

Planning Department  
Kilkenny County Council  
County Hall  
John Street  
Kilkenny

18<sup>th</sup> January 2020

Our Ref: SCP180402.2

**Re. Draft Kilkenny City and County Development Plan 2021-2027 and SEA Environmental Report**

Dear Sir/Madam,

We acknowledge your notice, dated 21<sup>st</sup> December 2020, in relation to the Draft Kilkenny City and County Development Plan 2021-2027 (the 'Plan') and the associated SEA Environmental Report (the 'SEA ER').

The EPA is one of the statutory environmental authorities under the SEA Regulations. In our role as an SEA environmental authority, we focus on promoting the full and transparent integration of the findings of the Environmental Assessment into the Plan and advocating that the key environmental challenges for Ireland are addressed as relevant and appropriate to the plan. Our functions as an SEA environmental authority do not include approving or enforcing SEAs or plans.

As a priority, we focus our efforts on reviewing and commenting on key sector plans. For land use plans at county and local level, we provide a 'self-service approach' via the attached guidance document '*SEA of Local Authority Land Use Plans – EPA Recommendations and Resources*'.

This document is updated regularly and sets out our key recommendations for integrating environmental considerations into Local Authority Land Use Plans. We suggest that you take this guidance document into account and incorporate the relevant recommendations, in finalising and implementing the Plan.

Kilkenny County Council should also ensure that the Plan aligns with key relevant higher-level plans and programmes and is consistent with the relevant objectives and policy



commitments of the National Planning Framework and the Southern Regional Spatial and Economic Strategy.

### **Content of the Environmental Report**

The SEA Regulations set out the information to be contained in an Environmental Report.

#### *Assessment of Alternatives*

You should describe the alternatives considered and how the selection and assessment of these has led to the selection of the preferred alternative. You should assess the alternatives against the 'Strategic Environmental Objectives' identified in the SEA ER.

#### *Assessment of Environmental Effects*

You should assess and document the full range of likely significant environmental effects of implementing the Plan, including the potential for cumulative effects in combination with other relevant Plans/ Programmes and Projects.

#### *Mitigation Measures*

Where you have identified the potential for likely significant effects, you should provide appropriate mitigation measures to avoid or minimise these. You should ensure that the Plan includes clear commitments to implement the mitigation measures.

#### *Monitoring*

The Monitoring Programme should be flexible to take account of specific environmental issues and unforeseen adverse impacts should they arise. It should consider and deal with the possibility of cumulative effects. Monitoring of both positive and negative effects should be considered. The monitoring programme should set out the various data sources, monitoring frequencies and responsibilities.

If the monitoring identifies adverse impacts during the implementation of the Plan, Kilkenny County Council should ensure that suitable and effective remedial action is taken.

Guidance on SEA-related monitoring is available on the EPA website at <https://www.epa.ie/pubs/advice/ea/guidanceonseastatementsandmonitoring.html>

### **State of the Environment Report – Ireland's Environment 2020**

In finalising the Plan and integrating the findings of the SEA into the Plan, the recommendations, key issues and challenges described in our State of the Environment Report Ireland's Environment – An Assessment 2020 (EPA, 2020) should be considered, as relevant and appropriate. This should also be taken into account, in preparing the Plan and SEA.

### **Future Amendments to the Plan**

You should screen any future amendments to the Plan for likely significant effects, using the same method of assessment applied in the "environmental assessment" of the Plan.

### **SEA Statement – "Information on the Decision"**

Once the Plan is adopted, you should prepare an SEA Statement that summarises:

- How environmental considerations have been integrated into the Plan;
- How the Environmental Report, submissions, observations and consultations have been taken into account during the preparation of the Plan;
- The reasons for choosing the Plan adopted in the light of other reasonable alternatives dealt with; and,
- The measures decided upon to monitor the significant environmental effects of implementation of the Plan.

You should send a copy of the SEA Statement with the above information to any environmental authority consulted during the SEA process.

Guidance on preparing SEA Statements is available on the EPA website at the following link: <https://www.epa.ie/pubs/advice/ea/guidanceonseastatementsandmonitoring.html>

### **Environmental Authorities**

Under the SEA Regulations, you should consult with:

- Environmental Protection Agency
- Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media (formerly Minister for Culture, Heritage and the Gaeltacht (functions transferred from Minister for Environment, Heritage and Local Government/ Minister for Housing, Planning and Local Government to Minister for Culture, Heritage and the Gaeltacht by S.I. 192 of 2011);
- Minister for Environment, Climate and Communications (formerly Minister of Communications, Climate Change and the Environment);
- Minister for Agriculture, Food and the Marine; and
- any adjoining planning authority whose area is contiguous to the area of a planning authority which prepared a draft plan, proposed variation or local area plan

If you have any queries or need further information in relation to this submission, please contact me directly. I would be grateful if you could send an email confirming receipt of this submission to: [sea@epa.ie](mailto:sea@epa.ie).

Yours Sincerely,



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Cian O'Mahony  
*SEA Section*  
*Office of Evidence and Assessment*