

**Killarney Town Development Plan 2009-2015
Proposed
2nd Variation to the Killarney Town Development
Plan 2009-2015
SEA Screening Determination Report**

IN ACCORDANCE WITH THE REQUIREMENTS OF THE EUROPEAN
DIRECTIVE 2001/42/EC ON THE ASSESSMENT OF THE EFFECTS OF
CERTAIN PLANS AND PROGRAMMES ON THE ENVIRONMENT
and
THE PLANNING AND DEVELOPMENT (STRATEGIC ENVIRONMENTAL
ASSESSMENT) REGULATIONS 2004 (S.I. No.436 of 2004), AS AMENDED BY
THE PLANNING AND DEVELOPMENT (STRATEGIC ENVIRONMENTAL
ASSESSMENT) REGULATIONS 2011 (S.I. No 201 of 2011)



3^ú Márta 2014

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1.0 Introduction

The Killarney Town Development Plan 2009-2015 is to be varied to facilitate the re-zoning of lands from residential (phase 11) to recreation amenity and open space at Dereen, Killarney. This variation is to be known as the second variation of the Town Plan. The first variation of the Plan incorporated a Core Strategy and at that stage the opportunity was also taken to include/modify objectives and policies to reflect other Government guidance and EU Environmental legislation introduced since the adoption of the Plan.

1.1 Requirement for Strategic Environmental Assessment

The requirement for SEA derives from the **SEA Directive (2001/42/EC)**. A SEA is a systematic evaluation of the likely significant effects of implementing a Plan or Programme before it is adopted.

The requirements for SEA in Ireland are set out in the national Regulations, **S.I. No. 435 of 2004** (European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004) and **S.I. No. 436 of 2004** (Planning and Development (Strategic Environmental Assessment) Regulations 2004) as amended by **S.I. No. 200 of 2011** (European Communities (Environmental Assessment of Certain Plans and Programmes) (Amendment) Regulations 2011) and **S.I. No. 201 of 2011** (Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations 2011) respectively.

The SEA process consists of a series of steps or stages that need to be undertaken.

These are:

1. Screening of plans/programmes to decide whether a particular plan/programme for which an SEA is not mandatory, would be likely to have significant effects on the environment and therefore require an SEA.
2. Scoping of the details to be provided in the Environmental Report, in consultation with environmental authorities.
3. An Environmental Report - containing the findings of the assessment on the likely significant effects on the environment of the plans and programmes.
4. Consultation on the Draft Plan and associated Environmental Report (ER).
5. An SEA Statement - identifying how environmental considerations and consultations have been integrated into the Final Plan; and
6. Monitoring Programme of the significant environmental effects of the plans and programmes.

All land-use plans in Ireland are subject to SEA procedures and environmental considerations must be assessed at an early stage in the decision-making process.

Article 13K of the 2011 Regulations states that where a Planning Authority proposes to make a variation of a Development Plan under section 13 of the Act, (which is required in this case), *'it shall, before giving notice under section 13(2) of the Act it shall consider whether or not the proposed variation would be likely to have significant effects on the environment, taking account of relevant criteria set out in Schedule 2A'*. The criteria set out in Schedule 2A are listed under (i) characteristics of the plan and (ii) characteristics of the effects and of the area likely to be affected. The proposed variation is considered under the criteria set out in Schedule 2A as outlined in section 2.1.1 of this report.

As the proposal constitutes a re-zoning of lands at Dereen, Killarney and this will be adopted as a variation of the current Killarney Town Development Plan 2009-2015, as set out under Section 13 of the Planning and Development Act 2000, as amended; it is necessary to screen the proposed variation to determine whether an SEA will be required.

It should be noted that the proposed variation also underwent a Habitats Directive Assessment (HDA) under Article 6 of the Habitats Directive, in parallel with the SEA process.

2.0 Killarney Town Council Development Plan 2009-2015

The Killarney Town Council Development Plan was adopted on the 23rd March 2009 and became effective from the 20th April 2009. The Plan sets out an overall strategy for the proper planning and sustainable development of the town. It is the guiding document for private and public sector development ensuring that developments are carried out in an orderly, cohesive and planned manner. The Plan aims to harmonise economic, social and environmental concerns in a positive way with the end objective of improving the quality of life of the town's citizens. Given the broad scope of the Development Plan, it includes policies and objectives on housing, social inclusion, enterprise and development, retail development, tourism, infrastructure, natural heritage, biodiversity and conservation and built heritage. The current Plan was subject to a full Strategic Environmental Assessment.

2.1 Summary of 2nd Variation to the Killarney Town Development Plan 2009-2015

The proposed 2nd variation involves the following key elements:-

- Re-zoning of lands at Dereen, Killarney, from residential (phase 11) to recreation amenity and open space. The site's location and existing zoning is identified on attached maps accompanying this report.

3.0 Strategic Environmental Assessment Screening

3.1 Preliminary determination and recommendation under Article 13K of the Planning and Development (Strategic Environmental Assessment) Regulations 2004, as amended.

The 'SEA Screening Report' associated with this variation, concluded that significant environmental implications were not likely to arise as a result of the proposed variation and that a SEA was not required.

3.2. Consultation with the Environmental Authorities

As required by Article 13K (3) of the Planning and Development (Strategic Environmental Assessment) Regulations 2004, as amended the 'SEA Screening Report' was forwarded to the Environmental Authorities (Environmental Protection Agency (EPA), Department of Environment, Heritage and Local Government (DoEHLG), Department of Agriculture, Food and the Marine, and the Department of Communications, Energy and Natural Resources (DCENR)) and submissions and observations were invited.

3.3 Submissions / observations received from the Environmental Authorities

1. Department of Communications, Energy and Natural Resources

The DCENR indicated that the Minister has been notified however no further comments have been received.

2. Minister for Agriculture, Food and the Marine, indicated the Minister has been notified however no further comments have been received.

3. The Environmental Protection Agency

The content of the EPA's submission is summarised as follows:-

- The Planning Authorities position with regard to the need for a SEA of the variation is noted.
- Future amendments to the draft variation should be screened for likely significant effects on the environment.

4. Geological Survey of Ireland

The content of their submission relates to Datasets available for use. No specific comments relating to the proposed plan were received.

5. Inland Fisheries Ireland (IFI)

The content of the IFI's submission is summarised as follows:-

- IFI welcomes the proposed variation from residential to amenity zoning for this site.

- A condition of rezoning should include that any site development would not permit infill of the 100 year flood plain.
- The river should be retained as is without any alteration, widening, drainage or interference. Any interference with the Deenagh River channel should be prohibited.
- A riparian buffer zone of 20 meters should be retained free from development along the Deenagh River. (subject to a specific amenity/ walkway river corridor plan).
- Site Drainage (if required) should be by the use of Sustainable Urban Drainage systems utilising soakage/infiltration rather than by direct piped outlet to the Deenagh.
- If there is any proposal to interfere with the Deenagh River or its immediate bankside e.g. as part of future development of the site Inland Fisheries Ireland is to be consulted.

Response to IFI

The issues raised by the IFI, specifically the issues relating to site drainage, interference with the River or its immediate bankside will be addressed in any future planning applications made on the site. With respect to the request that a 20 metre riparian buffer zone be retained free from development along the Deenagh River, it is noted that the Deenagh River and Natura 2000 site designation: Killarney National Park, Macgillycuddy's Reeks and Caragh River, cSAC is already situated in excess of 100 metres from the proposed site. This variation does not deal with lands immediately abutting the River.

With regard to the point that any site development should not permit infill of the 100 year flood plain, it is considered that this variation seeks to integrate the Flood Risk Management Guidelines (DOEHLG/OPW 2009) by re-zoning lands considered to be at higher risk to the adverse impacts of flooding from residential to recreation amenity and open space to a use that is not especially vulnerable to the adverse impacts of flooding. In addition, it is considered that the recreation amenity and open space zoning will result in a less intensive development with anticipated reduced development site coverage and ultimately is considered a more appropriate and sustainable use of the lands.

Planning applications received for the site (if any) will require a site specific flood risk assessment to accompany any future projects on the site. The flood risk assessment will address the issue of type and design of acceptable development in the flood plain. Points raised in this submission will be imparted to any interested party seeking advice on developing this land and again when any such application is received to ensure the proper planning and sustainable development of the area.

3.4 Consideration of whether or not the proposed second variation of the Killarney Town Development Plan would be likely to have significant effects on the environment.

The submissions / observations received do not suggest that an SEA is warranted in this instance. It is considered that the variation will further integrate the Flood Risk Management Guidelines (D0EHLG/OPW 2009) and national and EU environmental legislation into the Development Plan.

The proposed variation has not been modified from that which was preliminarily screened for SEA. A revised screening exercise is therefore not required in this instance. (The original screening exercise is attached in the report in Appendix A.)

3.6 Conclusion

The proposed variation supports, clarifies and reinforces sustainable principles already contained in the Killarney Town Development Plan 2009-2015.

Following careful review and consideration of the issues concerning the variation, it is considered that the proposed variation will not result in a significant adverse environmental effect and would not therefore require a Strategic Environmental Assessment. This conclusion has been based on consideration of the following factors:

- The variation as presented, re-zoning from residential (phase 11) to recreation amenity and open space.
- The existing and adopted safeguarding policies on environmental protection contained within the existing Town Plan and subsequent first variation to same.

It is considered that the proposed 2nd variation to the Killarney Town Council Development Plan 2009-2015 will be an improvement on the plan as adopted as it seeks to make land previously zoned for residential development available for recreation amenity and open space use. This is considered a more sustainable and acceptable use of the land located within c.110 metres of a Natura 2000 site designation, land that is located on the edge of town with access issues; directly adjoining existing amenity uses and further given that the land has been identified as at risk of flooding. This land was included under phase two for development in the core strategy, meaning the land was not considered priority for development or necessary within the context of the Killarney Town Development Plan 2009-2015 to meet the needs of the existing or future population of Killarney, or essential to the promotion of urban form or sequential land use.

The variation can be viewed as being positive in terms of ensuring the long term protection of the environment and natural resources including water quality, flood risk management and habitat protection.

In considering the above, the relevant criteria set out in Schedule 2A of the Planning and Development (Strategic Environmental Assessment) Regulations 2004 as amended and the submissions or observations received in response to the notice issued under sub-article (3) of the said regulations, were taken into account.

3.7 Recommendation

It is recommended that the following determination be made by the Planning Authority:-

Having had regard to the requirements of the Planning and Development (Strategic Environmental Assessment) Regulations 2004 as amended and having consulted with the Environmental Authorities and considered their submissions, it is the determination of the Planning Authority under Article 13K(4) of the Regulations that a Strategic Environmental Assessment is not required in respect of the proposed second variation to the Killarney Town Development Plan 2009-2015.

John Breen

Killarney Town Manager

Director of Housing & Community & Enterprise

Appendix A: Assessment of likely significant Effects

The specified criteria for determining the likely significant environmental impacts of the variation as set out in Schedule 2 (A) of the Planning and Development Regulations 2004 (SI No. 436 of 2004) and as amended under the 2011 Regulations (S.I. No. 201) will be used to assess the proposed variation.

Table 1: Environmental Significance Screening

Reference Variation:	Proposed second Variation to the Killarney Town Development Plan 2009-2015
The characteristics of the Plan having regard in particular to:	
Ref:	Criteria
1 a	<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.</i>
	<p>Response:</p> <p>The proposed variation, which is the subject of this screening process relates to the Killarney Town Development Plan 2009-2015.</p> <p>The development plan provides the strategic framework and policy context for all local planning decisions over the specified period of the plan. The Planning and Development Act 2000 (as amended) reinforces the role of development plans as the primary strategic statement on land use planning at city, town and county levels and provides a clearly defined context for the formulation and content of planning applications.</p> <p>The Killarney Town Development Plan 2009-2015 sets out how the various geographical areas within the Town will develop. It influences capital investment by both the public and private sectors, including capital projects by the local authority itself. This plan also gives spatial expression to the economic, social and cultural needs of the community, in terms of influencing new development, enhancing valued amenities and protecting the environment and heritage.</p> <p>The proposed variation of the plan will involve a rezoning of lands from residential (phase 11) to recreation amenity and open space. These lands were categorised in phase 2 residential development in the Core Strategy, the first variation of the Killarney Town Development Plan 2009-2015.</p>
1 b	<i>The degree to which the plan influences other plans including those in a hierarchy.</i>
	Response:

	<p>The Development Plan is part of a systematic hierarchy of land use and spatial plans, including the National Spatial Strategy, the South Western Regional Planning Guidelines 2010-2020 and the Kerry County Development Plan 2009-2015. The Killarney Development Plan is located at the lower end of a hierarchy of national, regional and county level plans. The variation of the Plan will be in accordance with the provisions of those higher plans, particularly the National Spatial Strategy, the South West Regional Planning Guidelines and the Kerry County Development Plan.</p>
1 c	<p><i>The relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development.</i></p> <p><i>Response:</i></p> <p>The current Development Plan is of significant importance with regard to the integration of environmental considerations and promoting sustainable development, given its role in determining how and where development takes place. The adopted plan was subject to full Strategic Environmental Assessment in accordance with the SEA Directive (Directive 2002/42/EC), which facilitated the consideration at length of the environmental implications of its implementation. The subject site proposed for re-zoning is currently zoned for residential development and was assessed under the SEA. The SEA resulted in the plan's objectives and policies being more robust and environmentally sustainable and the process is ongoing with the monitoring of the environmental impacts of its implementation.</p> <p>It is noted that the first variation to the plan, as well as incorporating the Core Strategy into the plan strengthened the environmental protection provisions of the plan as it included proposals to include/modify objectives and policies to reflect the provisions of the following:</p> <ol style="list-style-type: none"> 1. Shannon International River Basin Management Plan 2009-2015 2. Water Framework Directive 2000/60/EC 3. The Planning System and Flood Risk Management 2009 4. South-West Regional Planning Guidelines 2010 – 2022 5. Smarter Travel – A Sustainable Transport Future, New Transport Policy for Ireland 2009-2020. 6. Kerry Local Authorities Noise Action Plan 2008. <p>The variation for example seeks to integrate environmental considerations such as that outlined in 'The Planning System and Flood Risk Management 2009'. The River Deenagh, flows within c.110 metres of the plan area. Based on the preliminary Flood Risk data available, the subject site is at risk of flooding. The flood plain of the River Deenagh is found in flood zones A and B. Therefore the re-zoning of the lands from residential to recreation amenity and open space will result in a more appropriate and sustainable flood acceptable use than the existing residential zoning. It will result in a less intensive land use and consequently a reduced area of hard site coverage, which will reduce the potential for run off/contamination into the River Deenagh, thus protecting the ecological integrity of the Natura 2000 sites and promoting sustainable development.</p>

	<p>In addition it is considered that the re-zoning of the site to recreation amenity and open space and consequently loss of residential use will not undermine the overall area of land available for the sustainable development of the town within the lifetime of the plan, having regard to the land's status as phase 2 development in the Core Strategy and the actual area of the site in question at 1.27373ha. It is considered there is an adequate area of lands zoned for residential development and more appropriately located lands identified to cater for the existing and estimated future population of Killarney particularly under phase 1 of the Core Strategy, in accordance with national and regional policy/guidelines.</p>
1 d	<p><i>Environmental problems relevant to the plan.</i></p> <p><i>Response:</i></p> <p>The SEA process undertaken during the preparation of the current Town Development Plan highlighted the following environmental issues relevant to Killarney town:</p> <ul style="list-style-type: none"> • Biodiversity, flora and fauna • Population and human health • Soil • Water • Air, climate and energy • Material Assets • Cultural Heritage • Landscape <p>The proposed variation will have regard to the above issues and address any outstanding environmental problems relevant to the plan.</p> <p>As highlighted above the River Deenagh, flows within c.110 metres of the plan area, that riparian habitat forms part of the Natura 2000 site Killarney National Park, Macgillycuddy's Reeks and Caragh River, cSAC. Based on the preliminary Flood Risk data available, the subject site is at risk of flooding. The flood plain of the River Deenagh is found in flood zone A and B. The re-zoning of the land from residential to recreation amenity and open space will substitute a use that would be at higher risk to the adverse impacts of flooding for a land use that is not especially vulnerable the adverse impacts of flooding.</p>
1 e	<p><i>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)</i></p> <p><i>Response:</i></p> <p>Given the role of the existing plan with regard to how and where development is undertaken, it is relevant for ensuring the implementation of European Union legislation on the environment. The existing Town Plan incorporated policies and objectives with regard to the requirements of the European Union environmental legislation.</p> <p>It has been noted that the 1st variation to the plan (Core Strategy) went further to strengthen the implementation of European Union legislation on the environment, including the Water Framework Directive, the Flood</p>

	Directive and the Birds and Habitats Directives.
Characteristics of the effects and of the area likely to be affected, having particular regard to:	
2 a	<p><i>Probability, duration, frequency and reversibility of the effects</i></p> <p><i>Response:</i></p> <p>The existing land is identified as phase 2 residential development in the Core Strategy which means that development proposed on phase 1 identified lands will be prioritised to ensure that the most appropriate lands are developed first in a sustainable manner. Consequently the probability of development on phase 2 lands during the lifetime of this plan as currently zoned is therefore reduced.</p> <p>However it is considered that with the proposed re-zoning the probability of development on the land is likely to increase having regard to reason for the rezoning and the intended use of the land for recreation/amenity purposes. The probability / frequency of effects will be dependent on the extent of development likely to be undertaken during the lifetime of the plan.</p> <p>Taking into account that the lands in question are already zoned for residential development in the current Town Plan, where issues relating to the zoning of land have already been fully addressed in the SEA and HDA for that Plan; it is considered that the overall impact of the variation will be to reduce the probability and frequency of any environmental impact as the proposed re-zoning is from residential to recreation amenity and open space which as a consequence will result in a less intensive development on the site by the very nature of the permitted uses under that zoning. Further the re-zoning will substitute a use that would be at higher risk to the adverse impacts of flooding for a land use that is not especially vulnerable to the adverse impacts of flooding.</p> <p>The proposed variation will also reduce the probability of environmental impact from development through the implementation of mitigation measures reflecting environmental protection legislation and guidance including adherence to flooding guidelines adopted since the current plan came into force.</p> <p>The proposed variation will be in place for the remainder of the lifetime of the current plan. Where development does take place, it is generally long term and not easily reversible.</p>
2 b	<p><i>The cumulative nature of the effects</i></p> <p><i>Response:</i></p> <p>The Town Plan as originally adopted permitted the development of these lands for residential development however the 1st variation incorporating the core strategy deemed these lands not priority for development by identifying them as residential, phase 2 development.</p>

	<p>Cumulative effects resulting from the proposed variation will be dependent on the level of future development likely to be granted planning permission on the site but could taken together with existing impacts from development on adjoining sites to the west and east, include noise, traffic emissions, dust and light pollution effects. Impacts on water quality may also occur as a result of development on the site with consequences for water dependent species.</p> <p>However given that this is a proposed re-zoning from residential to recreation amenity and open space and given that the existing plan has been subject to a full SEA appraisal it is considered that the cumulative effects as a consequence of this variation are likely to be less than if the land remained zoned for residential development and was developed for that use.</p> <p>It is considered that the recreation amenity and open space zoning will result in a less intensive development with anticipated reduced development site coverage and ultimately is considered a more appropriate and sustainable use of the lands having regard to the location of the land on the edge of the Town, its position adjoining existing amenity uses, existing access issues to the site and the flood risk issues identified on the site.</p>
2 c	<p><i>The transboundary nature of the effects</i></p> <p>Response:</p> <p>No significant transboundary effects are anticipated. The proposed variation, in line with the principles of sustainability enshrined in the Town Development Plan promotes the sustainable development of an edge of town site that has been identified as at risk to flooding. Its re-zoning to a use that is significantly less vulnerable to the adverse impacts of flooding is also likely to reduce the potential for transboundary effects.</p> <p>The proposed site has not been identified as a preferred/priority option for residential development from an urban compact form and sequential land use point of view, therefore its re-zoning from residential use to recreation amenity and open space will help avoid the creation of daily unsustainable travel patterns from an edge of town location where no public transport options are available, thus helping to limit carbon emissions which is an environmental issue of global concern.</p>
2 d	<p><i>The risks to human health or the environment (due to accidents)</i></p> <p>Response:</p> <p>It is considered that the proposed variation would not pose any significant risk to human health or to the environment, particularly having regard to the environmental protection measures contained within the existing Town Plan which is underpinned by sustainability and is sufficiently strengthened to ensure environmental scrutiny and</p>

	<p>to the proposed variation which will ensure that any future potential planning applications made on the subject site seek to protect natural heritage/biodiversity interests including the ecological integrity of Natura 2000 sites.</p>
<p>2 e</p>	<p><i>The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)</i></p> <p>Response:</p> <p>The effects of the proposed variation relate to 1.27373ha of lands currently zoned for residential use. While dependent on the level and nature of development likely to occur over the plan period (2009-2015), spatial effects resulting from the proposed variation is expected to be localised to the northern area of Killarney Town and may include effects such as the generation of increased traffic, particularly an issue at existing road junction pinch-points, vehicle emissions, noise, dust and light pollution.</p> <p>However, as the land is already zoned for residential development in the current Killarney Town Development Plan and was subject to a full SEA and HDA, it is considered that the magnitude and spatial effects are likely to be reduced given the nature of the re-zoning and the likely development to be permitted and taking into account that the re-zoning will also substitute a use that would be at higher risk to the adverse impacts of flooding for a land use that is not especially vulnerable to the adverse impacts of flooding. It is considered that the variation will result in the promotion of improved sustainable development at this location.</p> <p>A screening of the variation against the Environmental Protection Objectives contained in the SEA which accompanied the Killarney Town Development Plan 2009-2015 supports this view.</p>
<p>2 f</p>	<p><i>The value and vulnerability of the area likely to be affected due to:</i></p> <ul style="list-style-type: none"> a. <i>Special natural characteristics or cultural heritage</i> b. <i>Exceeded environmental quality standards or limit values</i> c. <i>Intensive land-use</i> <p>Response:</p> <p>(a) While the plan is situated within close proximity - c.110 metres of a Natura 2000 site it is not located within an area designated for a particular landscape or amenity values. The Plan area however is located within 70 metres of the marked zone of archaeological potential as shown on the Record of Monuments and Places Constraint Maps around monument KE066-052, listed as a Standing Stone. As the site is already zoned for residential development, it is considered that when a project is proposed for this site, an archaeological impact assessment may be required to ensure the continued preservation of features of archaeological interest.</p> <p>No protected structures, architectural conservation areas are located within the plan area.</p>

	<p>The proposed variation relates to a re-zoning of undeveloped residentially zoned land to recreation amenity and open space use within the plan area. The relevant special natural characteristics and cultural heritage elements that would have been potentially affected have been already comprehensively addressed in the SEA and HDA that were prepared during the Town Development Plan process and as a consequence relevant protection policies and objectives were included in the Killarney Town Development Plan 2009-2015. In addition, the adoption of new policies to reflect plans/guidance as part of the Core Strategy, 1st Variation to the Town Plan ultimately improved environmental protection. Further the Natura Impact Report prepared for the proposed 2nd Variation has concluded that the plan individually and in combination with other plans and projects shall not adversely affect the integrity of a European Site. The proposed re-zoning will reduce the environmental impacts on any natural elements of importance.</p> <p>(b) The proposed variation will not result in any environmental quality standards or limit values being exceeded.</p> <p>(c) The proposed variation will not give rise to an intensification of land-use, rather it is considered the re-zoning will result in a less intensive land use other than what was already envisaged and assessed in the current zoning of the lands for residential development.</p>
2 g	<p><i>The effects on areas or landscapes which have a recognised national, European Union or international protection status</i></p> <p>Response:</p> <p>The River Deenagh flows through the extreme north west/northern end of the field accommodating this plan area and this watercourse drains into Lough Leane, to the west of the Town. That riparian habitat is located within the Natura 2000 site: Killarney National Park, the MacGillycuddy's Reeks and the Caragh River catchment cSAC (site code 00365).</p> <p>Notwithstanding the proximity of the Natura 2000 designation to the plan area, it is considered that no development is proposed as part of the variation which would have significant adverse effects on areas, or landscapes which have a recognised national, European Union or international protection status.</p> <p>In addition a Habitats Directive Assessment (HDA) of the proposed variation has also been undertaken in order to assess if there is likely to be a significant effect on any Natura 2000 site. The Natura Impact Report forms part of the initial stage of the variation process. The results of the Natura Impact Report are available for viewing as part of the consultation process for the second variation to the Killarney Town Development Plan. The Natura Impact Report has concluded that the plan individually and in combination with other plans and projects shall not adversely affect the integrity of a European Site.</p>

Table A: cSAC site, the reason for its designation, conservation objectives and the environmental conditions considered necessary to support the site integrity				
cSAC Site Name and Code	Qualifying Interests	Qualifying Interests	Conservation objectives	Environmental conditions necessary to support site integrity
	Habitat –Annex 1 (*priority habitat)	Species – Annex 11		
<i>Killarney National Park, Macgillicuddy's Reeks And Caragh River 000365</i>	<ul style="list-style-type: none"> • Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) [3110] • Oligotrophic to mesotrophic standing waters with vegetation of the Littorelletea uniflorae and/or of the Isoto-Nanojuncetea [3130] • Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation [3260] • Northern Atlantic wet heaths with Erica tetralix [4010] • European dry heaths [4030] • Alpine and Boreal heaths [4060] • Juniperus communis formations on heaths or calcareous grasslands [5130] • Calaminarian grasslands of the Violetalia calaminariae [6130] • Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [6410] • Blanket bog (*active only) [7130] • Depressions on peat 	<ul style="list-style-type: none"> • Kerry slug (Geomalacus maculosus) [1024] • Freshwater pearl mussel (Margaritifera margaritifera) [1029] • Marsh fritillary (Euphydryas aurinia) [1065] • Sea lamprey (Petromyzon marinus) [1095] • Brook lamprey (Lampetra planeri) [1096] • River lamprey (Lampetra fluviatilis) [1099] • Twait shad (Alosa fallax fallax) [1103] • Salmon (Salmo salar) [1106] • Lesser horseshoe bat (Rhinolophus hipposideros) [1303] • Otter (Lutra lutra) [1355] • Killarney fern (Trichomanes speciosum) [1421] • Slender naiad (Najas flexilis) [1833] 	To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected: Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) [3110]; Oligotrophic to mesotrophic standing waters with vegetation of the Littorelletea uniflorae and/or of the Isoto-Nanojuncetea [3130]; Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation [3260]; Northern Atlantic wet heaths with Erica tetralix [4010]; European dry heaths [4030]; Alpine and Boreal heaths [4060]; Juniperus communis formations on heaths or calcareous grasslands [5130]; Calaminarian grasslands of the Violetalia calaminariae [6130]; Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [6410]; Blanket bog (*active only) [7130]; Depressions on peat substrates of the Rhynchosporion [7150]; Old sessile oak woods with Ilex and Blechnum in British Isles [91A0]; Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0]; Taxus	<p>Habitat Management (control of drainage, grazing / mowing, burning, fertiliser / lime input, reseeding, fishing, dumping, tree felling, killing / removal of significant biological material, pesticide use etc)</p> <p>No significant erosion / trampling associated with human impacts (drainage, fires, peat extraction, livestock grazing, motorised vehicles, recreational activities etc).</p> <p>Adequate water supply</p> <p>Adequate water quality (limited sediment input, limited nutrient input etc)</p> <p>Limited alteration of the banks, bed or flow of watercourses</p> <p>No change in land use which would result in significant habitat loss or fragmentation (human activities such as reclamation, afforestation / commercial forestry, deforestation, peat extraction, development, track / roadway provision etc)</p> <p>No significant loss of bat roosting sites or of woodland / scrub / hedgerows located in the vicinity of roosting sites</p> <p>Limited disturbance (light, noise, human activity including recreational pressure, camping etc)</p> <p>The control of fish stocking and introduced or invasive species (Rhododendron, Zebra Mussel,</p>

	<p>substrates of the Rhynchosporion [7150]</p> <ul style="list-style-type: none"> ● Old sessile oak woods with Ilex and Blechnum in British Isles [91A0] ● *Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0] ● *Taxus baccata woods of the British Isles [91J0] 		<p>baccata woods of the British Isles [91J0]; Twaite shad (Alosa fallax fallax) [1103]; Salmon (Salmo salar) [1106]; Lesser horseshoe bat (Rhinolophus hipposideros) [1303]; Otter (Lutra lutra) [1355]; Killarney fern (Trichomanes speciosum) [1421]; Slender naiad (Najas flexilis) [1833]</p> <p>Source: NPWS (2011)</p>	<p>bracken etc)</p> <p>Maintain natural regeneration and diverse vegetation structure</p> <p>Presence of suitable quiet stretches of river for Otters.</p> <p>No artificial barriers significantly impairing adult salmon and lamprey from reaching existing and historical spawning grounds and smolts from reaching the sea.</p> <p>No significant aggregate extraction.</p>
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Appendix B: Screening of Proposed Variation against Environmental Protection Objectives

The following section screens the proposed variation for significant environmental effects, using the Environmental Protection Objectives contained in the Environmental Report prepared as part of the Killarney Town Development Plan 2009-2015.

Table 1:

Ref:	Environmental Protection Objective	Likelihood of significant effects on the Environment
Biodiversity, Flora and Fauna Aspect	Objectives	
B1	Ensure the Protection and conservation of Killarney National Park cSAC and SPA site in planning process using Habitats Directive Article 6 assessment methodology. Conserve protected habitats and species	No likely significant effect No likely significant effect
B2	Conserve protected habitats and species.	No likely significant effect
B3	Conserve the diversity of habitats and species in non-designated sites.	No likely significant effect
B4	Protect aquatic and terrestrial habitats from invasive species.	No likely significant effect
Population and Human Health Aspects	Objectives	
P1	Improve people's quality of life based on high quality living environments, working and recreational facilities	No likely significant effect
P2	Co-operation with the implementation of the County Litter Management Plan 2007 and any subsequent plans.	No likely significant effect
P3	Adhere to the County Emergency Plan and other objective of	

	relevance to human health.	
Soils	Objectives	
S1	Maximise the sustainable re-use of brownfield sites and maximise the use of the existing built environment.	No likely significant effect
S2	Preparation of aquifer protection Plan.	No likely significant effect
Water	Objectives	
W1	Maintain or improve the quality of surface water to meet the requirements of the South Western River Basin Management Plan (SW RBMP) and Programme of Measures.	No likely significant effect
W2	Implement the recommendations of the Lough Leane Catchment Study.	No likely significant effect
W3	Maintain or improve the Biotic Quality Rating (Q value) of all surface waters.	No likely significant effect
W4	Implement SUDS across study area.	No likely significant effect
W5	Prevent pollution of groundwater by adhering to aquifer protection plans when complete.	No likely significant effect
W6	Mitigate the effect of flooding through avoidance of development in flood plains.	No likely significant effect
Air and Climate	Objectives	
A1	Minimise greenhouse gas emissions to meet National and International standards to alleviate the impacts of climate change.	No likely significant effect
A2	Promote energy efficient building through implementation of the	No likely significant effect

	Building Regulations.	
A3	Improve ambient air quality.	No likely significant effect
A4	Use of renewable energy technology for projected power requirements over the lifetime of the Plan.	No likely significant effect
Material Assets	Objectives	
M1	Development of a sustainable transportation infrastructure which reduces the need for travel and journey length.	No likely significant effect
M2	Minimise waste projection and introduce sustainable waste management practices in accordance with the waste management hierarchy.	No likely significant effect
M3	Promote sustainable water use based on long term protection of resources.	No likely significant effect
M4	Ensure that the existing wastewater treatment plant operates to EU Standards and does not have a negative impact on water quality.	No likely significant effect
M5	Maintain and improve the quality of drinking water supplies.	No likely significant effect
Cultural Heritage	Objectives	
CH1	Promote best practice in cultural heritage (including built heritage, archaeology and architecture) conservation and management.	No likely significant effect
Landscape	Objectives	
L1	Protect designated scenic landscapes, views, routes, and landscape features of local value.	No likely significant effect
L2	Protect streetscapes in Killarney.	No likely significant effect

Appendix C: Article 13K (1) to (6) of the Planning and Development (Strategic Environmental Assessment) Regulations 2004 and as amended in 2011.

Determination of need for environmental assessment of variation of development plan.

(1) Where a planning authority proposes to make a variation of a development plan under section 13 of the Act, it shall, before giving notice under section 13(2) of the Act, consider whether or not the proposed variation would be likely to have significant effects on the environment, taking into account of relevant criteria set out in Schedule 2A.

(2) Where the planning authority, following consideration under sub-article (1), determines that the proposed variation would be likely to have significant effects on the environment, sub-articles (3) and (4) shall not apply.

(3) (a) Where, following consideration under sub-article (1), a determination under sub-article (2) has not been made by the planning authority, the authority shall give notice in accordance with paragraph (b) to the environmental authorities specified in article 13A(4), as appropriate.

(b) A notice under paragraph (a) shall – (i) state that the planning authority proposes to make a variation of the development plan under section 13 of the Act, (ii) state that the planning authority must determine whether or not the proposed variation would be likely to have significant effects on the environment and that, in so doing, it must take account of relevant criteria set out in Schedule 2A, and (iii) indicate that a submission or observation in relation to whether or not the proposed variation would be likely to have significant effects on the environment may be made to the authority within a specified period which shall be not less than 3 weeks from the date of the notice.

(4) Following the period specified in sub-article 3(b)(iii), the planning authority shall determine whether or not the proposed variation of the development plan would be likely to have significant effects on the environment, taking account of relevant

criteria set out in Schedule 2A and any submission or observation received in response to a notice under sub-article (3).

(5) As soon as practicable after making a determination under sub-article (2) or (4), the planning authority shall -

(a) make a copy of its decision, including, as appropriate, the reasons for not requiring an environmental assessment, available for public inspection at the offices of the planning authority during office hours, and

(b) notify its decision to any environmental authority which was notified under sub-article (3).

(6) The provisions of articles 13L to 13R shall only apply where a planning authority determines under this article that a proposed variation would be likely to have significant effects on the environment.

Appendix D: Schedule 2A Planning and Development Regulations 2001-2013

Criteria for determining whether a plan or programme is likely to have significant effects on the environment

Articles 13A, 13K and 14A

1. The characteristics of the plan or programme having regard, in particular, to:

— the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources,

— the degree to which the plan or programme influences other plans, including those in a hierarchy,

— the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,

— environmental problems relevant to the plan or programme,

— the relevance of the plan or programme for the implementation of European Union legislation on the environment (e.g. plans linked to waste-management or water protection).

2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:

— the probability, duration, frequency and reversibility of the effects,

— the cumulative nature of the effects,

— the transboundary nature of the effects,

— the risks to human health or the environment (e.g. due to accidents),

— the value and vulnerability of the area likely to be affected due to:

(a) special natural characteristics or cultural heritage,

(b) exceeded environmental quality standards or limit values,

(c) intensive land-use,

— the effects on areas or landscapes which have a recognised national, European Union or international protection status.