

SEA SCREENING REPORT
Proposed Variation No. 4 to the
Kilkenny City and County Development Plan
2021 - 2027

Kilkenny County Council

February 2025

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1 Introduction and Background

1.1 Introduction

Kilkenny County Council has prepared a proposed Variation to the Kilkenny City and County Development Plan (KCCDP) 2021 under Section 13 of the Planning and Development Act 2000 (as amended).

As Kilkenny County Council has not determined that the Proposed Variation would be likely to have significant environmental effects, the Proposed Variation has to be screened for the need to undertake Strategic Environmental Assessment (SEA). Screening is the process for deciding whether a particular plan - or variation to a plan, other than those for which SEA is mandatory, would be likely to have significant environmental effects, and would thus warrant SEA. The purpose of this report is to evaluate the requirement for SEA of the Proposed Variation to the Kilkenny City and County Development Plan.

It is noted that the Kilkenny City and County Development Plan was subject to a full SEA. The appropriate environmental authorities were consulted throughout that SEA process.

1.2 Legislative Context

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 (SEA) Regulations 2004 (SI No. 436 of 2004). Both sets of Regulations became operational on 21 July 2004. These 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).

Under Article 7 (13K) of the SEA Regulations, as amended, screening is required for the Proposed Variation. Schedule 2A '*Criteria for determining whether a plan is likely to have significant effects on the environment*' of the SEA Regulations, as amended, must be taken into account during the screening process.

The Proposed Variation is being made under Section 13 of the Planning and Development Act 2000 (as amended).

1.3 Content of the Proposed Variation

The purpose of this variation is to provide for two distinct measures to the Kilkenny City & County Development Plan 2021 – 2027.

The first of these is Variation 4A which is to incorporate into the Development Plan the essential elements of the Loughmacask Masterplan to underpin its implementation on a statutory basis. Specifically, the changes are as follows:

Changes to City & County Development Plan required to implement Loughmacask Masterplan

- To amend Zoning Objective Z8 in order to secure the implementation of the Loughmacask Masterplan.

- To include Zoning Objective Z17 to require the completion of the Regeneration Framework for the Butts Neighbourhood Area.
- To include Zoning Objective Z18 to maximise connectivity from the Butts Regeneration area to and from Loughmacask amenities and local centre.

To give effect to the following Zoning Changes

- Immediately west of The Butts (see no.1 Fig. 1) proposed change from open space to Strategic Reserve, area circa 2.4 hectares.
- To the north-east of the Dicksboro GAA (see no.2 Fig. 1) proposed changed from Strategic Reserve to Open Space/Recreation, area circa 2.24 hectares.
- To the south-west of the Dicksboro GAA grounds (see no.3 Fig. 1) proposed change from Open Space to Strategic Reserve, area circa 3.14 hectares.

Road Objectives

- Add Road Objective R12 to ensure necessary delivery of road infrastructure prior to additional developments being approved on the Tullaroan Road.
- Add Road Objective R13 in order to evaluate a connection from the new secondary school to the Tullaroan Road to mitigate the traffic impact of additional developments.

The key section of the Kilkenny City and County Development Plan is Section 2.2.4 of the Core Strategy in Volume 2, titled “Loughmacask”, however the changes will be made wherever the terms appear throughout the Plan.

The proposed changes will not impact on the overall Core Strategy of the Development Plan. The spatial distribution of the projected growth remains and continues to demonstrate that the Development Plan and its objectives are consistent with the national and regional development objectives set out in the NPF and the RSES.

The proposed changes are non-material and will not impact on the overall Core Strategy of the Development Plan. The spatial distribution of the projected growth remains and continues to demonstrate that the Development Plan and its objectives are consistent with the national and regional development objectives set out in the NPF and the RSES.

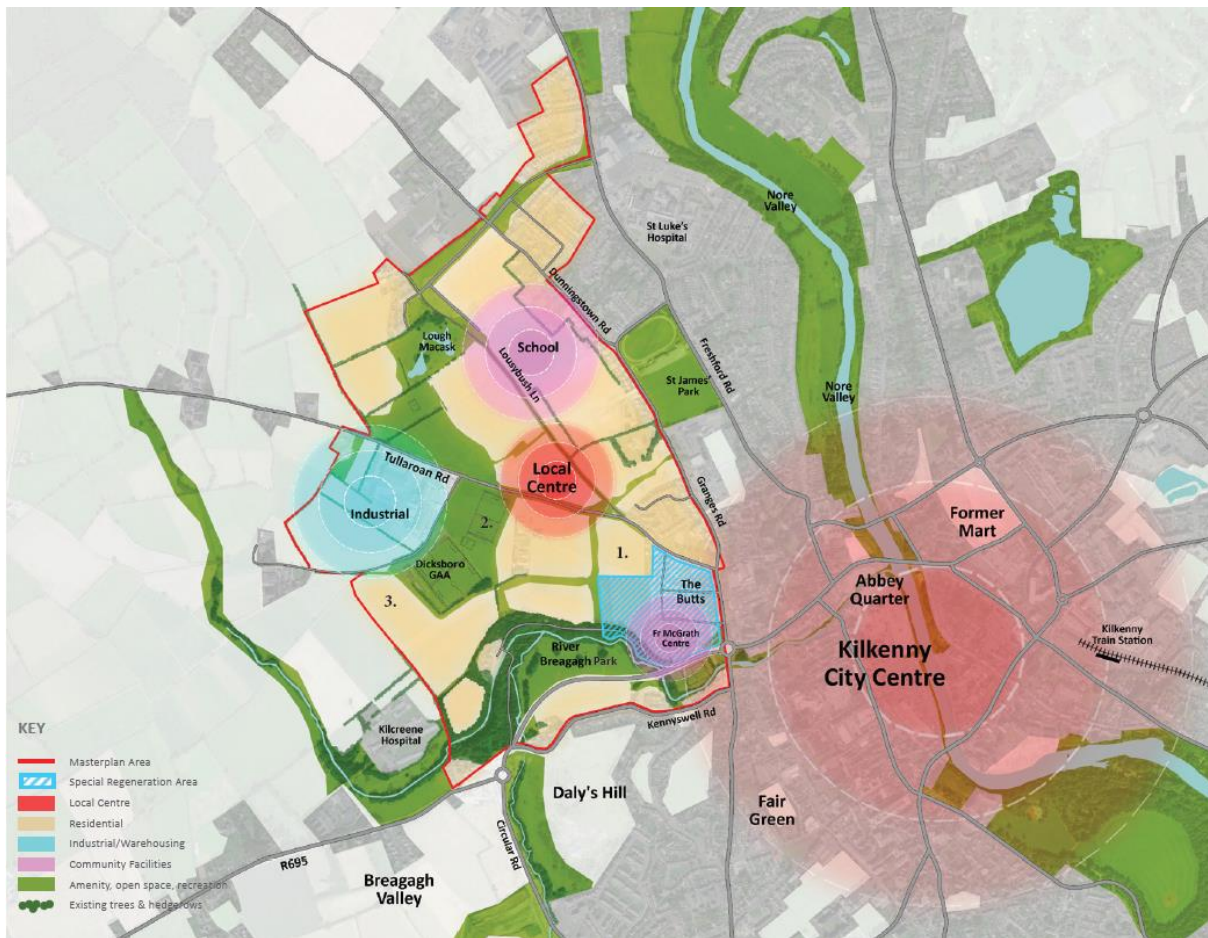


Figure 1 Loughmacask Land Use

The second element of the Variation is to amend Section 10.1.7 of the City & County Development Plan to allow for private waste water treatment systems in circumstances where the Council is satisfied that the ongoing management and maintenance of any on-site wastewater treatment system, would be maintained in the context of the proposed development as a going concern, in compliance with EPA standards and subject to a Waste Water Discharge Licence / Certificate of Authorisation as may be issued by Kilkeny County Council.

Section 10.1.7 of the City & County Development Plan requires that “developments in all main settlements to connect to public wastewater treatment facilities, subject to sufficient capacity being available which does not interfere with the Council’s ability to meet the requirements of the Water Framework Directive and the Habitats Directive, having regard to the current lack of capacity in IW / UÉ wastewater infrastructure.”

This requirement has stalled development where private waste water facilities could have been provided without detriment to the environment. The intention of this variation is to amend the text under 10.1.7 to allow for private waste water treatment facilities in settlements where there is deficiencies in waste water treatment facilities provided it does not impact on the Council’s ability to meet the requirements of the Water Framework Directive and the Habitats Directive and that the Council are satisfied that the ongoing management and maintenance of any on-site wastewater treatment system, would be maintained in the context of the proposed development as a going

concern, in compliance with EPA standards and subject to a Waste Water Discharge Licence / Certificate of Authorisation as may be issued by Kilkenny County Council.

1.4 Consultation

As part of the screening process, environmental authorities were notified that a submission or observation, in relation to whether or not implementation of the Proposed Variation would be likely to have significant effects on the environment, may be made (a period of 4 weeks was allowed for the reply).

The comments made by the EPA (submission dated 19th December 2024) have been taken into account in the determination of this screening report.

1.5 Appropriate Assessment

An Appropriate Assessment Screening under the Habitats Directive was undertaken on the Proposed Variation. This determined that Proposed Variation 4 to the Kilkenny City and County Development Plan 2021 is not likely, alone or in-combination with other plans or projects, to have a significant effect on any European Sites in view of their conservation objectives, and it is not considered necessary to undertake any further stages of the Appropriate Assessment process.

2 Determining whether SEA is required

2.1 Introduction

The following pages contain a reproduction of Schedule 2A ‘Criteria for determining whether a plan is likely to have significant effects on the environment’ of the SEA Regulations, as amended.

These criteria have been taken into account in determining whether or not significant effects on the environment would be likely to arise.

It is only changes to the Plan which are considered; the existing Plan (2021) has undergone full SEA already¹.

2.2 Schedule 2A: Part 1

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 Kilkenny City and County Development Plan 2021 was subject to a full SEA.

The purpose of this variation to provide for two distinct measures to the Kilkenny City & County Development Plan 2021 – 2027.

The first of these is Variation 4A which is to incorporate into the Development Plan the essential elements of the Loughmacask Masterplan to underpin its implementation on a statutory basis. Specifically, the changes are as follows:

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¹ SEA Directive Article 4.3: Where plans and programmes form part of a hierarchy, Member States shall, with a view to avoiding duplication of the assessment, take into account the fact that the assessment will be carried out, in accordance with this Directive, at different levels of the hierarchy.

Road Objectives

- Add Road Objective R12 to reflect updated provisions in the Masterplan.
- Add Road Objective R13 in order to evaluate a connection from the new secondary school to the Tullaroan road to mitigate the traffic impact of additional developments.

The second element of the Variation is to amend Section 10.1.7 of the City & County Development Plan to allow for private waste water treatment systems in circumstances where the Council is satisfied that the ongoing management and maintenance of any on-site wastewater treatment system, would be maintained in the context of the proposed development as a going concern, in compliance with EPA standards and subject to a Waste Water Discharge Licence / Certificate of Authorisation as may be issued by Kilkenny County Council.

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Potential adverse effects arising from implementation of the Plan as varied (see table below) would be consistent with those considered by the environmental assessments already undertaken on the Plan; Proposed Variation no. 4 does not propose anything that would exceed the previously considered environmental envelope of effects. There are various provisions that have been integrated into the City and County Development Plan that will ensure that any potential adverse effects arising from this Proposed Variation, alone or in-combination with the other parts of the Plan or in-combination with other plans and programmes, will be mitigated – these are detailed on the table below and include many measures requiring the protection of surface waters and implementation of appropriate systems. All lower-tier projects are required to comply with the measures specified below.

Environmental/ Component	Potential Significant Adverse Effect, if unmitigated, of implementing the Plan as varied by Proposed Variation	Kilkenny City and County Development Plan 2021 Provision (Existing, already in force policy/objective/development management standard)
Biodiversity and Flora and Fauna	Loss of/disturbance to biodiversity with regard to Natura 2000 Sites, including the River Barrow and River Nore	<p><i>See also measures on this table under Soil, Water, Flood Risk Management and Drainage and Water Services</i></p> <p>To implement the provisions of Articles 6(3) and 6(4) of the EU Habitats Directive and ensure that any plan or project within the functional area of the Planning Authority is subject to appropriate assessment in accordance with the Guidance 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.</p>

	<p>candidate Special Area of Conservation and the River Nore Special Protection Area</p> <p>Loss of/disturbance to biodiversity with regard to ecological connectivity and non-designated biodiversity</p> <p>Loss of/disturbance to biodiversity with regard to listed species</p>	<p>The Council will 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.</p> <p>To ensure that development proposals, where relevant, improve the ecological coherence of the Natura 2000 network and encourage the retention and management of landscape features that are of major importance for wild fauna and flora as per Article 10 of the Habitats Directive.</p> <p>Ensure that an ecological impact assessment is carried out, by suitably qualified professional(s), for any proposed development likely to have a significant impact on rare and threatened species including those species protected by law and their habitats. Ensure appropriate avoidance and mitigation measures are incorporated into development proposals as part of any ecological impact assessment.</p> <p>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.</p> <p>To ensure that appropriate mitigation and/or compensation measures to conserve biodiversity, landscape character and green infrastructure networks are required in developments where habitats are at risk or lost as part of a development.</p> <p>The Council will also 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).</p> <p>To ensure the protection of the special character and setting of protected structures, ACAs and Recorded Monuments, and protected species when considering proposals for floodlighting.</p>
Population and Human Health	<p>Spatially concentrated deterioration in human health</p>	<p><i>See also measures on this table under Soil, Water, Water Services, Air and Climatic Factors and Flood Risk Management</i></p> <p>The Plan will facilitate and support the development of agriculture and food while ensuring the highest standards of environmental protection in the assessment of planning applications for all development proposals.</p> <p>The Council will promote and advance social inclusion and development in the county by ensuring the co-ordinated delivery of services and facilities and will seek to build social capital by integrating the social, community and cultural requirements of the county in the future planning and sustainable development of the County in accordance with the Settlement and Core Strategies.</p>
Soil	<p>Damage to the hydrogeological and ecological function of soil</p>	<p><i>See also measures on this table under Biodiversity, Flora and Fauna, Water, Water Services and Flood Risk Management</i></p> <p>The Council will consult the Geological Survey of Ireland when considering undertaking, approving or authorising developments which are likely to affect County Geological Sites. In some locations, in consultation with landowners, it may be possible to access geological and geo-morphological features of interest, and the Council will support and facilitate this where appropriate.</p>
Water	<p>Potential interactions with the status of water bodies (River Nore, River Breagagh and groundwater) and entries to the WFD Register of Protected Areas^[1], arising</p>	<p><i>See also measures on this table under Biodiversity, Flora and Fauna, Soil, Water Services and Flood Risk Management</i></p> <p>To implement the measures of the River Basin Management Plan, including continuing to work with communities through the Local Authority Waters Programme to restore and improve water quality in the identified areas of action.</p> <p>To have regard to the Groundwater Protection Scheme and to comply with the Water Services Acts 2007 as amended in decision-making on the location, nature and control of developments and activities in order to protect groundwater.</p> <p>Council will promote compliance with environmental standards and objectives established—</p>

^[1] The River Nore is a designated Salmonid water under SI 293 of 1988 and groundwater under the area is listed on the Register for groundwater that

	<p>from:</p> <ul style="list-style-type: none"> - Changes in quality, flow and/or morphology; and - Increases in outflow at waste water treatment plant as a result of increases in population. 	<p>for bodies of surface water, by the European Communities (Surface Waters) Regulations 2009;</p> <p>for groundwater, and groundwater by European Union Environmental Objectives (Groundwater) (Amendment) Regulations 2016.</p>
Flood Risk	Increase in flood risk	<p><i>See also measures on this table under Human Health</i></p> <p>To adopt a comprehensive risk-based planning approach to flood management to prevent or minimise future flood risk.</p> <p>The Council will ensure that new developments do not reduce the effectiveness or integrity of any existing or new flood defence infrastructure, and will facilitate the provision of new, or the reinforcement of existing, flood defences and protection measures where necessary.</p> <p>Where flood risk may be an issue for any proposed development, a detailed flood risk assessment should be carried out appropriate to the scale and nature of the development and the risks arising. In particular, any area within or adjoining flood zone A or B, or flood risk area, shall be the subject of a site-specific Flood Risk Assessment appropriate to the type and scale of the development being proposed. This shall be undertaken in accordance with the Planning System and Flood Risk Management – Guidelines and the Strategic Flood Risk Assessment accompanying this Plan.</p>
Water Services	The need to provide adequate and appropriate water services (it is the function of Irish Water to provide for such needs)	<p><i>See also measures on this table under Human Health</i></p> <p>The Council will work with Irish Water to protect existing water and wastewater infrastructure in the City and facilitate the development of new infrastructure aligned with the City's Core strategy.</p>
Air and Climatic Factors and Sustainable Transport	Failure to contribute towards sustainable transport and associated impacts (energy usage and emissions to air including noise and greenhouse gases)	<p><i>See also measures on this table under Human Health</i></p> <p>The Council have integrated and will continue to integrate both mitigation and adaptation measures into the City & County Development as required by National and Regional policies and objectives.</p> <p>To support and encourage sustainable compact growth and settlement patterns, integrate land use and transportation, and maximise opportunities through development form, layout and design to secure climate resilience and reduce carbon emissions.</p> <p>To prepare a comprehensive Local Transport Plan for Kilkenny City in accordance with the Area Based Transport Assessment Guidelines (TII, 2018) within the concept of a 10-minute City addressing:</p> <ul style="list-style-type: none"> • Walking, • Cycling, • Public transport • Motorised transport • Carparking strategy/Car parking demand management <p>To implement the recommendations of the Local Transport Plan for Kilkenny city once adopted.</p> <p>To further improve and enhance the network of cycling and pedestrian routes in accordance with the recommendations of the Kilkenny Local Area Transport Plan as resources permit.</p> <p>To develop a cycle route between the Eastern Environs and the Breagagh Valley.</p> <p>To investigate the provision of appropriate cycling facilities along the River Nore Linear Park connecting the north of the City with the east and south.</p>
Waste Management	Increases in waste levels	<ul style="list-style-type: none"> • To implement the Southern Region Waste Management Plan. <p>To have regard to the waste produced by proposed developments including the nature and amount of waste produced and proposed method of disposal.</p>

is used for drinking water.

		<ul style="list-style-type: none"> Proposed apartment and housing developments must be appropriately laid out to enable the implementation of three bin collection systems. <p>Proposed apartment, housing and commercial developments must be either serviced by existing infrastructure or make appropriate provision for bring sites in their layout. The sites shall be made available to the Council at the developer's own expense and will be maintained by the Council or its agents. Adequate access must be provided in developments to service proposed bring sites.</p> <p>For all significant construction/demolition projects, the developer shall include an Environmental Management Plan. These plans should seek to focus on waste minimisation in general and optimise waste prevention, re-use and recycling opportunities, and shall provide for the segregation of all construction wastes into recyclable, biodegradable and residual wastes.</p>
Archaeological and Architectural Heritage	Effects on archaeological heritage and architectural heritage.	<p><i>See also measures on this table under Landscape</i></p> <p>To endeavour to preserve in situ all archaeological monuments, whether on land or underwater, listed in the Record of Monuments and Places (RMP), and any newly discovered archaeological sites, features, or objects by requiring that archaeological remains are identified and fully considered at the very earliest stages of the development process and that schemes are designed to avoid impacting on archaeological heritage.</p> <p>To require archaeological assessment, surveys, test excavation and/or monitoring for planning applications in areas of archaeological importance if a development proposal is likely to impact upon in-situ archaeological monuments, their setting and archaeological remains.</p> <p>To ensure that development within the vicinity of a Recorded Monument is sited and designed appropriately so that it does not seriously detract from the setting of the feature or its zone of archaeological potential. Where upstanding remains of a Recorded Monument exist a visual impact assessment may be required to fully determine the effect of any proposed development.</p> <p>To require the retention of surviving medieval plots and street patterns and to facilitate the recording of evidence of ancient boundaries, layouts etc. in the course of development.</p> <p>To safeguard the importance of significant archaeological landscapes from developments that would unduly sever or disrupt the relationship, connectivity and/or inter-visibility between sites.</p> <p>To provide assistance to owners of protected structures in undertaking essential repairs and maintenance by the provision of relevant information.</p> <p>To respond to the Ministerial recommendation to include in the RPS, structures which have been identified as being of regional, national or international significance in the National Inventory of Architectural Heritage survey and to consider for inclusion those rated as being of local significance.</p> <p>To continue to review the Record of Protected Structures and add or delete structures as appropriate.</p> <p>To ensure all digital mapping for the Record of Protected Structures is up to date and current, and readily accessible to the public.</p> <ul style="list-style-type: none"> To have regard to the Architectural Heritage Protection Guidelines when assessing proposals for development affecting a protected structure and buildings listed in the NIAH. To encourage the sympathetic retention, reuse and rehabilitation of protected structures and their setting, while ensuring the involvement of suitably qualified professionals To ensure proposed service upgrades undertake an initial assessment of current services, to ensure the internal environment and fabric is not impacted on by such works. Energy assessments and Architectural Heritage Impact Assessments may be required where energy and service upgrades are proposed. To ensure proposed development within the curtilage or attendant grounds of a protected structure respects the protected structure and its setting, To require an architectural impact assessment where appropriate for developments within the grounds of country house estates which are Protected Structures. To promote principles of best practice in conservation in terms of use of appropriate materials, repair techniques, and thermal upgrades by adhering to the guidelines as set out in Department of Housing, Local Government and Heritage's Advice Series publications To promote best conservation principles and practice when assessing proposals for Kilkenny's architectural heritage

		<ul style="list-style-type: none"> To ensure that energy upgrades for buildings constructed from traditional materials are respectful of architectural features, form, and environmental requirements necessary to maintain breathability in the structure. <p>To ensure the preservation of the special character of each ACA listed in this Plan (See Table 9.2 and Volume 2 Heritage Strategy) with particular regard to building scale, proportions, historical plot sizes, building lines, height, general land use, fenestration, signage, and other appendages such as electrical wiring, building materials, historic street furniture, paving and shopfronts.</p> <p>To designate ACAs where appropriate and provide a local policy framework for the preservation of the character of these areas.</p> <p>To prepare and introduce a set of Shopfront Guidelines.</p>
Landscape	Occurrence of adverse visual impacts especially with respect to protected views and prospects	<p><i>See also measures on this table under Biodiversity, Flora and Fauna, Archaeological Heritage and Architectural Heritage</i></p> <ul style="list-style-type: none"> To protect views and prospects identified on Figure HS15 by requiring new development or extensions to existing development to be designed and located so as not to have a significant impact on its character. <p>To encourage street layouts in newly developed areas which create new vistas to existing and new landmarks, in particular within brownfield sites, the Breaghagh Valley and the Loughmacask lands.</p> <p>Where the Council believes development may potentially impact significant views into and/or out of the city and environs, a visual impact assessment may be requested. Future developments will be guided by the “zone of visual influence” of these structures.</p> <p>To seek the protection and sustainable management of historic gardens, parklands and designed landscapes in Kilkenny County and City, their setting and their visual amenity.</p>

Flood risk generally will be mitigated by the provisions that have already been integrated into the current Plan (See Section 10.2.6 of KCCDP).

Arising from the degree to which the Plan sets a framework for projects and other activities the Variation would not be likely to result in significant environmental effects.

2. The characteristics of the plan having regard, in particular, to: the degree to which the plan influences other plans, including those in a hierarchy

The Proposed Variation is not envisaged to significantly influence any lower tier plans.

Arising from the degree to which the Kilkenny City and County Development Plan influences other plans, the Proposed Variation would not be likely to result in significant environmental effects.

3. The characteristics of the plan having regard, in particular, to: the relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development

The Kilkenny City and County Development Plan has undergone SEA. This process integrated environmental considerations into the Plan and concluded that the Plan is based on the broad principles of sustainable development.

Arising from the relevance of the Plan for the integration of environmental considerations in particular with a view to promoting sustainable development, the Proposed Variation would not be likely to result in significant environmental effects.

4. The characteristics of the plan having regard, in particular, to: environmental problems relevant to the plan

Environmental problems arise where there is a conflict between current environmental conditions and legislative targets.

Through its provisions relating to environmental protection and management, the existing Kilkenny City and County Development Plan contributes towards ensuring that environmental problems do not get worse and, where possible, it contributes towards amelioration.

Taking the above into account, arising from environmental problems relevant to the Plan and Proposed Variation, the Proposed Variation would not be likely to result in significant environmental effects.

5. The characteristics of the plan having regard, in particular, to: 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)

The Kilkenny City and County Development Plan relates to the land use sector and does not directly relate to other sectors such as agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications or tourism.

The SEA process for the Kilkenny City and County Development Plan integrated considerations with regard to EU and national legislation on the environment into the Plan, including those relating to the waste management and the Water Framework Directive.

Taking the above into account, arising from the relevance of the Plan for the implementation of European Union legislation on the environment, the Proposed Variation would not be likely to result in significant environmental effects.

2.3 Schedule 2A: Part 2

1. 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

Based on the conclusions and mitigation measures proposed in the Kilkenny City and County Development Plan, and the objectives to ensure that all plans and projects in the city which could, either individually or in combination with other plans and projects, have a significant effect on a European site or sites are subject to Screening for Appropriate Assessment. Considering the above, it is determined that there are no 'in-combination' effects arising from the Proposed Variation.

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

The Proposed Variation would not be likely to result in significant environmental effects (see Section 2.2).

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

The Proposed Variation would not be likely to result in significant environmental effects, and there are no transboundary effects given the location to which the proposed Variation relates to. (see Section 2.2).

4. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to: the risks to human health or the environment (e.g. due to accidents)

The Proposed Variation would not be likely to result in significant environmental effects. (see Section 2.2). At present there is one Upper Tier Seveso site within the Loughmacask area; Grassland Fertilizers (Kilkenny) Ltd Palmerstown, on the Tullaroan Road in Kilkenny. The development parameters around the grasslands Seveso site comply with 'Land Use Planning Advice for Kilkenny City Council in relation to Grassland Fertilizers (Kilkenny) Ltd at Palmerstown' 2006.

The Council will, in consultation with the Health and Safety Authority, control development with regards to SEVESO designated sites for the purposes of reducing the risk or limiting the consequences of a major accident.

It is not envisaged, that there will be any negative effects arising from the second part of the proposed Variation, would not be likely to result in significant environmental effects, given the nature of the proposed Variation, i.e. in order to allow for private waste water treatment systems in circumstances where the Council is satisfied that the ongoing management and maintenance of any on-site wastewater treatment system, would be maintained in the context of the proposed development as a going concern, in compliance with EPA standards and subject to a Waste Water Discharge Licence / Certificate of Authorisation as may be issued by Kilkenny County Council.

5. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to: the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)

The Proposed Variation would not be likely to result in significant environmental effects (see Section 2.2).

The Proposed Variation would not be likely to result in significant environmental effects, given the nature of the proposed Variation, i.e. the rezoning of Land within the Masterplan area which actually reduces the overall development potential of the area, as shown below;

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systems in circumstances where the Council is satisfied that the ongoing management and maintenance of any on-site wastewater treatment system, would be maintained in the context of the proposed development as a going concern, in compliance with EPA standards and subject to a Waste Water Discharge Licence / Certificate of Authorisation as may be issued by Kilkenny County Council.

6. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to: the value and vulnerability of the area likely to be affected due to:

a) special natural characteristics or cultural heritage;

The Proposed Variation would not be likely to result in significant environmental effects on special natural characteristics or cultural heritage. There are no designations within the proposed Masterplan Area. As this Variation proposes a reduction in the land identified for residential development, it would not be likely to result in significant environmental effects. See Section 2.2.

The second part of the proposed Variation, would not be likely to result in significant environmental effects, given the nature of the proposed Variation, i.e. in order to allow for private waste water treatment systems in circumstances where the Council is satisfied that the ongoing management and maintenance of any on-site wastewater treatment system, would be maintained in the context of the proposed development as a going concern, in compliance with EPA standards and subject to a Waste Water Discharge Licence / Certificate of Authorisation as may be issued by Kilkenny County Council. Such wastewater systems will have due regard to the receiving environment.

b) exceeded environmental quality standards or limit values, and;

The Proposed Variation would not be likely to result in significant environmental effects with respect to exceeded environmental quality standards or limit values (see also Section 2.2).

c) intensive land-use.

The Proposed Variation would not be likely to result in significant environmental effects (see also Section 2.2). The Proposed Variation does not provide for intensive land use.

7. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to: the effects on areas or landscapes which have a recognised national, European Union or international protection status

The Proposed Variation would not be likely to result in significant environmental effects on areas or landscapes which have a recognised national, European Union or international protection status (see also Section 2.2).

3 Conclusion

The proposed Variation to the Kilkenny City and County Development Plan 2021 has been examined against Schedule 2A *'Criteria for determining whether a plan is likely to have significant effects on the environment'* of the SEA Regulations, as amended, and it has been determined that the Proposed Variation would not be likely to result in significant environmental effects.

In terms of the provisions of Article 13K(4) of the Regulations, following the appropriate consultation period the Planning Authority shall determine whether or not implementation of the proposed variation would be likely to have significant effects on the environment, taking account of the relevant criteria set out in Schedule 2A of the Regulations and any submission or observation received from the environmental authorities. In this regard, a decision was taken on the 4th February 2025 to not carry out an SEA and in accordance with Article 13K(5)(b) the environmental authorities were notified of this decision on the 5th February.



Comhairle Chontae Chill Chainnigh

Halla an Chontae Sraid Eoin Cill Chainnigh
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Creating Sustainable Communities and Places



Strategic Environmental Assessment Screening Determination under the Planning and Development Act 2000 as amended for: Proposed Variation 4 to the Kilkenny City and County Development Plan 2021

A Strategic Environmental Assessment Screening determination has been made by Kilkenny County Council regarding Proposed Variation 4. Article 13 (K) of the Planning and Development Regulations 2001, as amended (the Regulations), requires, inter alia, a determination to be made as to whether the Proposed Variation warrants the undertaking of environmental assessment.

The purpose of this variation to provide for two distinct measures to the Kilkenny City & County Development Plan 2021 – 2027.

The first of these is Variation 4A which is to incorporate into the Development Plan the essential elements of the Loughmacask Masterplan to underpin its implementation on a statutory basis.

The second is to amend Section 10.1.7 of the City & County Development Plan to allow for private waste water treatment systems in circumstances where the Council is satisfied that the ongoing management and maintenance of any on-site wastewater treatment system, would be maintained in the context of the proposed development as a going concern, in compliance with EPA standards and subject to a Waste Water Discharge Licence / Certificate of Authorisation as may be issued by Kilkenny County Council.

In accordance with the requirements of Article 13K, a 'screening' of the proposed Variation was undertaken in respect of SEA. Notice was submitted to the environmental authorities specified in Article 13A(4) of the Regulations.

None of the authorities advised that a Strategic Environmental Assessment should be carried out; the information contained in the response received from the EPA has been taken into account.

The SEA screening, which had regard to the criteria set out in schedule 2A of the Regulations, did not indicate that that the proposed Variation was likely to have significant impacts on the environment.

Taking into account the findings of the SEA process that are detailed in a SEA Screening Report that accompanies this Determination, Kilkenny County Council have determined that the Proposed Variation to the Kilkenny City and County Development Plan 2021 would not be likely to have significant effects on the environment, therefore an environmental assessment is not required.

Signed 

Denis Malone,
Senior Planner

Date 4/2/25