

SEA SCREENING REPORT

PREPARATION OF KILMACOW LOCAL AREA PLAN 2008-2014

KILKENNY COUNTY COUNCIL

1.0 INTRODUCTION

Kilkenny County Council intends to make a Local Area Plan for Kilmacow under the Planning and Development Acts 2000-2006. The purpose of this report is to consider whether the LAP requires Strategic Environmental Assessment (SEA).

2.0 PURPOSE OF THE LOCAL AREA PLAN

The purpose of the Local Area Plan is to replace the current Kilmacow Village Plan which is contained in Volume II of Kilkenny County Development Plan 2002-2008, in line with the new Kilkenny County Development Plan 2008-2014, which is due to be adopted in June of this year.

The Local Area Plan will remain in place for a period of 6 years from the date of its adoption.

3.0 DESCRIPTION OF LANDS

Kilmacow with a population of approximately 764 persons is situated in south Kilkenny, close to the border with County Waterford. It is positioned along the River Blackwater and is strategically placed approximately 6.5km north-west of Waterford City, almost equidistant from two major national primary routes - the N24 Waterford to Clonmel Route and the N9, which links the two cities of Kilkenny and Waterford.

Kilmacow is ranked fifth on the six-tiered County Settlement Hierarchy in the '*smaller towns and villages*' category as set out in the Draft Kilkenny County Development Plan 2008-2014. The village functions primarily as a local service centre to both local residents and to the wider hinterland area.

The settlement is located within the area considered in the Waterford Planning Land Use and Transportation Study (PLUTS) and is subject to the policies, objectives and controls that apply under the Kilkenny County Development Plan 2002-2008 and soon the Draft Kilkenny County Development Plan 2008-2014 which due to be adopted in June 2008.

One of the most instantly distinctive features of Kilmacow is that it has two village centres; one known as Upper Kilmacow and the other as Lower Kilmacow. Each is separated from the other by a large green wedge of primarily rural land that stretches for approximately 1km. This is a unique feature of Kilmacow's settlement structure and forms a part of Kilmacow's unique identity.

4.0 FURTHER INFORMATION & MAPS

Kilmacow Village Plan 2002-2008, which is contained in Volume II of Kilkenny County Development Plan 2002-2008 can be viewed at the following web address:-
<http://www.kilkennycoco.ie/cdp/index.html>

- A copy of the zoning map from Kilmacow Village Plan 2002-2008 is enclosed with this SEA Screening Report and labelled Map A.
- A map of Kilmacow showing the boundary of the proposed LAP area is enclosed and labelled Map B.
- A location Map for Kilmacow is enclosed and labelled Map C

5.0 MANDATORY REQUIREMENTS

Under SI No. 436 of 2004 Planning & Development (Strategic Environmental assessment) Regulations 2004 (Article 14A) where a Planning Authority proposes to make a Local Area Plan under Section 18, 19 & 20 of the Act it shall consider whether or not the proposed local area plan would be likely to have significant effects on the environment and in doing so, must take account of relevant criteria set out in Schedule 2A of the Regulations.

In this regard, Section 6.0 below sets out the required report pursuant to Article 14A of the 2004 Regulations.

6.0 ASSESSMENT OF LIKELY SIGNIFICANT EFFECTS

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

6.1 Characteristics of the Plan

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

The Plan will establish 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 will identify the existing character of the area, set 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.

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

The proposed Local Area Plan to provide a land use framework for the sustainable development of Kilmacow 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.

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

Section 10 of the Planning and Development Act, 2000-2006, sets out the content of development plans. It states "*A Development Plan shall set out an overall strategy for the proper planning and sustainable development of the area.*" The current County Development Plan 2002-2008 and the Draft County Development Plan 2008-2014 adhere to the principles of sustainable development in accordance with the requirements of the Act. The Local Area Plan will conform to the principles, objectives and policies of the County Development Plan and will, therefore, have a strong emphasis on promoting the sustainable development of the area.

(iv) Environmental problems relevant to the proposed Local Area Plan.

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

Kilkenny County Council proposes to augment and upgrade the existing Mooncoin Regional Water Supply Scheme with consultants to be appointed in spring 2008 to carry out this work.

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 early 2008 with completion expected within approximately 18 months – mid 2009.

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.

The scheme will cater for a population equivalent of 2,500 with ability to be extended in line with development needs to a total anticipated design capacity of 5,000 population equivalent.

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, particularly during bad weather.

Kilkenny County Council is aware of this problem and is currently involved in a flood relief project for the Upper Village which has now been designed with money allocated to its provision under the County Council Roadworks Scheme. They are also currently investigating opportunities of alleviating the flood risk at source (a small upland stream located to the north of the Upper Village has been identified as the source of the problem – it bursts its banks and overflows down into the village in severe weather) as a more sustainable and long-term solution to the problem. Once in place the flood relief system will bring improved conditions to the Upper Village and remove any threat to businesses and homes located there.

In addition to this, a number of Local Authorities in co-operation with the OPW are undertaking detailed studies of catchment flood risk and management in their respective areas. The local authority areas included in this study area:- North Tipperary County Council, South Tipperary County Council, Kilkenny County Council, Waterford County Council, Waterford City Council and Limerick County Council.

The Office of Public Works (OPW) has identified the levels of existing flood risk in and around the River Suir and its tributaries, including the River Blackwater which runs through Kilmacow. 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 study is to focus primarily on developed areas and areas subject to significant development pressure known to have experienced flooding in the past or believed to be at risk of flooding in the future. Kilkenny County Council have identified Piltown, Fiddown and Mulnavit as such settlements within the local authority area, which the study will focus in on.

However, the study involves three main stages and Stage 1 involves assessment and mapping of flood risk areas throughout the entire catchment area which will include Kilmacow. It will include some modelling and will analyse the area in general detail. Stage 2 will focus in detail on the 'priority' areas and will identify and assess potential flood risk management options before choosing preferred options. Stage 3 will involve developing and publishing a Catchment Risk Management Plan which will follow on from in-depth public consultation. Public consultation in the form of meetings with key stakeholders, environmental stakeholders and the local authority is due to take place by mid to late 2010. Strategic Environmental Assessment (SEA) of the Flood Risk Assessment Management Plan (FRAMP) will be carried out by appointed consultants and will cover the entire study area including Kilmacow. The SEA as well as the FRAMP will be the subject of detailed public consultation and will be placed on public display for all to see.

Stage 1 of the project commenced in mid 2007 and completion is expected in early 2009. The overall project, including completion of Stages 2 and 3 is expected to take place by early 2010.

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 four items of archaeological interest in and adjoining Kilmacow that are recorded on the Record of Monuments and Places (see Section 7.2 (vi) 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 7.2(vi) below for details). However, the National Inventory of Architectural Heritage lists a total of 29 buildings and structures in Kilmacow (including the existing 7 no. protected structures). It is hoped that all buildings listed on the NIAH list will be added to County Kilkenny's Record of Protected Structures through the preparation of a Local Area Plan for Kilmacow, subject to an appraisal on each.

Landscape Designations

No significant landscape sensitivity is recorded for Kilmacow in the County Landscape Appraisal which is contained in the County Development Plan, either within or outside of the main settlement.

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 will contain policies and objectives to ensure this challenge is met in accordance with the recommendations of the new DoEHLG Consultation Draft Guidelines on Sustainable Residential Development in Urban Areas (Feb. 2008). 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.

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

These plans and legislation are considered under the Kilkenny County Development Plan 2008-2014, from which the Local Area Plan will derive its context. They will not therefore be specifically addressed within the Local Area Plan.

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

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

It is considered that there will be no significant negative effects of the implementation of the Local Area Plan. However, with regards to positive effects, it is considered that the probability of these occurring is high. It is expected that the effects will be permanent and therefore, irreversible, until such time that any new policies and/or objectives are identified in a revised LAP and/or County Development Plan.

(ii) The cumulative nature of the 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.

(iii) The transboundary nature of the effects.

The Local Area Plan 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 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.

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

The Plan area comprises approximately 305 hectares of land (195 hectares of which are zoned rural) - and a current population of around 764 persons. Given the existing zonings in accordance with the County Development Plan, the majority of future development will be residential and small scale local shops and services in the village centre.

The Consultation Draft Guidelines on Sustainable Residential Development in Urban Areas recommend that for smaller towns and villages of between 400 and 5,000 in population, planning authorities should only encourage individual residential proposals that would increase the housing stock of such urban areas by a maximum

of 10-15% within the lifetime of the local area plan (unless the town or village is designated as a growth centre in the development plan).

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 will not differ significantly to the current zoning under the Kilmacow Village Plan 2002-2008 and will therefore not result in significant increases in projected population within the Kilmacow Plan area.

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

a) Special natural characteristics or cultural heritage,

There are limited areas of designated natural or cultural heritage within the Kilmacow Local Area Plan. The 2008-2014 County Development Plan does not record any SACs, pNHAs, areas of High Amenity, Significant Landscape Sensitivity or recorded Scenic Views in Kilmacow or its adjoining hinterland area and there are no Tree Preservation Orders in the area.

There are four items of archaeological interest recorded in Kilmacow or adjoining it, 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).

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 (NIAH) lists an additional 22 no. structures in Kilmacow. Part of the Plan preparation process will involve ensuring that all structures recommended for protection by the Minister for the Environment (NIAH survey 2006) are included in the RPS where appropriate.

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.

It is not expected that existing land use in the plan area will be intensified such that vulnerable areas will be significantly affected.

The Plan will aim to ensure that development or redevelopment in Kilmacow is undertaken with due cognisance to its surrounding environment and that any development and intensification will sustain and improve on existing amenity.

(vii) The effects on areas or landscapes which have 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.

7.0 STATUTORUY 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.

8.0 DoEHLG CIRCULAR LETTER SEA 1/08 & NPWS 1/08

This DoEHLG Circular Letter relates to the requirement to screen Land Use Plans for any potential impacts on areas designated as Natura 2000 sites (normally called Special Areas of Conservation or Special Protection Areas). Where appropriate an assessment of Plan must be carried out.

The circular states that an appropriate assessment means an assessment, based on best scientific knowledge, by a person with ecological expertise, of the potential impacts of the plan on the conservation objectives of any Natura 2000 site (including Natura 2000 sites not situated in the area encompassed by the draft plan or scheme) and the development, where necessary, or mitigation or avoidance measures to preclude negative effects. The potential impacts of policies outside Natura 2000 sites, but potentially impacting upon them (known as 'ex site' impacts) must also be included in the assessment according to the Circular.

We confirm that there are no Natura 2000 sites (SACs or SPAs) either in Kilmacow, adjoining it or in close proximity to it. The nearest site to Kilmacow is the Lower River Suir cSAC (site code 02173) which is located approximately 5km to the south of the village. In this regard it is not considered that the proposed Draft LAP for Kilmacow will have any potential impacts on the conservation objectives of any Natura 2000 site and it is therefore considered that no further assessment of this type will be required once the Draft Plan is completed.

9.0 CONCLUSION

It is not anticipated that the proposed Local Area Plan will have strategic environmental effects and at this stage in the screening 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 can be dealt with through the assessment of any individual planning applications.

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 Local Area Plan 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 6.0 above) and any submission or observation received from the environmental authorities (see 7.0 above).

10.0 NOTICE TO THE ENVIRONMENTAL AUTHORITIES

Notice is hereby given that Kilkenny County Council intends to prepare a Local Area Plan for Kilmacow.

The planning authority must determine whether or not the implementation of the Local Area Plan would be likely to have significant effects on the environment and in doing so, it must take account of relevant criteria set out in Schedule 2A of the Planning and Development (Strategic Environmental Assessment) Regulations 2004.

A submission or observation in relation to whether or not implementation of the local area plan would be likely to have significant effects on the environment may be made to Kilkenny County Council within 4 weeks from the date of this notice (17th June 2008)

Following the deadline for submissions the planning authority shall determine whether or not the implementation of a new Local Area Plan would be likely to have significant effects on the environment, taking account of relevant criteria set out in Schedule 2A and any submission or observation received in response to this notice.

All submissions or observations should be sent to Director of Services, Planning Department, Kilkenny County Council, County Hall, Johns Street, Kilkenny or alternatively, by email to Caitriona Reilly at creilly@kilkennycoco.ie

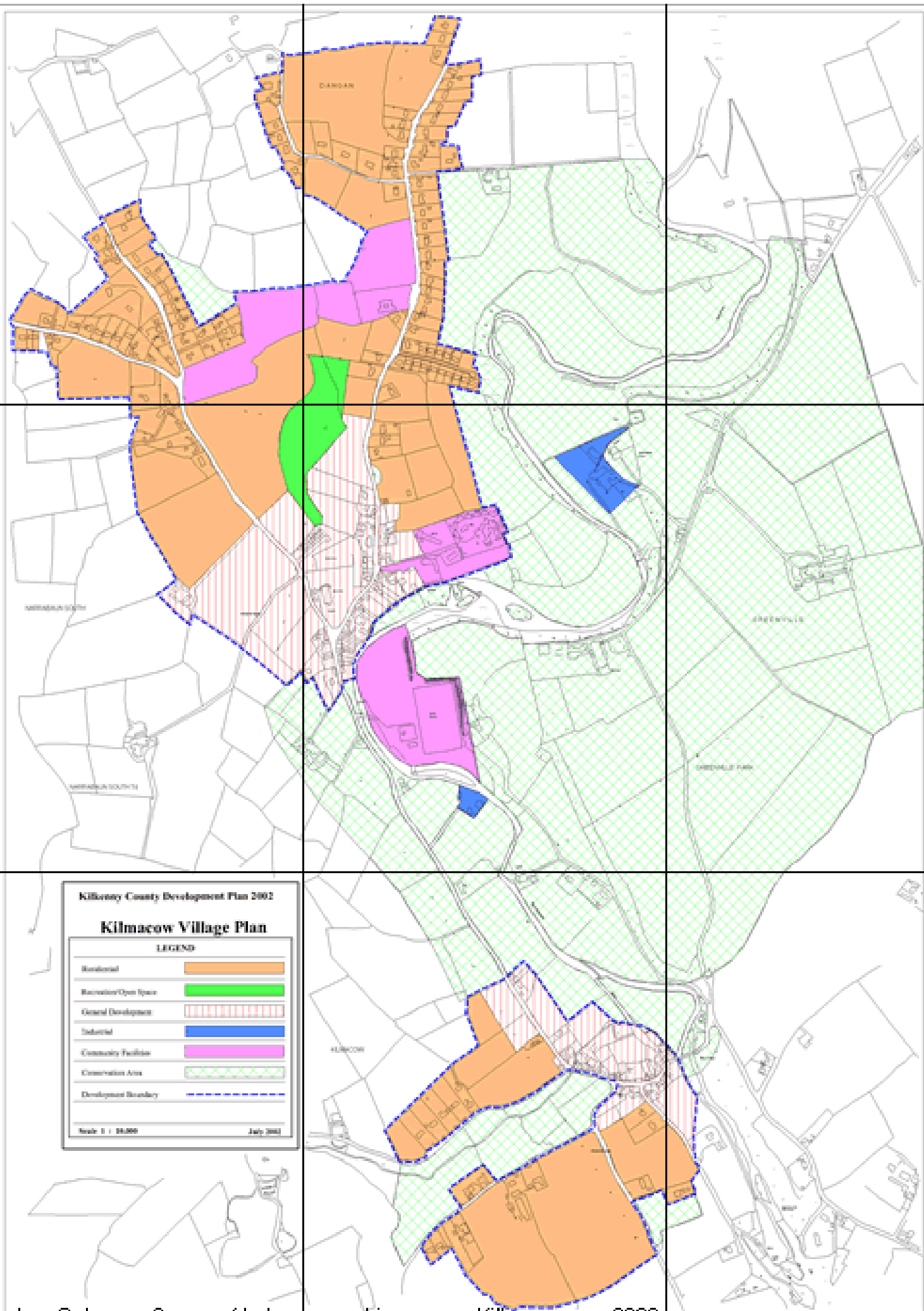
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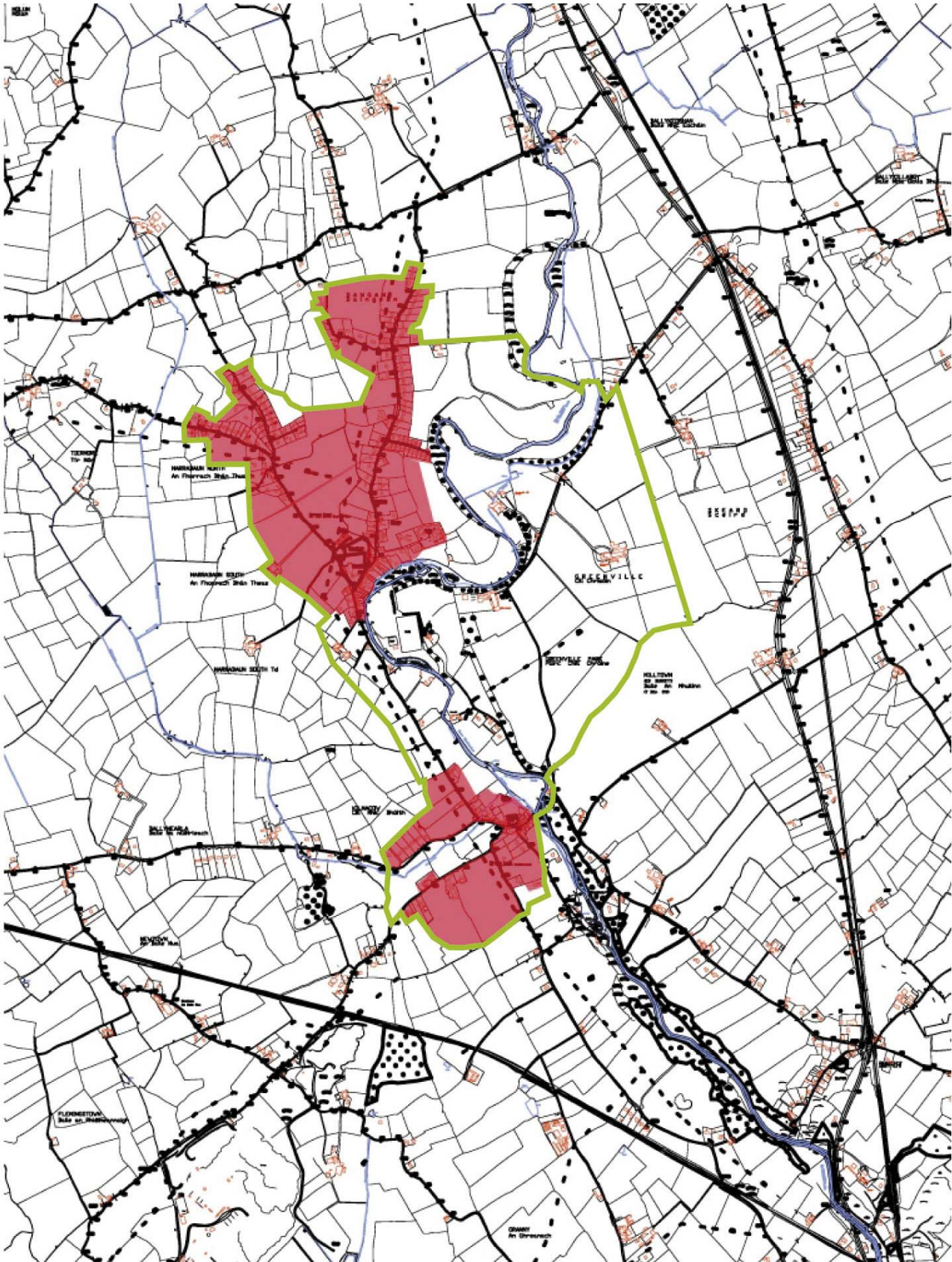
MAPS

MAP A - The Zoning Map from Kilmacow Village Plan 2002-2008

MAP B - Map of Kilmacow Showing Proposed LAP Boundary

MAP C - A Location Map of Kilmacow





 **Current development boundary in Kilmacow Village Plan 2002**

 **Boundary of the entire area covered by the current Kilmacow Village Plan 2002***

*The proposed LAP boundary is expected to remain the same.

