

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

KILMACANOGUE SETTLEMENT PLAN

STRATEGIC ENVIRONMENTAL ASSESSMENT-SCREENING

1.0. Introduction

Wicklow County Council intends to make the Kilmacanogue Settlement Plan. The Plan is to be made as a variation to the current Wicklow County Development Plan 2010-2016, under Section 13 of the Local Government (Planning and Development) Act 2000 (as amended). The purpose of this report is to consider whether the Kilmacanogue Settlement Plan will have any likely significant environmental effects, which would require Strategic Environmental Assessment (SEA).

2.0. Objectives of the Plan

The preparation of the Settlement Plan will consider the following:

- Review relevant policy documents
- Undertake land use survey
- Review existing development boundary
- Review land bank
- Review supply of residential units in the context of growth projections
- Review retail and commercial activities
- Review community facilities and amenities
- Identify appropriate land uses at appropriate locations

Figure 1 attached is the settlement boundary of Kilmacanogue, as set out in the Wicklow County Council Development Plan, 2010-2016. Figure 2 attached is the proposed settlement boundary for Kilmacanogue.

3.0. Mandatory Requirements

The EU Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (Strategic Environmental Assessment - SEA) are given effect by the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (S.I. No. 436 of 2004).

Article 13K of the Regulations determines that 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.

4.0. Criteria for determining the likely significance of Environmental Effects

4.1. 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 Kilmacanogue Settlement Plan's purpose is to provide a framework to deliver development projects within the settlement including location, nature, and size and operating conditions and allocating the necessary resources. It is a land use plan within the terms of the Planning Acts 2000 (as amended) which will seek to provide guidance using policies and objectives for the development of social, physical and environmental infrastructure in a sustainable manner for Kilmacanogue.

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

This Plan is set within the context of the Wicklow County Development Plan 2010-2016. The Kilmacanogue Settlement Plan will be consistent with the objectives of the County Development Plan.

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

The Kilmacanogue Settlement Plan is to be adopted as a variation to the current Wicklow County Development Plan. The plan is prepared under the Planning and Development Acts 2000 (as amended) and therefore must confine itself to the proper planning and sustainable development of the area. All policies and objectives of the Settlement Plan must be informed by the principles of sustainable development.

The preparation of the plan is also guided by the overall objectives and goals 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 diversity of the county's 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.

(iv) Environmental problems relevant to the Plan.

Initial analysis of the environmental issues relevant to Kilmacanogue indicates that there are a number of environmentally sensitive areas within and surrounding the settlement.

- The 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.
- The Great Sugar Loaf and the Kilmacanogue Marsh Natural Heritage Areas (NHAs) lie immediately adjacent to the boundary of the Kilmacanogue settlement. The following NHAs 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.
- 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).
- There are two listed prospects (No.5 & No.11), within the plan boundary. Prospect No.5 relates to the prospect from the R755 of both sides of Rocky Valley and Prospect No.11 relates to the view of the Great Sugar Loaf, across Kilmacanogue Marsh and Quill Road from the N11. Prospect No. 12 which is the view of the little Sugarloaf and the coast from Bohilla Lane is located just east of the plan boundary.
In addition to these listed prospects there is one listed view within the settlement boundary, View No. 7, which is a view of the Little Sugarloaf from the N11.
- Taken together, the Great and Little Sugar Loaf mountains are considered to be a landscape area of high amenity, cultural and natural heritage significance for which it is an objective of Wicklow County Council to create a Special Amenity Area Order.

The following infrastructural issues in Kilmacanogue should also be considered in assessing the impact of the plan 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. The implementation of objectives of the Wicklow County Development Plan (namely Objectives WW1) and objectives of this Settlement Plan (namely KM7) will ensure that any new water source that may be required will not cause significant environmental effects.
- 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. 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, the implementation of objectives of the Wicklow County Development Plan (namely Objectives WW1, WW2 and WW7) and the objectives of this Settlement Plan (namely Objective KM7) will ensure that such impacts will not arise
- 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. 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.

The environmental impact of the plan results from the provision of policies and land designations to accommodate a target maximum population of 1,000 by 2016 and 1,100 people by 2022. It should be noted that these targets and a description of the future role of the settlement are included in the Settlement Hierarchy of 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 migration measures¹ included in the CDP, the potential adverse environmental effects which could arise as a result of implementing the plan is 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 Plan 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 settlement 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.

¹ List of objectives that comprise the mitigation measures are included in Appendix 1 attached

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

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

In the case of the Kilmacanogue Settlement Plan, any environmental effects generally result from the land use designation and development of land. The plan includes three land-use designations - the “primary lands”, “secondary lands” and “tertiary lands”.

The vision of the primary lands is to create a consolidated and vibrant mixed use settlement centre that is the focal point for the delivery of the retail, commercial, social service and activity needs of the local population and its hinterland whilst ensuring the protection of the special character and heritage of this area.

The vision of the secondary lands is to provide for the sustainable development of a mix of uses including residential employment, community and recreational uses that provide for the needs of the existing settlement and that allows for the future growth of the settlement. It should be noted that all areas within the plan area are mixed development areas with primary uses, but not excluding all other types of uses.

The vision for the tertiary lands is to protect and provide for agriculture and amenity in a manner that protects the physical and visual amenity of the area and demarcates the urban and rural boundary. The following tables summarises the probable effect according to the overall objectives of the plan and the objectives for the different land uses promoted with the three designated areas:

It should be noted that this plan forms part of the current Wicklow County Development Plan 2010-2016 and as such where polices are not directly covered by this plan, the objectives and polices of the CDP apply. All development proposals shall comply with the qualitative and quantitative development objectives of the CDP. The environmental effect of these objectives have been considered in the Environmental Report of the Wicklow CDP 2010-2016 SEA and, subject to the integration of the mitigation objectives (set out in Appendix 1 attached) of the CDP, it was concluded that any potential adverse environmental effects resulting from the implementing the plan are likely to be avoided, reduced or offset.

Development Objective/Land Uses	Summary of Policies/Objectives Proposed	Effect on Environment
Extension of settlement boundary	The settlement boundary is extended to accommodate additional residential and recreational use.	No significant effects, subject to additional zoning having regard to environmentally sensitive locations.
Residential	The population targets require an additional 43 units up to 2022. While residential units are permitted in principle within the three areas in the plan boundary there is an emphasis on encouraging residential units in the primary and secondary lands rather than the tertiary lands.	Environmental effect of growth targets is considered in the Environmental Report of the Wicklow CDP 2010-2016 SEA. This Assessment concluded that, subject to the integration of mitigation measures ² included in the CDP, the potential adverse environmental effects which could arise as a result of implementing the targets is likely to be avoided, reduced or offset. The development of units at particular sites within the boundary will have no significant effect on the environment, subject to compliance with the development management policies of the CDP. Objectives KM 7,8,9,10,21 22, 24 and 32 of the Settlement Plan mitigate against negative impacts by ensuring the preservation of local heritage assets and ensuring residential development is

² List of objectives that comprise the mitigation measures are included in Appendix 1 attached.

		appropriately sited and is adequately served by infrastructural services.
Employment	There is a total jobs requirement of 96. The objectives of the plan promote jobs in a range of existing and future retail, services and tourism activities, manufacturing / enterprise developments within the primary and secondary lands.	No significant effect on the environment subject to compliance with development management policies as set out in the CDP.
Retail	Promote a range of retail uses in the primary lands, it is considered provision of 1,000sqm of convenience floor space would be needed and a number of small comparison outlets and retail services.	No significant effect on the environment, subject to compliance with development management policies as set out in the CDP. Mitigation measures in the Settlement Plan ensure the local heritage assets are not affected through retail or other development and that new shop fronts are in keeping with the settlement character (KM 15).
Tourism	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	No significant effect on the environment, subject to compliance with development management policies as set out in the CDP and relevant mitigating policies set out in the Settlement Plan (KM 5, 7, 8, 12 and 15.)
Community	Facilitate the development of community facilities in all areas.	Positive and durable subject to compliance with development management policies as set out in the CDP.
Recreation	Preserve and improve public and private open space and recreational provision in all areas. Formalise the link between the town and the Great Sugar Loaf mountains for recreational users.	Positive and durable. The formalisation of a walking route from the plan area to the Great Sugar Loaf mountain would reduce the impacts (erosion and littering) currently experienced on the popular southern route. Vehicle traffic to the area may also be reduced as Kilmacanogue is served by public transport.
Infrastructure	Provide for a reliable and effective water, drainage, energy, waste management and communications infrastructure to service the existing and future development needs of the settlement, in an environmentally friendly manner, and to allow for the improvement of public services and public utility installations	Positive and durable - improve human health and safety, reduce risk of accidents and accidental emission of pollutants, reduce demand for vehicular travel thereby reducing CO2 emissions.
Water Quality	To provide for a reliable and effective water supply and wastewater drainage infrastructure to service the existing and future development needs of the settlement, in an environmentally friendly manner. To implement the EU Water Framework Directive and associated River Basin and Sub-Basin Management Plans and EU Groundwater Directive to ensure the protection, improvement and sustainable use of all waters in the County, including rivers, lakes, groundwater, coastal and estuarine waters, and to restrict development likely to lead to a deterioration in	Positive Effect. No significant effect on water quality, subject to compliance with development management policies as set out in the CDP and the Settlement Plan.

	water quality.	
Built & Natural Heritage	Continued protection of all identified buildings, features and sites of heritage value. Protection of the setting of the town centre.	Positive and durable effect
Flood Risk	Appropriately control development on flood prone areas	As part of the plan preparation process, a flood risk assessment has been carried out. It is considered that the plan will have a neutral effect, subject to objectives, which are included to mitigate risks from flooding.
Regeneration	Encourage the redevelopment / regeneration of vacant, derelict underutilised sites especially in the core area.	Positive and durable effect.

(ii) The cumulative nature of the effects.

The cumulative effects of the implementation of the above development objectives/land uses has been considered and it is concluded that the proposed Kilmacanogue Settlement Plan will overall have positive environmental effect, as it will enable the development of the town to proceed in an orderly and sustainable manner, whereby potential adverse environmental effects 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 Plan has 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 Plan area comprises approximately c. 78 hectares and approx 915 people live in the area³. This boundary has been extended at the following location in order to provide for the proper planning and sustainable development of the area: (i) 3.2ha to the west of Rocky Valley Crescent.

The total maximum indicative population of the settlement as provided by the Wicklow County Development Plan 2010-2016 is 1,000 by 2016 and 1,100 by 2022.

(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 plan area:

- 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.

³ Source: 2010 An Post GeoDirectory

- The Great Sugar Loaf, Kilmacanogue Marsh, Dargle River Valley, Ballyman Glen, Bray Head, Powerscourt Woodland and the Powerscourt Waterfall are all proposed Natural Heritage Areas (pNHAs)⁴ within the 5km of the Kilmacanogue settlement boundary. Six further NHAs are within the 5km-15km of the settlement boundary - Carriggower Bog, Glenree 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.

These heritage features are considered to be of high cultural and heritage value but they are not considered to be highly vulnerable to impacts from the plan or development that arise from it, subject to compliance with protective measures set out in the County Development Plan 2010-2016⁵ and the plan itself including KM 5, 7 and 20.

- 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 Plan.

- Intensive Land Use

It is not expected that existing land uses in the Plan will be intensified, such that vulnerable areas will be significantly affected.

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

The SACs and SPAs described above have international protection status under the EU Habitats Directive. It is not considered that the Plan will have any significant effects on these sites⁶.

The pNHAs listed above have national protection status under the Wildlife Act. It is not considered that the Plan will have any significant effects on these sites as set out in the above analysis.

The objectives of the Settlement Plan and the County Development Plan 2010-2016 will ensure the continued protection and enhancement of built heritage assets of national importance, namely Recorded Archaeological Monuments and Protected Structures.

⁴ All Natural Heritage Areas (NHAs) in County Wicklow are "proposed" and are protected through the planning legislation and the Wildlife Acts

⁵ 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".

⁶ This is supported by the separate 'Appropriate Assessment' under Article 6 of the EU Habitats Directive.

5.0. Conclusion

SEA is not mandatory for this Plan as it is a variation of the Wicklow County Development Plan 2010-2016.

The plan will accommodate growth of the settlement to 1,000 by 2016 and 1,100 by 2022. These growth targets are already included in the Settlement Hierarchy of the Wicklow County Development Plan 2010-2016. The County Development Plan 2010-2016 has been the subject of a Strategic Environmental Assessment. The SEA concluded that, subject to the integration of mitigation measures that have been included in the CDP, any potential adverse environmental effects can be avoided, reduced or offset.

A settlement boundary for Kilmacanogue is included in the Wicklow CDP 2010-2016. The Kilmacanogue Settlement Plan proposes to extend the boundary at one location. It is considered that this extension is likely to have no significant environmental effect. The likely significant environmental effect of the proposed land use designations and objectives has been considered, and it is concluded that subject to the integration of mitigation policies, any potential adverse environmental effect that could arise as a result of implementing the plan can be avoided, reduced or offset.

6.0. Recommendation

Based on the above it is the determination of Wicklow County Council that Strategic Environmental Assessment is not required for the plan.

Disclaimer

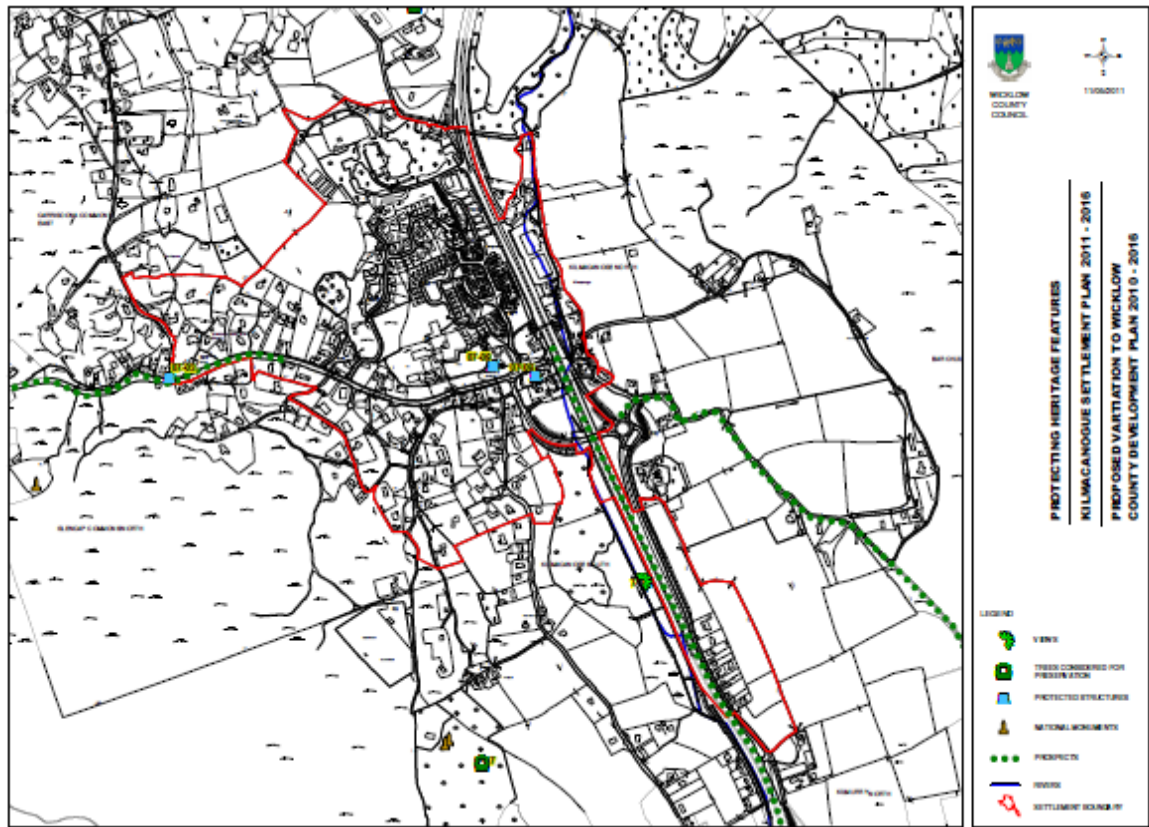
The Strategic Environmental Assessment Screening Report and the Appropriate Assessment Screening Report were issued to the Environmental Authorities on the 13th May 2011 for comment. Since the publication of these documents, minor amendments have been made to the Settlement Plan. It is considered that these are minor amendments and not fundamental to the overall plan.

As such, the determination of the planning authority, as set out in the SEA Screening Determination and AA Screening Determination are still applicable.

Figure 2: Proposed Settlement Boundary Kilmacanogue



Figure 3: Kilmacanogue Heritage and Environmental Features



Appendix 1
Wicklow County Development Plan 2010-2016 SEA Mitigation Measures

Mitigation Topic	Measure	Provisions Integrating Considerations into the Plan
Designated Sites	Ecological	Objectives: BD1, BD2, BD8 and BD7
Ecological Connectivity		Objectives: BD3, BD4, BD5, BD6 and BD9
Human Health		Objectives: AE1, AE2, AE3, NP1, NP2, NP3, NP4 and EMP 14 Also see measures related to water quality, flooding, waste water treatment and drinking water supply and quality.
Brownfield Development		Provisions of Chapter 4 Population, Housing and Settlement, Provisions of Chapter 5 Urban Development and Objectives EMP8, RUR4 and RW4
Status of Surface and Groundwaters		Objectives: RH3, AGR1, AGR4, FTY2, FSH1, WW3, WT1, WT2, WT3, WT4, WT5 and WT6
Flooding		Goals 7 and 10 and Objectives FL1, FL2, FL3, FL4, FL5 and FL6
Water Services (Waste Water and Drinking Water)		Objectives: WS1, WS2, WS3, WS4, WS5, WW1, WW2, WW3, WW5, WW7 and WW8
Greenhouse gas emissions and car dependency		Objectives: PT1, PT2, PT3, PT4, PT5, PT6, PT7, PT8, PT9, CW1, CW2, CW3, CW4, CW5, TE1 and TE2
Archaeological Heritage		Objectives: AR1, AR2, AR3, AR4, AR5 and AR6
Architectural Heritage		Objectives: AH1, RPS1, RPS2, RPS3, RPS4, RPS5, VA1, VA2, VA3, ACA1, ACA2, ACA3, ACA4 and ACA5
Landscape		Objectives: LA1, LA2, LA3 and VP1

Source: Table 2.1: Mitigation Measures, SEA Statement of the Wicklow County Development Plan 2010-2016

WT1 of Chapter 17 of CDP 2010-2016: “To implement the *EU Water Framework Directive* and associated River Basin and Sub-Basin Management Plans and the EU Groundwater Directive to ensure the protection, improvement and sustainable use of all waters in the County, including rivers, lakes, ground water, coastal and estuarine waters, and to restrict development likely to lead to a deterioration in water quality.”

WT4 of Chapter 17 of CDP 2010-2016: “To minimise alterations or interference with river/stream beds, banks and channels, except for reasons of overriding public health and safety (e.g. to reduce risk of flooding); a buffer of 10m along watercourses should be provided free of built development, with riparian vegetation generally being retained in as natural a state as possible. In all cases where works are being carried out, to have regard to Regional Fisheries Board ‘Requirements for the protection of fisheries habitat during the construction and development works at river sites’.”

FL9 of Chapter 12 of CDP 2010-2016: “For developments adjacent to all watercourses of a significant conveyance capacity or where it is necessary to maintain the ecological or environmental quality of the watercourse, any structures (including hard landscaping) must be set back from the edge of the watercourse to allow access for channel clearing/maintenance/vegetation. A minimum setback of up to 10-15m will be required either side depending on the width of the watercourse”

FL7 of Chapter 12 of CDP: “To require all new developments to include proposals to deal with rain and surface water collected on site and where deemed necessary, to integrate attenuation and SUDS measures.”