

# KILMACANOGUE SETTLEMENT PLAN

## PROPOSED VARIATION NO. 2(i) TO THE WICKLOW COUNTY DEVELOPMENT PLAN 2010-2016

### PROPOSED MATERIAL ALTERATIONS

### SEA/AA ASSESSMENT & DETERMINATION



OCTOBER 2011

Forward Planning Section  
Wicklow County Council  
County Buildings  
Wicklow



## **Section 1: Introduction**

The Draft Kilmacanogue Settlement Plan (Proposed variation No. 2 (i) to the Wicklow County Development Plan 2010-2016) went on public display for a 4-week period between 3<sup>rd</sup> August and 29<sup>th</sup> August 2011. A total of 8 written submissions were received in response to that public consultation process.

Following this period of public consultation, the Manager prepared and distributed to the elected members of the County Council a report on the submissions received, including his opinion thereon and any recommended amendments to the draft plan.

Having considered the Draft Kilmacanogue Settlement Plan and the Manager's Report on submissions received it was resolved by the elected members at Council meeting of 3<sup>rd</sup> October 2011 to amend the Draft Kilmacanogue Settlement Plan.

At the meeting the Council resolved that three of these amendments constitute a 'material alteration' to the Draft Kilmacanogue Settlement Plan and therefore in accordance with Section 13 (6) of the Planning and Development Act 2000 (as amended), this proposed 'material alterations' are being placed on public display for a further period of not less than 4 weeks in accordance with Section 13 (6) (ad) of the Act.

### **Purpose of this Document**

The function of this report is to set out the proposed 'material alterations' in order for the public and other interested bodies to consider same and make a submission on the proposed material alteration if so desired.

Written observations or submissions regarding the proposed material alteration are invited from members of the public and other interested parties. Written submissions or observations must be received between 24<sup>th</sup> October 2011 and 21<sup>st</sup> November 2011.

The Manager will then prepare a further report on all submissions or observations received during the above time period and subsequently submit this to the elected members for their consideration. Having considered the proposed material alteration and the Manager's Report on submissions received, the elected members will then decide whether to make the Kilmacanogue Settlement plan with or without the proposed material alteration. It is likely that this matter will be put to the Council at their meeting in January 2012.

### **Format of document**

The proposed material alterations are set out in Section 2. The material alterations include a map and text change to the draft plan.

Section 3 comprises of Appendix 1 and Appendix 2 which are an assessment and determination on whether the proposed material alterations would require to undergo Strategic Environmental Assessment or Appropriate Assessment or both.

## Section 2: Proposed 'Material Alterations'

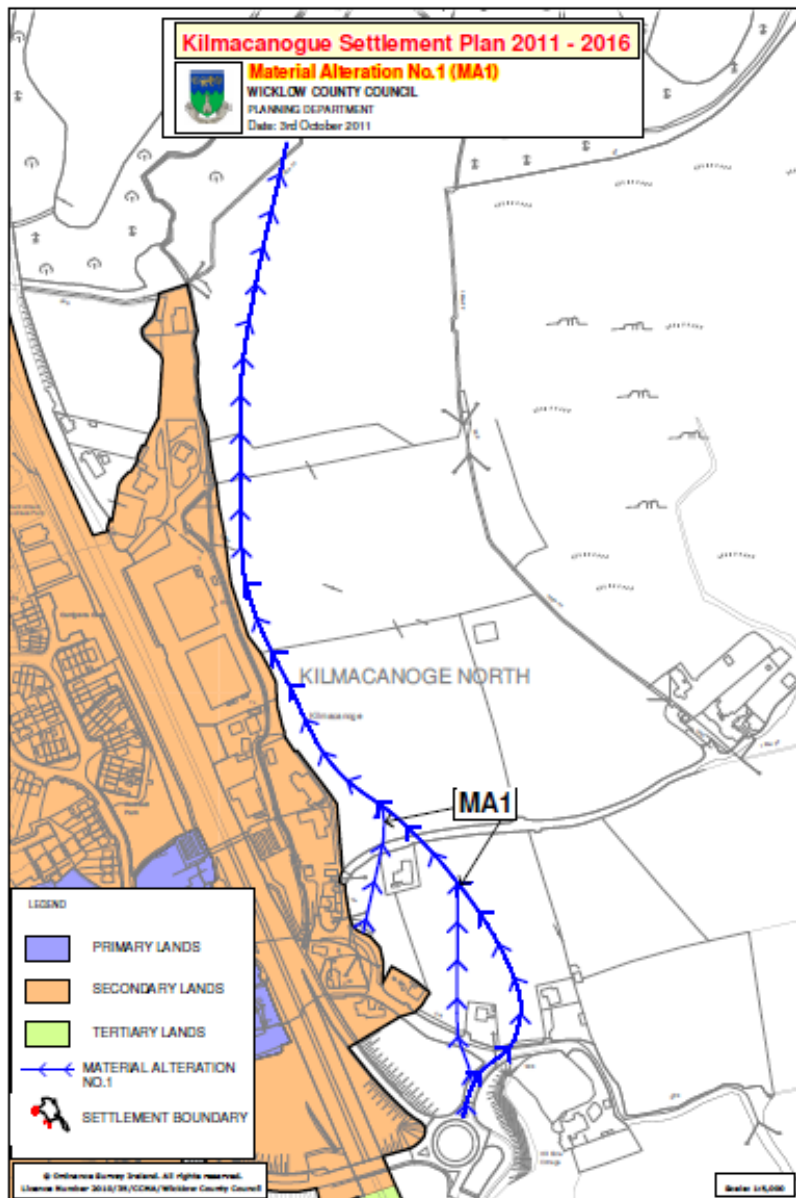
### Proposed Material Alteration No. 1

Under 'Settlement Objectives'-

Add new objective **KM 7**

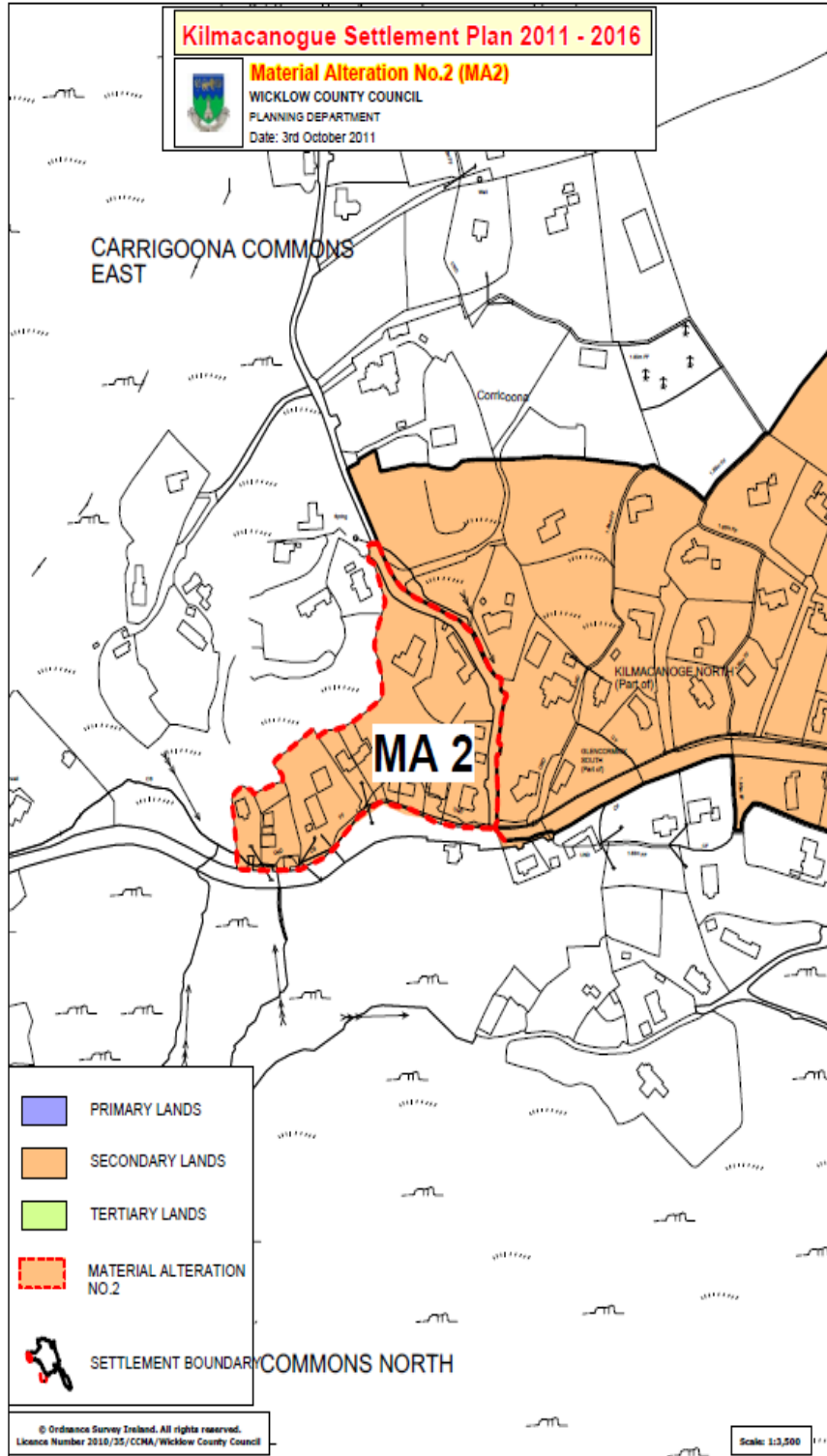
**KM 7:** To plan for a new distributor road, subject to a feasibility report, linking Kilmacanogue directly to Bray, along a line from the eastern roundabout of the Kilmacanogue N11 junction, across lands to the east of route N11, and to provide alternative access to properties currently accessed directly from route N11.

- Amend 'Kilmacanogue Settlement Plan' Map showing possible lines of this proposed road that should be reserved.



## Proposed Material Alteration No. 2

Amend 'Kilmacanogue Settlement Plan' Map by extending the settlement boundary to the west to include c. 2.5ha of additional lands and designating these lands 'Secondary Lands: Mixed Use Zone'



### Proposed Material Alteration No. 3

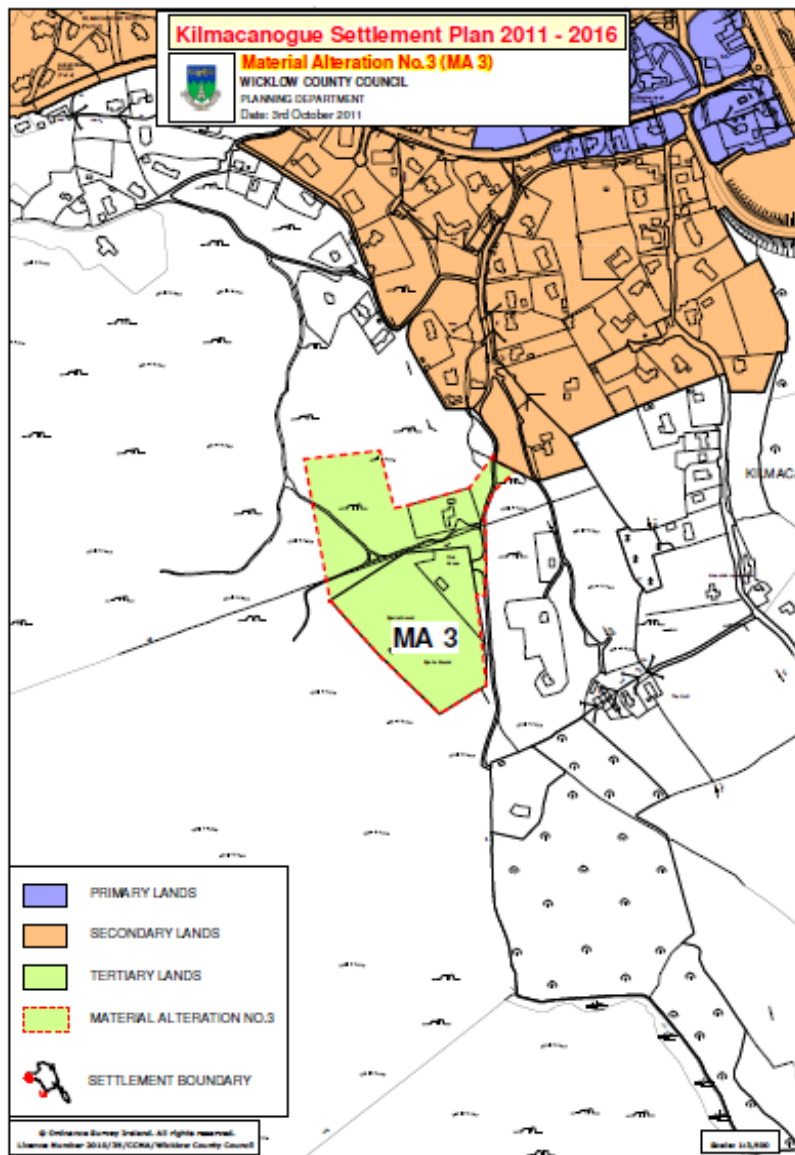
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Under 'Zoning Objectives'- 'Tertiary Lands: Peripheral Zone'

Add new objective **KM33**

**KM33** To preserve lands at Kilmacanogue GAA identified as KM33 for recreational and active open space use only.

- Amend 'Kilmacanogue Settlement Plan' Map by extending the settlement boundary to the south to include c. 4.7ha of additional lands at Kilmacanogue GAA grounds and designating these lands 'Tertiary Lands: Peripheral Zone' - KM33



## **SECTION 3**

### **APPENDIX 1**

#### **Strategic Environmental Assessment Screening in accordance with Schedule 2A**

#### **of the proposed 'material alterations' to the proposed Kilmacanogue Settlement Plan**

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#### **Criteria for determining the likely significance of environmental effects**

##### **1. Characteristics of the proposed 'Material Alterations'**

**(i) The degree, to which the proposed 'Material Alterations' set a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.**

Each 'Material Alteration' sets a framework for projects and other activities, in that it would allow for development on the lands in question, in accordance with the objectives for the 'secondary and tertiary lands' set out in the draft Kilmacanogue Settlement Plan.

(i) Material Alteration No. 1(MA1)

This MA comprises alteration to the draft plan map and an inclusion of a new objective for the maintenance of a line free from development to the east of the settlement along a route commencing at the N11 interchange eastern roundabout for the purpose of retaining options in the event that it is decided to provide a new road linking Kilmacanogue directly to Bray to the east of the existing N11.

This MA sets a framework for other projects, specifically the potential delivery of such a new route in that it indicates the general location where such a route might be located'.

(ii) Material Alteration No. 2(MA2)

This MA comprises the extension of the settlement boundary by c. 2.5ha to the west of the existing boundary. The land encompassed by the MA is proposed to be designated 'secondary lands' and is currently completely developed. This designation would set a framework for projects or other activities as per the uses and activities allowable in the 'secondary lands' designation in the draft settlement plan. However, the amount of new development that could be carried out on these lands is extremely limited due to the already developed nature of the lands, with only limited scope for new build infill or alterations to existing properties.

(iii) Material Alteration No.3(MA3)

This MA comprises the extension of the settlement boundary by c. 4.7 ha to the south-west of the existing boundary. The land encompassed by the MA is proposed to be designated 'tertiary lands' with a specific objective that it be used only for recreational and active open space purposes. This designation would set a framework for projects or other activities generally as per the uses and activities allowable in the 'tertiary lands' with the limitation that the uses allowable be restricted to recreational and active open space uses only, which would curtail the quantum and type of new development that could be carried out on these lands.

**(ii) The degree to which the proposed 'Material Alterations' influence other plans, including those in a hierarchy.**

The proposed 'Material Alterations' do not influence any other plans.

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

All of the policies and objectives of the draft Kilmacanogue Settlement Plan are informed by the principles of sustainable development and the crafting of the draft plan was guided by the overall objectives of the Wicklow County Development Plan which seek:

- To implement the overarching guidance offered by the National Spatial Strategy 2002-2020, the National Development Plan 2007-2013, the Regional Planning Guidelines for the Greater Dublin Area, and manage the spatial organisation of the county in an efficient sustainable manner.
- To facilitate and encourage the growth of employment, enterprise and economic activity in the county, across all economic sectors and in all areas
- To integrate land use planning with transportation planning, with the dual aim of reducing the distance that people need to travel to work, shops, schools and places of recreation and social interaction, and facilitating the delivery of improved public transport.
- To enhance existing housing areas and to provide for high quality new housing, at appropriate locations and to ensure the development of a range of house types, sizes and tenures in order to meet the differing needs of all in society and to promote balanced communities.
- To maintain and enhance the viability and vibrancy of settlements, to ensure that towns and villages remain at the heart of the community and provide a wide range of retail, employment, social, recreational and infrastructural facilities.
- To protect and enhance the County's rural assets and recognise the housing, employment, social and recreational needs of those in rural areas.
- To protect and improve the county's transport, water, waste energy and communications infrastructure, whilst having regard to our responsibilities to respect areas protected for their important flora, fauna or other natural resources.
- To promote and facilitate the development of sustainable communities through land use planning, by providing for land uses capable of accommodating, community, leisure, recreational and cultural facilities, accessible to and meeting the needs of all individuals and local community groups, in tandem with the delivery of residential and physical infrastructure in order to create a quality built environment in which to live.
- To protect and enhance the county's diverse natural and built heritage.
- To address climate change challenge, as a plan dynamic, throughout the county plan, directly in the areas of flooding and renewable energy, and indirectly by integrating climate change and sustainable development into statements of plan policy, strategies and objectives.

It is considered that development that could arise on foot of the proposed 'Material Alterations' would be consistent with these 'sustainable development' objectives.

**(iv) Environmental problems relevant to the proposed Material Alterations.**

**Environmentally sensitive areas and features**

Initial analysis of the environmental issues relevant to Kilmacanogue indicates that there are a number of environmentally sensitive areas and features within and surrounding the town. Of particular relevance to the proposed 'material alterations' are:

The Great Sugar Loaf proposed Natural Heritage Area (pNHA) lies to the west of the draft plan area. Proposed MA 3 would extend the plan boundary by c. 4.7ha to the south west, of which approx 0.76ha is located within the boundary of the Great Sugar Loaf pNHA

The Kilmacanogue Marsh proposed Natural Heritage Area (pNHA) lies immediately adjacent to the boundary of the Kilmacanogue settlement, on the south-west side of the N11 interchange. Proposed MA 1 facilitates the future development of a distributor road to the

north-east of the N11 interchange, on the opposite side of the N11 from the marsh, but is within 200m of the pNHA.

Other environmentally sensitive areas include the following:

- Bray Head, Glen of the Downs and Ballyman Glen are candidate Special Area of Conservation (SACs) and are all within the 5km of the Kilmacanogue Settlement boundary. Between the 5km and 15km radius there are a number of candidate SACs, in the form of the Wicklow Mountains (cSAC), Murrough Wetlands and Knocksink Wood (cSAC). The Murrough and the Wicklow Mountain Special Protection Areas (SPAs) are within the 15km radius. It is not considered that the proposed Material Alterations would have any effect on these sites.
- The following pNHAs are located within the 15km boundary - Powerscourt Waterfall, Powerscourt Woodlands, Dargle River Valley, Ballyman Glen, Bray Head, Glen of the Downs, Knocksink Wood, Glencree Valley, Carrigower Bog, The Murrough and the Vartry Reservoir. It is not considered that the proposed Material Alterations would have any effect on these sites.
- There are a number of buildings located within the settlement plan area, which are on the County Wicklow Record of Protected Structures, while others are included on the National Inventory of Architectural Heritage (NIAH). The proposed Material Alterations would have no effect on these buildings.

### **Infrastructural issues**

The following infrastructural issues in Kilmacanogue should also be considered in assessing the impact of the proposed 'Material Alterations' on environmentally sensitive receptors:

- The water supply to Kilmacanogue is from the public mains, the water source being the Vartry Reservoir at Roundwood. There is no storage reservoir for water in the Kilmacanogue area. Projects that might arise on foot of the proposed 'Material Alterations' may place additional demands for water on the system. However, given the limited extent of development that is likely to occur on foot of MAs 2 and 3<sup>1</sup> and with the implementation of objectives of the Wicklow County Development Plan (namely Objectives WS, WS2, WS3, WS4 and WS5) and objectives of this Settlement Plan (namely KM7) will ensure that any potential adverse impacts arising from additional water demand are mitigated to the point where no residual adverse impacts remain.
- Wastewater generated in Kilmacanogue is collected via a mains collection system, which is directed to the wastewater system in Bray via a pumping station. It is planned that wastewater from the Kilmacanogue and Bray areas will be treated in the upgraded Shanganagh WWTP by the end of 2012. Projects that might arise on foot of the proposed 'Material Alterations' may generate additional wastewater for collection and treatment by this system. Environmental impacts could potentially arise from the surcharging of the collection network or the pumping station and from the discharge of treated effluent to the sea. However, given the limited extent of development that is likely to occur on foot of MA's 2 and 3 and with the implementation of objectives of the Wicklow County Development Plan (namely Objectives WW1, WW2, WW3, WW4, WW5, WW7 and WW8) and objectives of this Settlement Plan (namely KM7) will ensure that any potential adverse impacts from wastewater generation are mitigated to the point where no residual adverse impacts remain.
- A number of areas in Kilmacanogue are not connected to the mains sewerage system and properties are served by individual on-site effluent disposal systems. Projects that

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<sup>1</sup> MA 2 is an already developed residential area with limited potential for further infill development; MA 3 allows only for recreational development



might arise on foot of the proposed 'Material Alterations' may generate require to be served by such systems if mains services are not available. The ongoing use of such systems may have adverse impacts on ground and surface waters. However, the implementation of objectives of the Wicklow County Development Plan (namely Objectives WW3, WW4, WW5, WW6, WW7 and WW8) and the objectives of this Settlement Plan (namely Objective KM7) will militate against such impacts.

- There are areas in Kilmacanogue which are at risk of flooding. A flood risk assessment has been prepared as part of the plan. The assessment identifies "flood zones" that are at a high and moderate risk of flooding. As set out in the Flood Risk Assessment, the Justification Test has been applied to the plan in order to examine alternatives for the use of land in areas at risk of flooding in order to ensure that risks are reduced to an acceptable level.  
None of the lands encompassed by proposed MAs 2 and 3 are located within the identified flood risk zones. The route corridor for proposed MA runs alongside (east of) the identified flood risk zone associated with the Kilmacanogue stream. However, any proposals to provide the indicated link road would be required to undergo complete flood risk assessment in accordance with Objectives FL2, 3, 4, 7, 8 and 9 of the Wicklow County Development Plan and Objective KM10 of this settlement plan in order to identify and avoid or mitigate any identified flood risks.

### **Settlement Strategy**

Analysis of the settlement strategy for Kilmacanogue shows that MA 3 would be the only proposed material alteration that could have an impact on housing and population, but that this potential impacts would be severely limited as the extension of the settlement boundary by 2.5ha would not result in any significant additional housing units as the lands in question are fully developed already. Notwithstanding this, objective KM1 of the draft Kilmacanogue Settlement Plan will ensure that the total population growth in the settlement does not exceed the targets set out in the Wicklow County Development Plan 2010-2016.

The Environmental Report of the Wicklow County Development Plan 2010-2016 Strategic Environmental Assessment (SEA) has already considered the likely environmental consequences of decisions regarding the future accommodation of growth in certain areas of Wicklow, including the projected growth targets and role for the settlement of Kilmacanogue. This Assessment concluded that, subject to the integration of mitigation measures included in the County Development Plan, the potential adverse environmental effects that could arise as a result of implementing the plan are likely to be avoided, reduced or offset. As per this evaluation, the projected growth of Kilmacanogue will not result in significant environmental issues.

The environmental impact of the plan results from the provision of land use designations and objectives, which aim to accommodate future growth targets. These objectives provide for the planning and management of land for a variety of uses including residential, retail, employment, community and recreational uses and incorporate conservation objectives to protect the integrity of the environment and guard it from significant adverse effects. Subject to adequate inclusion of appropriate policies and objectives, which will result in the optimum location, layout, and design of any new development resulting from this plan, it is considered that no significant environmental issues can be identified in relation to the target populations and associated designation of lands for particular uses.

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

These plans and programmes are considered under the Wicklow County Development Plan 2010-2016 and will not be specifically addressed in this town plan. The Kilmacanogue

Settlement Plan will therefore be guided and informed by waste management and water protection policies and objectives set out within the County Development Plan 2010-2016.

#### 4.2. Characteristics of the Effects and of the Area Likely to be affected.

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

The Strategic Environmental Assessment screening of the draft Kilmacanogue Settlement Plan evaluated the potential environmental effects generally resulting from the land use designations and development of land. The proposed 'material alterations' are assessed in the table below using generally the same criteria<sup>2</sup>:

<b>Development Objective/ Land Uses</b>	<b>Summary of Policies / Objectives Proposed</b>	<b>Possible Effect on Environment</b>	<b>Mitigation measure</b>	<b>Residual impact</b>
Extension of settlement boundary.	<p><b>Material Alteration No 1</b> The reservation of route options for a new distributor road adjacent to settlement boundary.</p> <p><b>Material Alteration No 2</b> The settlement boundary is proposed to be extended to by 2.5ha and designated 'secondary lands'.</p> <p><b>Material Alteration No 3</b> The settlement boundary is proposed to be extended by 4.7ha and designated 'tertiary lands' with a specific objective that such lands be used for recreational purposes only.</p>	<p><b>Material Alteration No 1</b> The reservation of route options for a new road may result in the erosion of the rural landscape at the fringes of the settlement with associated visual impacts and impacts on natural habitats.</p> <p><b>Material Alteration No 2</b> 1. Loss of natural habitats. 2. Erosion of rural landscape. 3. Additional demand for infrastructure.</p> <p><b>Material Alteration No 3</b> 1. Loss of natural habitats. 2. Erosion of rural landscape. 3. Additional demand for infrastructure.</p>	<p>The implementation of the following objectives of the Plan will allow these potential environmental impacts to be avoided, reduced or offset:</p> <p><b>Material Alteration No. 1</b> KM 5 &amp; 6.</p> <p><b>Material Alteration No.2</b> KM 5, 7,9 &amp; 19.</p> <p><b>Material Alteration No.3</b> KM5,32 and the Material Alteration No. 3  County Development Plan (2010-2016) policies: BD2, BD5 and BD7<sup>3</sup> and AW1<sup>4</sup>.</p>	Not significant
Residential	<p><b>Material Alteration No 1</b> This material alteration will not contribute to an increase in the number of residential units.</p>			

<sup>2</sup> Irrelevant criteria have been omitted

<sup>3</sup> **BD2** To ensure that the impact of new developments on bio-diversity is minimised and require measures for the protection and enhancement of bio-diversity in all proposals for large developments.

**BD5** To maintain the conservation value of all proposed and future Natural Heritage Areas (NHAs) in Wicklow.

**BD7** To protect non-designated sites from inappropriate development, where it is considered that such development would unduly impact on locally important natural habitats or wildlife corridors.

<sup>4</sup> **AW1** To facilitate the use of natural areas for active outdoor pursuits, subject to the highest standards of habitat protection and management and all other normal planning controls

	<p><b>Material Alteration No 2</b> This material alteration zones additional lands as "secondary zone". While residential units are permitted in principle on these lands, the area in question is fully developed and it is considered that there will not be a significant increase in the number of residential units within this area.</p> <p><b>Material Alteration No 3</b> This material alteration zones additional lands as "tertiary zone". The objective of these lands is to accommodate additional recreational and active open space with no increase in the number of residential units within the settlement boundary.</p>	<p><b>Material Alteration No 2</b> The population target for the settlement will not alter in light of the proposed 'material alteration' and therefore no impacts arise from additional population growth.</p>	<p>No Impact.</p>	<p>Not significant.</p>
<p>Employment</p>	<p><b>Material Alteration No.1</b> This material alteration does not zone additional lands for employment development.</p> <p><b>Material Alteration No.2</b> This material alteration zones additional lands in the "secondary zone". The zoning objective for this area is 'to provide for the sustainable development of a mix of uses including residential, employment, community and recreational uses that provides for the needs of the existing settlement and that allows for the future growth of the settlement'.</p> <p><b>Material Alteration No.3</b> This material alteration zones additional lands in the "tertiary zone"; However objective KM 33 is specific in that it</p>	<p><b>Material Alteration No.2</b> While employment development is permissible on these lands, the area in question is fully developed and it is considered therefore that there is limited likelihood of employment development occurring. However were these lands developed for employment purposes this may result in the following impacts on the environment: 1. Loss of natural habitats 2. Erosion of rural landscape 3. Additional demand for infrastructure.</p>	<p>The implementation of the following objectives of the Plan will allow these potential environmental impacts to be avoided, reduced or offset:</p> <p><b>Material Alteration No.2</b> Any application for employment generating development in the secondary land will be assessed in accordance with the policies and objectives of the Wicklow County Development Plan 2010-2016 and of the Kilmacanogue Settlement Plan, namely Objectives KM17 &amp; KM18.</p> <p>The CDP was subject to full SEA and any impacts that were identified through that process were addressed in the CDP. No unmitigated impacts were identified in the SEA screen for the draft Settlement Plan.</p>	<p>Not significant</p>

	reserves land for recreational and active open space, therefore there will be no additional employment generated at this location.			
Tourism	<p><b>Material Alteration No.1</b>                  This material alteration does not zone additional lands for tourism development.</p> <p><b>Material Alteration No.2</b>                  This material alteration zones additional lands in the “secondary zone”. The objectives of the plan promote tourist developments at suitable locations within the primary, secondary and tertiary lands that are of an appropriate scale and design and to promote a range of particular tourist products.</p> <p><b>Material Alteration No.3</b>                  This material alteration zones additional lands in the “tertiary zone” ;however objective KM33 is specific in that it reserves land for recreational and active open space, therefore there will be no additional tourism developed at this location.</p>	<p><b>Material Alteration No.2</b>                  Development of these lands for tourism purposes may result in the following impacts on the environment:                  1.Loss of natural habitats                  2.Erosion of rural landscape                  3. Additional demand for infrastructure.</p>	<p>The implementation of the following objectives of the Plan will allow these potential environmental impacts to be avoided, reduced or offset:</p> <p><b>Material Alteration No.2</b>                  The implementation of the following objectives of the Plan will allow these potential environmental impacts to be avoided, reduced or offset:                  KM 4,5,6,7,8, 9 &amp; 18.</p>	Not significant

Community	<p><b>Material Alteration No.1</b> This material alteration does not zone additional lands for community development.</p> <p><b>Material Alteration No.2</b> This material alteration zones additional lands in the “secondary zone”. The objectives of the plan promote the development of community facilities in all three areas of the plan.</p> <p><b>Material Alteration No.3</b> This material alteration zones additional lands in the “tertiary zone” however objective KM33 is specific in that it reserves land for recreational and active open space, therefore community development may occur at this location.</p>	<p><b>Material Alteration No.2</b> Development of these lands for community purposes may result in the following impacts on the environment: 1. Loss of natural habitats 2. Erosion of rural landscape 3. Additional demand for infrastructure.</p> <p><b>Material Alteration No.3</b> Development of these lands for community purposes may result in the following impacts on the environment: 1. Loss of natural habitats 2. Erosion of rural landscape 3. Additional demand for infrastructure.</p>	<p>The implementation of the following objectives of the Plan will allow these potential environmental impacts to be avoided, reduced or offset:</p> <p><b>Material Alteration No.2</b> KM5, 6, 7, 8,9,19 &amp; 24.</p> <p><b>Material Alteration No.3</b> KM 4, 6,8 and County Development Plan (2010-2016) policies: BD<sub>2</sub>, BD<sub>5</sub> and BD<sub>7</sub><sup>5</sup> AW<sub>1</sub><sup>6</sup></p>	Not significant
Recreation	<p><b>Material Alteration No.1</b> This material alteration does not zone additional lands for recreation development.</p> <p><b>Material Alteration No.2</b> This material alteration zones additional lands in</p>	<p><b>Material Alteration No.2</b> Development of these lands for recreational purposes may result</p>	<p>The implementation of the following objectives of the Plan will allow these potential environmental impacts to be avoided, reduced or offset:</p> <p><b>Material Alteration No.2</b> KM 4, 5,6,7,8, 9, 19</p>	Not significant

<sup>5</sup> **BD2** To ensure that the impact of new developments on bio-diversity is minimised and require measures for the protection and enhancement of bio-diversity in all proposals for large developments.

**BD5** To maintain the conservation value of all proposed and future Natural Heritage Areas (NHAs) in Wicklow.

**BD7** To protect non-designated sites from inappropriate development, where it is considered that such development would unduly impact on locally important natural habitats or wildlife corridors.

<sup>6</sup> **AW1** To facilitate the use of natural areas for active outdoor pursuits, subject to the highest standards of habitat protection and management and all other normal planning controls

<sup>7</sup> **BD2** To ensure that the impact of new developments on bio-diversity is minimised and require measures for the protection and enhancement of bio-diversity in all proposals for large developments.

**BD5** To maintain the conservation value of all proposed and future Natural Heritage Areas (NHAs) in Wicklow.

**BD7** To protect non-designated sites from inappropriate development, where it is considered that such development would unduly impact on locally important natural habitats or wildlife corridors.

<sup>8</sup> **AW1** To facilitate the use of natural areas for active outdoor pursuits, subject to the highest standards of habitat protection and management and all other normal planning controls

	<p>the “secondary zone”. The objectives of the plan promote the development of recreational facilities on such lands.</p> <p><b>Material Alteration No.3</b> This material alteration zones additional lands in the “tertiary zone”. Objective KM 33 is specific in that it promotes the development of recreational facilities on these lands.</p>	<p>in the following impacts on the environment: 1. Loss of natural habitats 2. Erosion of rural landscape 3. Additional demand for infrastructure.</p> <p><b>Material Alteration No.3</b> Development of these lands for recreational purposes may result in the following impacts on the environment:  1. Loss of natural habitats 2. Erosion of rural landscape 3. Additional demand for infrastructure.</p>	<p>&amp; 23.</p> <p><b>Material Alteration No.3</b> KM 4,5,6,7,8,9,27,28 29 &amp; 32 and the Material Alteration No. 3 County Development Plan (2010-2016) policies: BD2, BD5 and BD7<sup>7</sup> AW1<sup>8</sup></p>	
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**(ii) The cumulative nature of the effects.**

The cumulative effects of the implementation of the above development objectives/land uses have been considered and it is concluded that any potential adverse environmental effects resulting from the development of the proposed extension area can be avoided, reduced or offset through the introduction of mitigation measures.

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

Wicklow County Council is preparing this Plan. The proposed ‘material alterations’ have no national, regional or inter-county transboundary effects.

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

There are no designated SEVESO sites within the Plan area.

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

The proposed ‘material alterations’ relate specifically to the extension of the plan area at two locations and are minimal in their size. Material Alteration No.2 relates to the extension of 2.5ha in area and is limited in the number of housing units that will be developed as a result of this extension. Material Alteration No.3 relates to the extension of 4.7ha however there is no development potential as these lands are reserved for recreational and active open space only.

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

- **Special natural characteristics or cultural heritage,**

The Wicklow County Development Plan 2010-2016 identifies the following heritage assets relevant to the area of the proposed ‘material alterations’:

- The Glen of the Downs, Bray Head and Ballyman Glen are Special Areas of Conservation as set out in Schedule 17.1 of Wicklow County Development Plan 2010-2016. It should be noted that these cSACs are not located within the settlement, however are within 5km of the settlement boundary.
- The Wicklow Mountains Special Protection Area as set out in Schedule 17.3 of Wicklow County Development Plan 2010-2016. It should be noted that the SPA is not located within the settlement; however it is within 5km of the settlement boundary.
- Part of the Great Sugar Loaf pNHA is located within the land affected by MA3.
- Kilmacanogue Marsh, Dargle River Valley, Ballyman Glen, Bray Head, Powerscourt Woodland and the Powerscourt Waterfall are all proposed Natural Heritage Areas (pNHAs)<sup>9</sup> within the 5km of the Kilmacanogue settlement boundary. Six further NHAs are within the 5km-15km of the settlement boundary - Carriggower Bog, Glencree Valley, Knocksink Wood, Vartry Reservoir, The Murrough and Devil's Glen.
- There are two buildings within the settlement boundary, which are on the protected structure register.
- There are a number of recorded monuments within the settlement boundary and in the surrounding area.

While MA1 proposes a new distributor road to the immediate north of Kilmacanogue Marsh this road would also be subject to Planning Control and Environmental Impact Assessment (EIA) process. Further protection to the pNHA is also provided via the County Development Plan, namely through policy: BD 5 "To maintain the conservation value of all proposed and future NHAs in Co. Wicklow".

The pNHAs listed above are subject to national protection status under the Wildlife Act. It is not considered that the proposed Material Alterations will have any significant effects on the pNHAs located within 5 km or 15 km of the Plan area subject to compliance with protective measures set out in the County Development Plan 2010-2016<sup>10</sup> and the plan itself including KM 5.

The MA 3 proposes the zoning 4.7 ha of additional lands for 'recreational and active open space'. This land parcel is composed primarily of improved amenity grassland and dense bracken. Both of these habitats lie outside of the pNHA and have been identified as of limited conservation importance, with the invasive ability of dense bracken recognised as a threat to upland heath habitats.<sup>11</sup>

A small portion of land proposed in MA3 (0.76ha) is located within the Great Sugar Loaf pNHA. This portion of the pNHA is composed of Dry Siliceous heath, a habitat of European Conservation importance, and one of the key habitats for which the area is proposed as a NHA.

While the development of recreation and active open space within the pNHA could potentially involve proposals for the loss of the heath habitat which occurs in the pNHA, such a proposal would be subject to planning control and is considered to be adequately mitigated against through the following County Development Plan policies:

BD 5 "To maintain the conservation value of all proposed and future NHAs in Co. Wicklow";  
AW1 "Facilitate the use of natural areas for active outdoor pursuits, subject to the highest standards of habitat protection and management, and all other normal planning controls", and through individual policies in the Plan, namely KM 5 "To protect and enhance the character, setting and environmental quality of heritage, including natural, architectural and archaeological heritage".

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<sup>9</sup> All Natural Heritage Areas (NHAs) in County Wicklow are "proposed" and are protected through the planning legislation and the Wildlife Acts

<sup>10</sup> BD5 of Chapter 17 of the CDP 2010-2016: "To maintain the conservation value of all proposed and future Natural Heritage Areas (NHAs) in Wicklow".

<sup>11</sup> "Landscape Study of Great and Little Sugar Loaf Mountains Co. Wicklow" Produced by Atkins for Wicklow County Council, March 2010

- **Exceeded environmental quality standards or limit values**

It is not expected that certain environmental quality standards will be exceeded or that the value of vulnerable areas limited as a result of the proposed 'material alterations'.

- **Intensive Land Use**

It is not expected that existing land uses in the proposed 'material alterations' will be intensified, such that vulnerable areas will be significantly affected following implementation of mitigation measures.

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

The pNHAs listed above are subject to national protection status under the Wildlife Act. It is not considered that the proposed Material Alterations will have any significant effects on the pNHA's located within 5 km or 15 km of the Plan area subject to compliance with protective measures set out in the County Development Plan 2010-2016<sup>12</sup> and the plan itself including KM 5.

The SACs and SPAs described above have international protection status under the EU Habitats Directive. It is not considered that the proposed material alterations will have any significant effects on these sites<sup>13</sup>.

## **5.0. Conclusion**

The main potential environmental impact of the proposed Material Alterations is the effect of MA 3 on the conservation value of the Great Sugar Loaf pNHA. However, given the existing objectives in place mitigating against negative impacts on the conservation value of the NHA and given that the proposed objective for these lands is the reservation of these lands for recreational and active use only, the impact of this material amendment is not deemed significant and therefore would not alter the finding of the original Strategic Environmental Assessment screening determination for the full plan.

In conclusion no significant environmental impacts resulting for the proposed 'material alterations' or developments that arises from it have been identified.

## **6.0. Recommendation**

Based on the above it is the determination of Wicklow County Council that the Strategic Environmental Assessment is not required for the proposed 'material alterations'.

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<sup>12</sup> BD5 of Chapter 17 of the CDP 2010-2016: "To maintain the conservation value of all proposed and future Natural Heritage Areas (NHAs) in Wicklow".

<sup>13</sup> This is supported by the separate 'Appropriate Assessment' under Article 6 of the EU Habitats Directive.



## **APPENDIX 2 APPROPRIATE ASSESSMENT**

### **of the proposed 'material alterations' to the proposed Kilmacanogue Settlement Plan**

The proposed "material alterations" to the Kilmacanogue Settlement Plan have been examined in the context of a number of factors that could potentially affect the integrity of the Natura 2000 Network. The following is a summary of the factors that have been considered in relation to these new objectives:

- The proposed 'material alterations' do not impact on any Annex 1 habitat.
- The proposed 'material alterations' do not cause a reduction in the area of any Natura 2000 site.
- The proposed 'material alterations' do not cause serious or ongoing disturbance to species or habitats for which any of the Natura 2000 sites are selected (e.g. increased noise, illumination and human activity).
- The proposed 'material alterations' do not cause direct or indirect damage to the size, characteristics or reproductive ability of populations on any of the Natura 2000 sites.
- The proposed 'material alterations' do not interfere with mitigation measures put in place in other plans or projects.
- The proposed 'material alterations' do not cause direct or indirect damage to the physical quality of the environment (including water quality and supply and soil compaction) in any Natura 2000 site. In this regard, the disposal of wastewater and the supply of drinking water associated with the growth of this settlement have been particularly examined:
  - (i) Wastewater generated in Kilmacanogue is either discharged to the sea (via Bray) or to the ground via on site private effluent disposal systems. Given the very modest growth target set out in this plan and the forthcoming connection of the mains system to the new Shanganagh WWTP, which will provide significantly enhanced wastewater treatment vis-a-vis the current situation, no adverse impacts on Natura 2000 sites are predicted. Where new on-site effluent disposal systems are permitted in the plan area, the implementation of objectives of the Wicklow County Development Plan (namely Objectives WW3, WW4, WW5, WW6, WW7 and WW8) and the objectives of this Settlement Plan (namely Objective KM7) will mitigate against any new impacts on Natura 2000 sites;
  - (ii) The water supply for Kilmacanogue is via the public mains. The source of this water is from the Vartry Reservoir, which is a surface water lake. The water in Kilmacanogue is fed directly from the trunk mains, which run between Roundwood and Stillorgan. There is no pumping anywhere in the system, the water flows by gravity. Any future demand for water supply will be subject to County Development Plan Objectives WS1 and WS2 and the Settlement Plan objective KM 7 which will ensure that no adverse impacts arise on Natura 2000 sites as a result.
  - (iii) As the Natura 2000 sites considered occur upstream of Kilmacanogue the risk of any flooding and the associated risk on the water quality from run off and/ or siltation is not considered significant. As part of the plan preparation process, a flood risk assessment has been carried out. It is considered that, subject to compliance with the mitigation objectives of the Plan and those of the CDP appropriate safeguards are in place to ensure that adverse effects on the Natura 2000 sites from flooding will be avoided

**Table 1 Impact on conservation objectives of the Natura 2000 sites**

Plan Objectives	Glen of the Downs (SAC)	Ballyman Glen (SAC)	Bray Head (SAC)	Knocksink Wood (SAC)	Carrigower Bog (SAC)	Murrough Wetlands (SAC)	Wicklow Mountains (SAC)	The Murrough (SPA)	Wicklow Mountains (SPA)
KM7	X	X	X	X	X	X	X	X	X
KM33	X	X	X	X	X	X	X	X	X

(Table 2 extracted from AA Screening Report).

**D**= Direct Impacts of the plan on the designated site are those impacts which arise directly from the objectives of the Kilmacanogue Settlement Plan.

**I** = Indirect impacts of the Settlement Plan on the designated site relate to those impacts of the Plan which have a knock on effect on the designated site

**C**= Cumulative effects relates to individual effects from disparate projects that may add up or interact to cause additional effects not apparent when looking at the individual effect at one time or in isolation,

**X** = No impact

As a result of this assessment, it is considered that the proposed 'material alterations' will not have any significant effect on a Natura 2000 site within 15km of the plan area, in view of the sites' conservation objectives.

**Determination**

Having considered the criteria set out the relevant guidance documents, the planning authority determines that the proposed material alterations will not have a significant effect on a Natura 2000 site in view of the its conservation objects, and appropriate assessment is not required.