



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

21st July 2015

Our Ref: SCP140301.2

Re. Masterplan and Urban Design Framework for 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 the Masterplan and Urban Design Framework for Abbey Creative Quarter hereafter referred to as the "Plan" and the associated Environmental Report (the 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 Plan.

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

Comments on the Draft Plan

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 appropriate lighting should be considered to minimise disturbance to designated habitats / protected species.

The Plan should ensure that any contaminated soils identified during the development of existing brownfield lands in the Plan area are remediated and managed appropriately. The Southern Regional Waste Management Plan should also be taken into account where relevant, 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 Plan 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 Plan area in a sustainable manner.

Given that flood risk is a significant issue in the Plan area, we acknowledge that the flood risk assessment carried out has influenced the proposed zoning/development of the Plan 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 – The Draft Masterplan

In *Section 2.5 - Relationship with other relevant Plans and Programmes*, we acknowledge the plans/programmes referred to 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 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 Plan 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 also acknowledge that where specific measures are not provided in the Plan, 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 Plan 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 Plan

Where amendments to the Plan are proposed, these should be screened for likely significant effects in accordance with the criteria as set out in Schedule 1 of the SEA Regulations and should be subject to the same method of assessment applied in the “environmental assessment” of the Draft Plan.

SEA Statement – “Information on the Decision”

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

- 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.

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, which appears to read 'Cian O'Mahony', is positioned above the typed name.

Cian O'Mahony
Scientific Officer
SEA Section
Office of Environmental Assessment
Environmental Protection Agency
Regional Inspectorate
Inniscarra, County Cork