



Mr. Sean McKeown
Director of Services,
Planning Department,
Kilkenny County Council,
John Street,
Kilkenny

21st July 2015

Our Ref: SCP150603.2

Re. Variation No.1 to Kilkenny City & Environs Development Plan 2014-2020 – Urban Framework Masterplan Abbey Creative Quarter

Dear Mr McKeown,

The Environmental Protection Agency (EPA) acknowledges your notice, dated 24th June regarding the above. Please find attached the EPA's submission in relation to Variation No. 1 to the Kilkenny City & Environs Development Plan 2014-2020: Urban Framework Masterplan for Abbey Creative Quarter hereafter referred to as the "Variation" and the associated Environmental Report (ER) and supporting documents.

The EPA is a statutory Environmental Authority under the SEA Regulations. The EPA's role in SEA in relation to land use plans focuses on promoting full integration of the findings of the Environmental Assessment into the Variation.

The comments below relate to the integration of the environmental considerations and recommendations that have been set out in the ER, as well as the additional information highlighted by the EPA, within the Variation. Suggestions are put forward for consideration with a view to addressing the integration of a number of key environmental considerations within the Variation.

We note that the Variation consists of nine development objectives and a map relating to the Abbey Creative Quarter Masterplan, to be inserted into Chapter 3 of the Kilkenny City & Environs Development Plan 2014-2020 (the CDP).

Comments on the Draft Variation

We note the proposed development of a linear park along the western bank of the River Nore. This will provide connectivity to the existing River Nore linear parks (Green's Bridge to the north and Canal Walk to the south). In seeking to develop the park, we recommend that existing riparian habitats alongside the River Nore (SPA) / River Nore & River Barrow (cSAC) are maintained (and where possible enhanced) to ensure ecological connectivity is maintained. We also recommend that you consider providing appropriate lighting to minimise disturbance to designated species.



The Variation should ensure that any contaminated soils identified during the development of existing brownfield lands in the Variation area are remediated and managed appropriately. The Southern Regional Waste Management Plan should also be taken into account as appropriate in this regard.

The Kilkenny City (Radestown) drinking water supply is currently listed on the EPA's most recent (Q1 of 2015) Drinking Water Remedial Action List due to the presence of elevated levels of trihalomethanes (THMs) above the drinking water Regulations. The Variation should include a commitment to collaborate with Irish Water to ensure that drinking water treatment infrastructure is adequate and appropriate to support the continued development of the Variation area in a sustainable manner.

Given that flood risk is a significant issue in the Masterplan area, we acknowledge that the flood risk assessment carried out has influenced the proposed zoning/development of the Variation area. We also note the extent to which objectives are included requiring compliance with the *Flood Risk Management Guidelines* (DEHLG/OPW, 2009).

Specific Comments on the SEA ER

Section 2 – Proposed Variation No. 1

In *Table 2.1 Relationship with Legislation and Other Plans and Programmes*, it may be useful to consider including a reference to the following key plans in Table 2.1 also:

- Irish Water's Water Services Strategic Plan (WSSP)
- Southern Regional Waste Management Plan

Section 7 – Evaluation of Alternatives

We acknowledge the alternatives considered for the development of the Variation area and also the detailed assessment carried out in *Section 7.4- Detailed Evaluation of Alternatives*. The reason for selecting the preferred alternative is also clearly described. We note the findings of *Table 7.5 – Significant positive effects facilitated, potentially significant adverse effects, if unmitigated, and residual non-significant adverse effects*. This table clearly summarises the key identified issues to be taken into account, as well as the possible environmental benefits of implementing the preferred alternative.

Section 9 – Mitigation Measures

We note that lower level strategies are to be put in place to deal with issues such as conservation and heritage, connectivity aspects, sustainable development, environmental protection etc. We acknowledge that where specific measures are not provided in the Variation, that the higher level objectives / policies of the City and Environs Development Plan (CDP) will be implemented. It should be ensured however that no conflict arises between any measures proposed in the Variation and the relevant objectives/policies of the CDP.

Section 10 – Monitoring Measures

We acknowledge the proposed monitoring programme, which includes the frequency of environmental monitoring and which highlights the associated ownership of monitoring responsibilities in *Table 10.1 Selected Indicators, Targets and Monitoring Sources*.

Future Amendments to the Draft Variation

Where amendments to the Variation are proposed, these should be screened for likely significant effects in accordance with the criteria as set out in Schedule 2A of the SEA Regulations and should be subject to the same method of assessment applied in the "environmental assessment" of the Draft Variation.



SEA Statement – “Information on the Decision”

Following adoption of the Variation, an SEA Statement, should summarise the following:

- How environmental considerations have been integrated into the Variation;
- How the Environmental Report, submissions, observations and consultations have been taken into account during the preparation of the Variation;
- The reasons for choosing the Variation 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 Variation.

A copy of the SEA Statement with the above information should be sent to any environmental authority consulted during the SEA process.

Should you have any queries or require further information in relation to the above please contact the undersigned.

I would be grateful if an acknowledgement of receipt of this submission could be sent electronically to the following address: sea@epa.ie.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Cian O'Mahony'.

Cian O'Mahony
Scientific Officer
SEA Section
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Inniscarra, County Cork