

# GOWRAN

**PROPOSED VARIATIONS TO  
DRAFT LOCAL AREA PLAN 2010 – 2016**



**STRATEGIC ENVIRONMENTAL ASSESSMENT**

**– SCREENING –**

**Kilkenny County Council  
DATE: 27<sup>th</sup> September 2010**

## **1.0 INTRODUCTION**

In accordance with Section 20 (3)(e) of the Planning and Development Act, 2000 (as amended) Kilkenny County Council is proposing a number of variations to the Gowran Draft Local Plan. These variations have arisen following the Elected Members review of the Manager's Report on Submissions received under Section 20(3)(c) of the Planning and Development Act, 2000 (as amended).

As part of the process of preparing a Draft Local Area Plan (LAP) for Gowran 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 Strategic Environmental Assessment (SEA) on the plan and determined that a Strategic Environmental Assessment was not required. This determination was made in May 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 Variations, will be screened in its entirety, and this is hereinafter referred to as "The Plan".

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

The Plan consists of a written statement with associated maps which will set out the framework for the sustainable planning and development of Gowran 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 sets out objectives and policies to cater for future improvements and works in Gowran. The plan will be 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 Draft 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**

Gowran is situated to the east of Kilkenny city. The M9 motorway from Dublin to Waterford runs to the north of the town. The former N9, now the R448, runs between Kildare and Waterford. The R702 links Kilkenny to Graiguenamanagh through Gowran. See Map A which shows Gowran in its context.

The previous (2003) LAP zoned an area of approximately 71 hectares (see Map B), and the 2006 Census of population recorded a population of 487 persons in the town. Gowran is ranked in the 'smaller towns and village' category of the county settlement hierarchy as set out in the Kilkenny CDP.

## **5.0 ADDITIONAL INFORMATION AND MAPS**

The following maps are included in this screening:

- Map A: Location of Gowran.
- Map B: Gowran Local Area Plan 2003 Zoning Objectives.
- Map C: Proposed Variation Zoning Map for Gowran Local Area Plan

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 LAP 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 LAP will form 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 Gowran 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 town.

The 2003 LAP zoned approximately 71 hectares for a mixture of land uses; this included both lands which were already developed and greenfield sites. The Proposed Variations to the Draft LAP proposes to zone a total of 27 hectares of the existing built-up area of Gowran for General 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 Gowran, whilst protecting its natural and built heritage.

In addition, 1 hectare of greenfield land is proposed for Phase 1 residential development and 6 hectares of greenfield land is proposed for Phase 2 residential, see Table 1 below.

**Table 1: Comparison of Zoning**

| Zone                       | (Area in hectares) |                |                          |
|----------------------------|--------------------|----------------|--------------------------|
|                            | 2003 LAP           | 2010 Draft LAP | 2010 Proposed Variations |
| Integrated Tourism/Leisure | 22.31              | 22.39          | 22.64                    |
| Town Centre                | 5.5                | 0              | 0                        |
| Community Facilities       | 3.14               | 0              | 0                        |
| Industrial                 | 0                  | 0              | 0                        |
| Open Space                 | 13.07              | 12.85          | 12.85                    |
| Residential Phase 1        | 27.48              | 1.05           | 1.05                     |
| Residential Phase 2        | 0                  | 6.26           | 6.26                     |
| General objective          | 0                  | 27.56          | 27.56                    |
| Agriculture                | 0                  | 5.11           | 5.11                     |
| <b>Total land zoned</b>    | <b>71.5</b>        | <b>75.22</b>   | <b>75.47</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 Gowran 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 2000-2007). In its making, the Plan has 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 Plan will be made pursuant to the provisions of the Planning and Development Acts 2000-2007 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 LAP.

A brief overview of any environmental issues pertaining to Gowran is detailed below. For each issue, the relevant policies from the CDP are included. All of the policies and objectives of the CDP will be 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 Barrow water region (HA14). A small stream runs to the south of Gowran, a tributary of the Barrow, known as the River Gowran and Mill stream. This river has a water quality rating of 3-4 which is defined as being of moderate 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

### Capacity

The Gowran water supply forms part of a large regional scheme, namely the 'Gowran – Goresbridge – Paulstown Water Scheme'. The source for this system is located east of Paulstown, at Tobergoolick pool. This scheme serves an existing population of 1,900 approximately. At present, water supply volumes serving Gowran are inadequate to meet any further development. Kilkenny County Council proposes to augment and upgrade the existing Gowran/Goresbridge/Paulstown Water Supply Scheme.

### Future requirements

As stated under point (i) above, the LAP is proposing to zone 1 hectare of greenfield land, which at 20 per hectare has a potential capacity of approximately 58 people. The current scheme will not be capable of absorbing this increase. As there is no spare capacity at present, policies are contained in the Plan as follows:

**Policy IN4:** Significant additional development will not be permitted to connect to the public water supply until such time as the Water Scheme is upgraded

**Policy IN6:** To encourage the adoption of water saving measures throughout future development. Such measures would include: water butts, low flush and dual flush toilets, low water use appliances, rainwater harvesting, greywater recycling

### 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 there was one incident of E. coli contamination in public water supplies in the Gowran-Goresbridge-Paulstown supply during 2007. (See p.62)

[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)

In 2008, because of the risk posed by cryptosporidium, the EPA included this scheme on their Remedial Action List (RAL). They directed Kilkenny County Council to examine the possibility of finding an alternative source, or failing that, come up with a proposal to prevent cryptosporidium contamination of the drinking water produced from the existing source.

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.

Proposals have been drawn up for improving the treatment to combat bacterial contamination at the source. An objective is included in the LAP stating:

**Obj IN7:** To install an advanced treatment to combat ongoing intermittent bacterial contamination of the source

#### 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.

### 1.3 Waste Water Treatment

Gowran is served by a public wastewater collection system and associated treatment works that provides full secondary treatment with nutrient (nitrogen and phosphorus) reduction, produces treated effluent to the standards set out in the Urban Wastewater Treatment Regulations, and finally discharges to the River Gowran which flows adjacent to the works. The treatment works is designed to treat a wastewater load equivalent to that which would arise from a population of 1,600 persons (the Population Equivalent, or "PE", Design Loading). There is spare capacity in this system at present.

The Gowran scheme was highlighted in blue in the EPA report *Urban Waste Water Discharges in Ireland for Population Equivalents Greater than 500 Persons – A Report for the Years 2006 and 2007*. Blue is used in the case of plants under 2,000 p.e. discharging to freshwater or estuarine water and plants under 10,000 p.e discharging to coastal waters that have been deemed by the EPA to have treatment that is not appropriate based on the effluent results and/or have taken less than the recommended numbers of samples. The plant was upgraded in 2009.

An application for a discharge license for the Gowran Waste Water Treatment Plant was submitted to the EPA in February 2009, ref. KK-WWDL-194.

### 1.4 Groundwater Protection

Gowran is located mainly in an area of extreme groundwater vulnerability as recorded in the Geological Survey of Ireland and OSI. It is situated on a regionally important aquifer (Rkd).

The groundwater sources for Gowran (in Bagnelstown 3) as per the Groundwater Framework Directive data are categorised as 2 a -water body is expected to meet good status in 2015 pending further investigation.

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.

### 1.8 Flood Prevention and Management

The Guidelines for Planning Authorities on *The Planning System and Flood Risk Management (2009)* will be adhered to in the LAP. 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.

#### Flood Risk Assessment

In line with the Guidelines for Planning Authorities on *The Planning System and Flood Risk Management (2009)*, a staged approach has been adopted to the appraisal and assessment of flood risk.

#### Stage 1 – Flood Risk Identification

Stage 1 of this appraisal is Flood Risk Identification which includes a review of existing information and identifies if there are any flooding or surface water management issues in the plan area which may warrant further investigation. A review of existing Office of Public Works (OPW) and local information was carried out. According to the OPW National Flood Hazard Mapping, there are no recorded flood events within a 2.5 km radius of Gowran. Rivers in flood deposit soils. They are referred to as Alluvial Soils and are located on floodplains. These have been identified and mapped by the Geological Survey of Ireland. The presence of these soils is a good indicator of or potentially an indicator of flood-prone areas. The alluvial soils map was consulted and this shows the presence of alluvial soils to the west of Castle Ellis bridge. From local information, three sites which have experienced flooding have been identified. These are shown on Figure 2.1 of the Draft Plan. The first is the field north of the river which contains the Bastionfort well. This site forms part of the floodplain of the river and the Ordnance Survey six inch map (2<sup>nd</sup> edition) of the area indicates that it is liable to flooding.

The Flood Risk Management Guidelines recommend a Sequential Approach for taking account of flood risk. The sequential approach works by guiding development away from areas that have been identified through a flood risk assessment as being at risk from flooding. In accordance with this approach, this site is zoned for Agriculture. In this regard, the avoidance principle of the sequential approach has been met.

Two other locations which have experienced flooding are the Bradóg Way housing development and also on the Rockfield Road to the north of the town. At Rockfield, flooding occurs on the road at the soccer pitch entrance. This occurs when the amount of rainfall exceeds the infiltration capacity of the ground to absorb it. This excess water flows overland and ponds in the lowest point in the road.

At Bradóg Way, the Ordnance Survey six inch map (2<sup>nd</sup> edition) of the area indicates that the strip of land closest to the river forms part of the floodplain and was liable to flooding. The issue of flooding was examined during the planning application process for Bradóg Way and the finished floor levels of the houses nearest the river were set to a level where it was unlikely that flooding would affect.

Flooding has occurred on the site on the hard surfaced parking/road area, nearest the river, and also in the front gardens of the houses facing the river. There has also been flooding in some of the back gardens.

As these two areas lie within the development boundary, and could be potentially affected by development taking place under this LAP, the process will move onto Stage 2.

#### Stage 2 – Initial Flood Risk Assessment (FRA)

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. It also ensures that potential conflicts between flood risk and development are addressed to the appropriate level of detail.

At Rockfield, the ponding of water on the road can be addressed through carrying out improvement works under the Roadworks programme. This will be carried out in such a manner to ensure that ponding does not occur.

A preliminary examination of the flooding at Bradóg Way was been carried out and the indication is that it is caused by a lack of capacity in the existing storm water pipeline running through the estate to the river. It will be necessary to ensure that no additional surface water is channelled through the storm water system here. The issue of flooding at Bradóg Way will be investigated, and appropriate remedies will be pursued by the Council. Addressing the surface water capacity issues, and ensuring no additional surface water enters the network, will prevent the recurrence of flooding.

As mitigation measures have been identified to ensure firstly that any development taking place will not exacerbate the existing problems and secondly which will prevent the recurrence of flooding, it is not considered necessary to proceed to Stage 3, Detailed Flood Risk Assessment.

Policies are included as follows:

**Policy IN9** To maintain the River Gowran free from inappropriate development and to discourage its culverting or realignment

**Policy IN10** To ensure that no additional surface water drainage is permitted through the existing pipeline running through Bradóg Way

**Policy IN11** Any development proposal on or adjacent to the floodplain shall be subject to a detailed flood risk assessment

**Obj. IN12** To address the flooding at Rockfield through the Roadworks programme

**Obj. IN13** To address the flooding issues at Bradóg Way and to pursue appropriate remedies, to prevent the recurrence of flooding

The CDP requires a separation of surface water system from the foul drainage system. Surface water run-off shall be restricted to pre-development and consideration will be given to the use of Sustainable Drainage Systems (SuDS). This will also be applied in the LAP.

**Policy IN14** To require a separate surface water drainage system from the foul drainage system for all cases where surface water drainage measures are required. All new developments shall incorporate drainage proposals consistent with SuDS (Sustainable Drainage Systems). At a minimum, measures to limit the surface water run-off rate to pre-development levels will be required.

Areas of wetland provide storage for flood waters and can reduce flood risk elsewhere. An area of wet woodland lies along the Gowran River to the south of the town, and this was identified in the 2003 Plan and in the Habitats Assessment carried out for this plan, as being of ecological value. This important area is protected firstly, through zoning it for open space and also by the inclusion of a specific objective, see below.

**Obj. H3:** To protect and where possible, enhance the habitat of the Gowran River, and its associated ecological corridors and habitats, as identified as GR1 on Map 2: Natural Heritage (of the Draft Plan). An ecological impact assessment will be required in order to assess the impact of any development which could potentially affect this area; this should include a survey of protected species where appropriate. Where a proposal is deemed likely to have a significant effect on the Gowran River, it shall be subject to an appropriate assessment.

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 Gowran 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.**

The development of lands in the LAP area would result in minor impacts on environmental resources. However, given that this LAP proposes a reduction 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 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.

Gowran has experienced growth since the first Local Area Plan in 2003. In 2002 the population of the town/village was 454. This had grown to 487 in 2006<sup>1</sup>. A key challenge for Gowran 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 will focus 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.

### **(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.

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

**(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 75 hectares of land - and a population of 487 persons in 2006<sup>2</sup>. It is estimated that the current (2010) population could be in the region of 800 people<sup>3</sup>. Future development will mainly be residential and also small scale local shops and services in the village centre.

Within the County Settlement Strategy, Gowran 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.

Gowran is classed in the CDP as on the border between an 'Area under Urban Influence' and a 'Stronger Rural Area'. In Areas under Urban Influence it is the Council's objective to facilitate the housing requirements of the rural community while directing urban generated development to zoned areas, such as Gowran. In Stronger Rural 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 6 hectares of residential land remains undeveloped. Another 1 hectare has permission but development has not commenced.

Having regard to the growth experienced since 2006 (137 units built) and the extant permission, it is proposed to retain only 1 hectare of land for new residential development. Another 6 hectares of land are zoned for Phase 2 development. The Plan states that Phase 2 lands will not be released during the lifetime of this plan. 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**

It is noted that the Gowran River runs through Gowran. This is a tributary of the River Barrow, with the confluence at Goresbridge c. 4.5km downstream, within Special Area of Conservation 002162 (River Barrow and River Nore SAC. A separate Appropriate Assessment Screening has been 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.

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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.

- 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 significant 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).

Policies and objectives have been included as follows for the protection of identified habitats:

**Policy H1** To ensure that any development in or near sites of local conservation interest, as identified in Table 3 of Appendix 2 (of the Draft LAP), will minimise any significant adverse impact on the features for which the site has been designated.

**Policy H2** Applicants shall demonstrate that there will be no adverse impacts on the ecological integrity of sites of high local ecological value identified in this plan from developments on adjacent sites.

**Obj. H3:** To protect and where possible, enhance the habitat of the Gowran River, and its associated ecological corridors and habitats, as identified as GR1 on Map 2 (of the Draft LAP): Natural Heritage. An ecological impact assessment will be required in order to assess the impact of any development which could potentially affect this area; this should include a survey of protected species where appropriate. Where a proposal is deemed likely to have a significant effect on the Gowran River, it shall be subject to an appropriate assessment.

**Obj. H4** To protect and where possible, enhance the habitat of GR2 as identified on Map 2: Natural Heritage. An ecological impact assessment will be required in order to assess the impact of any future development within this area.

**Obj. H5** To require details for the retention and integration of hedgerows of high value as identified on Map 2 (of the Draft LAP), in all development proposals to ensure that the ecological integrity and connectivity of the hedgerow is protected during and after construction.

## Cultural Heritage

There are a number of Recorded Monuments within the development boundary of the town as follows:

**Table 2: Recorded Monuments in Gowran**

| RMP Number    | Classification                     |
|---------------|------------------------------------|
| KK020-060017- | Ritual Site - Holy Well possible   |
| KK020-060025- | Gatehouse                          |
| KK020-060026- | Gatehouse                          |
| KK020-060005- | Castle - Motte possible            |
| KK020-060016- | Bridge possible                    |
| KK020-060024- | Graveyard                          |
| KK020-060006- | Church                             |
| KK020-060011- | Hospital                           |
| KK020-060014- | House - 16th/17th Century possible |
| KK020-060013- | Graveyard                          |
| KK020-061003- | Enclosure                          |
| KK020-060002- | Market Cross                       |
| KK020-060007- | Ogham Stone                        |
| KK020-059---- | Ritual Site - Holy Well            |
| KK020-060---- | Town                               |
| KK020-060003- | Town Defences                      |
| KK020-060001- | Redundant Record                   |
| KK020-061001- | Castle - Tower House               |
| KK020-060004- | Castle - Unclassified              |
| KK020-061002- | Enclosure                          |
| KK020-060012- | Chapel                             |
| KK020-060018- | House - 16th/17th Century possible |
| KK020-060009- | Tomb(s)                            |
| KK020-060010- | College                            |
| KK020-060029- | Market Cross                       |
| KK020-060015- | Armorial Plaque                    |
| KK020-061004- | Linear Earthwork possible          |
| KK020-060008- | Graveslab(s)                       |
| KK020-060027- | Gatehouse                          |

## Protected Structures

Currently Gowran has a total of 21 protected structures which are listed in County Kilkenny's Record of Protected Structures. The National Inventory of Architectural Heritage lists 37 structures in Gowran (this includes some 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 Gowran**

| Description                        | Location                    | NIAH Ref                                                                                                              | RPS Ref      |
|------------------------------------|-----------------------------|-----------------------------------------------------------------------------------------------------------------------|--------------|
| Church                             | Gowran                      | 12310009                                                                                                              | C109         |
| Catholic Church of the Assumption  | Gowran                      | 12310024                                                                                                              | C110         |
| Gowran National School             | Castle Ellis                | 12310025                                                                                                              | C111         |
| Gowran Courthouse                  | Gowran                      | 12310006                                                                                                              | C112         |
| House                              | Gowran                      | 12310007                                                                                                              | C113         |
| Square                             | Gowran                      | N/A                                                                                                                   | C114         |
| House                              | Gowran                      | 12310014<br>12310015<br>12310016                                                                                      | C115         |
| House                              | Gowran                      | 12310014<br>12310015<br>12310016                                                                                      | C115         |
| House "Harding"                    | South west corner of square | N/A                                                                                                                   | C116         |
| House                              | Gowran                      | 12310017                                                                                                              | C117         |
| Loughlin House                     | Gowran                      | 12310018                                                                                                              | C118         |
| Loughlin Public House              | Gowran                      | 12310019                                                                                                              | C119         |
| Perle's Shop                       | Gowran                      | N/A                                                                                                                   | C120         |
| Cottages, row of 10                | Gowran                      | 12310020                                                                                                              | C121         |
| House                              | Gowran                      | N/A                                                                                                                   | C122         |
| Ballyshanemore Castle, Tower House | Gowran                      | N/A                                                                                                                   | C123         |
| Gowran Castle Country House        | Gowran Demesne              | a) House 12310003<br>b) Gate lodge 12310001<br>c) Gates 12310002<br>d) Stables 12310004<br>e) Worker's house 12310030 | C344         |
| House                              | Gowran Castle Ellis Road    | N/A                                                                                                                   | C513         |
| House                              | Chapel Street, 2            | N/A                                                                                                                   | C514         |
| Parochial House                    | Gowran                      | 12310026                                                                                                              | C515         |
| Gowran Flour Mill                  | Gowran Demesne              | 12310028                                                                                                              | D110<br>D111 |

An Architectural Conservation Area (ACA) was designated in the 2003 Local Area Plan. This ACA will be reviewed in this LAP and amended as appropriate.

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), and for ACAs (H102-H111).

#### 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.

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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.

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.

Architectural Conservation Area Policies from CDP

- H102 To ensure the preservation of the special character of each ACA particularly with regard to building scale, proportions, historical plot sizes, building lines, height, general land use, building materials, historic street furniture and paving.
- H103 To have regard to the Architectural Heritage Protection Guidelines, issued by the Department of the Environment Heritage and Local Government when assessing proposals for development affecting the character of an ACA
- H104 To consider the designation of Architectural Conservation Areas where appropriate and provide a local policy framework for the preservation of the character of these areas.
- H105 To ensure the retention, repair rather than replacement and the regular maintenance of original/early features in buildings which contribute to the character of an ACA such as chimney stacks, roof coverings, roof profiles, external wall treatments, doors and windows, shopfronts and pubfronts and to ensure the use of appropriate materials and repair techniques when repairs are being carried out.
- H106 To ensure that inappropriate materials such as windows, doors and rainwater goods constructed in aluminium or uPVC are not introduced to buildings within ACAs.
- H107 To encourage high quality, contemporary design and materials where appropriate when new buildings are being introduced into an ACA and the retention of the historic scale and plot size
- H108 To ensure the preservation of the character of an ACA when assessing proposals for advertising
- H109 To retain historic items of street furniture where they contribute to the character of the ACA and to protect historic items of street furniture and roadside items as appropriate.
- H110 To ensure the conservation of historic shopfronts and pubfronts. Where replacement is necessary, to encourage the introduction of shopfronts and pubfronts of contemporary high quality design and materials.
- H111 To seek the retention of mature trees/significant planting (those in good condition) which contribute to the character of each ACA where appropriate.

Additional policies in relation to the specific nature of the Gowran ACA are included in this LAP as follows:

**Policy H13** Details which contribute to the character of the area should be retained. This includes timber sash windows, classical timber doors, external painted render, natural slate roofs and early timber shopfronts. Only timber sash windows should be installed where existing windows are being replaced in vernacular buildings.

Where windows were originally of a material other than timber and a design other than sash, the original intended materials and design should be followed. uPVC windows and doors are considered to have a negative impact on the character of the ACA and where an opportunity arises to replace them they should be replaced with more appropriate alternatives. Windows which contribute to the character of the structure should be repaired rather than replaced. All doors which contribute to the character of the structure should be retained and repaired rather than replaced.

**Policy H14** External renders should not be removed unless failing and then should be replaced with painted lime renders.

**Policy H15** Where roofs are being repaired/replaced natural stone slate only should be used.

**Policy H16** The creation of visual clutter should be avoided when making proposals for street signage, advertising, street furniture etc.

**Policy H17** New development should make use of good contemporary design and a strong emphasis should be placed on sensitive integration into the existing character of the area.

#### Landscape Designations

No significant landscape sensitivity is recorded for Gowran in the County Landscape Appraisal which is contained in the CDP, either within or outside of the main settlement. Gowran is located on the boundary of the B1 - Castlecomer Transition (transition) and F3 - The Kilkenny Basin (lowland) areas. Policies and objectives for these zones are set out in 8.3.3.2 Lowland Areas and 8.3.3.4 Transitional Areas in the CDP.

The nearest scenic view identified in the CDP to Gowran is V11, which is "View east into the Barrow Valley and lowland plains on the Castlecomer/Paulstown Road No. LP 2625 and from no.s LT66751 and LS 6671 between the junction at road nos. LP2625 and LS 6671 and the junction at road nos. 248 and 209". This is located north of the N9 and therefore will not be affected by the LAP.

A landmark of importance within Gowran is St. Mary's Church and this has been identified as part of the ACA.

It is not anticipated that the value and vulnerability of the special natural characteristics or cultural assets in Gowran 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 proposed LAP. 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 LAP decreases the amount of residential zoned land available for development within Gowran 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 any increased land uses within the area.

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

As outlined previously in Section 6.2 (vi) (a), there are no landscapes of national, European or International protection status within or affected by the proposed LAP.

The River forms part of the Special Area of Conservation of the River Barrow and River Nore SAC (site code 002162). There are a number of Recorded Monuments in the plan area (as listed in section 6.2(vi) of this report).

The CDP, of which the Gowran 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 will seek 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 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)

These three authorities will be consulted under Article 14A(4) and 13A(4) of the Regulations.

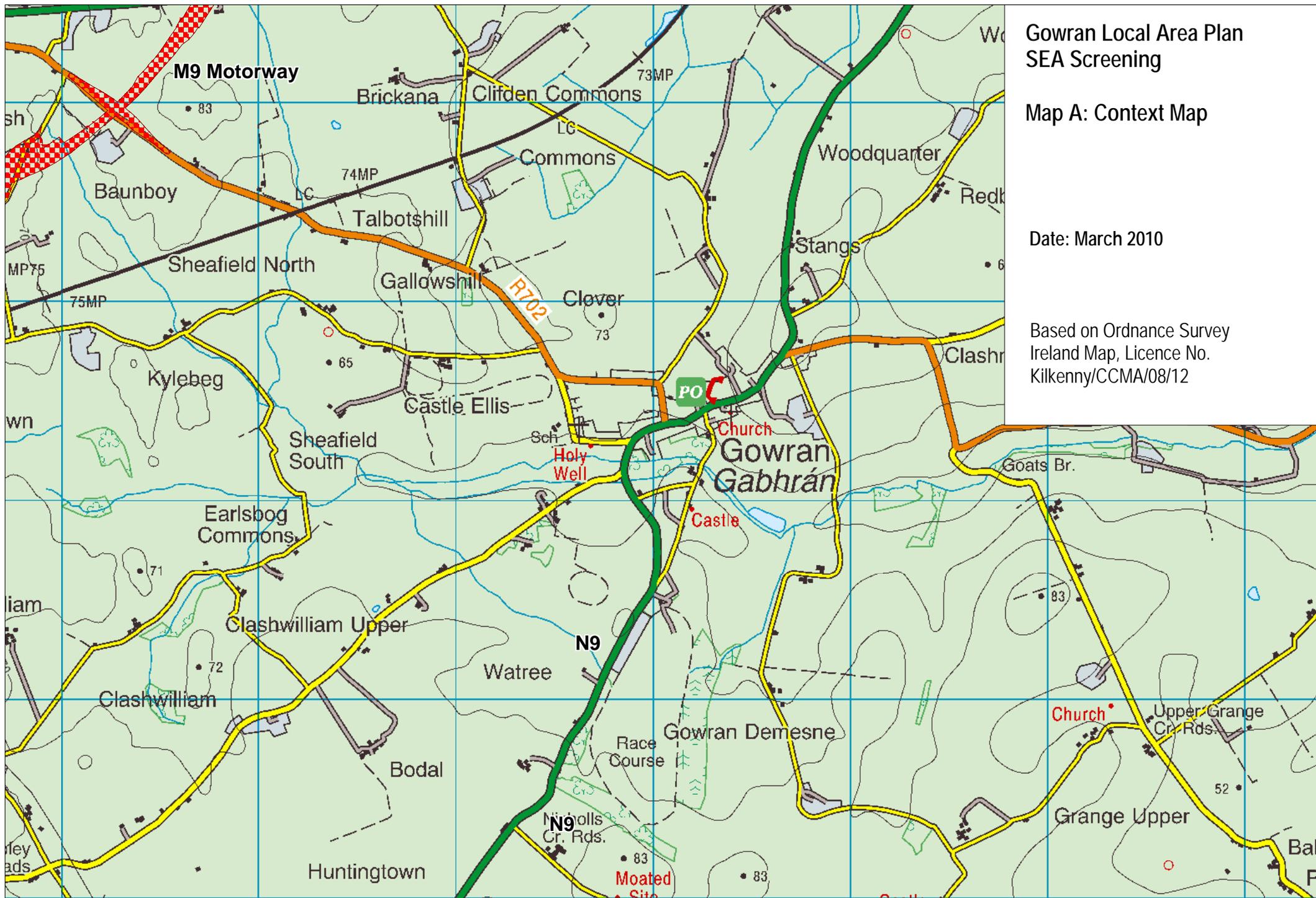
## **8.0 CONCLUSION**

It is not anticipated that the Proposed Varied Draft Local Area Plan will have strategic environmental effects and at this stage in the 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).

# **MAPS**

- Map A: Location of Gowran.
- Map B: Gowran Local Area Plan 2003 Zoning Objectives
- Map C: Proposed Variations Zoning Map for Gowran Local Area Plan



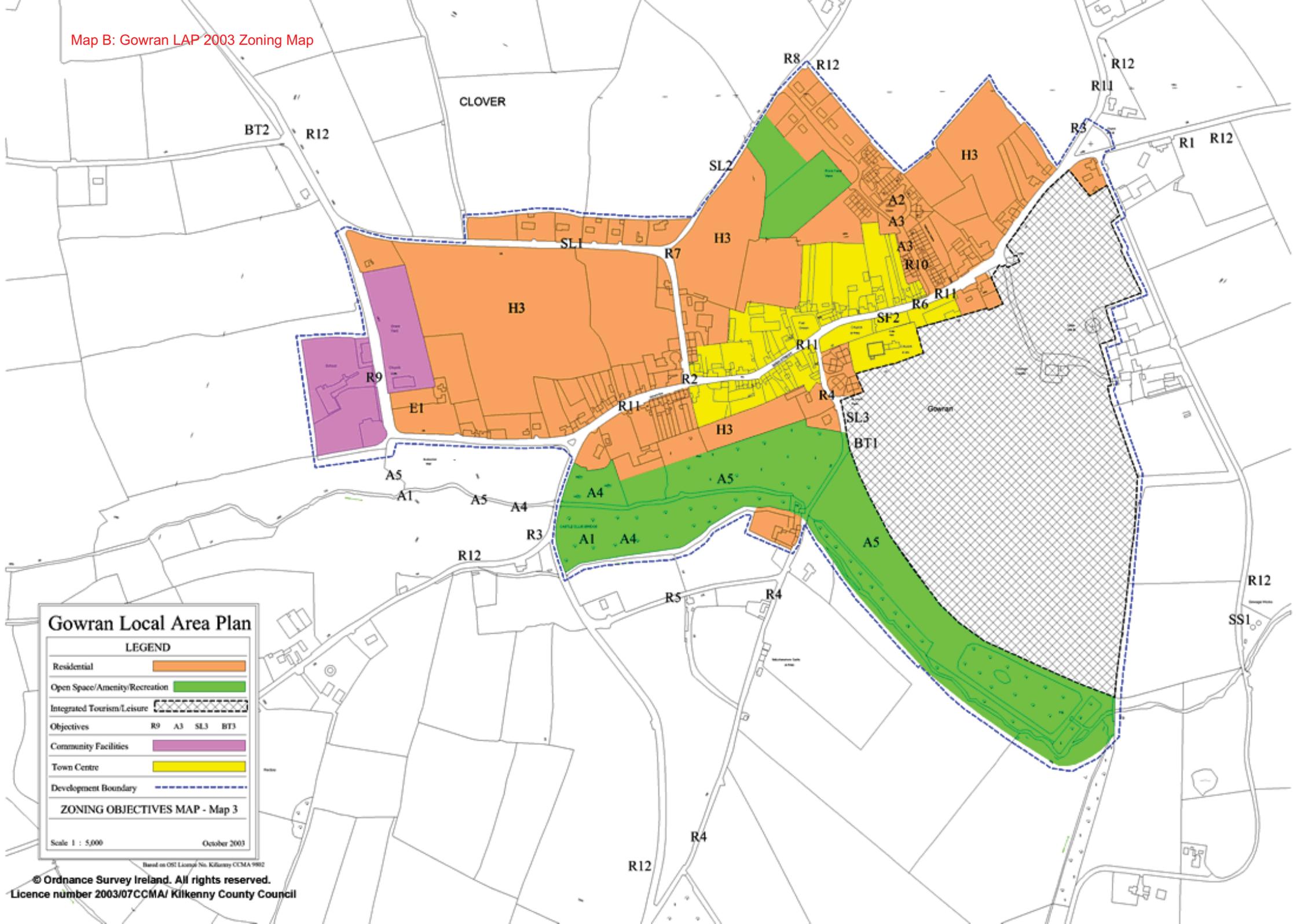
Gowran Local Area Plan  
SEA Screening

Map A: Context Map

Date: March 2010

Based on Ordnance Survey  
Ireland Map, Licence No.  
Kilkenny/CCMA/08/12

Map B: Gowran LAP 2003 Zoning Map



### Gowran Local Area Plan

#### LEGEND

|                               |               |
|-------------------------------|---------------|
| Residential                   |               |
| Open Space/Amenity/Recreation |               |
| Integrated Tourism/Leisure    |               |
| Objectives                    | R9 A3 SL3 BT3 |
| Community Facilities          |               |
| Town Centre                   |               |
| Development Boundary          |               |

ZONING OBJECTIVES MAP - Map 3

Scale 1 : 5,000

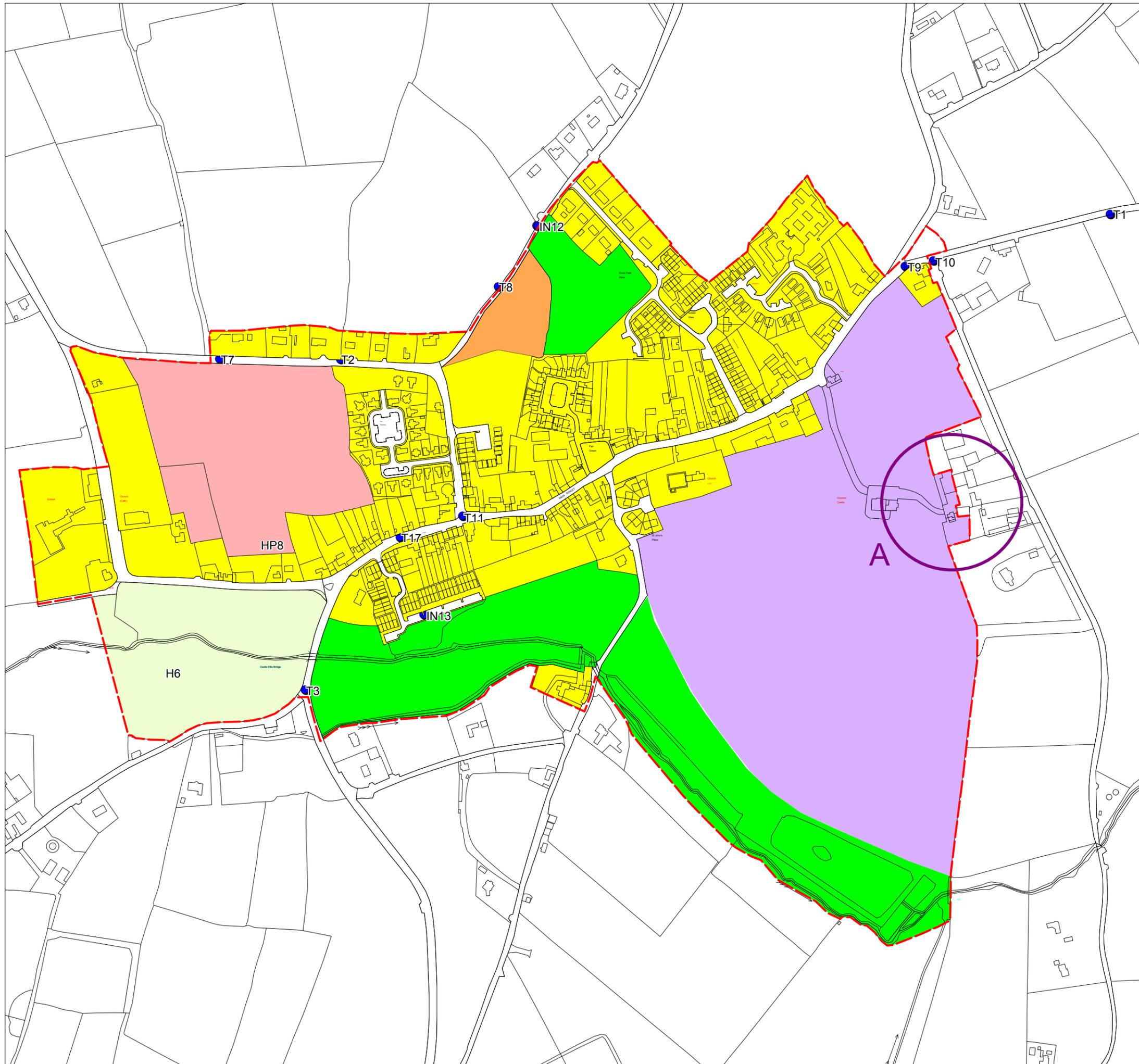
October 2003

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Map C: Zoning Map  
Gowran Draft Local Area Plan  
Proposed Variations



Legend

- Local Area Plan Boundary
- General Objective
- Phase 1 Residential
- Phase 2 Residential
- Open Space
- Integrated Tourism & Leisure
- Agriculture
- Objective
- Proposed Variation

Date: September 2010  
Scale 1:5,000 at A3

Based on Ordnance Survey  
Ireland Map, Licence No.  
Kilkenny/CCMA/08/12