



Strategic Environmental Assessment (SEA) Determination under:

The Planning and Development Act 2000 (as amended) for:

Proposed Material Alterations to the Draft Kilkenny City and County Development Plan 2021-2027

A Strategic Environmental Assessment (SEA) Determination is being made by Kilkenny County Council regarding Proposed Material Alterations to the Draft Kilkenny City and Development Plan 2021-2027.

Section 12 (7) (aa) of the Planning and Development Act 2000 (as amended), requires, inter alia, a determination to be made as to whether Proposed Material Alterations to the Draft Plan warrant the undertaking of SEA. Such a determination takes into account relevant criteria set out in Schedule 2A 'Criteria for determining whether a plan is likely to have significant effects on the environment' of the SEA Regulations*, as amended.

As there are substantial Proposed Material Alterations, and due to the Determination for Appropriate Assessment dated 24th June 2021, (which determined that certain Proposed Material Alterations could be considered to be mitigation in relation to Plan elements that could potentially affect the integrity of European sites, further to the mitigation already integrated into the Draft Plan, the AA process identified that it would be prudent to undertake Stage 2 AA) the Proposed Material Alterations are advised as requiring SEA and consideration in an SEA Environmental Report.

The undersigned, having considered the information referred to above agrees with and adopts the reasoning and conclusion presented above. The undersigned hereby determines pursuant to Section 12 (7) of the Planning and Development Act 2000, as amended, that SEA is required for the Proposed Material Alterations.

The SEA will be completed by June 28th 2021.

This determination has been informed by: the Proposed Material Alterations; the Appropriate Assessment Determination on the Proposed Material Alterations; the Draft Plan; and the SEA Environmental Report for the Draft Plan.

The SEA Environmental Report prepared for the Draft Plan will be finalised in advance of adoption of the Plan. A SEA Statement will be prepared following adoption, which will detail how environmental considerations were integrated into the Plan and how consultations on the SEA and associated Plan-preparation process were taken into account.

Signed:

Denis Malone
Senior Planner

Date: 24/6/2021

***Schedule 2A Criteria for determining whether a plan is likely to have significant effects on the environment:**

1. The characteristics of the plan having regard, in particular, to:
 - 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 degree to which the plan influences other plans, including those in a hierarchy,
 - the relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development,
 - environmental problems relevant to the plan,
 - 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).
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:
 - the probability, duration, frequency and reversibility of the effects,
 - the cumulative nature of the effects,
 - the transboundary nature of the effects,
 - the risks to human health or the environment (e.g. due to accidents),
 - the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).
 - the value and vulnerability of the area likely to be affected due to:
 - (a) special natural characteristics or cultural heritage,
 - (b) exceeded environmental quality standards or limit values,
 - (c) intensive land-use,
 - the effects on areas or landscapes which have a recognised national, European Union or international protection status.