

# **PILTOWN**

**DRAFT LOCAL AREA PLAN 2010**



**STRATEGIC ENVIRONMENTAL ASSESSMENT**

**– SCREENING –**

**7<sup>th</sup> July 2010**

## **1.0 INTRODUCTION**

Kilkenny County Council intends to review the existing Local Area Plan (LAP) for Piltown and make a new LAP for Piltown under the Planning and Development Acts 2000-2007. The purpose of this report is to consider whether the Draft plan requires Strategic Environmental Assessment (SEA).

## **2.0 OBJECTIVES OF THE LOCAL AREA PLAN**

The Draft LAP consists of a written statement with associated maps sets out the framework for the sustainable planning and development of Piltown within a defined development boundary for a period of 6 years. The maps set out zoning objectives and also highlight the natural and built heritage of the area; whilst the written statement sets out objectives and policies to cater for future improvements and works in Piltown. The plan is a statutory document and must be referred in the assessment of any future planning applications.

The plan is set within the framework of the Kilkenny County Development Plan 2008-2014 (hereinafter referred to as the CDP); the policies and objectives of the Draft plan are in line with those of the CDP.

## **3.0 MANDATORY REQUIREMENTS**

Under SI No. 346 of 2004, Planning & Development (Strategic Environmental Assessment) Regulations 2004, where a Planning Authority proposes to make an LAP under Section 18, 19 & 20 of the Planning and Development Acts 2000-2007, it is a requirement under article 14A of the regulations to consider whether or not the proposed plan would be likely to have significant effects on the environment. Section 6 below sets out the required report pursuant to Article 14A of the 2004 regulations.

## **4.0 DESCRIPTION OF THE LANDS**

Piltown is located in the southwest of County Kilkenny, in the valley of the River Suir. The River Pil, a tributary of the River Suir, runs through the center of the town. Piltown is situated just off the N24, the national primary route linking Waterford City to Limerick via Carrick-On-Suir. Piltown is approximately 13 miles from Waterford City and 30 miles from Kilkenny city. A regional road also runs through Piltown, the R698 linking Piltown to Callan via Owing. See Map A which shows Piltown in its context.

The previous, 2003 LAP zoned an area of approximately 113.42 hectares (see Map B), and the 2006 Census of population recorded a population of 968 persons in the town. Piltown is ranked in the 'smaller towns and village' category of the county settlement hierarchy as set out in the Kilkenny CDP.

## **5.0 ADDITIONAL INFORMATION AND MAPS**

The following maps are included in this screening:

- Map A: Location of Piltown.
- Map B: Piltown Local Area Plan 2003 Zoning Objectives.
- Map C: Piltown Draft Local Area Plan 2010 Zoning Objectives.

Kilkenny CDP, which is referenced throughout this screening report, can be viewed at the following web address:

[http://www.kilkennycoco.ie/eng/Services/Planning/Development\\_Plans\\_2008-2014/](http://www.kilkennycoco.ie/eng/Services/Planning/Development_Plans_2008-2014/)

## 6.0 ASSESSMENT OF LIKELY SIGNIFICANT ENVIRONMENTAL 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 a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.**

The LAP establishes a revised land use framework (revising the 2003 LAP) for the sustainable development of the area, including the location, nature, size and operating conditions. The LAP forms a statutory document, conforming to the policies and objectives set out in the CDP and other relevant guidelines and documents. The Plan identifies the existing character of the area, sets out a common vision or strategy for Piltown 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 is to accommodate local development needs in an orderly and sustainable manner whilst protecting the historic character of the town.

The 2003 LAP zoned approximately 113.42 hectares for a mixture of land uses; this included both lands which were already developed and greenfield sites. This Draft LAP proposes to zone a total of 61.29 hectares of the existing built-up area of Piltown for General Objective, which states as follows:

To provide for a mix of uses and to support, strengthen and expand the service base, allowing for sustainable development appropriate to the scale and character of Piltown, whilst protecting its natural and built heritage.

It is proposed to zone 2.5 hectares of greenfield land for residential development (these lands have existing permissions, not yet constructed) and 4.4 hectares of greenfield area for industrial development, see Table 1 below.

**Table 1: Comparison of Zoning**

Zone	2003 LAP	2010 Draft LAP
	(Area in hectares)	
Integrated Tourism/Leisure	-----	-----
Town Centre	18.56	----
Community Facilities	14.34	----
Industrial	5.89	5.91
Open Space	14.04	12.7
Residential	60.59	2.5
Residential Phase 2		13.54
Existing and General Development	---	61.29
<b>Total land zoned</b>	<b>113.42</b>	<b>95.94</b>

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

The Draft LAP provides a land use framework for the sustainable development of Piltown and will not affect other plans. The policies and objectives of the LAP are set within the context of the CDP (in accordance with Section 19 (2) of the Planning and Development Acts 2000-

2007). In its making, it had 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.**

The Draft Piltown LAP will be made pursuant to the provisions of the Planning and Development Acts 2000-2007 Sections 18-20; as such the plan seeks to achieve development in a sustainable manner, through the protection and enhancement of its natural, architectural and archaeological heritage.

**(iv) Environmental problems relevant to the plan.**

There are no strategically significant environmental problems identified in relation to the Draft LAP.

A brief overview of any environmental issues pertaining to Piltown is detailed below. For each issue, the relevant policies from the CDP are included. All of the policies and objectives of the CDP are adhered to in every LAP, but the policies are not repeated in each LAP. Instead, in the interests of focus, only policies that are specific to the LAP area are included.

1. Water

1.1 Water Framework Directive

This Directive establishes a framework for the protection of all waters including rivers, lakes, estuaries, coastal waters, groundwater, canals and other artificial bodies for the benefit of everyone. Good ecological and chemical status for all waters must be achieved by 2015 with no deterioration in existing status in the meantime. The South Eastern Draft River Basin District Management Plan was published in December 2008.

The LAP area is located within the south eastern Suir water region (HA16). The Pil River runs through Piltown and joins the River Suir to the south of Piltown. The water quality of the Pil River is not known; the River Suir has a water quality rating of 3 which is defined as being of poor status. Under the Water Framework Directive the river is defined as being at risk of not achieving good status.

Section 9.10.3.1 of the CDP sets out the policies (IE53-57) in relation to the Water Framework Directive.

- IE53 To actively participate in the implementation of the Water Framework Directive
- IE54 To jointly with other local authorities and the relevant Public Authorities, participate and co-operate in the South Eastern River Basin District Management Project
- IE55 To implement the South Eastern River Basin Management Plan
- IE56 To increase public awareness of water quality issues and the measures required to protect and where required, improve the quality of all waters
- IE57 To take account of the findings of the National Programs of Measures Studies being developed for the River Basin Management Plans

Policies in relation to water quality in general are also set out in Section 9.10.3 (Policies IE58-64).

- IE58 Ensure the sustainable and economic provision of an adequate supply of good quality water for industrial, domestic and other beneficial uses, including the propagation of healthy fish stocks.
- IE59 Implement its adopted Water Quality Management Plans in order to prevent pollution and to ensure that beneficial uses of the waters e.g. industrial, domestic and agricultural abstraction, fishing and recreation, are protected.

- IE60 Ensure the protection of sources of potable water and will continue the process of monitoring the quality of water resources.
- IE61 Prevent industrial water pollution by ensuring that development is appropriately located, by seeking effluent reduction and 'clean production' where feasible, by requiring that waste water treatment facilities are adequate, and that effluents are treated and discharged in a satisfactory manner.
- IE62 Prevent pollution of water by means of development management and enforcement measures.
- IE63 Implement the measures quoted under the Water Quality Standards Reports for Phosphorous and Dangerous Substances Regulations.
- IE64 To implement the Water Quality Management Plans for the Barrow, Nore and Suir Rivers pending adoption of the South East River Basin Management Plan

## 1.2 Drinking Water/Water Supply

### Capacity

At present, water supply volumes serving Piltown-Fiddown are inadequate to meet further development. Kilkenny County Council is in the process of augmenting and upgrading the existing Mooncoin Regional Water Supply Scheme which will have a positive impact on the Piltown-Fiddown water supply scheme. The upgrade of the Mooncoin Regional Water Supply scheme is set to take place over 3 phases of works. Currently works are being undertaken for phase 1 and are due to be completed in the third quarter of 2010. Further upgrading of the water supply will be dependent on phases 2-3 of the Mooncoin Regional Water Supply scheme, a date has not been finalised as yet for these works to commence. In addition the Piltown- Fiddown water supply scheme will be included in the request for funding under the Water Services Investment Program for upgrading works.

Water Quality Analyses over the years show that water quality in the area is excellent; there is a policy of continuous monitoring by the Council of all water sources to ensure that water quality remains high.

### Future requirements

As stated under point (i) above, the Draft LAP is not proposing to increase zonings, it is proposing to de-zone two areas of land and to introduce a phasing of development, with phase 1 being available to development in the proposed plan period and phase 2 being available post 2016. New residential development shall be of an area of 2.5 ha and the 'existing and general development' lands of 61.69 ha may accommodate limited infill growth. The new residential zoning has a potential capacity of 161 population (existing permissions), and the existing and general development has an existing permission for 20 addition persons. Unless upgrading of the treatment plant is carried out the current scheme will not be capable of absorbing this increase.

### Quality

A report on *The Provision and Quality of Drinking Water in Ireland – A Report for the Years 2007-2008* (Office of Environment Enforcement EPA, 2009) found that a large number of samples analysed for pH failed to comply with the parametric at Piltown-Fiddown (9 of 10 samples analysed failed). (See p.62) However additional ph correction treatment has recently been installed at the water treatment plant, which will prevent future failures for low ph.

[http://www.epa.ie/downloads/pubs/water/drinking/Final%20DW%20Report%202007%20\(2\)2.pdf](http://www.epa.ie/downloads/pubs/water/drinking/Final%20DW%20Report%202007%20(2)2.pdf)

Policies in relation to the quality of drinking water are listed in Section 9.10 of the CDP, IE65-68.

- IE65 Implement the capital programme outlined in the Provision of Water and Wastewater Infrastructure in Kilkenny City and County, March 2007.

- IE66 Extend water supplies to meet the expanding domestic, commercial and industrial needs of the County.
- IE67 Improve the provision of services in those areas where deficiencies exist at present.
- IE68 Encourage the economic use of existing service.

A policy relating to the provision of a water supply which is adequate in quantity and quality to serve Piltown is included in the Draft plan, as follows:

IN3 - To provide water in sufficient quantity and quality to serve the needs of the existing and future population and commercial development, for all lands zoned for development in this plan, as resources and finances permit.

#### Leakage

- The CDP contains a policy for water conservation and the elimination of leakages, policy IE69: Conserve valuable water supplies by eliminating leakages and through raising public awareness of the need for water conservation.

A Water Conservation Project is underway across the county at present. This commenced in March 2009 and is scheduled to run until March 2011. The first stage of this project divided the water supply schemes into different zones and installed meters. The second stage is active leakage control, which includes detecting and repairing leaks.

### 1.3 Waste Water Treatment

Piltown is served by a sewerage scheme with secondary treatment, which was constructed in 1985. This has a design Population Equivalent of 1500, and is currently operating with a population equivalent of 3000 and therefore does not have capacity to cater for future demand.

*Urban Waste Water Discharges in Ireland for Population Equivalents Greater than 500 Persons – A Report for the Years 2006 and 2007* identifies the Piltown wastewater treatment plant as failing to meet some of the effluent quality standards as set out in the *Urban Waste Water Treatment Regulations 2001*.

[http://www.epa.ie/downloads/pubs/water/wastewater/web%20version\(low\).pdf](http://www.epa.ie/downloads/pubs/water/wastewater/web%20version(low).pdf)

The Piltown plant has been deemed by the EPA to have treatment that is not appropriate based on the effluent results and/or have taken less than the recommended numbers of samples in both 2006 and 2007. In relation to BOD a number of samples exceeded the lower limit of the regulations in 2006, and this increased in 2007; in 2007 the plant was found to not comply with the mandatory standard requirements of the regulations. In 2006 a number of samples were identified as exceeding the lower level of the regulations in relation to COD; this had improved with no samples recorded to exceed in 2007. One sample out of 33 showed TSS level less than the lower limit of the regulation in 2007.

The wastewater treatment plant has been allocated funding under the *Water Services Investment Program 2010-2012*; however any upgrading works will largely deal with the existing overloading on the treatment works.

Owing to the capacity constraints a policy is included in the Draft LAP stating that significant additional development shall not be permitted to connect to the wastewater treatment system until such time as the scheme is upgraded:

IN4 - Significant additional development shall not be permitted to the wastewater treatment until such time as the scheme is upgraded to adequate capacity and treatment levels.

IN6 - To maintain and improve wastewater treatment services and to upgrade the treatment system to cater for the future growth of the town as resources and finance permit.

The Council have applied for a discharge licence (KK-WWDL-206) for Piltown in September 2008.

#### 1.4 Groundwater Protection

Piltown is located in an area of mixed groundwater vulnerability, varying from high to extreme with both locally and regionally important aquifers as recorded in the Geological Survey of Ireland and OSI.

The groundwater for Piltown as per the Groundwater Framework Directive data is categorised as good but at risk of not achieving good status in 2015 – ‘1a’ as per the Water Matters data set: <http://www.wfdireland.ie/maps.html>.

The Geological Survey of Ireland has completed a Groundwater Protection Scheme for County Kilkenny. Policies are set out in relation to this in the CDP, Policies IE51-52.

- IE51 Ensure that septic tanks and proprietary treatment systems, or other waste water treatment and storage systems, where required as part of a development, comply with relevant guidelines and that they are employed where site conditions are appropriate.
- IE52 Have regard to the Groundwater Protection Scheme in decision-making on the location, nature and control of developments and activities in order to protect groundwater.

Policies in relation to the promotion of waste water treatment are set out in IE71-75.

- IE71 Extend waste water treatment to meet the expanding domestic commercial and industrial needs of the County.
- IE72 Improve the provision of treatment services in those areas where deficiencies exist at present.
- IE73 Encourage the economic use of existing treatment service.
- IE74 Meet in full the requirements of the E.U. Urban Waste Water Treatment Directive.
- IE75 Ensure that arrangements for the treatment and disposal of effluent from all forms of development are sustainable and meet environmentally acceptable standards.

#### 1.8 Flood Prevention and Management

The Guidelines for Planning Authorities on *The Planning System and Flood Risk Management* (2009) are adhered to in the Draft LAP. The CDP contains policies on flooding in Section 9.12.5 (IE89-94).

- IE89 To adopt a strategic response to flooding and to actively engage with all relevant authorities to sustainably manage annually and consider flood risk and its related impacts on development on a catchment basis.
- IE90 Ensure that development that is sensitive to the effects of flooding will generally not be permitted in flood prone or marginal areas.
- IE91 Ensure that development must so far as is reasonably practicable incorporate the maximum provision to reduce the rate and quantity of runoff.
- IE92 Require that new development should not itself be subject to an inappropriate risk of flooding nor should it cause or exacerbate such a risk at other locations.
- IE93 Control development in the natural floodplains of all rivers and streams where such development may have a negative impact on flood control, access for channel maintenance or future flood control works or might contribute to environmental degradation were flooding to occur.
- IE94 Restrict development, which is sensitive to the effects of flooding in flood prone or marginal areas unless adequate mitigation measures, which may involve the preparation of a Flood Impact Analysis, are proposed to the satisfaction of the Planning Authority.

In line with the Guidelines on Flood Risk Management, a staged approach has been adopted to the appraisal and assessment of flood risk. Stage 1 of this appraisal is Flood Risk Identification which includes a review of existing information. No Regional Flood Risk Appraisal has been carried out to date. A Strategic Flood Risk Assessment has not been carried out to date for the CDP, nor has a SFRA been carried out for the Piltown LAP previously.

The Office of Public Works (OPW) has identified the levels of existing flood risk in and around the River Suir and its tributaries. 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 3,520km<sup>2</sup> including lands at Piltown.

The lands in Piltown are affected by flooding, as recorded on the Office of Public Works (OPW) National Flood Maps.

The 'Preliminary Report Pil River Drainage Study' carried out by Kilkenny County Council in December 2002 states:

*The main problematic flooding area is located where the two tributaries of the Pil meet. This meeting point is located in the centre of Piltown village, just south of the Main Street and to the west of the Creamery Road. The Pil River is tidal and during periods of sustainable rainfall and high tides, the Pil River will burst its banks and flood the Main Street and Creamery Road areas of Piltown village and farmland south of the village to the River Suir, a distance of approximately 2.5km. A problem that is further aggravated by southerly winds. Having conducted interviews with local residents and through our own records, taking a five year period from 1998-2002. The Pil River on average bursts its banks ten times per year.*

There is no existing system specifically designed for stormwater disposal in Piltown.

The CDP requires a separation of surface water system from the foul drainage system. Surface water run-off shall be restricted to pre-development and consideration will be given to the use of Sustainable Drainage Systems (SuDS).

A policy is included in the Draft LAP stating that the Pil River will be maintained free from inappropriate development, and that its culverting or realignment will be discouraged.

The following policies have been included in the plan in relation to drainage:

IN7 - To seek separate stormwater systems for all developments, and to consider all proposals consistent with SuDS (Sustainable Drainage Systems).

IN8 - Require that new development should not itself be subject to an in appropriate risk of flooding nor should it cause or exacerbate such a risk at other locations.

IN9 - To require new development to demonstrate that it will not have a negative impact on the Pil River floodplains and to ensure that the banks of the Pil River will be maintained free from inappropriate development, and that its culverting or realignment will be discouraged.

IN10 - To require all significant developments impacting on flood risk areas to provide a Flood Impact Assessment, to identify potential loss of flood plain storage and how it would be offset

IN11 - To investigate in conjunction with the OPW the causes of flooding in Piltown and to seek the necessary funding the remedial defence works required to prevent its reoccurrence in the future.

IN12 - To remove the obsolete watermain under the bridge to improve river flow at this location.

In compliance with the Guidelines, as there is no potential flood risk identified within areas planned for growth, a full Flood Risk Assessment will not be required and the process can end at Stage 1. The avoidance principle of the sequential approach has been met.

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



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

Issues relating to EU legislation on the environment have been addressed in the CDP as outlined above. The Piltown Local Area Plan is made in line with the policies and objectives as set out in the Kilkenny CDP.

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

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

The development of lands in the LAP area would result in minor impacts on environmental resources. However, given that this LAP proposes a reduction in the amount of land available for development from the last LAP, and also as outlined, given that any development will be subject to sufficient capacity in the water supply and wastewater treatment system, it is considered that there will be no significant negative effects from the implementation of the Local Area Plan.

However, with regards to positive effects, it is considered that the probability of these occurring is high.

Piltown has experienced growth since the first Local Area Plan in 2003. In 2002 the population of the town/village was 778. This had grown to 968 in 2006<sup>1</sup>. A key challenge for Piltown 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 town/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 with regard to issues pertaining to sustainable residential development.

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 CDP.

### **(ii) The cumulative nature of the effects.**

No cumulative negative effects are anticipated given that the Local Area Plan focuses 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.

Piltown is located less than 2km to the north of Fiddown and Mooncoin within 7km to the south-east; the local area plans for both settlements are also under review. These plans will focus on the principles of sustainable development, and any effects as a result its development are anticipated as being positive for the area.

### **(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.

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<sup>1</sup> CSO, Volume 1, Table 5

**(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 95.94 hectares of land - and a population of 968 persons in 2006<sup>2</sup>. It is estimated that the current (2010) population could be in the region of 1354 people<sup>3</sup>. Future development will mainly be residential and also small scale local shops and services in the village centre.

The Guidelines on Sustainable Residential Development in Urban Areas (May 2009) state that for smaller towns and villages of between 400 and 5,000 in population, the LAP could recommend the phased development of a variety of sites over time, subject to a proviso that no one proposal for residential development should increase the housing stock by more than 10-15% within the lifetime of the Local Area Plan.

Within the County Settlement Strategy, Piltown is classed as 'a smaller town or village' which is the fifth level in a hierarchy 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.

Piltown is classed in the County Plan as a 'Stronger Rural Area', in these areas it is a key objective of the Council to consolidate and sustain the stability of the population and in particular to strike a balance of activity in the smaller towns and villages and the wider rural area thereby ensuring that these areas maintain a stable population base.

Under the 2003 Plan approximately 25.6 hectares of residential land remains undeveloped, some of this has been de-zoned or designated as phase 2 in the proposed plan. Another 2.5 hectare of residential and 0.16 hectare of village centre has permission but development has not commenced.

Having regard to the growth experienced since 2006 (138 units built) and the extant permission, it is proposed to retain only 2.5 hectares of land for new residential development. Another 13.54 hectares of land are zoned for Phase 2 development. The Plan states that Phase 2 lands will not be released during the lifetime of this plan. The situation will be monitored on an ongoing basis. Any change to this would require an amendment to the LAP and the requirements of Article 14A of the Planning and Development (SEA) Regulations 2004 would have to be met.

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

**a) Special natural characteristics or cultural heritage,**

**EU Protected Habitats and Species**

The River Pil forms part of the Special area of Conservation of the Lower River Suir SAC (site code 002137). A separate Appropriate Assessment Screening will be carried out in accordance with the requirements of Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC). Policies for the protection of Designated sites and species are set out in H5-H12 of the CDP.

- H5 To protect natural heritage sites designated in National and European legislation. This includes sites proposed to be designated or designated as Special Areas of Conservation (SAC), Natural Heritage Areas (NHA), Nature Reserves and Wildfowl Sanctuaries. This protection will extend to any additions or alterations to sites that may arise during the lifetime of this plan.
- H6 To assess all proposed developments (individually or in combination with other proposals, as appropriate) which are likely to impact on designated natural heritage sites or those sites proposed to be designated.

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<sup>2</sup> CSO, Volume 1, Table 5

<sup>3</sup> This is based on an analysis of units built since 2006 and a house count.

- H7 To consult with the prescribed bodies and relevant government agencies when assessing developments which are likely to impact on designated natural heritage sites or those sites proposed to be designated.
- H8 To ensure that any development in or near a designated natural heritage site will avoid any significant adverse impact on the features for which the site has been designated.
- H9 To require an appropriate environmental assessment in respect of any proposed development likely to have an impact on a designated natural heritage site, or those sites proposed to be designated.
- H10 To protect and, where possible, enhance the plant and animal species and their habitats that have been identified under EU Habitats Directive, EU Birds Directive, the Wildlife Act and the Flora Protection Order.
- H11 Ensure that development does not have a significant adverse impact on plant animal or bird species protected by national or European legislation.
- H12 Consult with the National Parks and Wildlife Service, and take account of any licensing requirements, when undertaking, or approving development which is likely to affect plant, animal or bird species protected by national or European legislation.

#### Non-designated habitats and species

Policies for nature conservation outside of designated areas are found in Section 8.2.3 of the CDP, policies H13-17.

- H13 Identify, in co-operation with the relevant statutory authorities and other relevant groups, sites of local nature conservation interest, not otherwise protected by legislation.
- H14 To protect and enhance wildlife habitats and landscape features which form part of habitat networks, such as river corridors and associated habitats.
- H15 To ensure that any development in or near sites of local conservation interest will minimise any significant adverse impact on the features for which the site has been designated.
- H16 Minimise the loss of habitats and features of the wider countryside (hedgerows, ponds, streams, wetlands, trees etc) through the planning process, which are not within designated sites.
- H17 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.

A habitats assessment was carried out as part of the survey work for this LAP. This was carried out using a green infrastructure approach to identify the most important ecological features of the area and their functions. The methodology followed the latest guidance produced by the Heritage Council (2010). Habitats were mapped according to Fossitt (2000).

The Draft Plan includes policies for the identified areas of ecological importance, as follows:

- H1 To ensure that any development in or near sites of local conservation interest, as identified in Table 3 of Appendix 2, will minimise any significant adverse impact on the features for which the site has been designated.
- H2 Applicants shall demonstrate that there will be no adverse impacts on the ecological integrity of sites of high local ecological value identified in this plan from developments on adjacent sites.
- H3 - To protect and where possible enhance the habitat of the Pil River, and its associated ecological corridors and habitats, as identified as PL1, PL2 & PL3 on Map 2. An ecological impact assessment will be required in order to assess the impact of any development which could potentially affect this area; this should include a survey of protected species where appropriate. Where a proposal is deemed likely to have a significant effect on the Pil River it shall be subject to an Appropriate Assessment.
- H4 - To require details for the retention and integration of hedgerows of high value as identified on Map 2, in all development proposals to ensure that the ecological integrity and connectivity of the hedgerow is protected during and after construction.

## Cultural Heritage

There are nine Recorded Monuments within and immediately adjoining the development boundary of Piltown as follows:

**Table 2: Recorded Monuments in AREA**

RMP Number & Classification	RMP Number & Classification
KK039-021--- Castle – Tower House	KK039-022- Unclassified
KK039-023--- Unclassified	KK039-022002- Unclassified
KK039-023002 Hut Site	KK039-074--- Tomb
KK039-024003- Graveslab	
KK039-024002- Graveyard	
KK039-024001- Church	

### Protected Structures

Currently Piltown (including immediate environs) has a total of 19 protected structures which are listed in the Record of Protected Structures. The National Inventory of Architectural Heritage lists 42 structures in Piltown (including 18 of the protected structures) – for details refer to Appendix 1 of the Draft LAP.

The LAP lands have significant cultural heritage as outlined above. Policies are outlined in the CDP in relation to archaeological heritage (H78-H90). Policies in relation to architectural protection are also outlined in the CDP (H93-H101).

### Archaeological heritage Policies from CDP

- H78 Protect and enhance archaeological sites, monuments (including their setting), underwater archaeology, 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.
- H79 To ensure the preservation in-situ, or preservation by record of:
- The archaeological monuments included in the Record of Monuments and Places as established under section 12 of the National monuments (Amendment) Act, 1994 and in the Urban Archaeological Survey of County Kilkenny.
- Any other sites and features of historical or archaeological interest.
- Any subsurface archaeological features that may be discovered during the course of infrastructural/development works.
- H80 Provide guidance to developers and property owners regarding the archaeological implications of a proposed development.
- H81 Promote pre-planning consultations in relation to the archaeological heritage with the planning authority and with the Department of the Environment, Heritage and Local Government in its capacity of being charged with the implementation of the National Monuments Acts.
- H82 To require an appropriate archaeological assessment to be carried out in respect of any proposed development likely to have an impact on a Recorded Monument, a Zone of Archaeological Potential, or their settings.
- H83 To ensure the protection of archaeological material in situ by ensuring that only minimal impact on archaeological layers is allowed.
- H84 To require that sites of archaeological interest shall be subject to archaeological investigations and recording according to best practice, in advance of redevelopment where preservation in situ is not feasible.
- H85 Facilitate the dissemination of the results of archaeological excavation in a timely and appropriate manner.
- H86 To acknowledge the importance of underwater archaeology by requiring that any proposed developments that may have implications for the underwater heritage shall be subject to an underwater archaeological assessment in advance of works.

- H87 Facilitate and where feasible create public rights of way to sites of archaeological and historical interest and to National Monuments in state and Local Authority ownership in the county. The Council will also seek the preservation, maintenance and improvement of all existing right of ways to such areas where appropriate.
- H88 Require the retention of surviving medieval plots and street patterns in the villages and towns of Kilkenny and to facilitate the recording of evidence of ancient boundaries, layouts etc. in the course of development.
- H89 To facilitate the implementation of conservation plans<sup>4</sup> prepared with the support of the County Council over the lifetime of this plan.
- H90 To ensure that development in the vicinity of a Recorded Monument or Zone of Archaeological Potential does not seriously detract from the setting of the feature, and is sited and designed appropriately.

#### Architectural heritage Policies from CDP

- H93 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.
- H94 To have regard to the Architectural Heritage Protection Guidelines issued by the Department of the Environment Heritage and Local Government in 2004 when assessing proposals for development affecting a protected structure
- H95 To encourage the sympathetic retention, reuse and rehabilitation of protected structures and their setting.
- H96 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 funded by The Department of the Environment Heritage and Local Government.
- H97 Ensure the protection of the architectural heritage through promoting the importance of regular maintenance of structures contained within the Record of Protected Structures.
- H98 Provide assistance to owners of protected structures in undertaking essential repairs and maintenance by the provision of relevant information.
- H99 Promote by example the principles of best practice in conservation of the built heritage through the custodianship of Protected Structures in the Council's ownership/care.
- H100 To protect elements of designed landscapes of special interest located within the attendant grounds of Protected Structures, including boundary features.
- H101 To require an architectural impact assessment/conservation method statement for developments within the grounds of country house estates which are Protected Structures.

#### Landscape Designations

No significant landscape sensitivity is recorded for Piltown in the County Landscape Appraisal which is contained in the CDP, either within or outside of the main settlement. Piltown is located within a 'Lowland Area', and adjoins a 'River Valley' area as per the landscape character assessment in the County Development Plan. A scenic view ref. 'A17' is listed to the north-east of Piltown 'view south over the Suir Valley on Templeorum/ Barrabhey Road No. LP1040'. This will not be affected by the LAP.

It is not anticipated that the value and vulnerability of the special natural characteristics or cultural assets in Piltown will be negatively affected through implementation of the Plan, given their status and protection at both national level and in the CDP. The development management process will ensure that any development proposal in the vicinity of these areas will include demonstration, where necessary, of how adverse impacts on natural or cultural heritage would be avoided or what mitigation measures are proposed. This will involve consultation with the Department of the Environment, Heritage and Local Government, National Parks and Wildlife Service, Heritage Officer, or Conservation Officer as appropriate.

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<sup>4</sup> A conservation plan is a document which explains why a site is significant and how that significance will be retained in any future use, alteration, development or repair. Conservation plans provide a framework for the care and management of sites of heritage significance.

**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 LAP. Development proposals within the LAP development boundary will be subject to assessment as part of a planning application and will be required to demonstrate compliance with environmental quality standards and limits.

**c) Intensive land use**

The proposed LAP will not increase the amount of residential zoned land available for development within Piltown from that zoned in the previous Plan. As such, it is considered likely that the future developments resulting from the new zoning will not intensify land uses within the LAP area to a degree that would adversely impact upon the existing natural and built environment. Quality design standards and guidelines shall be provided in the LAP with appropriate policies and objectives which will seek to reduce the potentially negative impact of the increased land uses within the area.

**(vii) The effects on areas or landscapes which have recognised national, European Union or international protection status.**

As outlined previously in Section 6.2 (vi) (a), there are no landscapes of national, European or International protection status within or affected by the proposed LAP.

The Pil River forms part of the Special Area of Conservation of the Lower River Suit SAC (site code 002137). There are 9 Recorded Monuments in the LAP area of Piltown and its immediate environs (as listed in section 6.2(vi) of this report).

The CDP, of which the Piltown Local Area Plan forms a sub-set, recognises the importance of sites with national and European designations, and sets out policies for their protection (as outlined above). As the LAP seeks to implement the policies of the CDP at a local level, it is not anticipated that the implementation of the LAP would have any significant adverse impacts on landscapes of recognised national, European or international protection status.

## **7.0 STATUTORY CONSULTATION**

The specified environmental authorities that should be consulted in relation to local area plans under Article 14A (4) and 13A (4) of the Regulations 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)

## **8.0 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 within the plan area can be dealt with through the assessment of 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 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 (see 6.0 above) and any submission or observation received from the environmental authorities (see 7.0 above).

## **9.0 NOTICE TO THE ENVIRONMENTAL AUTHORITIES**

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

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 (7<sup>th</sup> July 2010)

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: [claire.kelly@kilkennycoco.ie](mailto:claire.kelly@kilkennycoco.ie)

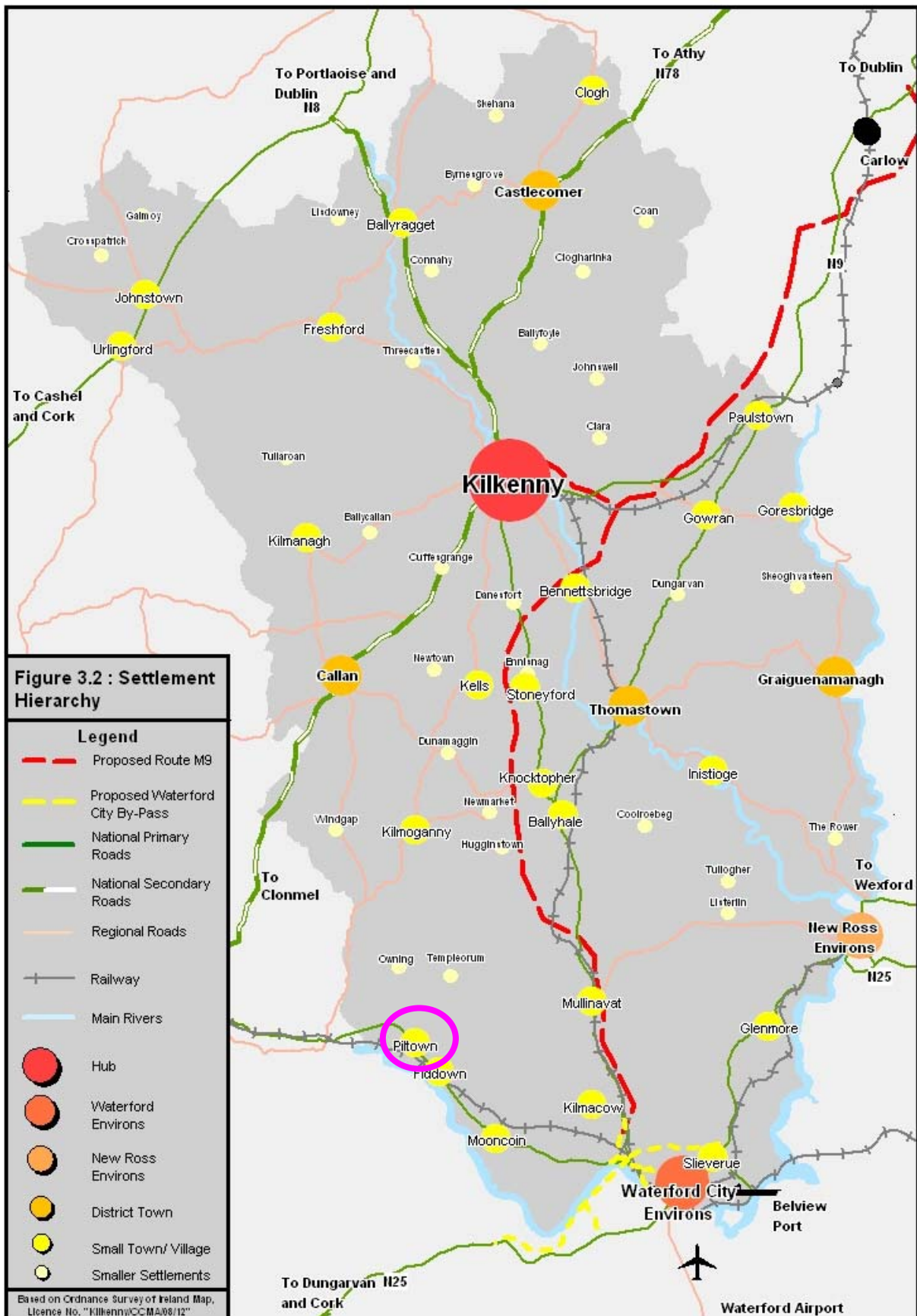
**7<sup>th</sup> July 2010**



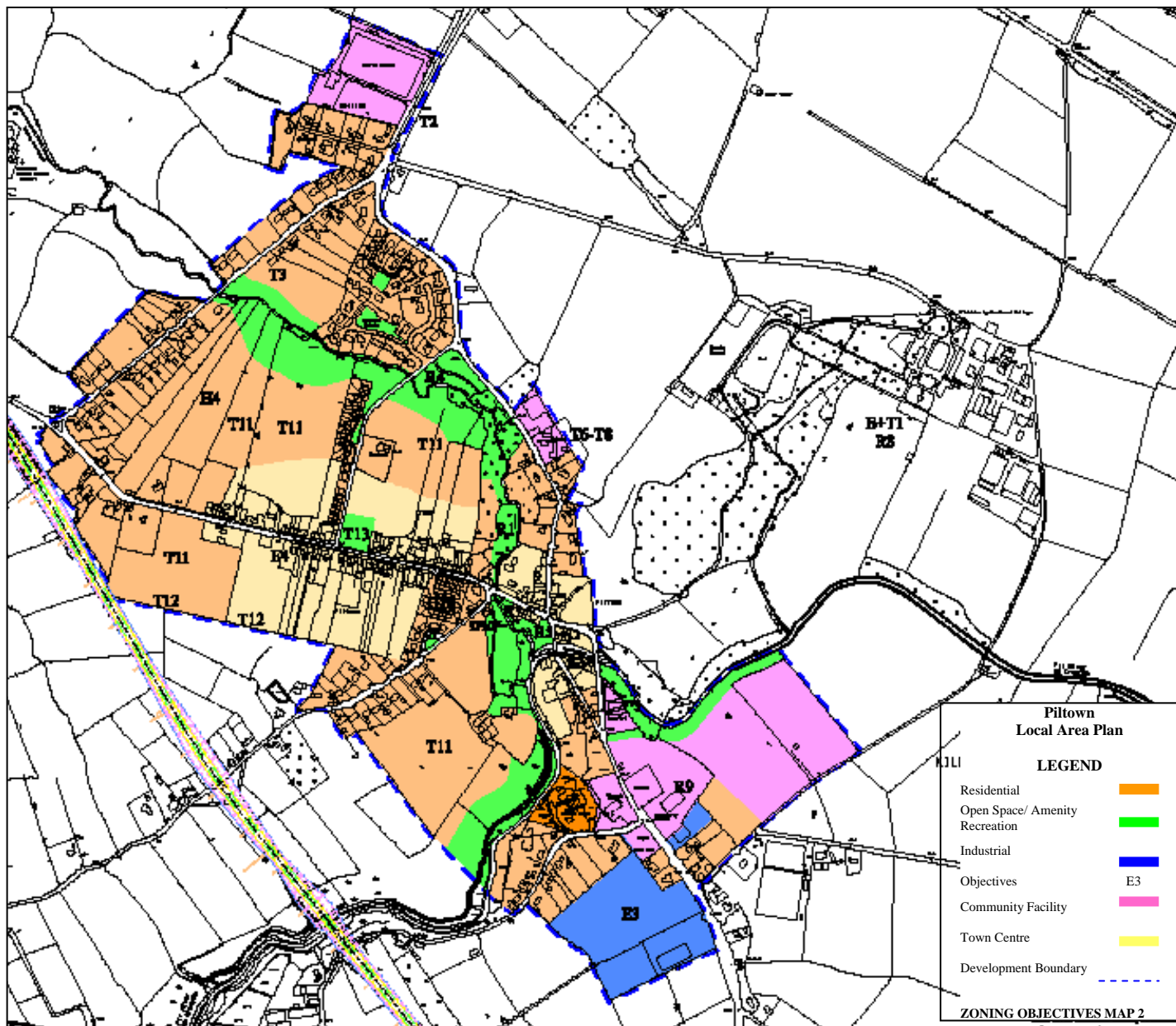
## **MAPS**

- Map A: Location of Piltown.
- Map B: Piltown Local Area Plan 2003 Zoning Objectives
- Map C: Draft Zoning Map for Piltown Local Area Plan 2010

**Map A: Location of Piltown**



MAP B – Piltown Local Area Plan 2003 Zoning Objectives



## MAP C


### Draft Piltown Local Area Plan 2010 Zoning Objectives Map



Piltown Draft Local Area Plan

Map 1 - Zoning Objectives

Legend

- Existing and General Development 
- New Residential 
- Phase 2 
- Open Space 
- Industrial 
- Development Boundary 
- Infill Potential Lands (see section 2.1.2) 

