

# Comhairle Contae Chill Dara Kildare County Council



## Strategic Environmental Assessment (SEA) Screening Determination under:

**Under Article 7 (13K) of the Planning and Development (SEA) Regulations 2004 (SI No. 436 of 2004) as amended by the Planning and Development (SEA) (Amendment) Regulations 2011 (SI No. 201 of 2011)**

for:

### **Variation No. 4 to the Kildare County Development Plan 2011-2017**

A Strategic Environmental Assessment (SEA) Screening determination has been made by Kildare County Council regarding Proposed Variation No. 4 to the Kildare County Development Plan 2011-2017.

Article 7 (13K) of the Planning and Development (SEA) Regulations 2004 (SI No. 436 of 2004) (as amended), requires, inter alia, a determination to be made as to whether Proposed Variation No. 4 warrants the undertaking of SEA.

Such a determination takes into account relevant criteria set out in Schedule 2A 'Criteria for determining whether a plan is likely to have significant effects on the environment' of the SEA Regulations, as amended.

The Proposed Variation:

1. Provides clarity in relation to the specific intentions of Kildare County Council in relation to a Distributor Road for Athy.
2. Ensures consistency with the Athy Town Development Plan 2012-2018 which the Council is also planning to vary<sup>1</sup>.

The New Town Centre Street and Northern Distributor Road are being removed from the Plan by the Proposed Variation. Some proposed town centre streets will be retained where deemed appropriate to open up backland areas in the southern town centre area for future development. No canal or river crossings are proposed. The selected route option was identified through the constraints and route selection studies as having a higher preference in terms of environment, economy and safety.

Taking the above issues (and other issues addressed in the SEA Screening Report) into account, it has been determined that implementation of the Proposed Variation would not be likely to result in significant environmental effects. Consequently full SEA is not required.

An SEA Screening Report has been prepared which accompanies and has informed this Determination.

Signed Kath Kerry

Date 25/07/2016

Signatory (Approved Officer): Michael Kerry

M/K

25.7.16

<sup>1</sup> Proposed Variation No. 1 to the Athy Town Development Plan 2012-2018 is also being subjected to SEA Screening and the findings of that screening have informed this SEA Screening Determination for Proposed Variation No. 4 to the Kildare County Development Plan 2011-2017



**Appropriate Assessment (AA) Screening Determination under the  
Planning and Development Acts 2000-2015 for:**

**Proposed Variation No. 4 to the Kildare County Development Plan 2011-2017**

An Appropriate Assessment (AA) Screening determination has been made by Kildare County Council regarding Proposed Variation No. 4 to the Kildare County Development Plan 2011-2017.

Section 12 (7) of the Planning and Development Act 2000 (as amended), requires, inter alia, a determination to be made as to whether Proposed Variation No. 4 warrants the undertaking of AA.

The Proposed Variation:

1. Provides clarity in relation to the specific intentions of Kildare County Council in relation to a Distributor Road for Athy; and
2. Ensures consistency with the Athy Town Development Plan 2012-2018 which the Council is also proposing to vary<sup>1</sup>.

The AA screening process has found that, inter alia:

Following a feasibility study and public consultation a preferred route option for the Athy Distributor Road has emerged. The New Town Centre Street and Northern Distributor Road are being removed from the Plan to provide clarity in relation to the specific intentions of Kildare County Council in relation to a Distributor Road for Athy. Some proposed town centre streets will be retained where deemed appropriate to open up backland areas in the southern town centre area for future development. No canal or river crossings are proposed. The selected route option was identified through the constraints and route selection studies as having a higher preference in terms of environment, economy and safety.

The changes proposed include of the removal of a provision that could, if unmitigated, result in adverse effects on the integrity of European Sites. The AA screening process undertaken alongside the preparation of current Plan has ensured that such effects would be mitigated by various provisions that have been integrated into the Plan, allowing for that process to conclude that the Plan has been formulated to ensure that uses, developments and effects arising from permissions based upon the Plan (either individually or in combination with other plans or projects) shall not give rise to significant effects on the integrity of any Natura 2000 sites<sup>2</sup>.

The removal of potential adverse effects, if unmitigated, that have already been mitigated by provisions integrated into the Plan would not result in any effects on European Sites.

Taking into account the findings of the AA process that are detailed in an AA Screening Report that accompanies this Determination, Kildare County Council have determined that Proposed Variation No. 4 to the Kildare County Development Plan 2011-2017 will not result in any effects on European Sites and consequently Stage 2 AA is not required.

Signed Karen Kerry

Date 29/07/2016

Signatory (Approved Officer): Karen Kerry A/SOS  
25.7.16

<sup>1</sup> Proposed Variation No. 1 to the Athy Town Development Plan 2012-2018 is also being subjected to AA Screening and the findings of that screening have informed this AA Screening Determination for Proposed Variation No. 4 to the Kildare County Development Plan 2011-2017

<sup>2</sup> Except as provided for in Section 6(4) of the Habitats Directive, viz. There must be:

- (a) no alternative solution available,
- (b) imperative reasons of overriding public interest for the plan to proceed; and
- (c) adequate compensatory measures in place.