

**STRATEGIC
ENVIRONMENTAL
ASSESSMENT
(SEA) SCREENING
STATEMENT / DECISION**

**KILCULLEN DRAFT LOCAL AREA PLAN 2014-
2020**



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1.0 Introduction

Kildare County Council intends to review the Kilcullen Local Area Plan 2008 – 2014. Section 18 (1) of the Planning and Development Act 2000 (as amended) states that a planning authority may at any time and for any particular area within its functional area, prepare a local area plan in respect of that area. The purpose of this report is to consider whether the Local Area Plan requires Strategic Environmental Assessment.

The purpose of this Local Area Plan is to comply with the Core Strategy of the County Development Plan 2011-2017 and to set a framework for the proper planning and sustainable development of the town. The CDP 2011-2017 sets out an overall strategy for the proper planning and sustainable development of County Kildare over the period 2011-2017 and beyond to the horizon year of 2022. It has been informed by the Regional Planning Guidelines 2010-2022 (RPGs) which aims to direct the future growth of the Greater Dublin Area (GDA). The current Kilcullen Local Area Plan was adopted on 7th May 2008 and provides the planning framework for the future development of the town for a period of 6 years. Following the adoption of the Kildare County Development Plan (CDP) 2011-2017 which came into effect on 2nd May 2011, there is a statutory obligation on the Planning Authority to review any LAPs no longer consistent with the Core Strategy¹. The Core Strategy outlines the preferred development strategy for the county together with future population and housing unit targets over the plan period. The population and housing unit targets over the period 2006-2017 for Kilcullen are outlined in Table 1 hereunder:

	2006 Pop Census	2011 Pop Census	2017 Pop Target	2006-2017 Housing Units Target ²	Percentage of Allocated County Growth 2006 - 2017
Kilcullen	2,985	3,473	4,014	470	1.7%

Table 1: Population and Housing unit targets (2011-2017) for Kilcullen as contained in the CDP 2011-2017.

¹ Section 19 (2) of the Planning & Development Act 2000, as amended states that –
A local area plan shall be consistent with the objectives of the development plan, its core strategy, and any regional planning guidelines that apply to the area of the plan and shall consist of a written statement and a plan or plans which may include—

- (a) objectives for the zoning of land for the use solely or primarily of particular areas for particular purposes, or
- (b) such other objectives in such detail as may be determined by the planning authority for the proper planning and sustainable development of the area to which it applies, including the objective of development of land on a phased basis and detail on community facilities and amenities and on standards for the design of developments and structures.”.

² Note: Figures do not include provision for 50% over zoning as provided for in The Development Plan Guidelines published by the DoEHLG.

The Local Area Plan is being prepared in accordance with specific objectives of the CDP 2011-2017 to ensure that the zoning of lands is in accordance with the County Settlement Strategy (policy SS2) and to phase development / rezone where over zoning has taken place (policy SS3). An analysis of the Local Area Plan with reference to the foregoing targets has indicated that notwithstanding the provisions for over zoning as provided in the Development Plan Guidelines published by the DoEHLG, the Kilcullen LAP has residential zonings in excess of that required to meet the housing demands over the County Plan period 2011-2017.

1.1 SEA Requirements

The SEA Directive (2001/42/EC), was transposed into Irish Law through the European Communities (Environmental Assessment of certain Plans and Programmes) Regulations 2004 (SI No 435 of 2004) as amended by the European Communities (Environmental Assessment of Certain Plans and Programmes) (Amendment) Regulations 2011 (S.I No. 200 of 2011) and the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (SI No 436 of 2004) amended by the Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations 2011 (S.I. No. 201 of 2011).

SEA screening of a local area plan is required where the population or target population of the town is less than 5,000 persons, or where the area covered by the plan is less than 50 square kilometres.

In accordance with the above Regulations, Kildare County Council has conducted a screening exercise to determine the need or otherwise to instigate a Strategic Environmental Assessment of the likely impacts arising from the review of the current LAP. This screening report therefore considers whether the review of the Local Area Plan requires Strategic Environmental Assessment pursuant to Article 14A of the Planning and Development Strategic Environmental Assessment (SEA) Regulations 2004 as amended. The factors considered in the screening process are detailed in Schedule 2A of the Planning and Development (SEA) Regulations 2004 as amended and are considered Section 2.0-2.4 of this report.

1.2 Purpose of Review

The review will ensure that land use objectives within the town are consistent with the Core Strategy of the CDP 2011-2017 and will provide a framework to manage capacity issues. This may consist of the phasing of lands where significant over zoning has been identified and /or proposed zoning changes, as deemed appropriate.

Screening for SEA was conducted for the existing LAP for Kilcullen (2008) and it was determined that a Strategic Environmental Assessment was not required.

2.0 Kilcullen Strategic Environmental Assessment Screening

2.1 Introduction

Kilcullen is located in east Kildare on the River Liffey and 38km from Dublin, 10km from Naas and 6km from Newbridge.

2.1.1 Town Boundary

Kildare County Council established a development area boundary for Kilcullen in 1996. The Kilcullen Local Area Plan 2001 subsequently reviewed the original boundary and further extended the development boundary for Kilcullen with additional lands zoned for development. This development boundary was retained in the 2008 Local Area Plan.

2.1.2 Status, Context and Character

Kilcullen derives its name from Cill Cuilinn, the church of the holly and was an important crossing point of the River Liffey from Medieval Times. The town developed along the street leading to the bridge. The town expanded in the latter half of the 20th Century extending the street further north and south. The town street pattern reflects its historical development. The M9 Motorway acts as a barrier to expansion to the west of the town and Castlemartin Demesne constrains development to the north west. Recent residential development has occurred to the south west and east of the town.

Kilcullen is located within the Eastern Transition Landscape Character Area in the CDP and is on the River Liffey water corridor Landscape Character Area. These areas are characterised by undulating topography. The fields in this area are generally medium size and of a regular pattern. Hedgerows are usually well maintained with scattered trees along the field boundaries.

2.1.3 Population

The population of Kilcullen was recorded as 3,473 in the 2011 Census representing an increase of 488 persons from that recorded in 2006. Between 2002 & 2011 the population of the town increased by 134% (1,483). The CDP 2011 -2017 Settlement Hierarchy identifies Kilcullen as a moderate growth town. The Settlement Strategy of the Plan allocates an additional 470 residential units to Kilcullen over the lifetime of the CDP, with a population target of 4,014 persons by the year 2017. The target population for the period of the Kilcullen LAP 2014-2020 is 4,169.

2.2 Characteristics of the Plan

2.2.1 The degree to which the plan sets a framework with regard to the location, nature, size and operating conditions or by allocating resources.

The proposed Kilcullen Local Area Plan will take account of the Core Strategy as set out in the CDP 2011-2017. The purpose of the Kilcullen Local Area Plan is to establish a statutory land use framework for the sustainable development of the town including the identification

of land uses for particular purposes, the location, nature, size and operating conditions of various land uses and activities, as well as allocating necessary resources.

The CDP 2011-2017 estimates the potential number of units deliverable in the town is circa 1,439 based on the development of zoned land at appropriate densities. This figure is based on a 2009 survey and will be updated as part of this review. The unit target for 2006-2017 set out in the CDP is 470 units. Therefore, there is an oversupply of zoned land for residential purposes in Kilcullen over the period 2011-2017. The review of the LAP will be informed by the overarching policies and objectives of the County Development Plan 2011-2017 including allocating necessary resources in line with the settlement strategy.

2.2.2 The degree to which the plan or programme influences other plans and programmes including those in a hierarchy:

This review is set within the context of the CDP 2011-2017 which has been informed by the Regional Planning Guidelines and the National Spatial Strategy. It will, in conjunction with the CDP, act as the planning framework within which future planning applications within the development boundary of Kilcullen will be assessed. As the LAP is positioned at the lower end of the hierarchy of plans it will not influence other plans.

2.2.3 The relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development:

The review is being prepared in accordance with specific objectives of the CDP 2011-2017 to ensure that the zoning of lands is in accordance with the County Settlement Strategy (policy SS2) and to phase development where over zoning has taken place (policy SS3). It will adhere to the principles of the proper planning and sustainable development of the area. All policies and objectives of the proposed Local Area Plan will therefore be informed by the principles of sustainable development and the overriding policies and objectives of the CDP.

2.2.4 Environmental problems relevant to the plan;

The underlying environmental issues of the plan relate to:

(a) Water Quality / Water framework Directive

The Water Framework Directive establishes a framework for the protection of all waters including rivers, lakes, estuaries, coastal waters, groundwater, canals and other artificial bodies for the benefit of everyone. Kilcullen lies within the Eastern River Basin District and a River Basin Management Plan 2009-2015 has been prepared. The River Liffey flows through Kilcullen. The River Liffey lies within the Liffey Water Management Unit Action Area. The Liffey has been classified as having Poor Status. All proposed development will be screened for Appropriate Assessment for its potential to impact on the Natura 2000 network, in accordance with Article 6 of the Habitats Directive.

Monitoring by the Council and other agencies of all water sources is carried out for the purpose of implementing the Water Framework Directive. Policies in relation to the maintenance and improvement of water quality are set out in Section 7.6.2 of the CDP 2011-2017.

(b) Water Supply

Kilcullen is primarily supplied from the Ballymore Eustace Regional Water Supply. Key water supply projects underway in order to facilitate the future development of the county include the Barrow Abstraction Scheme and the Ballymore Eustace Water Treatment Plant upgrade.

The level of growth in Kilcullen will be managed in line with the ability of local services to cater for future growth. No development shall be permitted to proceed if the local services are insufficient to cater for future growth. All proposed development will be screened for Appropriate Assessment for its potential to impact on the Natura 2000 network, in accordance with Article 6 of the Habitats Directive.

(c) Wastewater Facilities

Kilcullen is served by the Upper Liffey Valley Sewerage Scheme. All wastewater in this area is pumped to the Osberstown Treatment Plant in Naas. The upgrade of the Osberstown treatment plant (to 130,000 P.E.) is planned as part of next phase of the Upper Liffey Valley Regional Sewerage Scheme. It is envisaged that the upgrade is due to commence construction by mid 2014 with a 26 month construction period, meaning substantial completion by mid to late 2016.

(d) Groundwater Protection

Groundwater is protected under EU and National Legislation. Kilcullen is located on a Locally Important aquifer with groundwater vulnerability in the area classified as moderate. The chemical and quantitative status of the groundwater around Kilcullen is generally "Good". bedrock. The Geological Survey of Ireland has completed a Groundwater Protection Scheme for County Kildare. The overall aim of the groundwater protection scheme is to preserve the quality of groundwater, particularly for drinking water purposes, for the benefit of present and future generations. The scheme is not intended to have any statutory authority, but provides a framework for decision-making and guidelines for the Council in carrying out its functions.

(e) Flood Protection and Management

In accordance with Ministerial Guidelines "The Planning System and Flood Risk Management – Guidelines for Planning Authorities" (2009) flood risk management will be integrated into spatial planning policies. The OPW has identified a flood event in the town and the plan will ensure that the proposed landuse planning framework will be informed by a process of screening for flood risk and any further flood risk assessment as deemed appropriate. (See Map 2 attached). A stage I Flood Risk Assessment (FRA) has been conducted for Kilcullen. The results of this are outlined on Map no. 2 attached. It has been concluded from the stage I FRA that a stage II FRA is not required for Kilcullen.

2.2.5 The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water programme).

Issues relating to EU legislation on the environment have been considered in the CDP 2011-2017 and will inform the drafting of the LAP.

2.3 Characteristics of the Effects and of the Area Likely to be affected

2.3.1 The probability, duration, frequency and reversibility of the effects

It is predicted that the overall environmental impacts associated with the development of lands for various uses will not be significant. It is expected that the effect of the review, in environmental terms, will be largely positive. Individual planning applications will be subject to appropriate conditions to ensure that developments are carried out in accordance with the principles of proper planning and sustainable development.

2.3.2 The overall nature of the effects

Cumulative negative environmental effects are not expected. A key objective of the review will be to attain a balance between growth aspirations and the need to protect the specific natural and built characteristics of the town. It is an objective of the LAP to regenerate the existing built area and to protect the natural environment in the town and also to protect the natural environment of the lands surrounding the town.

2.3.3 The transboundary nature of the effects

The review of the Kilcullen Local Area Plan has no national, regional or inter-county transboundary effects.

2.3.4 The risks to human health or the environment (e.g. due to accidents)

There are no designated Seveso Sites within the area or employment uses subject to integrated pollution control licences within the development boundary of Kilcullen. Future development within the area defined by the proposed development boundary will be based on the proper planning and sustainable development of the area and be designed having regard to best environmental principles.

2.3.5 The size and spatial extent of the effects (geographical area and size of the population likely to be affected)

The Kilcullen development boundary comprises an area of 315.7ha and includes various landuses comprising town centre, residential, industrial, institutional, agricultural etc. Population targets for 2017 is estimated at 4,014 representing an increase from 2,985 in 2006. There are a number of residential zoned sites which remain undeveloped and which could accommodate residential development. It is envisaged that the proposed development framework will reduce the residential capacity of this land by way of phasing and / or altering the zoning to other appropriate use(s). It shall be an objective of the proposed development framework to ensure that growth in the town is in accordance with sustainable development principles and that land resources are optimised.

2.3.6 The value and vulnerability of the area likely to be affected due to

a. Special natural characteristics or cultural heritage;

Natural Heritage

Kilcullen is located on the River Liffey. There is a diversity of natural and semi-natural habitats within the Kilcullen environs including woodland, river and grassland habitats. The River Liffey which flows through the town is a designated salmonid river. The River Liffey flows into the Poulaphouca Reservoir which is a candidate Special Protection Area (SPA). This is approximately 8km upstream of the town. There are policies and objectives in section 3.10.2 and 3.12 of the existing Local Area Plan 2008 governing the river's protection. Guidelines issued by the Department of the Environment and Local Government in 2009 "Appropriate Assessment of Plans and Projects in Ireland, Guidance for Planning Authorities" will inform the review of the Kilcullen Plan. The Local Area Plan alone and in combination with other plans and projects will be assessed in accordance with Article 6 of the Habitats Directive and screened for appropriate assessment. If appropriate assessment is required, any findings or recommendations will be incorporated into the plan, as appropriate.

Archaeological Heritage

Archaeological heritage is legally protected from unauthorised damage or interference through the powers and functions of the National Monuments Acts 1930-2004. There are 5 items of archaeological interest listed on the Records of Monuments and Places. (Refer to table below). A Zone of Archaeological Potential has also been identified for Kilcullen. Planning applications will be assessed with reference to Chapter 12 Architectural and Archaeological Heritage of the CDP which seeks to protect, conserve and manage the archaeological heritage of the county and to encourage sensitive sustainable development so as to ensure its survival and maintenance for future generations.

Ref. No	Address	Item
KD028-024	Kilcullenbridge	Tumulus
KD028-025	Kilcullenbridge	Holy Well
KD028-026	Kilcullenbridge	Enclosure
KD028-027	Kilcullenbridge	Enclosure
KD028-062	Kilcullenbridge	Bridge

Table 2: Record of Monuments & Places - Extract

Architectural Heritage

The National Inventory of Architectural heritage identifies 36 structures within the town of Kilcullen. The current Record of Protected Structures contained in the CDP 2011-2017 identifies 5 structures within the development boundary of Kilcullen which are listed in the table below.

Ref No.	Address	Item
B28-14	Liffey Bank House, Main Street	House
B28-16	Kilcullen Credit Union, Main Street	House
B28-26	Bardon, Main Street	House
B28-27	O' Connell/ White Horse Inn	Public House
B28-28	Catholic Church of the Sacred Heart & St. Brigid	Church

Table 3: Record of Protected Structures - Extract

The LAP, together with Chapter 12 Architectural and Archaeological Heritage of the CDP will continue to seek protection, conservation and management of the architectural and archaeological heritage of the county and to encourage the sensitive sustainable development so as to ensure its survival and maintenance for future generations

Protected views and scenic routes

Scenic views of the river Liffey are available from Kilcullen Bridge (RL 11, Kildare County Development Plan 2005-2011). Although this is in an urban location there are good quality views of the river corridor. Natural vegetation screens the adjacent urban fabric.

The LAP will include policies/objectives to ensure that future development does not adversely affect the views, items or structures. The LAP will seek to enhance these items through promotion and protection.

b. Exceeded environmental quality standards or limit values.

It is not expected that any environmental quality standards will be exceeded or that the value of vulnerable areas will be limited as a result of this review of the Kilcullen Local Area Plan. Development proposals within the plan boundary will be subject to assessment as part of planning applications and will be required to demonstrate compliance with environmental quality standards and limits

c. Intensive land use

It will be a key objective of the LAP to ensure that the future development of Kilcullen and any intensification of land use does not undermine the environmental qualities of the town, its character and physical qualities. Any proposals to intensify land use will be also considered in the context of the CDP and the proper planning and sustainable development of the area.

2.3.7 The effects on areas or landscapes that have a recognised national, community or international protection status.

There are no SACs within the town boundary. The nearest SAC is Pollardstown Fen while the nearest SPA is Poulaphouca Reservoir, located approximately 10km and 8km respectively from the development boundary. Any potential impacts on the Natura 2000 Network will be considered as part of the Appropriate Assessment report. It is not anticipated that the provisions and policies within the plan will have any negative impacts on the monuments or

protected structures in the town. Archaeological features and protected structures in Kilcullen will continue to be protected through the implementation of policies in Chapter 12 of the CDO 2011-2017.

3.0 Consultation Process

The public consultation process was comprised of a public notice and the invitation of pre-draft written submissions. These have been taken into account in the draft plan preparation.

The specified environmental authorities were also consulted in relation to the preparation of LAPs as required under Article 13A (4) of the Regulations. These comprise:

- The Environmental Protection Agency (EPA)
- Minister for the Environment, Community and Local Government (DoECLG)
- Minister for Arts, Heritage and Gaeltacht Affairs (DoAHG).
- Minister for Agriculture, Marine and Food
- Minister for Communications, Marine and Natural Resources (DCMNR)
- Adjoining Planning Authorities

Submissions were received from two agencies as follows:

(i) The Department of Agriculture, Food and the Marine had no comment to make in relation to the Screening report.

(ii) The EPA highlighted the need to comply with the provisions of the Regional Planning Guidelines and the County Development Plan 2011-2017 highlighting the need to consider re-zoning / downzoning as appropriate. In this regard the draft LAP has rezoned c. 16ha from residential to agricultural uses to comply with the provisions of the core strategy. The submission further identified the need to ensure that the Flood Risk Guidelines are fully integrated into the plan as relevant and appropriate. In this regard the draft LAP has been subject to the preparation of a draft strategic flood risk assessment which accompanies the draft plan. The SFRA has recommended that development proposals for a number of areas within the plan boundary should be subject of site-specific flood risk assessment appropriate to the nature and scale of development being proposed. These recommendations have been incorporated into the draft LAP. The submission also references the need for adequate and appropriate infrastructure to be in place or required to be in place to services development proposed during the lifetime of the plan. This is recognised in the policies of the draft plan. The submission further highlights further statutory requirements including the need to determine whether future amendments/ variations would be likely to have significant effects on the environment and obligations with respect to national plans and policies and EU Environmental legislation including the European Communities (Birds and Natural Habitats) Regulations 2011. . These are noted by the Planning Authority.

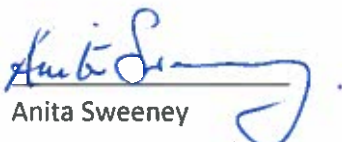
4.0 Determination

Following the screening process, whereby the specific context of the Kilcullen draft Local Area Plan has been assessed vis a vis the environmental significance criteria as outlined in

Annex II of the SEA Directive, together with consideration of the submissions received from the environmental authorities and the policies and objectives contained in the draft LAP, it is the opinion of the planning authority at this stage in the process, that a full Strategic Environmental Assessment will not be required.



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