

# SEA STATEMENT

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FOR

**PROPOSED AMENDMENT No. 2**  
**OF THE**  
**CALLAN LOCAL AREA PLAN 2009 - 2020**

**STRATEGIC ENVIRONMENTAL ASSESSMENT**

**Kilkenny County Council**

**John Street Kilkenny**

**City County**

**Kilkenny**



**April 2016**

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## **Section 1 Introduction**

### **1.1 Terms of Reference**

This is the SEA Statement for Amendment No. 2 to the Callan Local Area Plan 2009 – 2020.

### **1.2 SEA Definition**

SEA is a systematic process of predicting and evaluating the likely environmental effects of implementing a plan, or other strategic action, in order to ensure that these effects are appropriately addressed at the earliest appropriate stage of decision-making on a par with economic and social considerations.

### **1.3 Legislative Context**

Directive 2001/42/EC of the European Parliament and of the Council, of 27 June 2001, on the assessment of the effects of certain plans and programmes on the environment, referred to hereafter as the SEA Directive, introduced the requirement that SEA be carried out on plans and programmes which are prepared for a number of sectors, including land use planning.

The SEA Directive was transposed into Irish Law through the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (Statutory Instrument Number (SI No. 435 of 2004) and the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (SI No. 436 of 2004). Both sets of Regulations became operational on 21 July 2004. The Regulations have been amended by the European Communities (Environmental Assessment of Certain Plans and Programmes) (Amendment) Regulations 2011 (SI No. 200 of 2011) and the Planning and Development (SEA) (Amendment) Regulations 2011 (SI No. 201 of 2011).

SEA is being undertaken in compliance with the Regulations as the Amendment is likely to result in significant adverse environmental effects, if unmitigated.

### **1.4 Content of the SEA Statement**

The SEA Statement is required to include information summarising:

- a) how environmental considerations have been integrated into the Amendment;
- b) how the following have been taken into account during the preparation of the Amendment:
  - the environmental report,
  - submissions and observations made to the planning authority on the Proposed Amendment and Environmental Report, and
  - any transboundary consultations [this is not relevant to this SEA]
- c) the reasons for choosing the Amendment in the light of the other reasonable alternatives dealt with; and
- d) the measures decided upon to monitor the significant environmental effects of implementation of the Variation.

### **1.5 Implications of SEA for the Amendment**

SEA has been undertaken and the findings of the SEA are expressed in an Environmental Report, the first published version of which accompanied the Proposed Amendment on public display. The Environmental Report was updated in order to take account of:

- recommendations contained in submissions; and
- changes to the Proposed Amendment which were made on foot of submissions

Members of the planning authority have taken into account the findings of all relevant SEA output during their consideration of the Proposed Amendment before its adoption.

## **Section 2 How Environmental Considerations were integrated into the Amendment**

### **2.1 Introduction**

The Amendment has been prepared with environmental considerations being one of the key informants and influences.

Environmental considerations were integrated into the Amendment through:

- Consultations with Environmental Authorities
- Communications of environmental sensitivities through the SEA and associated Appropriate Assessment (AA) and Strategic Flood Risk Assessment (SFRA) processes; and
- Provisions to mitigate effects.

The undertaking of Strategic Environmental Assessment, Appropriate Assessment and Flood Risk Assessment has further informed the Amendment. By integrating related recommendations, the Council have ensured that the beneficial environmental effects of implementing the Amendment have been and will be maximised and that potential adverse effects have been and will be avoided, reduced or offset.

### **2.2 Consultations**

All relevant environmental authorities identified under the SEA Regulations (as amended), were sent SEA scoping notices by the Council indicating that submissions or observations in relation to the scope and level of detail of the information to be included in the environmental report could be made to the Council.

Furthermore, submissions were made on the Proposed Amendment and SEA Environmental Report while they were on public display and these resulted in updates being made to the SEA documents (see Section 3).

The following authorities were notified: Department of Agriculture, Food and the Marine; Department of Arts, Heritage and the Gaeltacht; Department of Communications, Energy and Natural Resources; Department of the Environment, Community and Local Government; Environmental Protection Agency.

### **2.3 Communication of environmental sensitivities**

Environmental considerations were integrated into the Proposed Amendment before it was placed on public display. Environmental sensitivities were mapped in order to identify which areas would be most sensitive to development and would suffer the most adverse effects if growth was to be accommodated in those areas unmitigated.

The sensitivities were communicated to the Planning team on a regular basis from the outset of the Proposed Amendment preparation process. Identifying areas with the greatest sensitivities within the Amendment area helped future growth to be diverted away from these areas.

A number of these sensitivities are mapped on Figure 2.2 and Figure 2.3.

Kilkenny County Council made resources available to facilitate the undertaking of the following studies which informed the baseline description and the Proposed Amendment:

- Appropriate Assessment; and
- Flood Risk Assessment.

## 2.4 Appropriate Assessment and Flood Risk Assessment

An Appropriate Assessment (AA) has been undertaken alongside the preparation of the Amendment. The requirement for AA is provided under the EU Habitats Directive (Directive 1992/43/EEC). The AA concluded that the Amendment will not affect the integrity of the Natura 2000 network.

The preparation of the Variation, SEA and AA has taken place concurrently and the findings of the AA have informed the SEA.

A Flood Risk Assessment (FRA) has been undertaken alongside the preparation of the Masterplan to which the Variation relates. The requirement for FRA is provided under 'The Planning System and Flood Risk Management Guidelines for Planning Authorities' (DEHLG and OPW, 2009). The findings of the FRA have informed both the Amendment and this SEA.

## 2.5 Mitigation in the Amendment

The text in *italics* below was integrated into the Amendment through a number of processes, including the SEA process in order to mitigate potential adverse effects. In addition the Appropriate Assessment and the Flood Risk Assessment undertaken for the Amendment influenced its content. The text of the Amendment is:

The Proposed Amendment involves the extension of the LAP boundary to include an 8 acre site at Westcourt, Callan as per revised Figure 4.2 Zoning Map for Callan LAP (overleaf). The land will be zoned 'Agriculture'. The 'Agriculture' zoning objective to be included in the Plan is as follows:

Objective: To conserve and protect agricultural land from interference from non-agricultural uses. To prevent development of agricultural land adjacent to development areas which would prejudice the future expansion of the town, except in exceptional circumstances where there are site specific development objectives for the provision of certain types of development.

Permissible uses: Agriculture, horticulture, public service installations, uses identified in site specific development objectives.

Open for Consideration: Public open space, guesthouse, restaurant, nursing home, dwelling houses in certain limited cases, halting site, private open space, other uses not contrary to the proper planning and sustainable development of the area.

It is proposed to include a site specific objective for this land as follows:

To facilitate the development of a residential complex (10 units approx.) initiated by the Camphill Community with ancillary small scale socio-economic uses related to the activities of the residents of the development, and to provide for a pedestrian link from the lands to the town centre, subject to the following:

- *The development must not interfere with the ecological integrity of the adjacent Kings River which forms part of the River Barrow and River Nore SAC, a Natura 2000 site. Any future development (including pedestrian link) of the lands will be subject to Appropriate Assessment in accordance with Article 6 of the Habitats Directive.*
- *A site-specific Flood Risk Assessment appropriate to the type and scale of the proposed development and a site specific justification test if required must be submitted at planning application stage in line with the DoEHLG Guidelines "The Planning System and Flood Risk Management", November 2009. Residential use is excluded from Flood Zone B.*
- *Any developments proposed for the lands at Westcourt must be connected to the foul sewer network for treatment of waste water. Such developments will only proceed subject to the local treatment plant having capacity to adequately treat the additional load. It must be shown by proposals that all storm water can be appropriately collected, stored and treated so as not to affect the quality of water bodies.*
- The archaeological importance of the site must be safeguarded by protecting archaeological sites and monuments (including their setting), and archaeological objects, including those that are listed in the Record of Monuments and Places, and in the Urban Archaeological Survey of County Kilkenny or newly discovered sub-surface archaeological remains. Any proposed development in the vicinity or confines of archaeological monuments will require an archaeological assessment and the preparation of an archaeological impact statement for submission as part of any planning application for development within this area.

- When innovative layouts and exceptional design for living are achieved, strict adherence to the development management standards for new residential developments as set out in Chapter 12 of the County Development Plan 2014-2020 will not be required, provided the proposed designs can be demonstrated to satisfy the social and physical needs of the occupants.

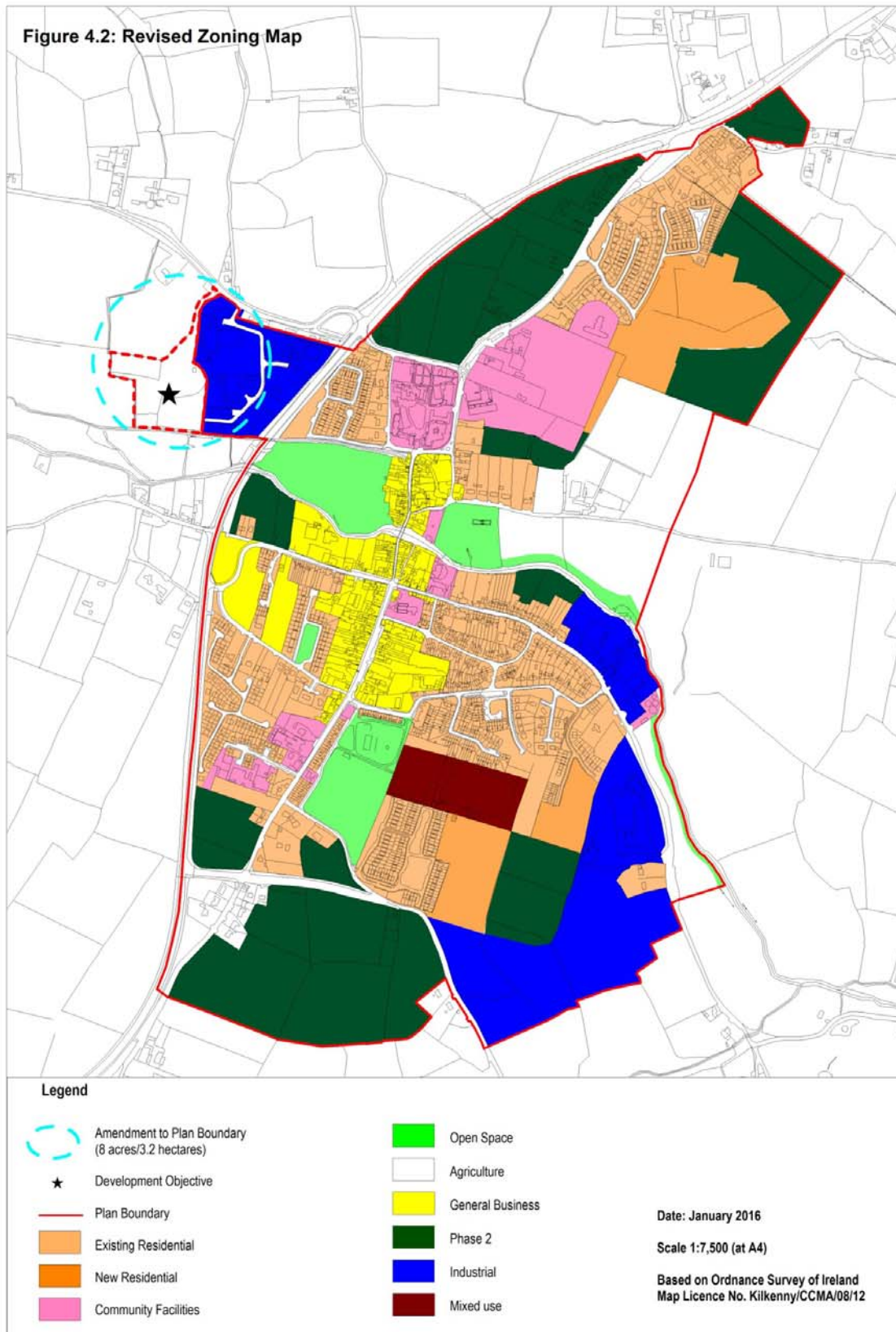


Figure 2.1 Revised Zoning Map

## 2.6 Appropriate Assessment

The Stage 2 Appropriate Assessment undertaken for the proposed Amendment resulted in a number of updates being made to the Amendment which are detailed below deletions in *strikethrough* and insertions in *italics*:

To facilitate the development of a residential complex (10 units approx.) initiated by the Camphill Community with ancillary small scale socio-economic uses related to the activities of the residents of the development, and to provide for a pedestrian link from the lands to the town centre ~~under the Callan by pass (N76) via the Moast Field~~ subject to the following:

- The development must not interfere with the ecological integrity of the adjacent Kings River which forms part of the River Barrow and River Nore SAC, a Natura 2000 site. *Any future development (including pedestrian link) of the lands will be subject to Appropriate Assessment in accordance with Article 6 of the Habitats Directive.*
- A site-specific Flood Risk Assessment appropriate to the type and scale of the proposed development and a site specific justification test if required must be submitted at planning application stage in line with the DoEHLG Guidelines “The Planning System and Flood Risk Management”, November 2009. Residential use is excluded from Flood Zone B.
- *Any developments proposed for the lands at Westcourt must be connected to the foul sewer network for treatment of waste water. Such developments will only proceed subject to the local treatment plant having capacity to adequately treat the additional load. It must be shown by proposals that all storm water can be appropriately collected, stored and treated so as not to affect the quality of water bodies.*
- The archaeological importance of the site must be safeguarded by protecting archaeological sites and monuments (including their setting), and archaeological objects, including those that are listed in the Record of Monuments and Places, and in the Urban Archaeological Survey of County Kilkenny or newly discovered sub-surface archaeological remains. Any proposed development in the vicinity or confines of archaeological monuments will require an archaeological assessment and the preparation of an archaeological impact statement for submission as part of any planning application for development within this area.
- When innovative layouts and exceptional design for living are achieved, strict adherence to the development management standards for new residential developments as set out in Chapter 12 of the County Development Plan 2014-2020 will not be required, provided the proposed designs can be demonstrated to satisfy the social and physical needs of the occupants.

## 2.7 Flood Risk Assessment

The Strategic Flood Risk Assessment undertaken for the Amendment assessed the flood risk in the context of the proposed Amendment and identified suitable mitigation measures which were incorporated into the Amendment – see text in *italics*.

To facilitate the development of a residential complex (10 units approx.) initiated by the Camphill Community with ancillary small scale socio-economic uses related to the activities of the residents of the development, and to provide for a pedestrian link from the lands to the town centre ~~under the Callan by pass (N76) via the Moast Field~~ subject to the following:

- The development must not interfere with the ecological integrity of the adjacent Kings River which forms part of the River Barrow and River Nore SAC, a Natura 2000 site. *Any future development (including pedestrian link) of the lands will be subject to Appropriate Assessment in accordance with Article 6 of the Habitats Directive.*
- A site-specific Flood Risk Assessment appropriate to the type and scale of the proposed development and a site specific justification test if required must be submitted at planning application stage in line with the DoEHLG Guidelines “The Planning System and Flood Risk Management”, November 2009. Residential use is excluded from Flood Zone B.
- *Any developments proposed for the lands at Westcourt must be connected to the foul sewer network for treatment of waste water. Such developments will only proceed subject to the local treatment plant having*

capacity to adequately treat the additional load. It must be shown by proposals that all storm water can be appropriately collected, stored and treated so as not to affect the quality of water bodies.

- The archaeological importance of the site must be safeguarded by protecting archaeological sites and monuments (including their setting), and archaeological objects, including those that are listed in the Record of Monuments and Places, and in the Urban Archaeological Survey of County Kilkenny or newly discovered sub-surface archaeological remains. Any proposed development in the vicinity or confines of archaeological monuments will require an archaeological assessment and the preparation of an archaeological impact statement for submission as part of any planning application for development within this area.
- When innovative layouts and exceptional design for living are achieved, strict adherence to the development management standards for new residential developments as set out in Chapter 12 of the County Development Plan 2014-2020 will not be required, provided the proposed designs can be demonstrated to satisfy the social and physical needs of the occupants.

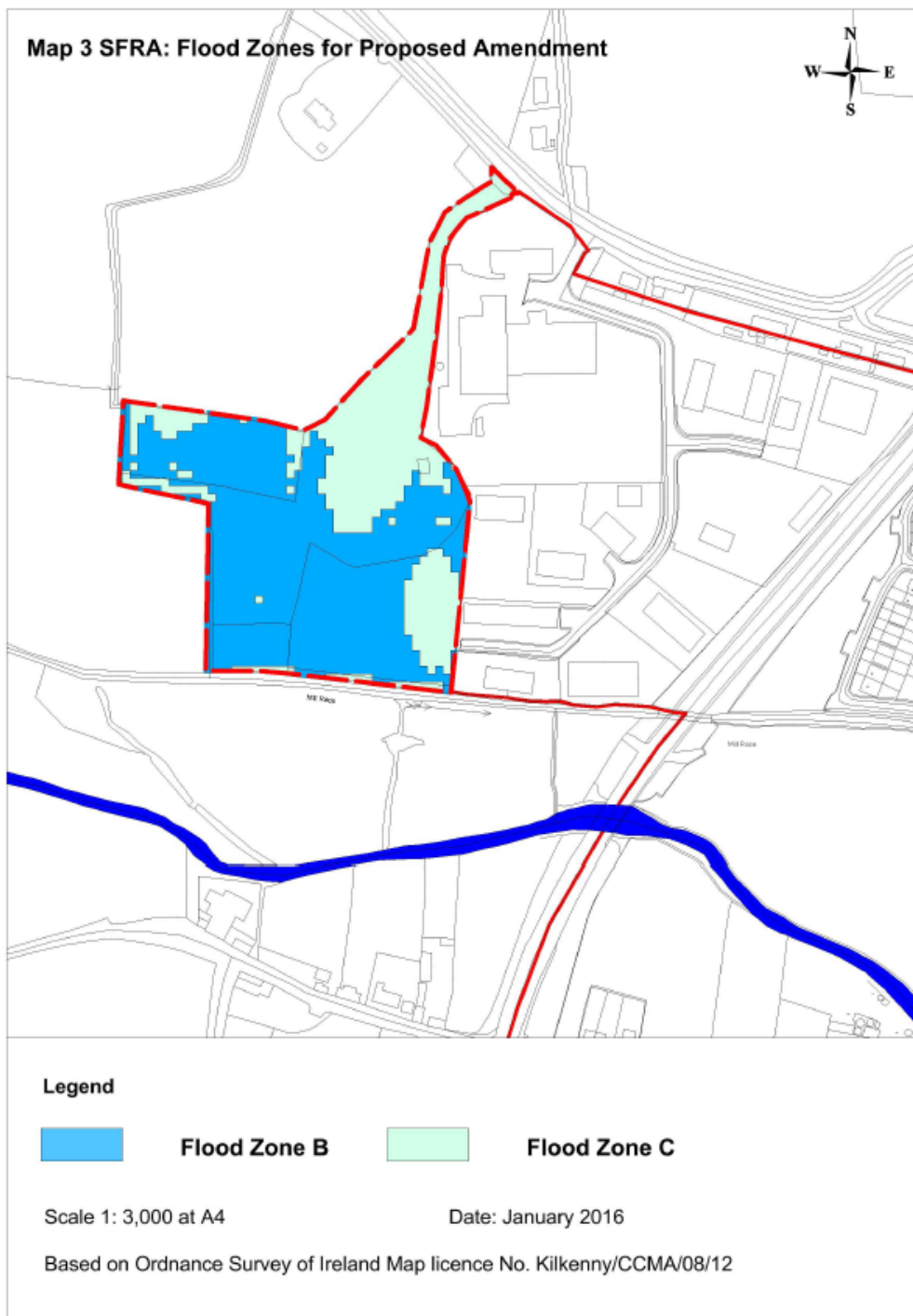


Figure 2.2 Flood Zones from SFRA



## 2.8 Mitigation in the Kilkenny County Development Plan 2014-2020

In addition to the mitigation which has been integrated into the Amendment, proposals for development within the Amendment area must comply as appropriate with the relevant provisions included within the existing Kilkenny County Development Plan 2014-2020

Provisions which are already in force through the existing County Development Plan 2014-2020 which will facilitate continued protection and management of the environment across the Plan area including at the Proposed Amendment site are detailed below.

### Chapter 1

- 1A To implement the provisions of Articles 6(3) and 6(4) of the EU Habitats Directive.
- 1B To ensure that any plan or project within the functional area of the Planning Authority is subject to appropriate assessment in accordance with the guidance document *Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities*, 2009 and is assessed in accordance with Article 6 of the Habitats Directive in order to avoid adverse impacts on the integrity and conservation objectives of the site.
- 1C To implement the Development Management Standards as set out in the Plan as appropriate.
- 1D To prepare a Climate Change Adaptation plan following the adoption of the Development Plan.

### Chapter 8 Heritage

- 8A To prepare and implement, in partnership with the Kilkenny Heritage Forum and all relevant stakeholders, a County Heritage Plan and County Biodiversity Plan.
- 8B To protect and, where possible, enhance the natural heritage sites designated under EU Legislation and National Legislation (Habitats Directive, Birds Directive, European Communities (Birds and Natural Habitats) Regulations 2011 and Wildlife Acts). This protection will extend to any additions or alterations to sites that may arise during the lifetime of this plan.
- 8C To protect and, where possible, enhance the plant and animal species and their habitats that have been identified under European legislation (Habitats and Birds Directive) and protected under national Legislation (European Communities (Birds and Natural Habitats) Regulations 2011 (SI 477 of 2011), Wildlife Acts 1976-2010 and the Flora Protection Order (SI94 of 1999).
- 8D To prepare and support the implementation of a Green Infrastructure Strategy for County Kilkenny.
- 8E To protect and where possible enhance wildlife habitats and landscape features which act as ecological corridors/networks and stepping stones, such as river corridors, hedgerows and road verges, and to minimise the loss of habitats and features of the wider countryside (such as ponds, wetlands, trees) which are not within designated sites. Where the loss of habitats and features of the wider countryside is unavoidable as part of a development, to ensure that appropriate mitigation and/or compensation measures are put in place, to conserve and enhance biodiversity and landscape character and green infrastructure networks.
- 8F Kilkenny County Council will promote the planting of native tree and shrub species, by committing to using native species (of local provenance wherever possible) in its landscaping work and on County Council property.
- 8G To protect and sustainably manage the landscape character of County Kilkenny, having regard to the findings of the landscape character assessment and the development management standards as set out in this chapter for the sustainable development of the county and appropriate conservation of its landscape character.
- 8H To preserve and improve places or areas from which views or prospects of special amenity value exist, as identified in Appendix H and on Figure 8.2.
- 8I Protect archaeological sites and monuments (including their setting), underwater archaeology, and archaeological objects, including those that are listed in the Record of Monuments and Places, and in the Urban Archaeological Survey of County Kilkenny or newly discovered sub-surface and underwater archaeological remains.
- 8J To facilitate and support the implementation of existing (and any further) conservation plans, as resources allow.
- 8K To ensure the protection of the architectural heritage of County Kilkenny by including all structures considered to be of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest in the Record of Protected Structures.
- 8L To carry out a review of the Record of Protected Structures.-
- 8M To complete digital mapping of the Record of Protected Structures.

- 8N To promote principles of best practice in conservation and the use of appropriate materials and repair techniques through the administration of the Conservation Grants Scheme and the Structures at Risk Fund, funded by the Department of Arts Heritage and the Gaeltacht.
- 8O To provide assistance to owners of protected structures in undertaking essential repairs and maintenance by the provision of relevant information.
- 8P 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, and to consider for inclusion those rated of local significance.
- 8Q To ensure the preservation of the special character of each ACA listed (Table 8.2) above and within the county particularly with regard to building scale, proportions, historical plot sizes, building lines, height, general land use, building materials, historic street furniture and paving.
- 8R To designate ACAs where appropriate and provide a local policy framework for the preservation of the character of these areas.

**Chapter 9 Infrastructure & Environment**

- 9A Implement the programme as outlined in the Water Services Investment Programme.
- 9B Meet in full the requirements of the E.U. [Urban Waste Water Treatment](#) and [Water Framework](#) Directives and the [Drinking Water Regulations](#).
- 9C To update Noise Mapping in accordance with revised or updated thresholds for Noise Mapping.
- 9D To promote compliance with environmental standards and objectives established—  
for bodies of surface water, by the European Communities (Surface Waters) Regulations 2009;  
for groundwater, by the European Communities (Groundwater) Regulations 2010; which standards and objectives are included in the South East River Basin Management Plan.
- 9E To complete the mapping of source protection areas and to map Source Protection Areas for any new public water supply schemes as appropriate.
- 9F To ensure that Source Protection Areas are identified for any multiple unit housing developments with private water supplies.
- 9G To adopt a comprehensive risk-based planning approach to flood management to prevent or minimise future flood risk. In accordance with the [Planning System and Flood Risk Management – Guidelines for Planning Authorities](#), the avoidance of development in areas where flood risk has been identified shall be the primary response.
- 9H To implement the Joint Waste Management Plan for the South East Region.
- 9I To control the following for the purposes of reducing the risk or limiting the consequences of a major accident:
  - The siting of Major Accident Hazard sites
  - The modification of an existing Major Accident Hazard site
  - Development in the vicinity of a Major Accident Hazard site

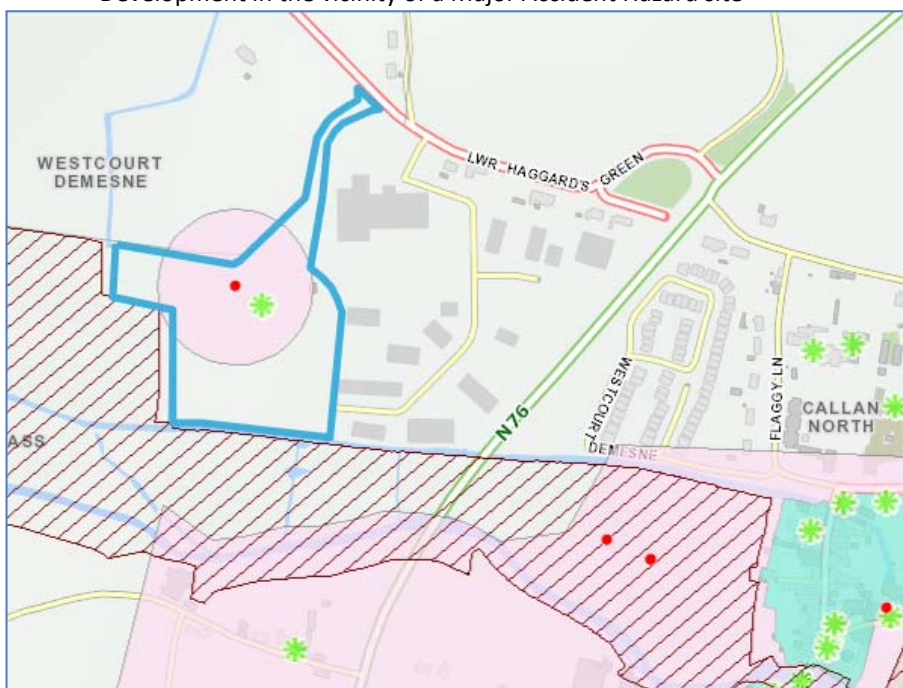


Figure 2.3 Selection of Environmental Sensitivities

## **Section 3 Environmental Report and Submissions & Observations**

### **3.1 Introduction**

This section details how both the Environmental Report and submissions and observations made to the planning authority on the Environmental Report and SEA process have been taken into account during the preparation of the Amendment.

### **3.2 Submissions**

#### **3.2.1 Scoping**

All relevant environmental authorities identified under the SEA Regulations as amended, were sent SEA scoping notices by the Council indicating that submissions or observations in relation to the scope and level of detail of the information to be included in the environmental report could be made to the Council. A submission was made by the Environmental Protection Agency and the Department of Arts, Heritage and the Gaeltacht and this influenced the scope of the assessment.

#### **3.2.2 Submissions on the Proposed Amendment and associated Environmental Report and Appropriate Assessment**

There were no changes made to the original Proposed Amendment before adoption on foot of submissions made on the Proposed Amendment and associated documents.

However the earlier SEA Environmental Report which accompanied the Proposed Amendment on public display has been updated in order to take account of suggestions and recommendations contained in submissions received during the display period.

Changes to the SEA Environmental Report made on foot of suggestions and recommendations contained in submissions are detailed on Table 3.1 below.

Table 3.1

## Changes to the SEA Environmental Report and AA

Change to SEA ER	Relevant SEA ER Section(s)
<p>Insert the following text (<i>insertion in bold italics</i>):</p> <p><b>2.3 Relationship with other relevant Plans and Programmes</b></p> <p><b>2.3.1 Introduction</b></p> <p>The Plan sits within a hierarchy of land use forward planning strategic actions. The Plan must comply with relevant higher level strategic actions and may, in turn, guide lower level strategic actions. The following sections identify a number of these strategic actions, further details of which are contained in the main Plan document.</p> <p>The Plan is at the lower level of the hierarchy in the context of national, regional and county level plans. The preparation of the Local Area Plan has also been informed and influenced by various local government, national and international policy documents including (but not limited to) the following:</p> <p><b>International</b></p> <ul style="list-style-type: none"> <li>• Agenda 2000</li> <li>• Local Agenda 21</li> <li>• The European Spatial Development Perspective (ESDP)</li> <li>• Various EU Directives</li> </ul> <p><b>National</b></p> <ul style="list-style-type: none"> <li>• Infrastructure and Capital Investment 2012-16: Medium Term Exchequer Framework, 2011</li> <li>• Sustainable Development: A Strategy for Ireland, 1997</li> <li>• National Spatial Strategy 2002 – 2020 (NSS)</li> <li>• Ministerial Guidelines issued under Section 28 of the Planning and Development Act 2000-2011</li> <li>• <b><i>Food Wise 2025 (DAFM)</i></b></li> <li>• <b><i>National Landscape Strategy (DECLG)</i></b>.</li> </ul>	Section 2.3
<p>Insert the following text (<i>insertion in bold italics</i>):</p> <p><b>4.2.3 Water Framework Directive Registers of Protected Areas</b></p> <p>According to the EPA WFD Status record, groundwater underlying the Plan area is identified as being of ‘good’ status and the quality of the King’s River<sup>1</sup> 2010-2012 is ‘moderate’. This is illustrated in Figure 4.2 below.</p> <p><b><i>The EPA’s Water Framework Directive GIS Application, available on EDEN (<a href="http://www.edenireland.ie">www.edenireland.ie</a>), which provides Local Authorities with surface water and groundwater quality and spatial data; and should be taken into consideration in water related monitoring aspects of the amended Plan.</i></b></p>	Section 4.2.3
<p><b>5.2 Strategic Environmental Objectives</b></p> <p>Reword W2 as follows (<i>insertion in bold italics</i> deletions in strikethrough):</p> <p><del>To comply as appropriate with the provisions of the Planning System and Flood Risk Management: Guidelines for Planning Authorities (DEHLG, 2009).</del></p> <p><b><i>To avoid inappropriate land use and development in areas of significant flood risk within the Plan area, in accordance with the requirements of the Flood Risk Management Guidelines .</i></b></p>	Section 5.2
<p><b>5.2 Strategic Environmental Objectives</b></p> <p>Amend W3 as follows (<i>insertion in bold italics</i>):</p> <p>To maintain and improve, where possible, the quality and status of surface waters <b><i>in accordance with the requirements of the Water Framework Directive</i></b>”</p>	Section 5.2

### **3.3 Environmental Report**

The Proposed Amendment and accompanying documents (including SEA Environmental Report, AA Screening Report and Flood Risk Assessment) were placed on public display.

Responses to submissions made on the Environmental Report during the period of public display (of the Proposed Amendment) were integrated into the Chief Executive's Report and circulated to Elected Members.

Members of the Planning Authority have taken into account the findings of all relevant SEA output during their consideration of the Proposed Amendment and before its adoption.

## Section 4 Alternatives

### 4.1 Introduction

The SEA Directive requires that reasonable alternatives (taking into account the objectives and the geographical scope of the plan or programme) are identified, described and evaluated for their likely significant effects on the environment.

The description of the environmental baseline (both maps and text) and Strategic Environmental Objectives (SEOs) are used in the evaluation of alternatives.

Kilkenny County Council in preparing the Amendment to the Callan Local Area Plan 2009-2020 developed three alternative development strategies as follows:

- Alternative A is a do-nothing scenario whereby the site remains un-zoned and outside the Callan LAP boundary as it is presently.
- Alternative B provides for a zoning change to 'Residential' with no site specific development objective to integrate environmental considerations arising from the SEA, AA and SFRA processes.
- Alternative C provides for a zoning change to 'Agriculture' with a site specific objective that integrates environmental considerations identified by the AA, SEA and SFRA into the proposal. These considerations were identified during the SEA Scoping exercise, and were informed by both the AA and SFRA and by submissions from the environmental authorities.

These alternatives are mapped on Figure 4.1, Figure 4.2 and Figure 4.3

**Figure 4.1 Alternative A – Do Nothing Scenario**

Source: Current Zoning Map for Callan LAP, as amended.

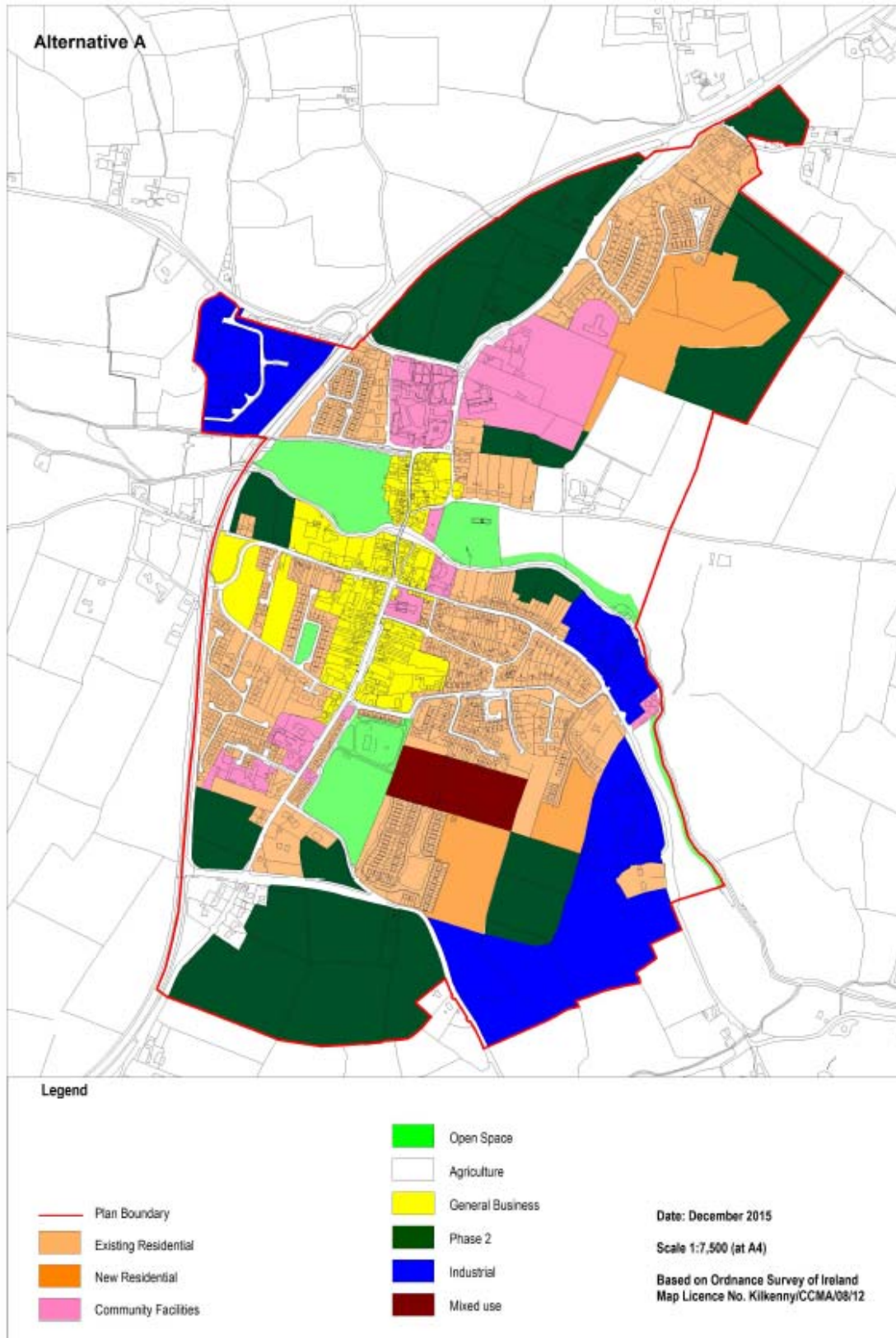


Figure 4.2 Alternative B

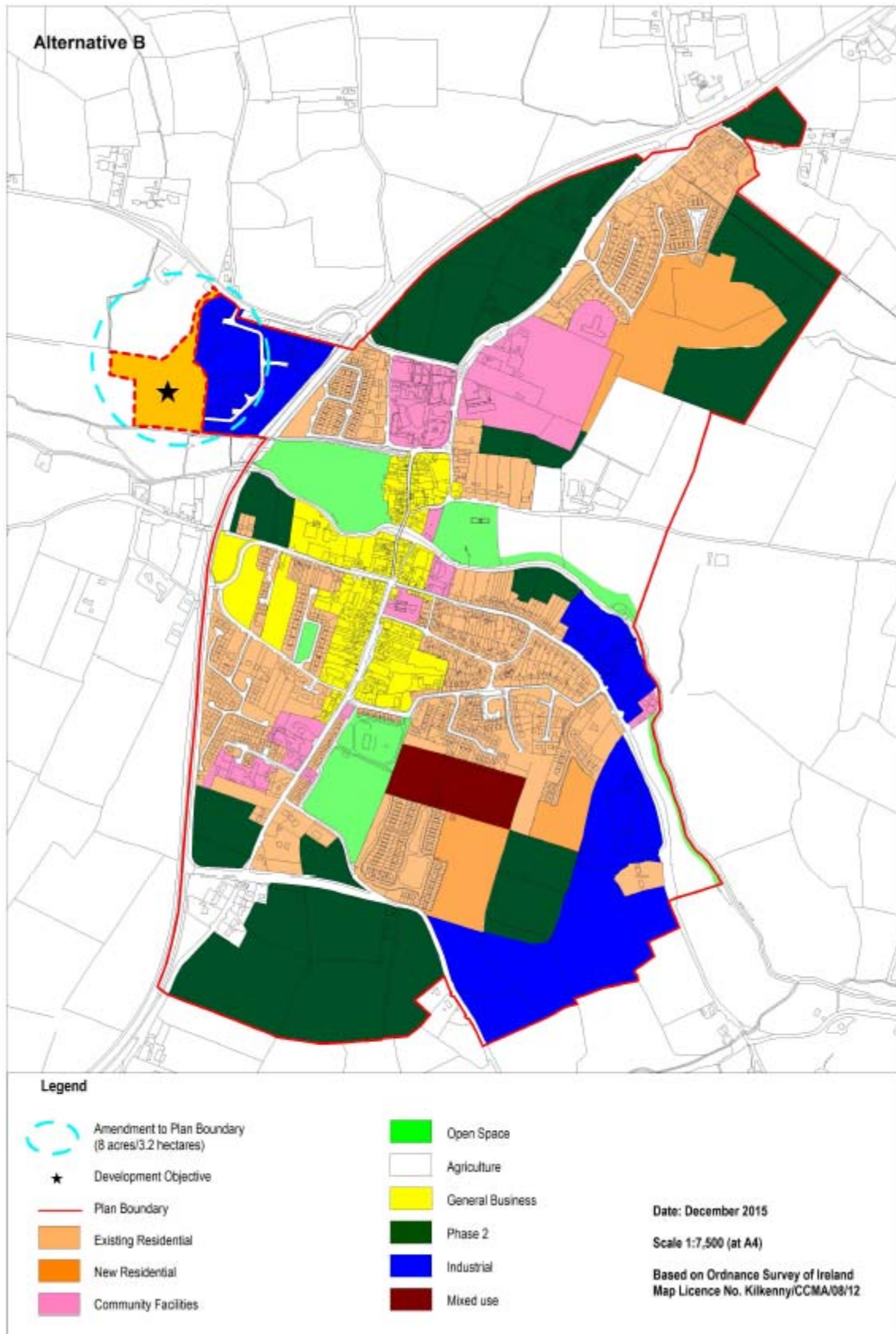
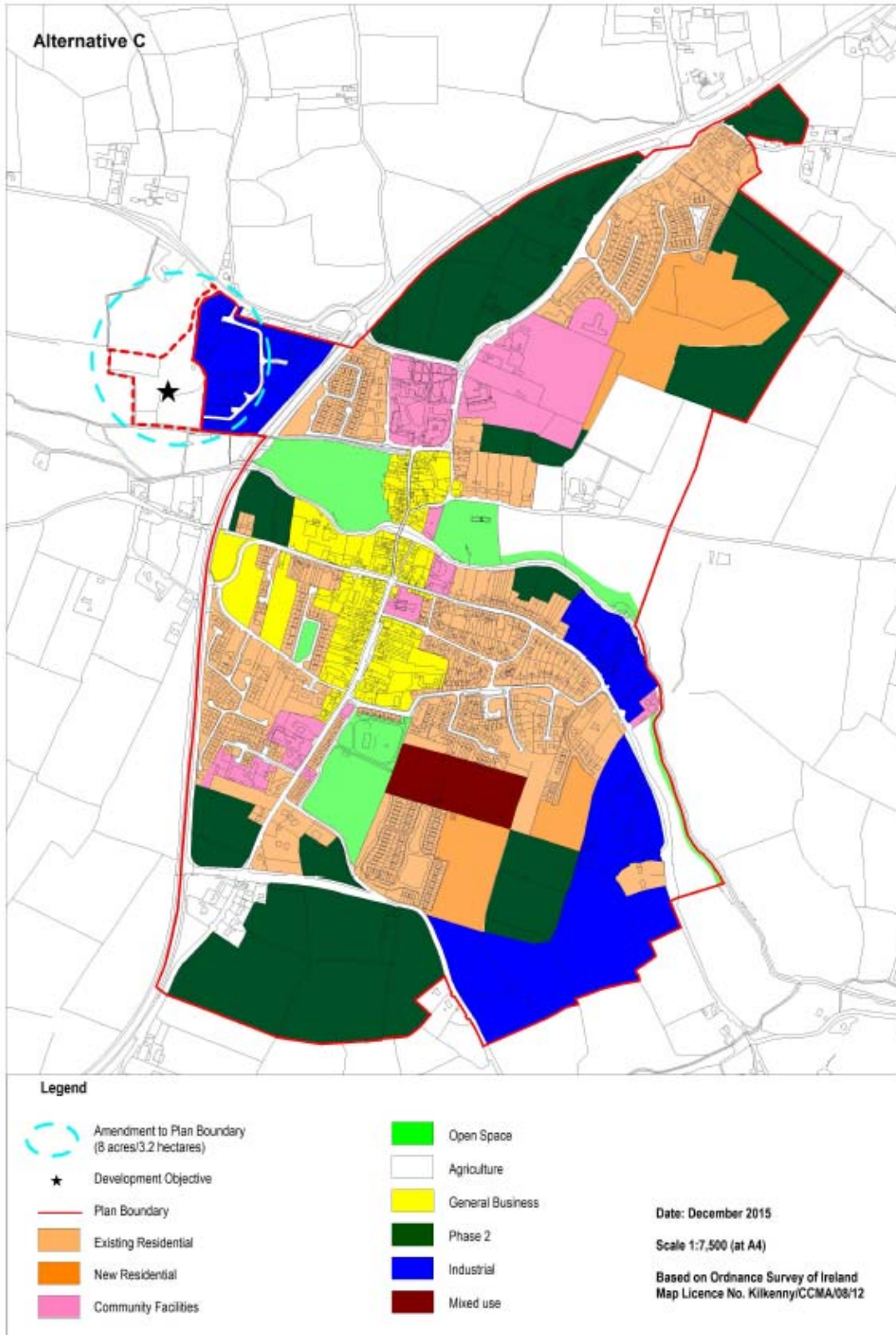




Figure 4.3 Alternative C



## 4.2 Summary of Evaluation of Alternatives

### 4.2.1 Evaluation of Alternative A

Alternative A involves the 'do nothing' approach whereby the site remains un-zoned as it is presently.

The 'un-zoned' nature of the site generally does not favour new built development and for this reason Alternative A would be likely to continue the protection of the following environmental components:

- Biodiversity and Flora and Fauna (including the River Barrow and Nore cSAC)
- Population and Human Health
- Soil
- Water
- Cultural Heritage
- Landscape

There would be no new potential conflicts or associated effects arising with Alternative A, above those which have already been predicted by and mitigated by the SEA of the existing Plan. This is because Alternative A does not propose a change to the Plan.

The likelihood of potential and residual adverse effects occurring under Alternative A would be far lower than Alternatives B and C as the un-zoned nature of the site generally does not favour new built development.

Potential conflicts with environmental components would however exist (due to a small number of potential uses which would be considered as being Open for Consideration by the current Plan e.g. rural housing) however these conflicts would be fully mitigated.

### 4.2.2 Evaluation of Alternative B

Alternative B provides for a zoning change to 'New Residential' with no site specific development objective to integrate environmental considerations arising from the SEA, AA and SFRA processes.

The likelihood of potential and residual adverse effects occurring under Alternative B would be higher than Alternatives A and C as the Residential zoning objective favours new built development. Under Alternative B, two significant residual adverse effects would be likely to occur that would not occur under the other alternatives:

- i. Effects on the River Barrow and Nore cSAC, in conflict with the requirements of the Habitats Directive; and
- ii. Increases in levels of flood risk, in conflict with the requirements of the Flood Risk Management Guidelines, and associated interactions with human health.

The Appropriate Assessment (AA) process, undertaken alongside this SEA, identified that if the lands located within the cSAC and proposed to be zoned Residential by Alternative B were to be built upon, then residual effects on the cSAC would be likely.

The Strategic Flood Risk Assessment (SFRA) process, undertaken alongside this SEA, identified that residential uses should be excluded from the part of the site that has been determined to be Flood Zone B.

### 4.2.3 Evaluation of Alternative C

Alternative C provides for the zoning of the site to 'Agriculture' and the inclusion of a site specific objective that integrates environmental considerations - identified by the SEA, AA and SFRA – into the proposal. These considerations (the River Barrow and Nore cSAC, flood risk areas and archaeological monitoring) were identified during the SEA Scoping exercise and were informed by both the AA and SFRA and by submissions from environmental authorities.

The likelihood of potential and residual adverse effects occurring under Alternative C would be higher than Alternative A as the site specific development objective favours new built development. However the two significant residual adverse effects that would be likely to occur under Alternative B would not occur under Alternative C:

- i. Under Alternative C, protection of the cSAC would be maintained by the provisions of the site specific objective which includes various measures to prevent any adverse effects upon the cSAC arising from development.
- ii. Under Alternative C, the Flood Risk Zones for the site would be established and residential uses excluded from part of the site would mitigate risk.

### **4.3 Reasons for choosing the Variation in light of the other alternatives dealt with**

The Alternative Scenario for the Amendment which has emerged from the planning/SEA process is Alternative C.

The Amendment has been developed by the Planning Team and placed on public display by the Council having regard to both:

- i. The environmental effects which were identified by the SEA (and AA and SFRA) and are detailed above; and
- ii. Planning - including social and economic - effects which also were considered by the Council.

## Section 5 Monitoring Measures

### 5.1 Introduction

The SEA Directive requires that the significant environmental effects of the implementation of plans and programmes are monitored. This section details the measures which will be used in order to monitor the likely significant effects of implementing the Plan.

Monitoring can enable, at an early stage, the identification of unforeseen adverse effects and the undertaking of appropriate remedial action.

### 5.2 Indicators and Targets

Monitoring is based around indicators which allow quantitative measures of trends and progress over time relating to the Strategic Environmental Objectives identified in Section 4 of the SEA Environmental Report and used in the evaluation. Each indicator to be monitored is accompanied by the target(s) which were identified with regard to the relevant strategic actions.

Table 5.1 overleaf shows the indicators and targets which have been selected for monitoring the likely significant environmental effects of implementing the Plan, if unmitigated.

The Monitoring Programme may be updated to deal with specific environmental issues - including unforeseen effects - as they arise. Such issues may be identified by the Council or identified to the Council by other agencies.

### 5.3 Sources

Measurements for indicators generally come from existing monitoring sources. Existing monitoring sources include those maintained by the Council and the relevant authorities e.g. the Environmental Protection Agency, the National Parks and Wildlife Service and the Central Statistics Office.

Internal monitoring of the environmental effects of grants of permission in the Council will provide monitoring of various indicators and targets on a grant of permission by grant of permission<sup>1</sup> basis. Where significant adverse effects - including positive, negative, cumulative and indirect - have the potential to occur upon, for example, entries to the RMP, entries to the RPS or ecological networks as a result of the undertaking of individual projects or multiple individual projects such instances should be identified and recorded and should feed into the monitoring evaluation.

### 5.4 Reporting

A stand-alone Monitoring Report on the significant environmental effects of implementing the Plan will be prepared before in advance of the beginning of the review of the Plan. This report should address the indicators set out below.

The Council is responsible for the ongoing review of indicators and targets, collating existing relevant monitored data, the preparation of monitoring evaluation report(s), the publication of these reports and, if necessary, the carrying out of corrective action.

### 5.5 Thresholds

Thresholds at which corrective action will be considered include:

- The occurrence of flood events;
- Court cases taken by the Department of Arts, Heritage and the Gaeltacht regarding impacts upon archaeological heritage including entries to the RMP;
- Complaints received from statutory consultees regarding avoidable environmental impacts resulting from development which is granted permission under the Plan;
- Boil notices on drinking water; and
- Fish kills.

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<sup>1</sup> The likely significant effects of development proposals on environmental sensitivities are further determined during the development management process. By documenting this determination (e.g. whether a proposed development will impact upon a Protected Structure or whether a proposed development can be adequately served with water services) while granting permissions, or at a later date, the requirement to monitor the effects of implementing the Plan can be achieved.

**Table 5.1 Selected Indicators, Targets and Monitoring Sources**

<b>Environmental Component</b>	<b>Selected Indicator(s)</b>	<b>Selected Target(s)</b>	<b>Source (Frequency)</b>
<b>Biodiversity, Flora and Fauna</b>	B1i: Conservation status of habitats and species as assessed under Article 17 of the Habitats Directive	B1i: Maintenance of favourable conservation status for all habitats and species protected under national and international legislation to be unaffected by implementation of the Plan as amended <sup>2</sup> .	<ul style="list-style-type: none"> <li>Internal monitoring of environmental effects of grants of permission (grant by grant).</li> <li>Department of Arts, Heritage and the Gaeltacht report of the implementation of the measures contained in the Habitats Directive - as required by Article 17 of the Directive (every 6 years).</li> <li>Consultations with the NPWS</li> </ul>
	B1ii: Number of significant impacts on relevant habitats and species	B1ii: Avoid significant impacts on relevant habitats and species.	<ul style="list-style-type: none"> <li>Internal monitoring of environmental effects of grants of permission (grant by grant).</li> <li>CORINE mapping resurvey (every c. 5 years).</li> </ul>
	B1iii: Number of significant impacts on the protection of species listed on Schedule 5 of the Wildlife Act 1976.	B1iii: No significant impacts on the protection of species listed on Schedule 5 of the Wildlife Act 1976	<ul style="list-style-type: none"> <li>Internal monitoring of environmental effects of grants of permission (grant by grant).</li> <li>Consultations with the NPWS.</li> </ul>
<b>Population and Human Health</b>	P1: Occurrence (any) of a spatially concentrated deterioration in human health arising from environmental factors resulting from development provided for by the Plan, as identified by the Health Service Executive and Environmental Protection Agency.	No spatial concentrations of health problems arising from environmental factors as a result of implementing the Plan.	<ul style="list-style-type: none"> <li>Consultations with EPA and Health Service Executive.</li> </ul>
<b>Soil</b>	S1: Soil extent and hydraulic connectivity	To minimise reductions in soil extent and hydraulic connectivity.	<ul style="list-style-type: none"> <li>Internal monitoring of environmental effects of grants of permission (grant by grant).</li> </ul>
<b>Environmental</b>	<b>Selected Indicator(s)</b>	<b>Selected Target(s)</b>	<b>Source (Frequency)</b>

<sup>2</sup> With regard to Natura 2000 sites there should be no significant effects except as provided for in Section 6(4) of the Habitats Directive, There must be:

- (a) no alternative solution available;
- (b) imperative reasons of overriding public interest for the plan to proceed; and
- (c) adequate compensatory measures in place.

## SEA Statement for Proposed Amendment No. 2

Component			
<b>Water</b>	W1i: Groundwater Quality Standards and Threshold Values under Directive 2006/118/EC	Not to affect the ability of groundwaters to comply with Groundwater Quality Standards and Threshold Values under Directive 2006/118/EC	<ul style="list-style-type: none"> <li>• Internal monitoring of environmental effects of grants of permission (grant by grant).</li> <li>• Data issued under the Water Framework Directive Monitoring Programme for Ireland.</li> </ul>
	W2: Groundwater Quality Standards and Threshold Values under Directive 2006/118/EC	Minimise developments granted permission on lands which pose - or are likely to pose in the future - a significant flood risk in compliance with <i>The Planning System and Flood Risk Management Guidelines for Planning Authorities</i>	<ul style="list-style-type: none"> <li>• Internal monitoring of environmental effects of grants of permission (grant by grant).</li> <li>• Data issued under the Water Framework Directive Monitoring Programme for Ireland (multi-annual).</li> </ul>
	W3: Classification of Overall Status (comprised of ecological and chemical status) under the European Communities Environmental Objectives (Surface Waters) Regulations 2009 (SI No. 272 of 2009)	W3: Not to cause deterioration in the status of any surface water or affect the ability of any surface water to achieve 'good status' by 2015	<ul style="list-style-type: none"> <li>• Internal monitoring of environmental effects of grants of permission (grant by grant).</li> </ul>
<b>Material Assets</b>	M1: Number of new developments granted permission which can be adequately and appropriately served with waste water treatment over the lifetime of the Plan	M1: All new developments granted permission to be connected to and adequately and appropriately served by waste water treatment over the lifetime of the Plan	<ul style="list-style-type: none"> <li>• Internal monitoring of environmental effects of grants of permission (grant by grant).</li> </ul>
	M2: Number of non-compliances with the 48 parameters identified in the European Communities (Drinking Water) Regulations (No. 2) 2007 which present a potential danger to human health as a result of implementing the Plan	M2: No non-compliances with the 48 parameters identified in the European Communities (Drinking Water) Regulations (No. 2) 2007 which present a potential danger to human health as a result of implementing the Plan	<ul style="list-style-type: none"> <li>• EPA The Provision and Quality of Drinking Water in Ireland reports (multi-annual).</li> <li>• EPA Remedial Action List (every quarter).</li> </ul>
	Minimise increases in and, where possible, reduce household waste generation	Maximise increases in packaging recovered (t) by self-complying packagers	<ul style="list-style-type: none"> <li>• EPA National Waste Reports</li> <li>• EPA Ireland's Environment Reports</li> </ul>

Environmental Component	Selected Indicator(s)	Selected Target(s)	Source (Frequency)
<b>Air and Climatic Factors</b>	C1: Percentage of population travelling to work, school or college by non-mechanical means	C1: An increase in the percentage of the population travelling to work, school or college by public transport or non-mechanical means	<ul style="list-style-type: none"> <li>CSO Population Data (every c. 5 years).</li> </ul>
<b>Cultural Heritage</b>	H1 Percentage of entries to the Record of Monuments and Places protected from significant adverse effects arising from new development granted permission under the Plan.	H1 Protect the zone of archaeological heritage and entries to the Record of Monuments and Places from significant adverse effects arising from new development granted permission under the Plan	<ul style="list-style-type: none"> <li>Internal monitoring of environmental effects of grants of permission (grant by grant).</li> <li>Consultation with Department of Arts, Heritage and the Gaeltacht (at monitoring evaluation - see Section <b>Error! Reference source not found.</b>).</li> </ul>
	H2 Percentage of entries to the Record of Protected Structures and Architectural Conservation Area and their context protected from significant adverse effects arising from new development granted permission under the Plan	H2 Protect entries to the Record of Protected Structures and Architectural Conservation Area and their context from significant adverse effects arising from new development granted permission under the Plan.	<ul style="list-style-type: none"> <li>Internal monitoring of environmental effects of grants of permission (grant by grant).</li> <li>Consultation with Department of Arts, Heritage and the Gaeltacht.</li> </ul>
<b>Landscape</b>	L1: Number of complaints received from statutory consultees regarding avoidable impacts on the landscape - especially with regard to landscapes which are most valuable and Scenic Routes and Scenic Views - resulting from development which is granted permission under the Plan	L1: No developments permitted which result in avoidable adverse visual impacts on the landscape from development which is granted permission under the Plan.	<ul style="list-style-type: none"> <li>Internal monitoring of environmental effects of grants of permission (grant by grant).</li> </ul>

