

TO: DENIS MALONE, SENIOR PLANNER

FROM: NICOLAAS LOUW, SENIOR EXECUTIVE PLANNER

SUBJECT: APPROPRIATE ASSESSMENT FOR THE DRAFT KILKENNY LOCAL TRANSPORT PLAN 2021

The Kilkenny Local Transport Plan (KLTP) is a short to medium term plan that sets out the transport strategy for the city to cover the period 2021-2027. The strategic aim is to provide for the planning and delivery of transport infrastructure and services in Kilkenny City and its environs over the period of the City and County Development Plan (CDP) (2021 to 2027) and beyond, which will: "co-ordinate transport and land use planning, reduce the demand for travel and the reliance on the private car in favour of public transport, walking and cycling". The plan needs to support a safe and secure transport network that is environmentally and financially sustainable.

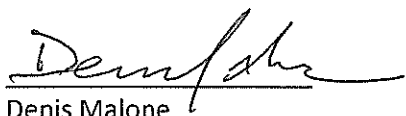
Kilkenny County Council (KCC), as the body preparing the KLTP and therefore the 'competent authority', is responsible for ensuring that the KLTP is prepared in compliance with the European Commission's Habitats Directive (92/43/EEC), which is transposed into Irish law by the Planning and Development Act 2000 (as amended) and the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. 477/2011).

KCC have undertaken a Screening for Appropriate Assessment (AA) to determine if the proposed KLTP, alone, or in combination with other plans or projects, is likely to have a significant effect on a 'European site', comprising Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) in view of the conservation objectives of these sites.

The Draft Screening for AA concluded that, in the absence of mitigation, there is potential for significant effects either alone, or in combination with other plans or projects on the following European sites:

- River Barrow and River Nore SAC
- River Nore SPA

Therefore, it is considered that the proposed Plan should progress to more detailed examination of effects on the integrity of the European Sites through a stage 2 AA and the preparation of a Natura Impact Statement (NIS). In order for AA to comply with the criteria set out in the Habitats Directive and the Planning and Development Act 2000, an AA undertaken by the competent authority (Kilkenny County Council) must include a detailed examination, analysis, evaluation, findings, conclusions and a final determination. The NIS will enable the Planning Authority to undertake a full Stage 2 AA in respect of the proposed KLTP.



Denis Malone
Senior Planner

Date: 30/4/2021

TO: DENIS MALONE, SENIOR PLANNER
FROM: NICOLAAS LOUW, SENIOR EXECUTIVE PLANNER
SUBJECT: STRATEGIC ENVIRONMENTAL ASSESSMENT OF KILKENNY LOCAL TRANSPORT PLAN

I refer to the requirement under Article 9 of S.I. No. 435/2004 European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (henceforth referred to as the SEA Regulations 2004) (as amended), in relation to carrying out an environmental assessment on plans or programmes.

Article 9. (1) states that an environmental assessment shall be carried out for all plans and programmes:

- (a) which are prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications and tourism, and which set the framework for future development consent of projects listed in Annexes I and II to the Environmental Impact Assessment Directive, or
- (b) which are not directly connected with or necessary to the management of a European site but, either individually or in combination with other plans, are likely to have a significant effect on any such site.

As the Kilkenny Local Transport Plan is a plan for transport, which will set the framework for future development consent of projects listed in Annexes I and II to the Environmental Impact Assessment Directive, it is necessary to carry out an environmental assessment.

In addition, an AA Screening was undertaken, to determine if the KLTP could cause likely significant effects on European Sites designated under the Habitats Directive, and the AA Screening has determined that the KLTP should progress to more detailed examination of effects on the integrity of the European Sites through a Stage 2 AA and the preparation of a Natura Impact Statement (NIS).

A letter, and accompanying report, setting out the Council's view on this was submitted to the Environmental Protection Agency (EPA) on the 10th July 2020, and they responded on the 31st July 2020. The information contained in their response will be considered in the environmental assessment.

Recommendation

I recommend that a Strategic Environmental Assessment is **required** for the proposed Draft Kilkenny Local Transport Plan, as per the provisions of the SEA Regulations.

In accordance with Article 11(1) the environmental authorities will be notified, prior to deciding on the scope and level of detail of the information to be included in the environmental report.



Denis Malone
Senior Planner

Date: 30/4/2021