

Strategic Environmental Assessment (SEA)

Screening of: Proposed Variations to the Kilmacow Draft Local Area Plan

1 Introduction

In accordance with Section 20 (3)(e) of the Planning and Development Act, 2000 (as amended) Kilkenny County Council is proposing a number of variations to the Kilmacow Draft Local Plan. These variations have arisen following the Elected Members review of the Manager's Report on Submissions received under Section 20(3)(c) of the Planning and Development Act, 2000.

As part of the process of preparing a Draft Local Area Plan (LAP) for Kilmacow and having regard to the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (S.I. No 436 of 2004), Kilkenny County Council considered whether to carry out Strategic Environmental Assessment (SEA) on the plan and determined that a Strategic Environmental Assessment was not required in respect of the Draft LAP for Kilmacow. This determination was made in January 2009. The assessment of this issue was based on the criteria set down in the SEA Guidelines and Annex II of the SEA EU Directive (2001) for determining likely significance of environmental effects.

A copy of the original screening report and the Draft LAP is available at:

http://www.kilkennycoco.ie/eng/Services/Planning/Local%20Area%20Plans/Plans_Under_Review/

The proposed variations to the draft plan shall now be assessed, taking account of Schedule 2A of the Planning and Development (Strategic Environmental Assessment) Regulations 2004.

2. Assessment in terms of Schedule 2A of the Planning and Development (Strategic Environmental Assessment) Regulations 2004.

1. The characteristics of the plan having regard, in particular to the following:

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; - The Plan establishes a land use framework for the sustainable development of the area, including the location, nature, size and operating conditions. The Local Area Plan will form a statutory document, conforming to the policies and objectives set out in the 2008-2014 County Development Plan and other relevant guidelines and documents. The Plan identifies the existing character of the area, sets out a common vision or strategy for Kilmacow that is generally supported by the local community and that provides a positive framework for guiding private development and public investment in the village and provide a means (via policies and objectives) to influence future development to create a sustainable environment. The overall aim

will be to accommodate local development needs in an orderly and sustainable manner, whilst protecting the historic character of the village.

The degree to which the plan influences other plans, including those in a hierarchy; - The Proposed Variations to the Draft Local Area Plan will provide a land use framework for the sustainable development of Kilmacow and will not affect other plans, but its policies and objectives will be set within the context of the 2008-2014 County Development Plan (in accordance with Section 19 (2) of the Planning and Development Act 2000-2006). In its making, it will also have regard to other relevant planning and environmental policy and legislation including European Union directives, Ministerial guidelines and other national, regional and county plans and policies.

- The relevance of the plan for the integration of environmental considerations, in particular with a view to promoting sustainable development; - The Proposed Variations to the Draft Kilmacow LAP will be made pursuant to the provisions of the Planning and Development Act 2000 Sections 18-20, as amended. As such the plan will seek to achieve development in a sustainable manner, through the protection and enhancement of its natural, architectural and archaeological heritage.
- Environmental problems of relevance to the plan; - There are no strategically significant environmental problems identified in relation to the Proposed Variations to the Draft Local Area Plan.

The lands currently experience environmental problems related to water supply, waste water disposal (foul sewerage) and surface water drainage, however programmes of improvement, maintenance or restoration are currently underway and once completed, will alleviate any existing problems, either before the Plan is adopted or within its first year of operation. However, it will be an objective of the Local Area Plan to ensure that no significant development or intensification of development in the area can take place prior to the increase/upgrade in capability of these services.

A brief overview of any environmental issues in Kilmacow is detailed below:-

Water Supply

Kilmacow is currently served by the Mooncoin Regional Water Supply Scheme. Kilkenny County Council proposes to augment and upgrade the existing Mooncoin Regional Water Supply Scheme.

The augmentation of the Mooncoin Water Supply Scheme will provide additional water supply to facilitate future domestic and commercial demand in the regional supply area, which includes Kilmacow, up to the year 2021. It will cater for future development needs as they arise over the lifespan of this Local Area Plan and beyond.

Waste Water (Foul Sewerage)

Work on a new sewerage scheme for Kilmacow commenced in 2008 with completion expected in 2010. The scheme will cater for a population equivalent of 2,500.

Previous to this, Kilmacow had no public sewerage scheme and all buildings, private and commercial were served by individual septic tanks. The new scheme will greatly improve things in Kilmacow by promoting the efficient and economic servicing of lands and will be beneficial to the whole community.

Water Quality - River Blackwater

The LAP area is located within the South Eastern River Basin District (Suir HA16). The River Blackwater, a tributary of the Suir runs through Kilmacow. The river has a water quality rating of 3-4 which is defined as being of moderate status. Under the Water Framework Directive the River Blackwater was given a score of 1b - water body is thought to be at risk of failing to meet the objective pending further investigation.

Surface Water Drainage

Lands that extend along the route of the River Blackwater in Kilmacow, although relatively free from development for the most part, are susceptible to flooding, as recorded on the Office of Public Works (OPW) National Flood Maps. Flooding in Kilmacow is something that appears to be happening more frequently in recent years, mostly in the Upper Village and sometimes several times a year, particularly during bad weather.

Kilkenny County Council is aware of this problem funding was allocated in the 2009 programme to address this problem by intercepting this excessive surface water and diverting it to the local stream.

In addition to this, the Office of Public Works (OPW) has identified the levels of existing flood risk in and around the River Suir and its tributaries, which includes the River Blackwater. In co-operation with various Local Authorities within its catchment area, including Kilkenny County Council, the OPW are currently conducting a '*Catchment Flood Risk Assessment and Management (CFRAM) Study*' of the entire catchment area which covers approximately 3,520km² including lands at Kilmacow. The final Catchment Risk Management Plan will provide guidance on how to alleviate future problems in areas of risk.

Groundwater Vulnerability

Kilmacow is located in an area of high groundwater vulnerability as recorded in the Geological Survey of Ireland and OSI. It is situated above the boundary of a major aquifer and a minor local one, furthering the need for proper sewerage treatment in the area to accommodate any future development needs and the natural growth of village. The new sewerage scheme for Kilmacow which is currently underway, will protect against any potential future contamination of groundwater occurring.

Conservation and Heritage

There are no recorded Special Areas of Conservation (SAC), Proposed Natural Heritage Areas (pNHA) or designated areas of High Amenity or Scenic Views in Kilmacow or its adjoining hinterland area.

There are no zones of archaeological interest recorded in Kilmacow or adjoining it, however there are four items recorded on the Record of Monuments and Places (see Section 2(a) below for details).

Protected Structures

Currently Kilmacow has a total of 7 no. protected structures which are listed in County Kilkenny's Record of Protected Structures (see Section 2 (a) below for details). However, the National Inventory of Architectural Heritage lists a total of 21 buildings and structures in Kilmacow (including the existing 7 no. protected structures). It is intended that all buildings listed on the NIAH list will be added to County Kilkenny's Record of Protected Structures.

Landscape Designations

Kilmacow is located in the (South Kilkenny) Lowlands Area of the Landscape Appraisal of the Kilkenny County Development Plan. The smooth terrain and the generally gentle topography of lowlands is characteristic of this landscape character unit, allowing vistas over long distances. As a result development can have a disproportionate visual impact in areas, due to an inherent inability to be absorbed either visually or physically.

Policies and objectives set out in the amended Draft LAP will ensure that impacts on the landscape character of the area are kept to a minimum.

Residential Development and Growth of the Village

Kilmacow has suffered in the past from excessive ribbon development along its edges and approach routes, particularly in the Upper Village. It also faces increasing pressure for more suburban forms of residential development such as housing estates on greenfield sites within the village boundary. A key challenge for Kilmacow is ensuring that the settlement is sufficiently serviced in terms of sewerage facilities, water supply, drainage, roads infrastructure, community facilities and amenities and can accommodate local development needs in an orderly and sustainable manner, whilst protecting the character of the village.

The LAP 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 Plan is therefore anticipated to have a positive effect on the environment with regard to issues pertaining to sustainable residential development.

No other significant environmental problems are identified in relation to the proposed Local Area Plan.

There are no IPCC licensed facilities or licensed waste facilities in the LAP area and there is no air quality data available for the LAP lands. Kilmacow is located in Zone D as defined by the Air Quality Regulations.

The relevance of the plan for the implementation of European Union legislation on the environment; - Issues relating to EU legislation on the Environment have been

addressed by the County Development Plan 2008-2014. The Kilmacow LAP will be produced in line with the policies and objectives as set out in the Kilkenny County Development Plan.

2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:

The probability, duration, frequency and reversibility of the effects; - The proposed Kilmacow LAP has introduced a phasing to the zoning from the 2002 Plan. This has reduced the total amount of land to be released. The total area covered by the 2002 Plan comprised approximately 288 hectares of land (177 hectares of which were zoned Rural Conservation Area).

The area of greenfield land to be released in the Proposed Varied Plan is approximately 17 hectares (14 ha Phase 1 Residential and 3 ha Phase 1 General Development). Therefore the effects will be lessened from the 2002 Development Plan.

The cumulative nature of effects; - No cumulative negative effects are anticipated given that the Local Area Plan will focus on the principles of sustainable development and the considerations of the future, beyond the statutory 6 years of the LAP. 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 and the promotion of a vibrant village centre and high quality residential development to accommodate local people.

The transboundary nature of the effects; - The policies and objectives of the amended Draft Kilmacow LAP will have no national, regional or inter county transboundary effects.

The risks to human health or the environment; The implementation of the Local Area Plan will not result in any risks to human health. Any future development in the area will conform to the Local Area Plan, of which the fundamental essence is to create a healthy environment in which people can live, work and spend leisure time.

There are no designated SEVESO sites within the plan area.

- The magnitude and spatial extent of the effects (geographical area and size of population likely to be affected);

The Plan area comprises approximately 277 hectares of land (169 hectares of which are zoned Rural Conservation Area) - and a current population of around 764 persons.

Within the County Settlement Strategy, Kilmacow is classed as '**a smaller town or village**' and is placed fifth on a tiered system of six. The strategy states that smaller towns and villages need to be developed in a way that strengthens their role as local

service centres whilst respecting their existing character. Kilmacow is also classed in the County Plan as an 'Area Under Urban Influence', which is defined as an area that displays the greatest pressure for development due to their close commuting catchments of larger cities and town; rapidly rising population and ready access to good road network with ready access to the larger urban areas. The importance of facilitating the housing requirements of the local rural community on the one hand, subject to satisfying all technical considerations, while on the other hand directing urban generated development to areas identified for housing through zoning and the settlement hierarchy, is identified in the County Development Plan for these areas.

The proposed Local Area Plan will be supportive of the above stated government recommendations and policy of the County Development Plan.

The magnitude of the zoning proposed in Kilmacow introduces phasing to the current zoning under the Kilmacow Development Plan 2002-2008 and will therefore not result in significant increases in projected population within the Kilmacow Plan area. The capacity of the land in Phase 1 is approximately 250 units.

- The value and vulnerability of the area likely to be affected due to:

a). special natural characteristics or cultural heritage; -

There are no zones of archaeological interest recorded in Kilmacow or adjoining it, however there are four items recorded on the Record of Monuments and Places. These are as follows:-

Item	Location	SMR Number
St. Senan's Well	Lower Kilmacow	KK043-006
Church	Lower Kilmacow	KK043-016001
Graveyard	Lower Kilmacow	KK043-016002
Graveslab	Lower Kilmacow	KK043-016003

There is also a Ringfort located on rural lands at Dangan beyond Upper Kilmacow; but located outside the plan boundary (SMR Number KK043-002).

Section 3.7.2.3 of the Draft LAP contains policies for the protection of archaeological heritage.

There are currently 7 no. protected structures in Kilmacow and these are as follows:-

Item	Location	Description
Grain Mill	Dangan (Upper Kilmacow)	Three-storey mill on Black Water with traces of great spurwheel
Grain Mill	Greenville	Five-storey flour mill on left bank of Black Water near Kilmacow. Francis turbine survives along with traces of machinery. Impressive cast iron aqueduct dated 1885 (by R. Graham of Waterford) conveys headwater to mill (the wheelpit now houses a modern electricity generating turbine, 371:2)

Kilmacow Bridge	Lower Kilmacow	Carrying a minor road over the Blackwater the bridge comprises 6-equi-sized gothic arches (5 of which are in normal use); a millrace is also accommodated on its western approach.
Grain Mill	Greenville	Four storey mill with adjoining mill house, on left bank of Black Water below Kilmacow. Undershot waterwheel, great spurwheel gearing and millstones survive.
Dangan Bridge	Dangan	Six equi-sized semi-circular spans, with angled cutwaters, carry a minor road over the Black Water north of Kilmacow
Catholic Church	Upper Kilmacow	Early C.19 th – totally modernised but with elaborate late C.19 th gates.
Three-bay, two-storey house	West side	Built c. 1900

The National Inventory of Architectural Heritage lists an additional 21 no. structures in Kilmacow. A policy has been included in the Proposed Variations as follows: *To respond to the Ministerial recommendation to include in the Record of Protected Structures, structures which have been identified as being of Regional, National or International significance in the National Inventory of Architectural Heritage survey of the city and county published in 2006.*

It is not anticipated that the value and vulnerability of the environmental or cultural assets in Kilmacow will be negatively affected through implementation of the Plan, given their status and protection in the CDP.

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 Local Area Plan.

c.) intensive land use; - The proposed LAP introduces phasing to the zoned land in Kilmacow. As such, the level of intensity permissible has been reduced from that permissible under the previous plan. Quality design standards, maximum densities and guidelines are included in the LAP with appropriate policies and objectives which will seek to reduce the potentially negative impact of any increased land uses within the area.

The effects on areas or landscapes which have a recognised national, European Union or international protection status; - There are no areas or landscapes of national, European Union or international status that will be affected by the Local Area Plan.

3. Determination in Terms of Article 14A

In terms of the provisions of Article 14A of the Regulations, following the appropriate consultation period the planning authority shall determine whether or not implementation of the Proposed Varied Draft LAP would be likely to have significant effects on the environment, taking account of the relevant criteria set out in Schedule 2A of the Regulations and from any submission or observation received from the environmental authorities.

It is considered that the Proposed Varied Draft LAP as detailed above would not be likely to have significant effects on the environment. Policies and objectives outlined in the Proposed Varied Draft LAP will ensure that environmental impacts are kept to a minimum. The Proposed Varied Draft LAP will follow strict policies and objectives as set out in the Kilkenny County Development Plan 2008-2014. It is considered that the environmental effects of the Proposed Varied Draft LAP would be minimal.

In view of the above it is considered that a Strategic Environmental Assessment would not be required in respect of the Proposed Varied Draft LAP for Kilmacow.

4. Statutory Consultation

The specified environmental authorities that should be consulted in relation to Local Area Plans 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)

As the Proposed Local Area Plan will have no significant effects in relation to fisheries or the marine environment, the authorities that will be consulted are the EPA and DoEHLG under Article 14A(4) and 13A(4) of the Regulations.

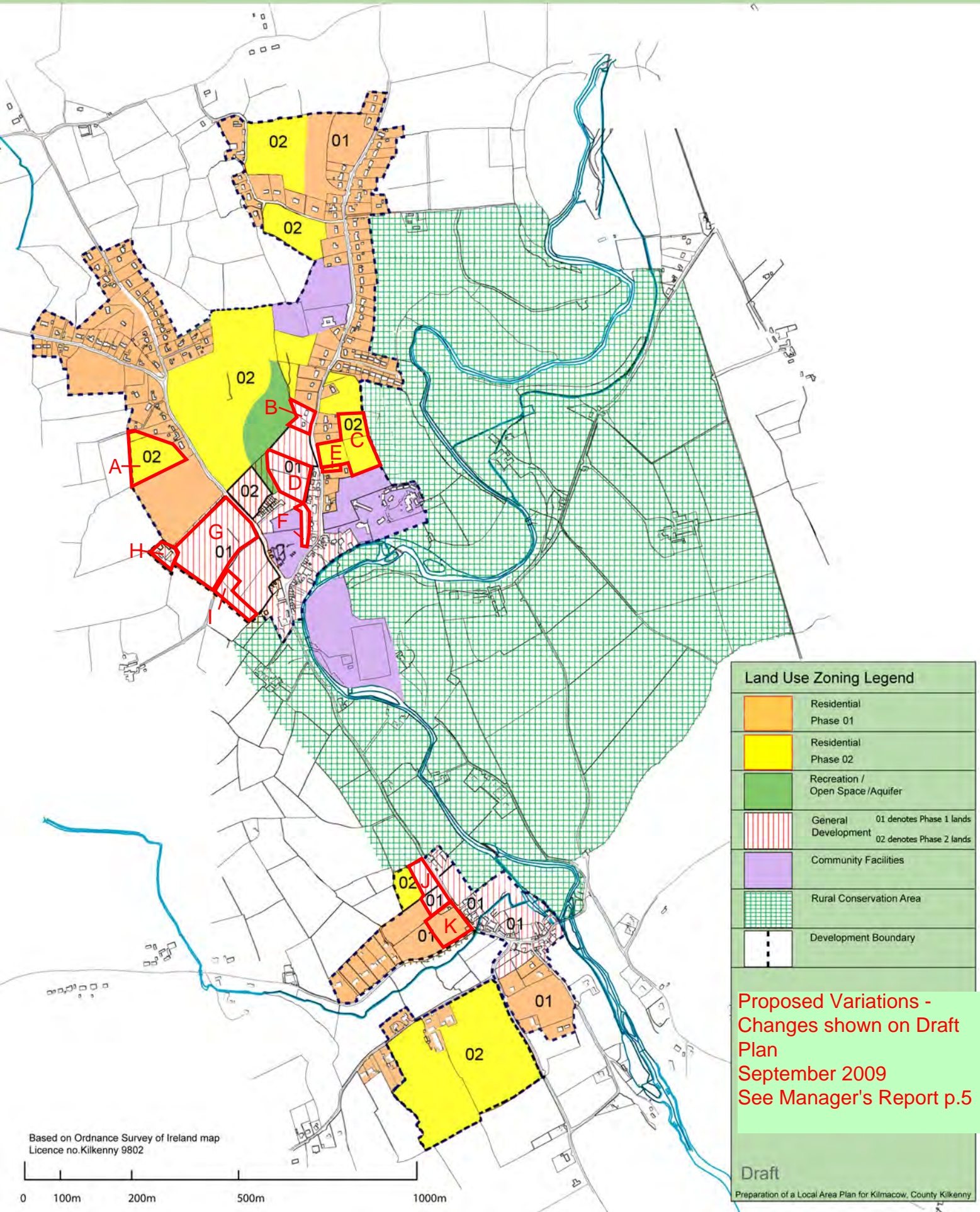


Kilmacow Draft Local Area Plan

Kilkenny County Council
Map 1 : Zoning and Phasing Map

BDP.

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Land Use Zoning Legend	
	Residential Phase 01
	Residential Phase 02
	Recreation / Open Space / Aquifer
	General Development 01 denotes Phase 1 lands 02 denotes Phase 2 lands
	Community Facilities
	Rural Conservation Area
	Development Boundary

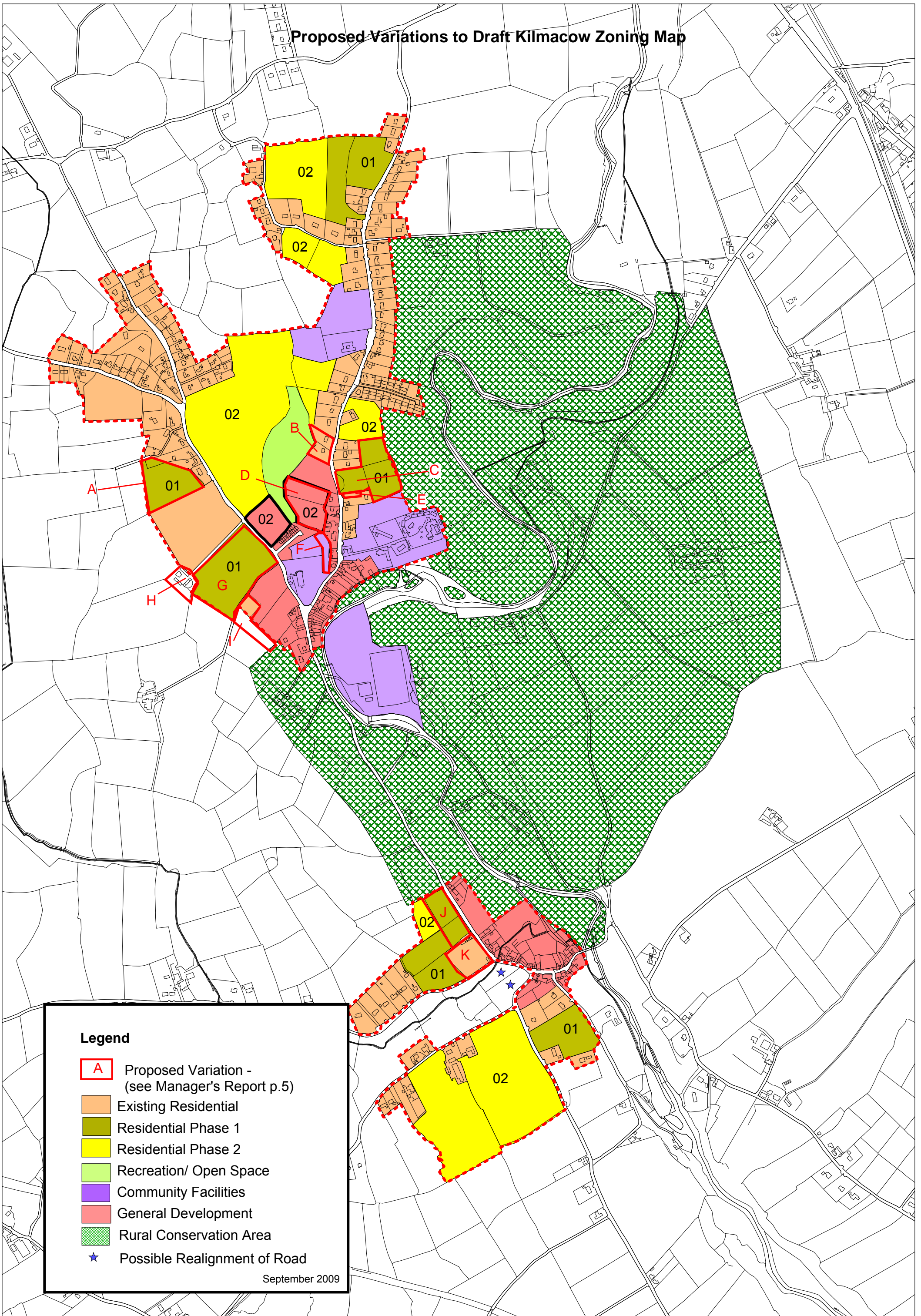
Proposed Variations - Changes shown on Draft Plan
September 2009
See Manager's Report p.5

Draft
Preparation of a Local Area Plan for Kilmacow, County Kilkenny

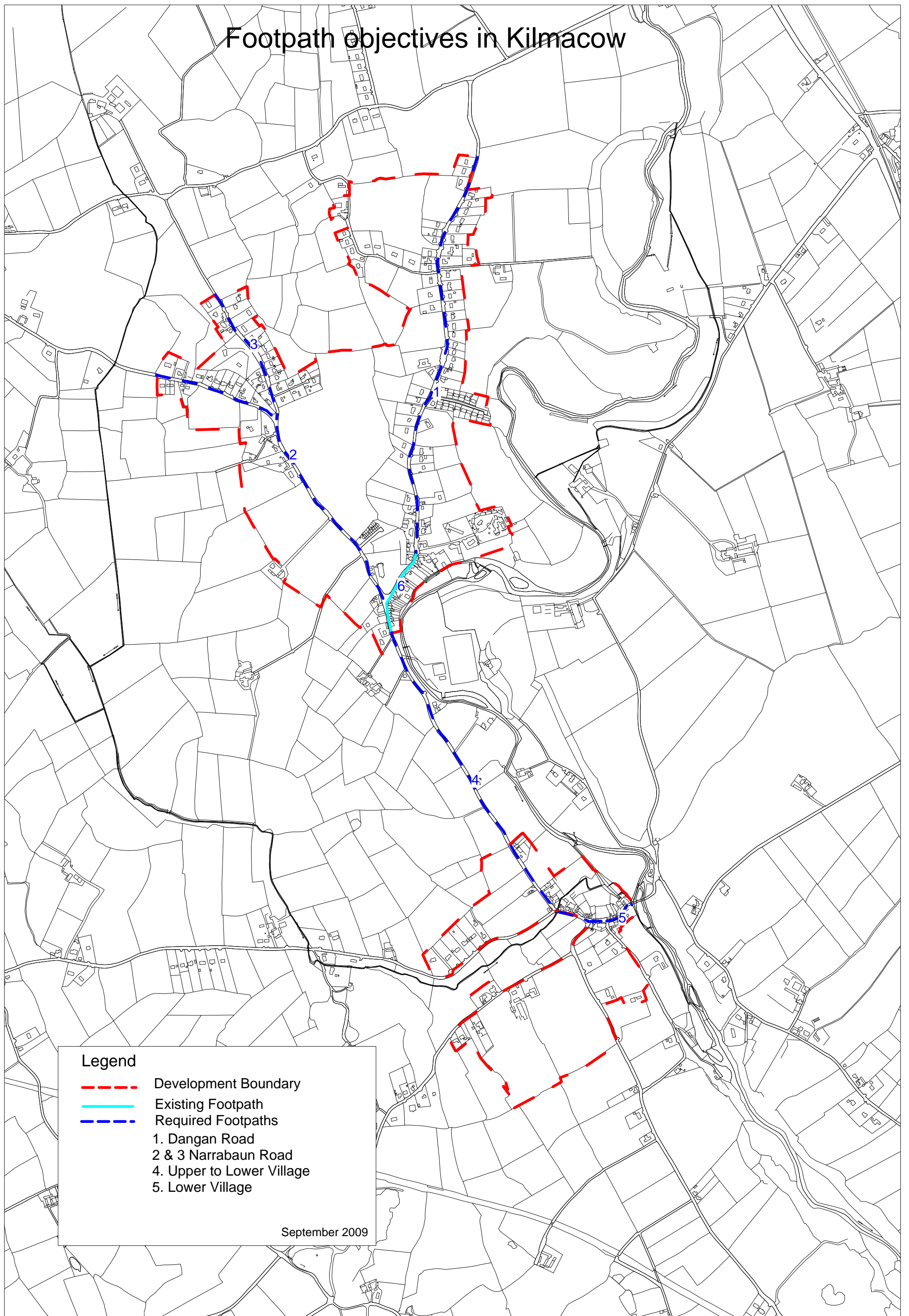
Based on Ordnance Survey of Ireland map Licence no. Kilkenny 9802

0 100m 200m 500m 1000m

Proposed Variations to Draft Kilmacow Zoning Map



Footpath objectives in Kilmacow



Legend

- - - Development Boundary
- Existing Footpath
- - - Required Footpaths
- 1. Dangan Road
- 2 & 3 Narrabaun Road
- 4. Upper to Lower Village
- 5. Lower Village

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