Loop Walk will be subject to a feasibility study and assessment prior to any specific route being selected. • The aim of the Loop Walk will be to enhance connectivity between Upper and Lower Kilmacow, with the Sports Complex being central to the Loop Walk proposal. • Investigate the possibility of a crossing over the River Blackwater, this again would be subject to a feasibility study. • Will support sustainable travel choices particularly for children and reduce car dominance. • A highly attractive public realm scheme with select, small landscaped areas. • Any future looped walk should consider the placement of information boards / signage outlining any historical information relevant to the location along the proposed route.
	5	Road Improvements and Traffic Calming	<p>Feedback from stakeholders and a site visit revealed that many of the roads and footpaths are of a poor standard. In conjunction with the public realm upgrades, footpaths and roads should be widened, with footpaths interlinked to improve permeability and pedestrian safety, building upon improvements already made since 2019, including 9 no. ramps.</p> <p>Key Actions:</p> <ul style="list-style-type: none"> • A new footpath link on the L3401 between Kilmacow Upper and Lower will be explored. • To provide a new link road, linking the Narrabaun Road to the Dangan Road, north of the church lands, which

			<p>will create a new urban street, enhance pedestrian and vehicular connectivity and provide appropriate access to development lands.</p> <ul style="list-style-type: none"> • Consideration of a one-way system through the village will also be explored. • The introduction of new signage should be considered, indicating sharp bends, schools ahead, speed limit signs – these should all be village branded. • Road marking should be introduced. • Liaise with Kilkenny County Council Roads Design and Area Engineers explore opportunities to widen roads and footpaths. • Will contribute to improving sustainable and active travel choices. • Explore the introduction of pedestrian crossing points at junctions with schools and the Sports Complex, adding to proposals already in place in the village including several pedestrian ramps installed locally since 2019. • Introduction of priority signalised junctions. • Materials should be sympathetic to the rural setting. • Street lighting should be improved in Kilmacow. • Explore the feasibility of a new footpath on the L7434.
	6	Signage	<p>Several participants pointed out there is a lack of distinctive identity for the village, either on the approach or in the centre of the village. The introduction of wayfinding signage</p>

			<p>for visitors both on foot and car, in conjunction with proposed tourism initiatives to create a sense of place:</p> <p>Key Features:</p> <ul style="list-style-type: none"> • Branded signage at key nodes to the entrance of Upper and Lower Kilmacow to create a sense of arrival and pride in Kimacow, defining its Upper and Lower Villages. • Introduce signage to assist with identification of heritage assets and protected structures. • Introduce wayfinding signage at the River Blackwater, improving visitor permeability throughout the villages. • Consideration to introducing a crest and motto for Kilmacow.
	7	Public Transport	<p>As part of an upgrade of local bus routes, install modern bus shelters to include protection from the weather. The Village's proximity to road infrastructure opens many opportunities and Kilkenny County Council will support and work with other agencies to help improve public transportation and infrastructure in and through the village.</p> <p>Key Actions</p> <ul style="list-style-type: none"> • Liaise with Kilkenny County Council Roads Design and Area Engineers to investigate the feasibility of upgrading infrastructure to improve provision in Kilmacow. • Liaise with Kilkenny County Council Roads Design and Area Engineers to establish connection points. • Investigate if additional bus routes could be implemented in order to

			<p>promote sustainable active travel and reduce car dominance.</p> <ul style="list-style-type: none"> • Liaise with the National Transport Authority on implementing the A60 service through Kilmacow.
Heritage and Identity	8	Celebrate Heritage	<p>The former Mills in Kilmacow were suggested as a potential foundation for small businesses, heritage, and tourism initiatives:</p> <ul style="list-style-type: none"> • Explore potential to open up the former Mills to tourists subject to landowner agreement. • Promote an understanding of the village's heritage through online platforms and printed resources. • Explore promotion through engagement with Waterways Ireland regarding the introduction of new water-based activities at the River Blackwater. • Provision of Columbarium in Kilmacow Graveyard • A Heritage Strategy for Kilmacow will be explored as a project worthy of consideration. The strategy could be open to all dimensions of heritage relevant to Kilmacow including landscape, social history, river, industry, craft, agriculture and sport. • Consideration of introducing a crest and motto for Kilmacow
	9	Façade Improvements	<p>Vacancy and dereliction have been highlighted as an issue within the village, with some protected structures boarded up.</p> <p>The quality and appearance of buildings is important to ensure they contribute positively to the wider streetscape.</p>

			<p>Key Features:</p> <ul style="list-style-type: none"> • Undertake heritage survey to identify those assets in need of sensitive refurbishment. • Work with local businesses and property owners to explore options for improvement along with Kilkenny County Councils Regeneration Officer. • Ensure any proposed works comply with Heritage Policies and Objectives set out by KCC. • Support business owners to secure grant funding for implementation
Built Form and Use	10	Working Hub	<p>Respondents identified that there are not enough attractive facilities within the village to keep people from commuting to their place of employment, therefore it is proposed that a working hub is provided within the remit of this Masterplan, should a building become available or in conjunction with this building is handed over to the community, and converted to a remote working hub, with fibre broadband.</p> <p>Actions:</p> <ul style="list-style-type: none"> • Work with KCC to identify a location for a working hub. • Repurpose space for a remote working hub with desk space, internet and kitchen facilities to support working from home and small businesses.
	11	Expansion of Sports Complex	<p>Stakeholder feedback revealed there was an opportunity to develop the immediate lands around the GAA club to encourage a broader appeal.</p>
	12	Feasibility – Visitor Accommodation	<p>A feasibility study should be carried out to explore the potential for bed and breakfast or hostel accommodation, which would support the active tourism initiatives</p>

			<p>proposed, once implemented, for the village and would contribute to the existing active street frontages. The proposal should make use of existing vacant structures to ensure historic fabric is retained and to ensure streetscapes are active and vibrant. The Kilmacow National School is an example of a derelict / vacant building which could be utilised for visitor accommodation</p>
Vitality and Vibrancy	13	Kilmacow Derelict Properties	<p>Vacancy and dereliction are a key priority within the National Town Centre First Policy Framework. Feedback from the local community revealed that this is an issue for those who live and work in the village, although some work has been done to bring these back into use in recent years, further work is required</p> <p>Actions:</p> <ul style="list-style-type: none"> • Identifying owners of vacant and derelict properties. • Engaging positively with building owners, landowners to discuss issues in restoring life to vacant / derelict properties and develop a plan to reactivate properties with the potential for commercial, heritage and/or community use. • Explore potential of various uses for vacant and derelict buildings and other various bodies. • A Community Energy Audit should be undertaken to disseminate information on the opportunities that exist for retrofitting homes and buildings locally and to explore opportunities for a community response to climate change. • Work with Councils Towns Regeneration Officer to aid revitalisation in Kilmacow.

	14	Broadband	<p>Respondents stated that the availability of broadband was poor and did not allow residents to avail of working from home for that reason. The Parish of Kilmacow includes high speed broadband through the National Broadband Plan which is available to all households locally, which has the potential to attract new economic opportunities whilst providing infrastructure for residents to work from home, therefore reducing car dominance within in the village.</p> <p>Under the National Broadband Plan (NBP), most of Kilmacow is designated as blue areas, currently with poor broadband. The blue areas of the NBP represent areas where commercial providers are either currently delivering or have plans to deliver high speed broadband services. Operators are continuing to enhance their services in these areas to improve access to high speed broadband.</p> <p>Open Eir has confirmed that there will be fibre available in these blue areas across Ireland by the end of the NBP in 2026/2027 via their Ireland Fibre Network (IFN) scheme (Open Eir Fibre to the Home Scheme).</p> <p>Open Eir only schedule work in six months blocks and they are unable to advise when Kilmacow will be completed. It is anticipated that all the blue areas will be completed by the end of 2026.</p>
	15	Events	<p>Several participants pointed out that while there is a strong community spirit, there is a lack of distinctive identity for the village. The Covid-19 Pandemic illustrated the value and importance of events to bring local communities together, and Kilmacow has a strong community spirit.</p>

Sustainability and Climate Resilience			<p>Actions:</p> <ul style="list-style-type: none"> • Production of an events programme in conjunction with the wider public realm improvements. • Events could include farmers market, craft fairs in addition to the seasonal fairs which already take place in Kilmacow Community Centre.
	16	Heritage	<p>There is an opportunity to capitalise on the village's history through implementation of heritage trails through Upper and Lower Kilmacow, in conjunction within the new public amenity space and introduction of wayfinding signage.</p> <p>Key actions:</p> <ul style="list-style-type: none"> • Identify riverside landowners to secure land for linear park and heritage trails. • Liaise with heritage property owners on the possibility of introducing heritage plaques, and potential to open up heritage assets to the public (e.g., the Mill). • Installation of interactive wayfinding with the potential to introduce digital technology (QR Codes) to provide more detail on the history of the heritage assets. • A Heritage Strategy for Kilmacow will be explored as a project worthy of consideration with guidance from the Councils Heritage Office, The strategy could be open to all dimensions of heritage relevant to Kilmacow including landscape, social history, river, industry, craft, agriculture and sport.
	17	Landscaping	<p>Additional landscape measures throughout the village, particularly in the short term, will not only</p>

			<p>contribute to the biodiversity of the village, but will enhance the overall appearance, making it an attractive destination village.</p> <ul style="list-style-type: none"> • Short-term interventions to include introduction through the maintenance regime of planted pots at junctions and along the main streets • Ensure overgrown hedges and trees are maintained so not to obstruct traffic or become an eyesore • Landscaping measures to be introduced during public realm works to ensure coordinated approach and reduce the impact of works on residents.
	18	EV Charging	<p>EV charging should be provided at select areas; these could include the proposed remove working hub; and/or the extended sports facilities.</p> <ul style="list-style-type: none"> • Adhere to requirements contained in the Reginal and Local EV Charging Network Plan 2024-2030.
	19	Cycling and Walking	<p>The village has no designated cycle routes, and footpaths are limited A new walking loop linked with the new public amenity space would fulfil the community aspirations and contribute to their well-being and contribute to more active travel choices.</p> <p>Cycle lanes could be included through the villages but would be subject to the feasibility of the proposed road widening.</p> <p>Key actions:</p>

			<ul style="list-style-type: none"> • Engage with KCC and stakeholders to outline and agree loop walk / cycle route. • Explore opportunities to enhance relationship with the River Blackwater • Explore linear park linkages to new village cycle and pedestrian network. • Additional cycling and walking links are also needed within the village, including upgraded lighting and cycle facilities. • Any new cycling / walking routes should have regard to the Councils' Disability Inclusion Strategy and any associated guiding national documents.
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5. SEA Screening Methodology

SEA Screening Methodology

- 5.1 The procedure follows the SEA Decision Tree adapted from research report Development of Strategic Environmental Assessment (SEA) Methodologies for Plans and Programmes (P/P) in Ireland (Scott and Marsden, 2000), the adaptation of such is shown in **Figure 5.1** below.
- 5.2 According to the EPA guidance, the screening process comprises three principal stages:
- 1. Applicability
 - 2. Screening
 - 3. Determination
- 5.3 EPA guidance for the Screening process is outlined in Figure 5.1

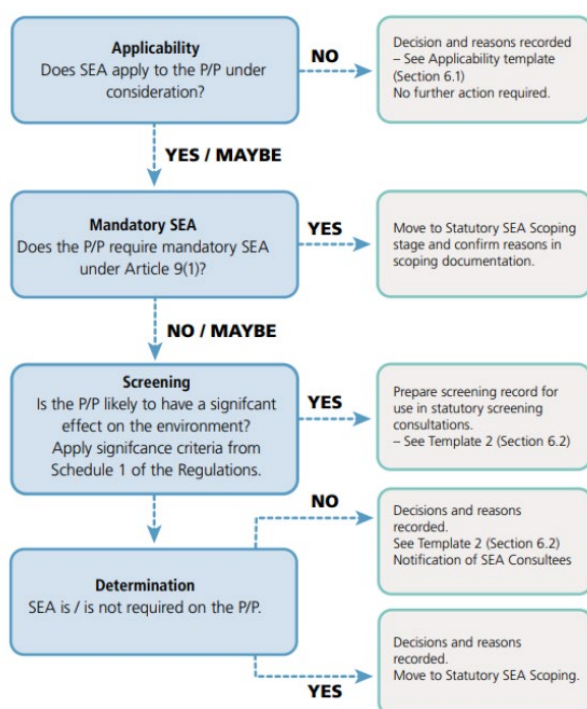


Figure 5.1: SEA Screening Process under S.I. 435/2004, as amended. (Source: EPA Good Practice Guidance on Screening, 2021)

- 5.4 The guidance states that the overall characteristics of the plan or programme should first be considered, by means of Stage 1 'Applicability' check to see if it falls within the requirements of the SEA Directive.
- 5.5 Should this stage 1 Applicability check determine that the plan or programme is of a type that falls within the requirements of the SEA Directive, the potential

environmental significance of implementing the proposed plan or programme should then be considered, against the significance criteria outlined in Annex II (2) of the SEA Directive (Stage 2 'Screening').

- 5.6 Regard was also had to the SEA Decision Tree adapted from the research report Development of Strategic Environmental Assessment (SEA) Methodologies for Plans and Programmes in Ireland (Scott and Marsden, 2001).

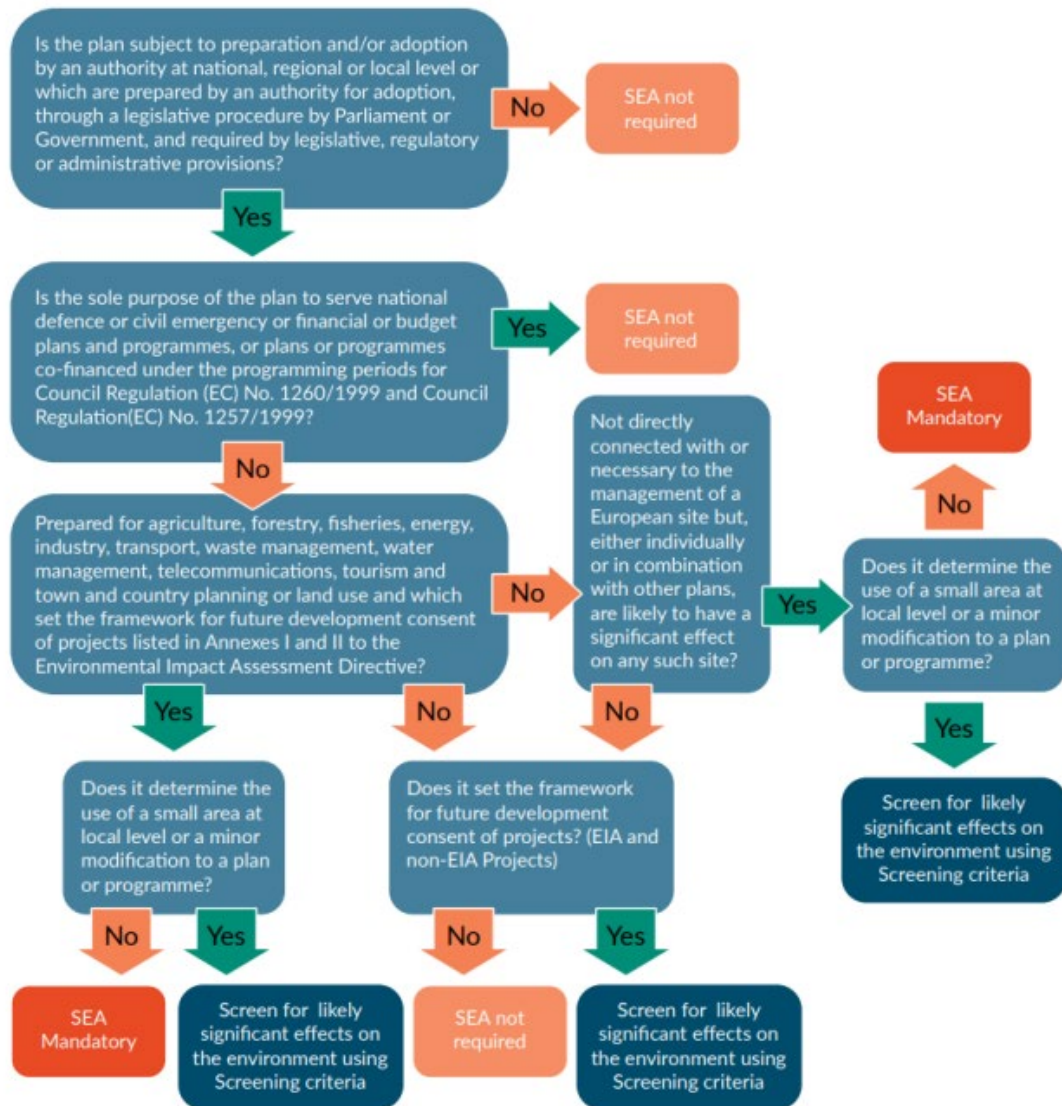


Figure 5.2: SEA Decision Tree adapted from the research report Development of Strategic Environmental Assessment (SEA) Methodologies for Plans and Programmes in Ireland (Scott and Marsden, 2001)

Stage 1 'Applicability'

- 5.7 The Applicability Stage of Screening consists of a four-step process. As outlined in Table 5.1 below:

Table 5.1: Stage 1 'Applicability' Steps Source: (EPA, Good Practice Guide on Screening, 2001).

Step 1:	Establish the status of the plan or programme-making body. 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?
Step 2:	Establish the nature of the plan or programme. Is the P/P required by legislative, regulatory, or administrative provisions?
Step 3:	Check the plan or programme is not exempt. Is the sole purpose of the P/P for national defence, civil emergency or finance / budget?
Step 4:	Check if the plan or programme requires mandatory SEA. Is the P/P prepared for agricultural, forestry, fisheries, energy, industry, transport, waste management, water management, telecoms, tourism, town and country planning or land use 13 and does the P/P set the framework for future development consent of projects listed in the Annexes of the EIA Directive; Or; Will the P/P require assessment under Article 6 or 7 of the EU Habitats Directive?

- 5.8 There are three possible outcomes following Stage 1 Applicability Screening:

- **The SEA Directive does not apply:** The P/P is not of a type which falls within the remit of the SEA Directive / SEA Regulations. It is recommended as good practice to keep a note of the deliberations alongside the P/P on the relevant website, alongside the AA screening determination. There is no requirement to notify the environmental authorities.
- **The SEA Directive does apply:** The P/P is of a type which falls within the remit of the SEA Directive / SEA Regulations and requires mandatory SEA. Proceed to SEA Scoping and statutory consultation with the designated environmental

authorities. The Screening outcome should be confirmed within the SEA Scoping Report.

- **The SEA Directive *may* apply:** The P/P may be within the remit of the SEA Directive as either it relates to use of a small area at local level or minor modifications to a relevant P/P, it is a P/P which may set the framework for future development consent even though not listed as a P/P type, or there is uncertainty in relation to any of the provisions considered at the Applicability Stage, and so a case-by-case determination will be required. Proceed to Stage 2 Screening.

- 5.9 An Applicability Screening template ('Template 1') is provided in the EPA guidance document and is utilised in Section 6.1 of this SEA Screening Report.

Stage 2 Screening

- 5.10 Stage 2 consists of determining, on a case-by-case basis, if SEA is required for a Plan or Programme which has characteristics that may give rise to significant effects or for which there is uncertainty on key characteristics. Although an SEA Screening Report is not a mandatory requirement in the legislation it has become embedded good practice and is the recommended approach in this guidance note.
- 5.11 The Screening Stage consists of a four-step process, outlined in Table 5.2, as set out in the EPA's Good Practice Guide on SEA Screening Report.

Table 5.2: Summarised Stage 2 'Screening' Steps Source: (EPA, Good Practice Guidance on Screening, 2021).

Step 5:	Describe the characteristics of the P/P and the receiving environment including any environmental problems.
Step 6:	Identify the potential for significant environmental effects.
Step 7:	Statutory consultation with Designated Environmental Authorities.
Step 8:	Draft Determination.

- 5.12 Stage 2 of the SEA Screening methodology consists of an environmental significance screening, which may be undertaken to assess whether a plan or programme, which has not been screened out by the 'Applicability Stage', is likely to result in significant environmental effects and should therefore, be taken forward for SEA.
- 5.13 An SEA Screening template ('Template 2') is provided in the EPA guidance document and is utilised in Section 6.1 of this SEA Screening Report.
- 5.14 Annex II of the SEA Directive sets out the "statutory" criteria that should be addressed when undertaking the 'Screening Stage'. Annex II of the SEA Directive is transposed into national legislation as Schedule 1 'Criteria for determining whether a Plan or

Programme (or Modification thereto) is likely to have significant effects on the Environment' of the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004, as amended.

5.15 The 'Significance Criteria' and sub-criteria are outlined below.

"4. The characteristics of the plan or programme, or modification to a plan or programme, having regard, in particular to:

- *The degree to which the plan or programme, or modification to a 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;*
- *The degree to which the plan or programme, or modification to a plan or programme, influences other plans including those in a hierarchy;*
- *The relevance of the plan or programme, or modification to a plan or programme, for the integration of environmental considerations in particular with a view to promoting sustainable development;*
- *Environmental problems relevant to the plan or programme, or modification to a plan or programme;*
- *The relevance of the plan or programme, or modification to a 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).*

5. 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 cumulative nature of the effects;*
- *The transboundary nature of the effects;*
- *The risks to human health or the environment (e.g. due to accidents);*
- *The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);*
- *The value and vulnerability of the area likely to be affected due to:*
 - *- special natural characteristics or cultural heritage*
 - *- exceeded environmental quality standards or limit values;*
 - *- intensive land-use.*

The effects on areas or landscapes which have a recognised national, European Union or international protection status.”

Stage 3 ‘Determination’

- 5.16 As soon as practicable after making the final determination as to whether SEA is required or not, the plan maker should make a copy of the decision, including, as appropriate, for reasons for requiring or not requiring an environmental assessment, available for public inspection at the P/P offices and on the website.
- 5.17 The P/P maker should also send a copy of the final determination to the relevant SEA environmental authorities notified during screening. This determination should stay linked to the P/P or modification on the website to ensure transparency and provide important information on decision making during the lifetime of the P/P or if any modifications are made.

6. SEA Screening

Stage 1 – SEA ‘Applicability’

- 6.1 As outlined in Section 5.2, Stage 1 ‘Applicability’ of the SEA Screening methodology constitutes the use of Template 1, based upon the relevant Applicability steps. Template 1 is reproduced as Table 6.1.

Table 6.1: Template 1 Stage 1 ‘Applicability’ of SEA Screening. Source: (EPA, Good Practice Guidance on Screening, 2021)

	General Details	
	Type and Title of P/P:	Kilmacow Masterplan
	Name of P/P Maker:	Kilkenny County Council
	Date:	2024
Step 1 of the Applicability Screening	Status of the P/P maker	
	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?	<p>Yes.</p> <p>KCC is the authority responsible for local government in Co. Kilkenny, Ireland. As a county council, it is governed by the Local Government Act 2001. A competent authority for the purpose of SEA is defined under S.I. No. 435 of 2004 as “the authority which is, or the authorities which are jointly, responsible for the preparation of a plan or programme, or modification to a plan or programme”.</p> <p>As such, the Plan can be considered a document prepared by ‘an authority’ at a local level.</p>
	Is the P/P required by legislative, regulatory or administrative provisions?	<p>No.</p> <p>As outlined in the Section 1 (Introduction), the plan has been prepared to guide the development of Kilmacow into the future and to influence and deliver on change for the village in order to make it a more attractive destination in which to live, work, visit and do business. The Plan is not a statutory document and therefore, it is not required under legislative, regulatory or administrative provisions. As such a SEA is not required and no further steps are required.</p>

Outcome of Stage 1 Applicability

- 6.2 Following the Stage 1 Applicability Screening outcome and the SEA Decision Tree as adapted from the research report Development of Strategic Environmental Assessment (SEA) Methodologies for Plans and Programmes in Ireland Source (Scott and Marsden, 2001) which was shown in Figure 5.2 above. **It has been determined that the SEA Directive does not apply to the Plan as shown in Figure 6.1.** Therefore, the Plan will not be taken to stage 2 Screening to determine whether SEA is necessary.



Figure 6.1: Outcome of Stage 1 Applicability Screening, as adapted from the research report Development of Strategic Environmental Assessment (SEA) Methodologies for Plans and Programmes in Ireland. Source (Scott and Marsden, 2001)

7. Conclusion

- 7.1 As outlined in Section 6, it has been determined that the SEA Directive does not apply to the Plan. The Plan is a type of Plan / Programme which does not fall within the remit of the SEA Directive / SEA Regulations.
- 7.2 While the Plan is prepared by a local authority, the Plan is a non-statutory plan and it is also not required by legislative, regulatory, or administrative provisions.
- 7.3 As the SEA Directive does not apply, there is no requirement to inform the Kilmacow Masterplan.

Appendix 1: Reference

SEA Screening Good Practice Guidance (EPA, 2021)

Development of Strategic Environmental Assessment (SEA) Methodologies for Plans and Programmes in Ireland (EPA, 2013).

Implementation of SEA Directive (2001/42/EC): Assessment of the Effects of Certain Plans and Programmes on the Environment- Guidelines for Regional Authorities and Planning Authorities (Department of the Environment, Community and Local Government, 2004).

Implementation of Directive 2001/42 on the Assessment of the Effects of Certain Plans and Programmes on the Environment (European Commission, ND).

SEA Resource Manual for Local and Regional Planning Authorities (EPA, 2015).

Integrating Climatic Factors into Strategic Environmental Assessment in Ireland - A Guidance Note (EPA, 2019).

Synthesis Report on Developing A Strategic Environmental Assessment (Sea) Methodologies for Plans and Programmes In Ireland (EPA, 2003).

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