

**Strategic Environmental Assessment Screening  
of proposed Material Alterations to the  
Fiddown Draft Local Area Plan 2010**



**15<sup>th</sup> November 2010**

## **1.0 INTRODUCTION**

In accordance with Section 20(3)(e) of the Planning and Development Acts 2000-2010, Kilkenny County Council is proposing a number of Material Alterations to the Draft Fiddown Local Area Plan. These Material Alterations have arisen following the Elected Members review of the Manager's Report on submissions received under Section 20(3)(3) of the Planning and Development Acts 2000-2010.

As part of the process of preparing a Draft Local Area Plan (LAP) for Fiddown and having regard to the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (S.I. No. 436 of 2004), Kilkenny County Council considered whether to carry out a Strategic Environmental Assessment (SEA) on the plan and determined that a Strategic Environmental Assessment was not required. This determination was made in July 2010. The assessment of this issue was based on the criteria set down in the SEA Guidelines and Annex II of the SEA EU Directive (2001) for determining likely significance of environmental effects.

The Draft Plan, including the proposed Material Alterations, will be screened in its entirety, and this is henceforth referred to as 'the plan'.

## **2.0 OBJECTIVES OF THE LOCAL AREA PLAN**

The plan consists of a written statement with associated maps which set out the framework for the sustainable planning and development of Fiddown within a defined development boundary for a period of 6 years. The maps set out zoning objectives and also highlight the natural and built heritage of the area; whilst the written statement will set out objectives and policies to cater for future improvements and works in the village. The plan is a statutory document and must be referred in the assessment of any future planning applications.

The plan is set within the framework of the Kilkenny County Development Plan 2008-2014 (hereinafter referred to as the CDP); the policies and objectives of the plan are in line with those of the CDP.

## **3.0 MANDATORY REQUIREMENTS**

Under SI No. 346 of 2004, Planning & Development (Strategic Environmental Assessment) Regulations 2004, where a Planning Authority proposes to make an LAP under Section 18, 19 & 20 of the Planning and Development Acts 2000-2007, it is a requirement under article 14A of the regulations to consider whether or not the proposed plan would be likely to have significant effects on the environment. Section 6 below sets out the required report pursuant to Article 14A of the 2004 regulations.

## **4.0 DESCRIPTION OF THE LANDS**

Fiddown is located in the southwest of County Kilkenny, in the valley of the River Suir. The village is located to the north of a bridge across the Suir, which is an important crossing route to County Waterford. The Limerick/ Waterford railway line runs through Fiddown. The village is situated just off the N24, the National Primary route linking Waterford City to Limerick via Carrick-on Suir. Fiddown is approximately 12 miles from Waterford City and 31 miles from Kilkenny City. See Map A which shows Fiddown in its context.

The 2003 local area plan zoned an area of approximately 26.3hectares, (see Map B), and the 2006 census of population recorded a population of 194 persons in the village. Fiddown is ranked in the 'smaller towns and village' category of the county settlement hierarchy as set out in the Kilkenny County Development Plan 2008-2014.

## **5.0 ADDITIONAL INFORMATION AND MAPS**

The following maps are included in this screening:

- Map A: Location of Fiddown.
- Map B: Fiddown Local Area Plan 2003 Zoning Objectives.
- Map C: Fiddown Draft Local Area Plan 2010 Zoning Objectives Map

Kilkenny CDP, which is referenced throughout this screening report, can be viewed at the following web address:

[http://www.kilkennycoco.ie/eng/Services/Planning/Development\\_Plans\\_2008-2014/](http://www.kilkennycoco.ie/eng/Services/Planning/Development_Plans_2008-2014/)

## 6.0 ASSESSMENT OF LIKELY SIGNIFICANT ENVIRONMENTAL EFFECTS

### Criteria for determining the likely significant environmental impacts (Schedule 2(a) of SEA Regulations 2004)

#### 6.1 CHARACTERISTICS OF THE PLAN

(i) The degree, to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.

The plan establishes a revised land use framework (revising the 2003 LAP) for the sustainable development of the area, including the location, nature, size and operating conditions. The plan forms a statutory document, conforming to the policies and objectives set out in the CDP and other relevant guidelines and documents. The Plan identifies the existing character of the area, sets out a common vision or strategy for Fiddown that is generally supported by the local community and that provides a positive framework for guiding private development and public investment in the village and provide a means (via policies and objectives) to influence future development to create a sustainable environment. The overall aim is to accommodate local development needs in an orderly and sustainable manner whilst protecting the historic character of the village.

The 2003 LAP zoned approximately 26.3 hectares for a mixture of land uses; this included both lands which were already developed and greenfield sites. This LAP proposes to zone a total of 13.6 hectares of the existing built-up area of Fiddown for Existing and General Development Objective, which states as follows:

To provide for a mix of uses and to support, strengthen and expand the service base, allowing for development appropriate to the scale and character of Fiddown, whilst protecting its natural and built heritage.

In addition, 0.83 hectares of greenfield land are proposed for residential development and 3.03 hectares for industrial development, see Table 1 below.

**Table 1: Comparison of Zoning**

Zone	2003 LAP	2010 LAP
	(Area in hectares)	
Integrated Tourism/Leisure	0.43	0.43
Village Centre	8.8	-----
Community Facilities	0.24	-----
Industrial	2.9	3.03
Open Space	2.2	1.74
Residential	5.31	0.83
Existing and General Development Objective	-----	13.6
<b>Total land zoned</b>	<b>19.88</b>	<b>19.63</b>

**(ii) The degree to which the plan influences other plans, including those in a hierarchy.**

The plan provides a land use framework for the sustainable development of Fiddown and will not affect other plans. The policies and objectives of the LAP are set within the context of the CDP (in accordance with Section 19 (2) of the Planning and Development Acts 2000-2010). In its making, it had regard to other relevant planning and environmental policy and legislation including European Union directives, Ministerial guidelines and other national, regional and county plans and policies.

**(iii) The relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development.**

The Draft Fiddown LAP will be made pursuant to the provisions of the Planning and Development Acts 2000-2010 Sections 18-20; as such the plan seeks to achieve development in a sustainable manner, through the protection and enhancement of its natural, architectural and archaeological heritage.

**(iv) Environmental problems relevant to the plan.**

There are no strategically significant environmental problems identified in relation to the Draft LAP.

A brief overview of environmental issues pertaining to Fiddown is detailed below. For each issue, the relevant policies from the CDP are included. All of the policies and objectives of the CDP are adhered to in every LAP, but the policies are not repeated in each LAP. Instead, in the interests of focus, only policies that are specific to the LAP area are included.

1. Water

1.1 Water Framework Directive

This 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. Good ecological and chemical status for all waters must be achieved by 2015 with no deterioration in existing status in the meantime. The South Eastern Draft River Basin District Management Plan was published in December 2008.

The LAP area is located within the south eastern Suir water region (HA16). The River Suir runs to the south-west of Fiddown. This river has a water quality rating of Q3 which is defined as being of poor status. Under the Water Framework Directive the river is defined as being at risk of not achieving good status.

Section 9.10.3.1 of the CDP sets out the policies (IE53-57) in relation to the Water Framework Directive.

- IE53 To actively participate in the implementation of the Water Framework Directive
- IE54 To jointly with other local authorities and the relevant Public Authorities, participate and co-operate in the South Eastern River Basin District Management Project
- IE55 To implement the South Eastern River Basin Management Plan
- IE56 To increase public awareness of water quality issues and the measures required to protect and where required, improve the quality of all waters
- IE57 To take account of the findings of the National Programs of Measures Studies being developed for the River Basin Management Plans

Policies in relation to water quality in general are also set out in Section 9.10.3 (Policies IE58-64).

- IE58 Ensure the sustainable and economic provision of an adequate supply of good quality water for industrial, domestic and other beneficial uses, including the propagation of healthy fish stocks.
- IE59 Implement its adopted Water Quality Management Plans in order to prevent pollution and to ensure that beneficial uses of the waters e.g. industrial, domestic and agricultural abstraction, fishing and recreation, are protected.
- IE60 Ensure the protection of sources of potable water and will continue the process of monitoring the quality of water resources.
- IE61 Prevent industrial water pollution by ensuring that development is appropriately located, by seeking effluent reduction and 'clean production' where feasible, by requiring that waste water treatment facilities are adequate, and that effluents are treated and discharged in a satisfactory manner.
- IE62 Prevent pollution of water by means of development management and enforcement measures.
- IE63 Implement the measures quoted under the Water Quality Standards Reports for Phosphorous and Dangerous Substances Regulations.
- IE64 To implement the Water Quality Management Plans for the Barrow, Nore and Suir Rivers pending adoption of the South East River Basin Management Plan

## 1.2 Drinking Water/Water Supply

### Water Supply

#### Capacity

At present, water supply volumes serving Piltown-Fiddown are inadequate to cater for further development. Kilkenny County Council is currently in the process of upgrading and augmenting the existing Mooncoin Regional Water Supply Scheme which will have a positive impact on the Piltown/Fiddown water supply scheme. The upgrade of the Mooncoin Regional Water Supply scheme is set to take place over 3 phases of works. Currently works are being undertaken for phase 1. The works as part of phase 1 will relieve pressure on parts of the existing water supply scheme serving Fiddown and allow for small amounts of further development, and is due to be complete in the third quarter of 2010. Further upgrading of the water supply will be dependent on phases 2-3 of the Mooncoin Regional Water Supply scheme, a date has not been finalised as yet for these works to commence.

In addition the Piltown- Fiddown water supply scheme will be included in the request for funding under the Water Services Investment Program for upgrading works.

#### Future requirements

As stated under point (i) above, the Draft LAP is not proposing to increase zonings, it is proposing that new residential development shall be of an area of 0.83ha and that 'existing and general development' lands of 13.6ha may accommodate limited infill growth. The zoning has the potential capacity for 48 persons. The current scheme will be not be capable of absorbing this increase without further upgrading.

#### Quality

A report on *The Provision and Quality of Drinking Water in Ireland – A Report for the Years 2007-2008* (Office of Environment Enforcement EPA, 2009) found that a large number of samples analysed for pH failed to comply with the parametric at the Piltown Fiddown (9 of 10 samples analysed failed). (See p.62) However additional ph correction treatment has recently been installed at the water treatment plant, which will prevent future failures for low ph.

[http://www.epa.ie/downloads/pubs/water/drinking/Final%20DW%20Report%202007%20\(2\)2.pdf](http://www.epa.ie/downloads/pubs/water/drinking/Final%20DW%20Report%202007%20(2)2.pdf)

Policies in relation to the quality of drinking water are listed in Section 9.10 of the CDP, IE65-68.

- IE65 Implement the capital programme outlined in the Provision of Water and Wastewater Infrastructure in Kilkenny City and County, March 2007.
- IE66 Extend water supplies to meet the expanding domestic, commercial and industrial needs of the County.
- IE67 Improve the provision of services in those areas where deficiencies exist at present.
- IE68 Encourage the economic use of existing service.

A policy relating to the provision of a water supply which is adequate in quantity and quality to serve Fiddown is included in the Draft plan as follows:

IN3 – To provide water in sufficient quantity and quality to serve the needs of the existing and future population and commercial development, for all lands zoned for development in this plan, as resources and finances permit.

#### Leakage

- The CDP contains a policy for water conservation and the elimination of leakages, policy IE69: Conserve valuable water supplies by eliminating leakages and through raising public awareness of the need for water conservation.

A Water Conservation Project is underway across the county at present. This commenced in March 2009 and is scheduled to run until March 2011. The first stage of this project divided the water supply schemes into different zones and installed meters. The second stage is active leakage control, which includes detecting and repairing leaks. A countywide mains rehabilitation and replacement programme is due to commence in 2011 as phase 3 of the project, thereby further reducing 'unaccounted for water'.

### 1.3 Waste Water Treatment

Fiddown is served by a sewerage scheme with primary treatment, which was constructed in 1986. This has a design Population Equivalent of 300, and is currently operating with a population equivalent of 608 and therefore does not have capacity or the necessary treatment to cater for future demand.

The Fiddown scheme is not cited in *Urban Waste Water Discharges in Ireland for Population Equivalents Greater than 500 Persons – A Report for the Years 2006 and 2007*.  
[http://www.epa.ie/downloads/pubs/water/wastewater/web%20version\(low\).pdf](http://www.epa.ie/downloads/pubs/water/wastewater/web%20version(low).pdf)

The Fiddown Waste Water Treatment Plant has been included in the funding allocations in the Water Services Investment Programme 2010-2012; however it is considered that this will largely be for interim measures for upgrading of the wastewater treatment system for quality purposes, but this will not increase population capacity.

Owing to the capacity constraints a policy has been included in the Draft LAP stating that significant additional development shall not be permitted to connect to the wastewater treatment system until such time as the scheme is upgraded:

IN4 – Significant additional development shall not be permitted to the wastewater treatment plant until such time as the scheme is upgraded to adequate capacity and treatment levels.

IN6 – To maintain and improve wastewater treatment services and to upgrade the treatment system to full secondary treatment as resources and finances permit.

The Council is in the process of applying for a discharge licence (KK-WWDL-221).

#### 1.4 Groundwater Protection

Fiddown is located in an area of mixed groundwater vulnerability, varying from moderate to high and extreme with both locally important aquifers as recorded in the Geological Survey of Ireland and OSI.

The groundwater for Fiddown as per the Groundwater Framework Directive data is categorised as good but at risk of not achieving good status – ‘1a’ as per the Water Matters data set: <http://www.wfdireland.ie/maps.html>.

The EPA data shows Estuarine and Coastal Water Quality as potentially eutrophic to the south of Fiddown Bridge; whilst the River Suir north of Fiddown Bridge is classified as a ‘nutrient sensitive area’.

The Geological Survey of Ireland has completed a Groundwater Protection Scheme for County Kilkenny. Policies are set out in relation to this in the CDP, Policies IE51-52.

- IE51 Ensure that septic tanks and proprietary treatment systems, or other waste water treatment and storage systems, where required as part of a development, comply with relevant guidelines and that they are employed where site conditions are appropriate.
- IE52 Have regard to the Groundwater Protection Scheme in decision-making on the location, nature and control of developments and activities in order to protect groundwater.

Policies in relation to the promotion of waste water treatment are set out in IE71-75.

- IE71 Extend waste water treatment to meet the expanding domestic commercial and industrial needs of the County.
- IE72 Improve the provision of treatment services in those areas where deficiencies exist at present.
- IE73 Encourage the economic use of existing treatment service.
- IE74 Meet in full the requirements of the E.U. Urban Waste Water Treatment Directive.
- IE75 Ensure that arrangements for the treatment and disposal of effluent from all forms of development are sustainable and meet environmentally acceptable standards.

#### 1.5 Flood Prevention and Management

The Guidelines for Planning Authorities on *The Planning System and Flood Risk Management* (2009) are adhered to in the plan. The CDP contains policies on flooding in Section 9.12.5 (IE89-94).

- IE89 To adopt a strategic response to flooding and to actively engage with all relevant authorities to sustainably manage annually and consider flood risk and its related impacts on development on a catchment basis.
- IE90 Ensure that development that is sensitive to the effects of flooding will generally not be permitted in flood prone or marginal areas.
- IE91 Ensure that development must so far as is reasonably practicable incorporate the maximum provision to reduce the rate and quantity of runoff.
- IE92 Require that new development should not itself be subject to an inappropriate risk of flooding nor should it cause or exacerbate such a risk at other locations.
- IE93 Control development in the natural floodplains of all rivers and streams where such development may have a negative impact on flood control, access for channel maintenance or future flood control works or might contribute to environmental degradation were flooding to occur.
- IE94 Restrict development, which is sensitive to the effects of flooding in flood prone or marginal areas unless adequate mitigation measures, which may involve the preparation of a Flood Impact Analysis, are proposed to the satisfaction of the Planning Authority.

In line with The Planning System Flood Risk Management Guidelines for Planning Authorities (2009) a Strategic Environmental Assessment Screening has been carried out for the Draft

Fiddown Local Area Plan, and contains Stages 1 & 2 of a Flood Risk Assessment; details of the Flood Risk Assessment are set out below:

#### Stage 1 - Flood Risk Identification.

This stage of the flood risk assessment identifies whether there may be any flooding or surface water management issues relating to the plan area that warrant further investigation.

A number of sources of information were consulted at this stage including:

- The South East Regional Planning Guidelines 2010-2022 and its associated Flood Risk Appraisal carried out as part of the SEA,
- Ordnance Survey Historical Mapping,
- Kilkenny County Development Plan 2008-2014,
- OPW National Flood Hazard Mapping and associated recorded reports and photographs,
- River Piltown Preliminary Flood Risk Assessment,
- Public consultation,
- Water Matters – South Eastern River Basin Management Plan (2009-2015),
- EPA website soils dataset, created by the Spatial Analysis Unit Teagasc,
- OPW Report on Flooding Piltown County Kilkenny (February 2001).

From these sources of information it is noted that the area adjacent to the River Suir may be at risk of flooding.

As a Flood Risk issue has been identified on lands within the proposed development boundary the Flood Risk Assessment proceeds to Stage 2.

#### Stage 2 – Initial Flood Risk Assessment

The purpose of the initial FRA is to ensure that all relevant flood risk issues are assessed in relation to the decisions to be made and potential conflicts between flood risk and development are addressed.

A number of sources of information are not as yet available –

(a) the Department's guidelines were published after the adoption of the County Development Plan, and a county-wide FRA has not been prepared, and,

(b) the scoping of the CFRAMS for the Suir Catchment identified Fiddown as an area of potential significant flood risk, however the findings are not as yet available as the study is ongoing and is expected to be completed in 2011.

Although these sources are not currently available it is considered that the information from the sources outlined in Stage 1 provide adequate information to carry out the FRA.

- The Ordnance Survey historical maps show 'mud' along the banks of the Lower River Suir in areas proposed to be zoned for open space.
- EPA website soils dataset, created by the Spatial Analysis Unit Teagasc shows alluvium along the banks of the River Suir.
- The OPW National Flood Hazard Mapping does not identify any benefiting lands in the development boundary area, although an area of benefiting lands is identified to the north-west of the plan area. No flood incidents have been recorded in the area.

#### Source – Pathway – Receptor Model

- Source: The River Suir, which is tidal, is the potential source of flooding in the area.
- Pathways: Over-bank – if the River Suir over-tops its banks.
- Receptors: People & Property (predominately agricultural lands).

Public consultation was carried out in the preparation of the draft plan; flooding was not identified as a concern in Fiddown.

#### Sequential Approach

The Draft LAP for Fiddown has been prepared having regard to the flood risk issues in the plan area. A number of steps have been taken to lessen the impacts of potential flooding in the plan area and the Sequential Approach has been adapted as follows:

- Avoid

Lands have not been zoned for vulnerable uses in the vicinity of the River Suir.

- Substitute

Zoning – a habitat assessment was carried out by consultants as part of the research for the plan; the assessment identified ecological network areas, primarily located along the River Suir and this area which forms part of the cSAC has been designated as ecologically important and has been primarily designated as open space (land uses within this area will be subject to ecological assessment in accordance with the policies in the plan to ensure the ecological integrity of the area is maintained).

- Justify

Integrated Tourism and Leisure:

There is an existing land use adjacent to the river which has been used for Oil storage and parking of vehicles. In order to facilitate uses suited to the river, a zoning for integrated tourism and leisure has been proposed; this land use would facilitate development which would be considered 'less vulnerable' or 'water-compatible' development.

The following policy has been included in the Draft Plan:

- IN7 – To seek separate stormwater systems for all developments, and to consider all proposals consistent with SuDS (Sustainable Drainage Systems).

In order to ensure that uses adjacent to the river should not increase flood risks, the following policy will be included in the Draft plan:

- 'Require that new development should not itself be subject to an inappropriate risk of flooding nor should it cause or exacerbate such a risk at other locations'.

#### Stage 3 – Detailed Flood Risk Assessment

Stages 1 and 2 of the Flood Risk Assessment have identified the sources, pathways and receptors of flood risk in the Draft Fiddown LAP. The Sequential Approach has been followed to ensure that development is directed towards areas that are at a low risk of flooding. Mitigation measures in the form of pro-active policies and objectives are proposed in relation to flooding in the plan area. Having regard to the fore-going it is not considered necessary to proceed to Stage 3 Detailed Flood Risk Assessment with regard to the proposed Fiddown Local Area Plan.

No other significant environmental problems are identified in relation to the proposed Local Area Plan.

#### **(v) The relevance of the plan for the implementation of European Union legislation on the environment (e.g. plans linked to waste management or water protection).**

Issues relating to EU legislation on the environment have been addressed in the CDP as outlined above. The Fiddown Local Area Plan is made in line with the policies and objectives as set out in the Kilkenny CDP.

## **6.2 CHARACTERISTICS OF THE EFFECTS AND OF THE AREA LIKELY TO BE AFFECTED**

### **(i) The probability, duration, frequency and reversibility of the effects.**

It is considered that there will be no significant negative effects from the implementation of the Local Area Plan.

The development of lands in the LAP area would result in minor impacts on environmental resources. However, this LAP does not propose an increase in the amount of land available for development from the last LAP, and also as outlined, given that any development will be subject to sufficient capacity in the water supply and wastewater treatment system, it is considered that there will be no significant negative effects from the implementation of the Local Area Plan.

However, with regards to positive effects, it is considered that the probability of these occurring is high.

Fiddown has experienced growth since the first Local Area Plan in 2003. The village of Fiddown was not enumerated separately in the 2002 census of population; in 2006 the village was enumerated separately for the first time, with a recorded population of 194<sup>1</sup>. A key challenge for Fiddown is ensuring that the settlement is sufficiently serviced in terms of sewerage facilities, water supply, drainage, roads infrastructure, community facilities and amenities and can accommodate local development needs in an orderly and sustainable manner, whilst protecting the character of the town/village.

The LAP contains policies and objectives to ensure this challenge is met in accordance with the recommendations of the DoEHLG Guidelines on Sustainable Residential Development in Urban Areas (2009). The Plan is therefore, anticipated to have a positive effect with regard to issues pertaining to sustainable residential development.

It is expected that the effects will be permanent and therefore, irreversible, until such time that any new policies and/or objectives are identified in a revised LAP and/or CDP.

### **(ii) The cumulative nature of the effects.**

No cumulative negative effects are anticipated given that the Local Area Plan focuses on the principles of sustainable development and the considerations of the future, beyond the statutory 6 years of the LAP. It is anticipated that the cumulative effects on the environment will be positive and that with every development and redevelopment that the area will be rejuvenated with an improved physical and visual environment.

Piltown is located less than 2km to the north of Fiddown and Mooncoin within 5km to the south-east; the local area plans for both settlements are also under review. These plans will focus on the principles of sustainable development, and any effects as a result its development are anticipated as being positive for the area.

The Mooncoin Regional Water Supply Scheme will have a positive impact on the Fiddown-Piltown water supply scheme, which is currently at capacity. An Board Pleanala approved groundwater abstraction from four well fields (reference 10.JA0009) subject to a number of conditions including a restriction of the maximum abstraction from the combined well-fields to 12,000 m<sup>3</sup>/ day in order to safeguard groundwater in the area (condition 1) and imposed condition 3 on Kilkenny County Council to install hydrometric weirs to monitor the flow of the Blackwater and Pil rivers while abstraction is taking place, to establish a relationship between the surface water levels and the abstraction.

An application for an amendment to condition 1 was made in December 2009 which has not yet been decided (reference PL10.JM0003); the application for this amendment contains

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<sup>1</sup> CSO, Volume 1, Table 5

further information gained following well drilling and yield testing. It is requesting an increase in abstraction to 16,000m<sup>3</sup>/day. The report submitted to An Bord Pleanála (Mooncoin Regional Water Supply Scheme Results of Exploratory Well Drilling and Yield Testing - Submission To An Bord Pleanála) prepared by RPS consultants states 'As a result of the wellfields abstracting, no groundwater gradients have been reversed other than in close proximity to the well-fields therefore the groundwater flow direction remains similar'; also 'monitoring of surface water levels was undertaken in the Pil River during the multi-well test at Silversprings and in the River Blackwater during the multi-well test at Kilmacow. The flow monitoring indicated no impact on surface water flow on the River Blackwater or the Pil River during the multi-well tests which were carried out at significantly higher abstraction rates than proposed for the operation of the scheme at 16,000m<sup>3</sup>/d' (p47). The EIS submitted relates to all phases of the scheme, from which the settlements of Fiddown and Piltown will benefit. The full impact of likely demand from Piltown and Fiddown was taken into account in the water supply demand, therefore implementation of the plan will have no direct, indirect or secondary impacts.

**(iii) The transboundary nature of the effects.**

The Local Area Plan will have no national, regional or inter-county transboundary effects.

**(iv) The risk to human health or the environment (e.g. due to accidents).**

The implementation of the Local Area Plan will not result in any risks to human health. Any future development in the area will conform to the Local Area Plan, of which the fundamental essence is to create a healthy environment in which people can live, work and spend leisure time.

There are no designated SEVESO sites within the plan area.

**(v) The magnitude and spatial extent of the effect (geographical area and size of the population likely to be affected).**

The Plan area comprises approximately 20 hectares of land - and a population of 194 persons in 2006<sup>2</sup>. It is estimated that the current (2010) population could be in the region of 427 people<sup>3</sup>. Future development will mainly be residential and also small scale local shops and services in the village centre.

The Guidelines on Sustainable Residential Development in Urban Areas (May 2009) state that for smaller towns and villages of between 400 and 5,000 in population, the LAP could recommend the phased development of a variety of sites over time, subject to a proviso that no one proposal for residential development should increase the housing stock by more than 10-15% within the lifetime of the Local Area Plan.

Within the County Settlement Strategy, Fiddown is classed as 'a smaller town or village' which is the fifth level in a hierarchy of six. The strategy states that smaller towns and villages need to be developed in a way that strengthens their role as local service centres whilst respecting their existing character.

Fiddown is classed in the County Plan as a 'Stronger Rural Area', in these areas it is a key objective of the Council to consolidate and sustain the stability of the population and in particular to strike a balance of activity in the smaller towns and villages and the wider rural area thereby ensuring that these areas maintain a stable population base.

Under the 2003 Plan approximately 0.83 hectares of residential land remains undeveloped.

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<sup>2</sup> CSO, Volume 1, Table 5

<sup>3</sup> This is based on an analysis of units built since 2006 and a house count.

Having regard to the growth experienced since 2006 (81 units built), it is proposed to retain only 0.83 hectares of land for new residential development. There is potential for additional infill development in the existing and general development zoned areas. The situation will be monitored on an ongoing basis. Any change to this would require an amendment to the LAP and the requirements of Article 14A of the Planning and Development (SEA) Regulations 2004 would have to be met.

**(vi) The value and vulnerability of the area likely to be affected due to:**

**a) Special natural characteristics or cultural heritage,**

**EU Protected Habitats and Species**

Fiddown adjoins the Lower River Suir SAC (site code 002137), and Fiddown Island NHA (site code 000402).

A separate Appropriate Assessment Screening will be carried out in accordance with the requirements of Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC). Policies for the protection of designated sites and species are set out in H5-H12 of the CDP.

- H5 To protect natural heritage sites designated in National and European legislation. This includes sites proposed to be designated or designated as Special Areas of Conservation (SAC), Natural Heritage Areas (NHA), Nature Reserves and Wildfowl Sanctuaries. This protection will extend to any additions or alterations to sites that may arise during the lifetime of this plan.
- H6 To assess all proposed developments (individually or in combination with other proposals, as appropriate) which are likely to impact on designated natural heritage sites or those sites proposed to be designated.
- H7 To consult with the prescribed bodies and relevant government agencies when assessing developments which are likely to impact on designated natural heritage sites or those sites proposed to be designated.
- H8 To ensure that any development in or near a designated natural heritage site will avoid any significant adverse impact on the features for which the site has been designated.
- H9 To require an appropriate environmental assessment in respect of any proposed development likely to have an impact on a designated natural heritage site, or those sites proposed to be designated.
- H10 To protect and, where possible, enhance the plant and animal species and their habitats that have been identified under EU Habitats Directive, EU Birds Directive, the Wildlife Act and the Flora Protection Order.
- H11 Ensure that development does not have a significant adverse impact on plant animal or bird species protected by national or European legislation.
- H12 Consult with the National Parks and Wildlife Service, and take account of any licensing requirements, when undertaking, or approving development which is likely to affect plant, animal or bird species protected by national or European legislation.

**Non-designated habitats and species**

Policies for nature conservation outside of designated areas are found in Section 8.2.3 of the CDP, policies H13-17.

- H13 Identify, in co-operation with the relevant statutory authorities and other relevant groups, sites of local nature conservation interest, not otherwise protected by legislation.
- H14 To protect and enhance wildlife habitats and landscape features which form part of habitat networks, such as river corridors and associated habitats.
- H15 To ensure that any development in or near sites of local conservation interest will minimise any significant adverse impact on the features for which the site has been designated.
- H16 Minimise the loss of habitats and features of the wider countryside (hedgerows, ponds, streams, wetlands, trees etc) through the planning process, which are not within designated sites.

- H17 Where the loss of habitats and features of the wider countryside is unavoidable as part of a development, to ensure that appropriate mitigation and/or compensation measures are put in place, to conserve and enhance biodiversity and landscape character.

A habitats assessment was carried out as part of the survey work for this LAP. This was carried out using a green infrastructure approach to identify the most important ecological features of the area and their functions. The methodology followed the latest guidance produced by the Heritage Council (2010). Habitats were mapped according to Fossitt (2000). The Plan identified the ecological significance of the Lower River Suir and also of the ecological network associated with the graveyard and walls to the east of Strand Road.

The following policies and objectives have been included in the Draft plan for the protection of areas of ecological importance:

- H1 - To protect and, where possible, enhance the River Suir, cSAC and Fiddown Island pNHA, and its associated ecological corridors and habitats, as identified on Map 2.
- An appropriate environmental assessment is required in relation to any proposals that may impact upon the cSAC and pNHA, either through direct or indirect means; this extends to works outside of the defined boundaries of FD1; this should include a survey or protected species where appropriate.
- H2 - Proposals for development shall demonstrate how habitats (such as trees, hedgerows, ditches, stonewalls, stone-buildings and watercourses) will be integrated and protected during and post-construction; links to wildlife areas beyond the site should be formed where possible.
- H3 - To ensure that any development in or near sites of local conservation interest, as identified in Table 3 of Appendix 1, will minimise any significant adverse impact on the features for which the site has been designated.
- H4 - Applicants shall demonstrate that there will be no adverse impacts on the ecological integrity of sites of high ecological value identified in this plan from developments on adjacent sites.
- H5 - To protect and, where possible, enhance the habitat in the graveyard and its associated habitats extending to the railway and towards Fiddown House, as identified on Map 2. An ecological assessment will be required in order to assess the impact of any development within or adjacent to this area.
- H6 - To require details for the sustainable integration and conservation of hedgerows of high value as identified on Map 2 in all development proposals to ensure that the ecological integrity and connectivity of the hedgerow is maintained during and after construction.

#### Cultural Heritage

There are a number of archaeology sites adjoining the River Suir, stretching eastwards towards the graveyard, as follows:

**Table 2: Recorded Monuments in Fiddown**

RMP Number & Classification	RMP Number & Classification
KK042-00101 - Motte	KK042-00107 - Mound
KK042-00102 - Tower House	KK042-001 - Settlement Deserted
KK042-00105 - Cross-slab	KK042-00103 - Church Site and Graveyard
KK042-00104 - Grave-slab	KK042-00106 - Stoup
KK042-00108 - Font	

## Protected Structures

Currently Fiddown has a total of 10 protected structures which are included County Kilkenny's Record of Protected Structures. The National Inventory of Architectural Heritage lists 13 structures in Fiddown and immediate environs (this includes the 10 structures already on the RPS), see Table 3. It is an objective of the CDP that all buildings listed on the NIAH will be considered for addition to the Record of Protected Structures in County Kilkenny.

**Table 3: Record of Protected Structures and NIAH structures in AREA**

Description	Location	NIAH ref	RPS ref
Toll gate & Toll House	North end	12327008	C83
Chapel	North of Fiddown Bridge	12327007	C79
Monument	In church grounds	12327012	C480
Railway Station	North end	12327004	D123
Railway goods shed	North-end	12327005	D123a
Railway passenger shelter	North-end	12327011	/
Fiddown House	Behind the Church	12327006	C82
House	Opposite Meade Bridge Tavern	12327001	C81
Former Shop	Main Street	12327003	C519
Meade Bridge Tavern	West end of Village	/	C80
Fiddown Bridge	South of village	12327009	/
House	Main Street, beside Morris Oil	12327002	/
Rathmore House	North of the by-pass	/	C520

An Architectural Conservation Area (ACA) was not designated in the 2003 Local Area Plan and is not being proposed for the draft plan.

The LAP lands have significant cultural heritage as outlined above. Policies are outlined in the CDP in relation to archaeological heritage (H78-H90). Policies in relation to architectural protection are also outlined in the CDP (H93-H101).

## Archaeological heritage Policies from CDP

- H78 Protect and enhance archaeological sites, monuments (including their setting), underwater archaeology, including those that are listed in the Record of Monuments and Places, and in the Urban Archaeological Survey of County Kilkenny or newly discovered sub-surface archaeological remains.
- H79 To ensure the preservation in-situ, or preservation by record of:
- The archaeological monuments included in the Record of Monuments and Places as established under section 12 of the National monuments (Amendment) Act, 1994 and in the Urban Archaeological Survey of County Kilkenny.
- Any other sites and features of historical or archaeological interest.
- Any subsurface archaeological features that may be discovered during the course of infrastructural/development works.
- H80 Provide guidance to developers and property owners regarding the archaeological implications of a proposed development.
- H81 Promote pre-planning consultations in relation to the archaeological heritage with the planning authority and with the Department of the Environment, Heritage and Local Government in its capacity of being charged with the implementation of the National Monuments Acts.

- H82 To require an appropriate archaeological assessment to be carried out in respect of any proposed development likely to have an impact on a Recorded Monument, a Zone of Archaeological Potential, or their settings.
- H83 To ensure the protection of archaeological material in situ by ensuring that only minimal impact on archaeological layers is allowed.
- H84 To require that sites of archaeological interest shall be subject to archaeological investigations and recording according to best practice, in advance of redevelopment where preservation in situ is not feasible.
- H85 Facilitate the dissemination of the results of archaeological excavation in a timely and appropriate manner.
- H86 To acknowledge the importance of underwater archaeology by requiring that any proposed developments that may have implications for the underwater heritage shall be subject to an underwater archaeological assessment in advance of works.
- H87 Facilitate and where feasible create public rights of way to sites of archaeological and historical interest and to National Monuments in state and Local Authority ownership in the county. The Council will also seek the preservation, maintenance and improvement of all existing right of ways to such areas where appropriate.
- H88 Require the retention of surviving medieval plots and street patterns in the villages and towns of Kilkenny and to facilitate the recording of evidence of ancient boundaries, layouts etc. in the course of development.
- H89 To facilitate the implementation of conservation plans<sup>4</sup> prepared with the support of the County Council over the lifetime of this plan.
- H90 To ensure that development in the vicinity of a Recorded Monument or Zone of Archaeological Potential does not seriously detract from the setting of the feature, and is sited and designed appropriately.

#### Architectural heritage Policies from CDP

- H93 Ensure the protection of the architectural heritage of County Kilkenny by including all structures considered to be of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest in the Record of Protected Structures.
- H94 To have regard to the Architectural Heritage Protection Guidelines issued by the Department of the Environment Heritage and Local Government in 2004 when assessing proposals for development affecting a protected structure
- H95 To encourage the sympathetic retention, reuse and rehabilitation of protected structures and their setting.
- H96 To promote principles of best practice in conservation and the use of appropriate materials and repair techniques through the administration of the Conservation Grants Scheme funded by The Department of the Environment Heritage and Local Government.
- H97 Ensure the protection of the architectural heritage through promoting the importance of regular maintenance of structures contained within the Record of Protected Structures.
- H98 Provide assistance to owners of protected structures in undertaking essential repairs and maintenance by the provision of relevant information.
- H99 Promote by example the principles of best practice in conservation of the built heritage through the custodianship of Protected Structures in the Council's ownership/care.
- H100 To protect elements of designed landscapes of special interest located within the attendant grounds of Protected Structures, including boundary features.
- H101 To require an architectural impact assessment/conservation method statement for developments within the grounds of country house estates which are Protected Structures.

#### Landscape Designations

No significant landscape sensitivity is recorded for Fiddown in the County Landscape Appraisal which is contained in the CDP, either within or outside of the main settlement. The village is located within a 'Lowland Area', and adjoins a 'River Valley' area as per the landscape character assessment in the County Development Plan. A scenic view ref. 'A17' is listed to the north-east of Fiddown 'view south over the Suir Valley on Templeorum/

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<sup>4</sup> A conservation plan is a document which explains why a site is significant and how that significance will be retained in any future use, alteration, development or repair. Conservation plans provide a framework for the care and management of sites of heritage significance.

Barrabhey Road No. LP1040'. This will not be affected by the LAP. The Waterford County Development Plan 2005-2011 designates along the western banks of the River Suir as 'sensitive', but does not list this area as a scenic route.

It is not anticipated that the value and vulnerability of the special natural characteristics or cultural assets in Fiddown will be negatively affected through implementation of the Plan, given their status and protection at both national level and in the CDP. The development management process will ensure that any development proposal in the vicinity of these areas will include demonstration, where necessary, of how adverse impacts on natural or cultural heritage would be avoided or what mitigation measures are proposed. This will involve consultation with the Department of the Environment, Heritage and Local Government, National Parks and Wildlife Service, Heritage Officer, or Conservation Officer as appropriate.

**b) Exceeded environmental quality standards or limit values,**

It is not expected that environmental quality standards will be exceeded or that the value of vulnerable areas will be affected as a result of the plan. Development proposals within the LAP development boundary will be subject to assessment as part of a planning application and will be required to demonstrate compliance with environmental quality standards and limits.

**c) Intensive land use.**

The plan does not increase the amount of residential zoned land available for development within Fiddown from that zoned in the previous Plan. As such, it is considered likely that the future developments resulting from the new zoning will not intensify land uses within the LAP area to a degree that would adversely impact upon the existing natural and built environment. Quality design standards and guidelines are provided in the LAP with appropriate policies and objectives which will seek to reduce the potentially negative impact of the increased land uses within the area.

**(vii) The effects on areas or landscapes which have recognised national, European Union or international protection status.**

Fiddown adjoins the Lower River Suir candidate Special Area of Conservation (site code 002137), and Fiddown Island proposed Natural Heritage Area (site code 000402). There are a number of archaeological sites adjoining the River Suir and at the graveyard (as listed in section 6.2(vi) of this report).

The CDP, of which the Fiddown Local Area Plan forms a sub-set, recognises the importance of sites with national and European designations, and sets out policies for their protection (as outlined above). As the LAP seeks to implement the policies of the CDP at a local level, it is not anticipated that the implementation of the LAP would have any significant adverse impacts on landscapes of recognised national, European or international protection status.

## **7.0 STATUTORY CONSULTATION**

The specified environmental authorities that should be consulted in relation to local area plans under Article 14A(4) and 13A(4) of the Regulations are:

- The Environmental Protection Agency (EPA)
- The Department of the Environment, Heritage and Local Government (DoEHLG)
- The Department of Communications, Marine and Natural Resources (DCMNR)

## **8.0 CONCLUSION**

It is not anticipated that the materially altered plan will have strategic environmental effects and at this stage in the screening process it is considered that an SEA will not be required. Localised environmental effects as a result of any proposed development carried out on the land within the plan area can be dealt with through the assessment of individual planning applications.

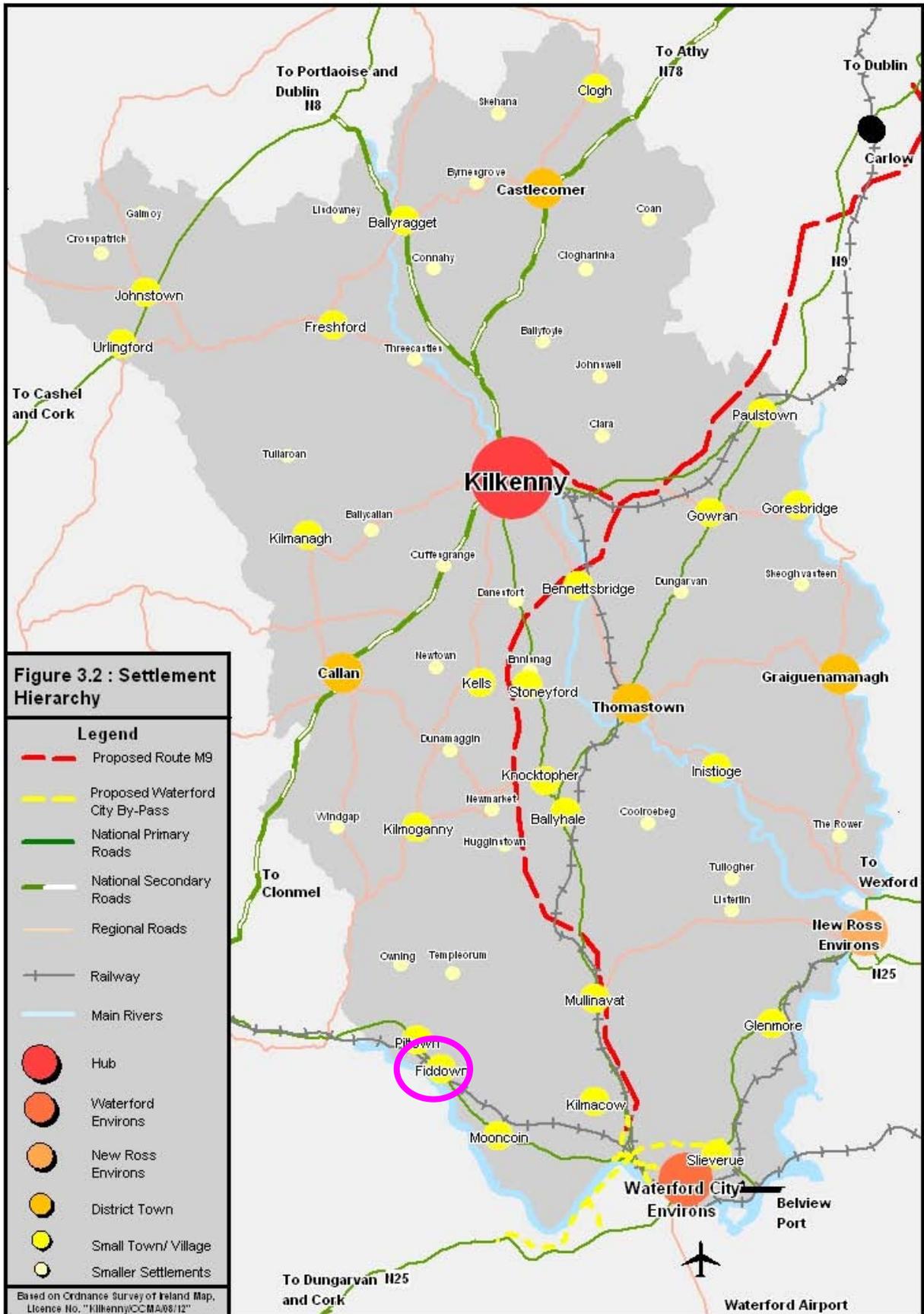
In terms of the provisions of Article 14A of the Regulations, following the appropriate consultation period the Planning Authority shall determine whether or not implementation of the proposed LAP would be likely to have significant effects on the environment, taking account of the relevant criteria set out in Schedule 2A of the Regulations (see 6.0 above) and any submission or observation received from the environmental authorities (see 7.0 above).

15<sup>th</sup> November 2010

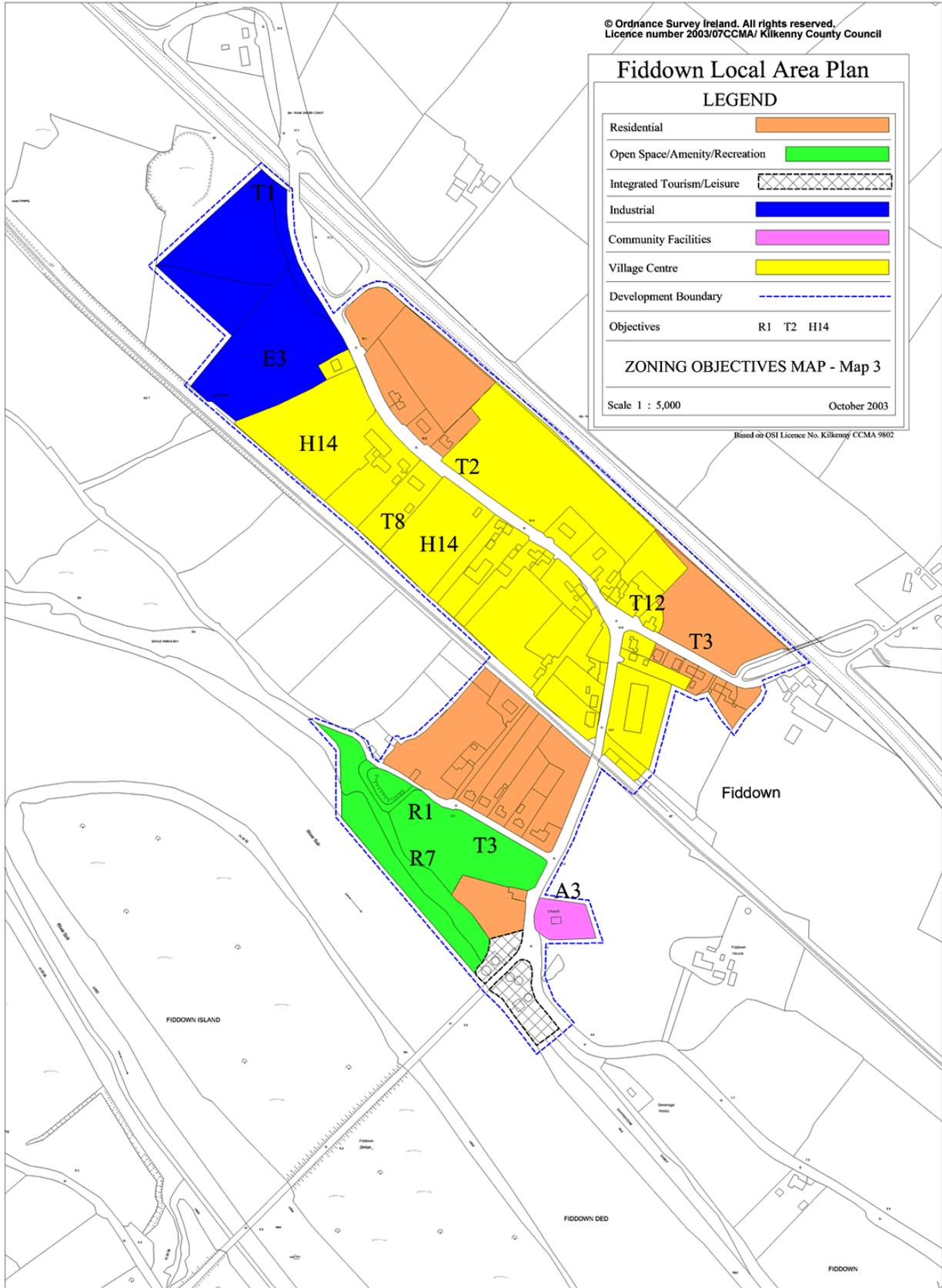
# MAPS

- Map A: Location of Fiddown.
- Map B: Fiddown Local Area Plan 2003 Zoning Objectives
- Map C: Draft Zoning Map for Fiddown Local Area Plan 2010

Map A: Location of Fiddown



**MAP B – Fiddown Local Area Plan 2003 Zoning Objectives**



MAP C - Fiddown Draft Local Area Plan 2010 Zoning Objectives Map

