



TO: JOHN MULHOLLAND, DIRECTOR OF SERVICES
FROM: DENIS MALONE, SENIOR PLANNER
SUBJECT: DETERMINATION OF REQUIREMENT FOR STRATEGIC ENVIRONMENTAL ASSESSMENT OR APPROPRIATE ASSESSMENT OF RECOMMENDATIONS FROM MANAGER'S REPORT
DATE: 7TH JULY 2011

I refer to the requirement under Section 13 (6)(aa) of the Planning and Development (Amendment) Act 2010 in relation to considering whether or not proposed modifications to Proposed Variation 1 to the City and Environs Development Plan requires a Strategic Environmental Assessment or Appropriate Assessment or both.

In accordance with Section 13 (6) of the Planning and Development Act, 2000 (as amended) a Manager's Report was prepared on submissions to Variation 1 under Section 13(2) of the Planning and Development Act, 2000 as amended.

The Manager has recommended a number of proposed alterations to the text as a result of submissions to Proposed Variation 1. These proposed alterations are attached and should be read in conjunction with the Proposed Variation.

Where an issue was raised as part of a submission the reference number of the corresponding submission has been given e.g. PX. A summary of the submissions made and the Manager's response to each can be found in the *Manager's Report on Submissions to Variation 1* dated 4th July 2011.

The Manager's recommendations as set out in this report have been assessed to determine whether a Strategic Environmental Assessment or Appropriate Assessment or both would be required. It has been determined that the alterations proposed in the Manager's Report are minor in nature and therefore not considered to have significant effects on the environment or adversely affect the integrity of a European Site and they do not result in a requirement for SEA or AA.

Recommendation

I therefore recommend that neither a Strategic Environmental Assessment nor Appropriate Assessment is required for the proposed alterations as a result of the Manager's recommendations to proposed Variation 1 to Kilkenny City & Environs Development Plan 2008-2014.

Denis Malone,
Senior Planner



Proposed modifications to Variation 1 to the Kilkenny City & Environs Development Plan

In the following text, proposed deletions are shown in strikethrough and proposed insertions are shown in *italics*.

Chapter 3 Core Strategy

P13 Section 3.4 Development Strategy

Insert “*Areas of Strategic Reserve are included on the Core Strategy Map. These areas will provide for the long term expansion of the city, following substantial progress being made in the implementation of the Western Environs and Loughmacask areas. Local Area Plans, or appropriate planning framework documents will be prepared for the areas of Strategic Reserve as required in the longer term*”.

Core Strategy Table

	Core Strategy Population Allocation from RPGs (2010 to 2016)	Housing land requirement (ha)	Existing Zoning (ha)	Proposed Zoning (ha)	Housing Yield (Residential Lands - units) ¹	Housing Yield (Other Lands - units) ²	Shortfall/ Excess (ha)
Hub Town – Kilkenny	1,800	48	187	52.48	1574 -1049		4.48
Infill/brownfield areas				14.1	423 -282		
Expansion areas in Local Area Plans				38.3	4151 -766		

P7a Insert Section 3.5 Retail Strategy Update

¹ An average density of ~~30~~ 20 units per hectare has been applied.

² An analysis of each site zoned for mixed use has been conducted, examining whether it is likely that a significant number of residential units will be developed during the plan period. This analysis found that none of the sites were likely to undergo significant residential development during this period, therefore no units have been allocated here.

The retail strategy for the City and County was adopted in 2008 and is three years old. This Core Strategy does not change the fundamental assumptions in relation to the strategic location of retail development within the County. It does alter the expected population levels within the timeframe of the Development Plan. Since its adoption there has also been a significant change in the economic situation within the country. In particular the economic outlook is pessimistic in the short term and is subject to some uncertainty. Having considered the time frame to the review of the County and City Development Plans (commencing in 2012) it is considered more appropriate at this time to review the implementation of the retail strategy in the light of the new Core Strategy. Subsequently, when the retail strategy is reviewed it will take account of the core strategy.

Chapter 8 Infrastructure and Environment

Insert new policy in Section 8.3.4: Sustainability and Energy Efficiency in Buildings

IE25 To require that planning applications demonstrate that due consideration has been given to the Technical Guidance Documents of the Building Regulations.

P8a 8.8.3 Flooding

Amend IE57 as follows: To prepare flood zone maps as part of ~~future~~ *the review of the Development or any Local Area Plans* as information becomes available.

Change to Policy IE59 as follows:

For any development, where flood risk may be an issue, a flood risk assessment should be carried out that is appropriate to the scale and nature of the development and the risks arising. ~~The onus is on the applicant to assess whether there is a flood risk issue and how it will be addressed in any proposed development.~~ *The applicant is primarily responsible in the first instance for assessing whether there is a flood risk issue and how it will be addressed in the development they proposed.*

P2 8.10 Control of Major Accident Hazards Directive (Seveso II Directive)

Amend policy IE74 as follows: "In order to reduce the risk and limit the consequences of major industrial accidents, "It is the policy of the Councils to consult with the Health and Safety Authority when assessing proposals for development *of*, in or near sites which area identified under the COMAH (Seveso II) Directive."

Chapter 10 Requirements for New Development

10.4 Apartments

Table 10.1 Minimum apartment sizes

Apartment type	Minimum floor area
Two bedrooms	65 sqm 73 sqm

Mapping changes (P2)

Display consultation distance within which all planning applications must be referred to the Health and Safety Authority for Grasslands Fertilisers, which is a Seveso II notified site, on the City Zoning map.