



ENVIRONMENTAL REPORT ADDENDUM FOR THE

STRATEGIC ENVIRONMENTAL ASSESSMENT

OF THE

KERRY COUNTY DEVELOPMENT PLAN

2022-2028

Environmental Assessment Unit
Kerry County Council

May 2022

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1. INTRODUCTION

1.1. Background

This report is an addendum to the Environmental Report (ER) of the Strategic Environmental Assessment (SEA) of the Draft Kerry County Development Plan 2022-2028 (KCDP). A Strategic Environmental Assessment (SEA) has run in parallel with the drafting of the KCDP. SEA is a systematic and effective process for ensuring that environmental issues are taken into account at every stage in the preparation, implementation, monitoring and review of plans, programmes (P/P) and strategies.

A Scoping Report was undertaken at the initial stage of the SEA process in July 2020. It presented, in consultation with key stakeholders, initial understandings of key environmental issues within the study area. Submissions received were incorporated into the next phase of the SEA process - drafting of the Environmental Report (ER) culminating in its publication in December 2021. The ER contains the findings of the assessment on the likely significant effects on the environment of the implementation of the KCDP. Under the provisions of Article 6 of the Habitats Directive 92/43/EEC the KCDP also underwent an appropriate assessment, as contained in a Natura Impact Report (NIR). The KCDP also underwent a Strategic Flood Risk Assessment (SFRA).

The draft KCDP 2022-2028, SEA Environmental Report (ER), Natura Impact Report (NIR) and SFRA were subsequently placed on public display from Monday December 6th, 2021 – Wednesday, 23rd February, 2022 (both dates inclusive). Due to Covid-19 restrictions virtual meetings and a webinar were held as part of the public consultation process.

Further to the above consultation 512 submissions were received within the time period. These submissions were subsequently outlined in Chief Executive Reports (CER) –*Executive Summary on the Draft Plan Public Consultation Draft Kerry County Development Plan 2022-2028, April 2022*, the *Chief Executives Report on the Draft Plan Public Consultation Draft Kerry County Development Plan 2022-2028, April 2022* and *Chief Executive’s Report on Draft Plan Public Consultation Draft Kerry County Development Plan 2022-2028 Appendix* (hereafter these reports are collectively referred to as the CER).

The CER was issued to Elected Members in April 2022. The CER included recommendations to amend the Draft Kerry County Development Plan 2022-2028 further to submissions received. Following meetings by the Elected Members held over three days – April 25th, 26th and 27th, 2022, amendments were made to the plan that were adopted by resolution. Amendments were considered to be *material alterations* (MA).

The details of these MAs are discussed in further detail in Section 2 of this report.

It should be noted several MA were made against the CER recommendation.

As several of the proposed amendments made at the meetings held in April 2022 were considered to be MA it is now a requirement under Section 12(7) of the PDA, as amended, for the PA to publish notices of the proposed amendments. This notice must occur within 3 weeks after the passing of the resolution and make the amendments available for inspection and submission/observation for a period of not less than 4 weeks.

It has been determined under Section 12(7)(aa) that a SEA (and AA) is required to be carried out in respect of one or more proposed MA. The SEA of the MAs is presented in this report. This document

should be read in conjunction with the SEA / Environmental Report, NIR and SFRA placed on public display from Monday December 6th, 2021 – Wednesday, 23rd February, 2022 and the NIR and SFRA addendum reports that accompanies the MAs.

This addendum report presents the next stage in the SEA of the draft Kerry County Development Plan, 2022-2028. It assesses the likely significant effects on the environment of the proposed material alterations made by the Elected Members at meetings held over three days in April 2022 further to the public consultation phase. This Addendum also records recommended changes to the SEA Environmental Report made further to public consultation, where appropriate.

1.2. SEA and Progress to Date

Strategic Environmental Assessment (SEA) is a systematic and effective process for ensuring that environmental issues are taken into account at every stage in the preparation, implementation, monitoring and review of plans, programmes and strategies. It is a process of evaluating the environmental consequences of a proposed policy, plan or programme (P/P). SEA aims to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans with a view to promoting sustainable development. In this instance the “plan/programme” requiring assessment under the Directive is the KCDP 2022-2028.

SEA of plans and programmes is required by European Directive 2001/42/EC (‘the SEA Directive’). For a specific range of land-use plans, this Directive is transposed into Irish law by Statutory Instrument (S.I.) No. 436 of 2004 (the Planning and Development (Strategic Environmental Assessment) Regulations 2004), as amended by S.I. No. 201 of 2011 (the Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations 2011). Hereafter these are referred to as the ‘SEA Planning Regulations’. The SEA process consists of a series of steps or stages which are:

- Screening of P/P to establish whether it must undergo an SEA;
- Scoping of the details to be provided in the Environmental Report (ER), in consultation with environmental authorities;
- The Environmental Report (ER) containing the findings of the assessment on the likely significant effects on the environment of the P/P;
- Consultation on the Draft Plan and associated Environmental Report;
- An SEA Statement - identifying how environmental considerations and consultations have been integrated into the Final Plan; and
- Monitoring Programme of the significant environmental effects of the P/P.

Pursuant to Article 13(B) of the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (SI 436 2004), as amended in Regulations 2011, (S.I. No. 201 of 2011) and Article 9(1) of the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (SI 435/2004), as amended in Regulation 2011, (S.I. No. 200 of 2011), Kerry County Council is required to carry out a mandatory SEA for the review of the County Development Plan.

This report deals with step 4 of the above process, the incorporation of the public consultation phase of the draft KCDP and Environmental Report (ER).

The ER, Kerry County Development Plan 2022-2028, NIR and SFRA were put on public display from Monday December 6th, 2021 – Wednesday, 23rd February, 2022 (both dates inclusive). Due to Covid-19 restrictions virtual meetings and a webinar were held as part of the consultation process.

A total of 512 submissions were received within the time periods outlined above. A large number of individually signed submissions were lodged together and these are considered as one submission.

All of these submissions are outlined in the CER. The CER, in accordance with the requirements of Section 12(4)(b) of the Planning and Development Act 2000 (as amended), lists the persons or bodies who made submissions or observations; summarises the issues raised by the persons or bodies and gives the response of the Chief Executive (CE) to the issues raised. The CER includes recommendations on material alterations to the Kerry County Development Plan 2022-2028.

Amendments were subsequently adopted by Elected Members over three meetings held on 25th, 26th and 27th of April 2022. Several of these amendments were considered *material alterations*.

The MAs are listed in Section 2 of this report and in more detail in the *Proposed Amendment/Material Alterations to the Draft Kerry County Development Plan 2022-2028*.

It is now a requirement under Section 12(7) of the PDA, as amended, for the PA to publish notices of the proposed amendments. This notice must occur within 3 weeks after the passing of the resolution and make the amendments available for inspection and submission/observation for a period of not less than 4 weeks.

Further to Section 12(7)(aa) it has been determined that a SEA (and AA) is required to be carried out in respect of more or more proposed material alterations. The SEA of the MAs is presented in this report.

This addendum considers the likely significant impacts on the environment of the proposed MA to the Draft Kerry County Development Plan 2022-2028 as adopted by resolution by the Elected Members in April 2022. This is undertaken in Section 2 of this report. Where a likely significant effect is identified, mitigation measures are proposed, where appropriate, as detailed in Section 3 of this report.

A copy of the proposed Amendments/Material Alterations to the Draft Plan, the Determination Statements made in accordance with Section 12 (7)(aa) **and also** the Environmental Reports Addenda which contain information on the likely significant effects on the environment and on European Natura 2000 sites, of implementing the proposed Amendments/Material Alterations, are now open for public consultation and may be inspected from the **18th May 2022 to the 16th June 2022**, online at **<https://consult.kerrycoco.ie/en>**. Further details on how to make a submission is outlined in Section 6 of this report.

2. REVIEW OF PROPOSED MATERIAL ALTERATIONS (MA) TO THE KERRY COUNTY DEVELOPMENT PLAN 2022-2028.

2.1. Introduction

The CER issued to Elected Members in April 2022 included a series of recommended material alterations to the Kerry County Development Plan 2022-2028. Following consideration of the CER, the members, by resolution made material alterations to the KCDP over three meetings held on from April 25-27, 2022.

It should be noted several MA were made against the CER recommendation.

2.2. Summary of the SEA of MA

This Addendum considers the proposed material alterations as adopted by the Elected Members and represents the next stage in the SEA process. It can be considered as an addendum to the Environmental Report put on public display in between Monday December 6th, 2021 – Wednesday, 23rd February, 2022. This document should be read in conjunction with the SEA / Environmental Report, NIR and SFRA placed on public display in Monday December 6th, 2021 – Wednesday, 23rd February, 2022 and the NIR and SFRA addendum reports that accompanies the MAs.

Consistent with the approach in the Environmental Report, this addendum documents the environmental assessment of the proposed material alterations. It is undertaken in order to determine if the implementation of the material alterations would be likely to have a significant effect on the environment. The assessment is undertaken below in Section 2.3. Where appropriate, mitigation measures are proposed so as to offset potential significant effects on the environment further to the assessment. Recommended mitigation measures are summarised in Section 3 of this report.

The material alterations listed below should be read in consultation with the following report the *Proposed Amendment/Material Alterations to the Draft Kerry County Development Plan 2022-2028*.

2.3. The following table screens material alterations (MAs) proposed to the Kerry County Development Plan 2022-2028 for possible significant effects on the environment. MAs that are deemed likely to have a significant effect and require mitigation are highlighted in red text.

Material Alterations (MA) Ref Note that the list of proposed amendments below to the Draft Plan, changes are shown as deletions (strike through) and additions (bold).	LIKELY SIGNIFICANT EFFECTS
Chapter 1 - Introduction	
1.1 & 1.2	None identified – the MAs inserts further environmental mitigation.
1.3	None identified – minor alteration to text
1.4	None identified – the MA includes text on monitoring of the CDP and ER, monitoring forms part of the SEA as outlined in the ER which includes a monitoring programme.
1.5	MA places timeframes on the next phase of the MD Local Area Plan drafting and publication. It is noted that each LAP will be subject to its own SEA as part of the plan making process.
1.6	None identified – the MA seeks to strengthen the Irish Language
Chapter 2 – Climate Action & Achieving a Sustainable Future	
2.1, 2.8, 2.10, 2.11, 2.12, 2.13	None identified – the MA seeks to strengthen climate policy
2.2	None identified – the MA seeks to align the plan with national policy
2.3	None identified – the MA seeks to broaden the geographical area to be considered in climate policy
2.4, 2.5, 2.6, 2.7, 2.9, 2.10, 2.13, 2.15	None identified – the MA seeks to strengthen environmental mitigation and include specific climate/biodiversity text.
2.14	None identified – the MA includes text on monitoring of the CDP and ER, monitoring forms part of the SEA as outlined in the ER which includes a monitoring programme.
2.16: to include new objective Support the continued cutting and distribution of turf in order for people to heat their homes.	Likely significant effects on biodiversity, air and climate policy are identified by this MA.
Chapter 3 – Core & Settlement Strategy	
3.1	None identified – the text clarifies population limits versus population targets
3.2, 3.3, 3.4	None identified – additions seek to align the CDP with national policy in relation to road infrastructure; that mapping in the plan reflects existing road infrastructure, that the CDP supports waste policies especially the principles of the circular economy and national policy relating to the use of the Irish Language
3.4 To include new Core Strategy Map 3.1 (see also MA3.9)	This MA includes amendments made to the Core Strategy as a result of the OPR submission. The MA should be read in conjunction with MA3.9. Both are included to

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	<p>ensure consistency with the necessary requirements under Section 10(2b) and 10(2a) of the PDA, as amended and to include full details of the settlement hierarchy, rural area types and regional routes. The addition of Gaeltacht areas is also proposed. Further to the nature of the amendment which seeks to address issues raised by the OPR, no significant effects identified.</p>
<p>3.5, 3.6 & 3.7, 3.8</p>	<p>None identified – the text added is strategic in nature and reflects the potential for collaborations between sectors, including connectivity, to facilitate economy growth in the county in line with National and Regional strategies.</p>
<p>3.9 (See also MA3.4)</p>	<p>None identified – this MA has been included further to the submission by the OPR. The OPR requested that Table 3.7 provided in the Chapter 3 of the CDP be amended to include Land Zoning Requirements.</p>
<p>3.10</p>	<p>This MA seeks to justify and explain population/housing within the existing settlement hierarchy outlined in the KCDP. The MA is in response to issues raised by the OPR in relation to population growth/targets within the settlement and core strategy. While the KCDP does allocate some district towns with increased growth, it is noted that on balance the PA has to ensure a balance between social and private developments. This reflects the LAs own social housing programme and existing infrastructural capacity particularly in relation to waste-water management. Furthermore, it is noted that implementation of the core strategy and associated settlement hierarchy will be subject to on-going monitoring over the life-time of the plan. On balance, the MA is deemed acceptable and any likely effects on the environment are likely to be satisfactorily mitigated.</p>
<p>3.11</p>	<p>None identified – this MA has been added further to the submission by the OPR. The Settlement Capacity Audit (SCA) is required to ensure lands zoned for residential development within the key towns of Tralee, Killarney and Listowel are evidence based as regards potential unit yield taking into consideration national guidelines and the individual characteristics for individual sites. The SCA indicates that the quantum of lands zoned R1 in Tralee, Killarney and Listowel are adequate and that over capacity of residentially zoned lands does not exist.</p> <p>The MA also inserts text that aligns with national policy in relation to consolidated growth allowing for the redevelopment of brownfield/infill sites and a tiered approach to zoning.</p>
<p>3.12</p>	<p>None identified – as outlined above for MA3.10, this MA includes text which commits the</p>

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	PA to review regional town and district town residential zoning within a specific time frame post-adoption of the KCDP. The MA is included to address concerns raised by the OPR in their submission to the KCDP on the PA's proposed core strategy and settlement strategy. This MA will ensure that on adoption of the KCDP, the next phase of LAPs will have to have to be informed by a SCA re-lands zoned for residential development.
Chapter 4 – Towns & Villages	
4.1	None identified – the MA seeks to promote development on public lands, in consultation with the LDA, in compliance with national settlement policy re-consolidated growth and use of infill sites.
4.2, 4.12	None identified – the MAs seeks to align the CDP with national policy
4.3	The MA includes a commitment to undertake a Masterplan for Castleisland and other sized settlements. It is noted that any masterplan will be subject to the provisions of the SEA Directive and will have to be screened for possible significant effects on the environment.
4.4	None identified – the MA includes text on monitoring of the CDP and ER, monitoring forms part of the SEA as outlined in the ER which includes a monitoring programme.
4.5	None identified –the MA seeks to strengthen the Irish Language
4.6, 4.7, 4.8; 4.11	None identified -these MAs make minor amendments to an objective that supports permeability for active travel; promotes Autism friendly initiatives; includes funding sources for town and village renewal and supports the arts, respectively.
4.9; 4.10	None identified – the MA seeks to strengthen environmental mitigation namely by adding specific climate/biodiversity text.
Chapter 5 – Rural Housing	
5.1;5.2;5.3;5.7	None identified – typographical/editing/acronym errors/minor addition of explanatory text
5.4	None identified – the MA supports the importance of Linguistic need in Gaeltacht areas.
5.5 To include a new objective: The council will facilitate the development of a cluster of 8 houses at an appropriate location on the edge of Castlegregory Village. These houses shall be restricted to local people who were born in the village and used as permanent places of residence.	This MA supports a cluster of housing in Castlegregory. It is noted that Castlegregory is not a village listed in <i>Table 5.1, Chapter 5, Section 5.4 Cluster Developments in Village Settlements of the CDP</i> . Notwithstanding this it is recognised that there is a lack of housing in the village. It is noted that the MA is qualified by the housing being located at the edge of the village. It is accepted that in principle the MA falls within the policy outlined in the aforementioned Section 5.4 which aims to provide alternative options to one-off rural housing in rural areas. Furthermore, the objective is qualified by “at appropriate location”. Considering this and the existing environmental mitigation

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	<p>included in the policies and objectives of the plan, particularly in relation to the management of waste water within any future cluster of housing, it is considered that any likely significant effect from this MA can be satisfactorily mitigated.</p>
<p>5.6</p>	<p>The MA will result in a high percentage of Irish Speakers being facilitated in residential developments in the Gaeltacht.</p> <p>It is noted that the LA will need to balance the Irish language needs against the housing needs of the wider community. The % change made will see an increased % of Irish Speakers to be facilitated in residential developments. However, it is noted that any proposed tenant will have a range of resources available to improve their Irish language skills. This will be supported by the Irish Office of Kerry County Council who proactively provides language classes for the community.</p> <p>On balance the MA is likely to be mitigated by the suite of measures to protect both the Irish language but also the housing needs of the community, within the existing plan. Monitoring is required and it is noted in the SEA monitoring that housing and Irish language form part of the monitoring programme.</p>
<p>5.8</p>	<p>None identified –this MA seeks to ensure that those villages identified in Table 5.1 will be restricted to people who reside the area for at least 7 years and will be permanent places of residence.</p>
<p>5.9 including 5.11 changes to Rural Areas Map</p> <p>It is proposed to amend KCDP5.12 as follows:</p> <p>KCDP 5-12: In <i>Rural Areas under Significant Urban Influence</i> applicants shall satisfy the Planning Authority that their proposal constitutes an exceptional rural generated housing need based on their social (including lifelong or life limiting condition) and / or economic links to a particular local rural area, and in this regard, must demonstrate that they comply with one of the following categories of housing need:</p> <p>a) Farmers, including their sons and daughters or a favoured niece/nephew where a farmer has no family of their own who wish to build a first home for</p>	<p>This MA has been amended to remove two conditions where a rural housing will be considered in <i>Rural Areas Under Significant Urban Influence</i>.</p> <p>The MA includes changes to the Rural Area map.</p> <p>As such the amendment to policy and mapping, seeks to revert rural housing policy to that of the original KCDP prior to amendments made to the policy by Elected Members in a meeting held in November 2021. Although certain rural area under significant urban influence have been removed from the rural area map, other areas have been included as per the original recommendation of the planning section. In addition, the deletion of conditions from the objective removes a level of ambiguity as regards housing need in the context of the aims of the objective. On balance it is considered that amendments will ensure greater alignment with national and regional planning policy that seeks to sustainably manage settlement patterns in the county in line with national and regional</p>

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<p>their permanent occupation residence on the family farm.</p> <p>b) Persons taking over the ownership and running of a farm on a full-time basis, who wish to build a first home on the farm for their permanent occupation, residence where no existing dwelling is available for their own use. The proposed dwelling must be associated with the working and active management of the farm.</p> <p>c) Other persons working full-time in farming or the marine sector for a period of over seven years, in the local rural area where they work and in which they propose to build a first home for their permanent occupation-residence.</p> <p>d) Landowners including their sons and daughters who wish to build a first home for their permanent occupation on the landholding associated with their principal family residence for a minimum of ten years prior to the date of the planning application.</p> <p>e) Persons who have spent a substantial period of their lives (i.e., over seven years), living in the local rural area in which they propose to build a first home for their permanent occupation.</p> <p>Preference shall be given to renovation/restoration/alteration/extension of existing dwellings on the landholding before consideration to the construction of a new house.</p>	<p>spatial planning policy and climate action policy, particularly as it relates to one-off housing in areas located in proximity to main towns and settlements that are urban generated.</p>
<p>5.10 including 5.11 changes to Rural Areas map</p> <p>It is proposed to amend KCDP5.12 as follows: KCDP 5-13: In <i>Rural Areas under Urban Influence</i> applicants shall satisfy the Planning Authority that their proposal constitutes an exceptional rural generated housing need based on their social (including lifelong or life limiting condition) and / or economic links to a particular local rural area, and in this regard, must demonstrate that they comply with one of the following categories of housing need:</p>	<p>This MA has removed a condition where rural housing will be considered in <i>Rural Areas Urban Influence</i>.</p> <p>The MA includes changes to the Rural Area map.</p> <p>As such the amendment to policy and mapping, seeks to revert rural housing policy to that of the original KCDP prior to amendments made to the policy by Elected Members in a meeting held in November 2021. Although certain rural area under urban influence have been amended in the rural area map, other areas have been included as per the original recommendation of the planning section. In addition, the deletion of a condition</p>

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<p>a) Farmers, including their sons and daughters or a favoured niece/nephew where a farmer has no family of their own who wish to build a first home for their permanent occupation residence on the family farm.</p> <p>b) Persons taking over the ownership and running of a farm on a full-time basis, who wish to build a first home on the farm for their permanent occupation residence, where no existing dwelling is available for their own use. The proposed dwelling must be associated with the working and active management of the farm.</p> <p>c) Other persons working full-time in farming or the marine sector for a period of over seven years, in the local rural area where they work and in which they propose to build a first home for their permanent occupation-residence.</p> <p>d) Landowners including their sons and daughters who wish to build a first home for their permanent occupation residence on the landholding associated with their principal family residence for a minimum of seven years prior to the date of the planning application.</p> <p>e) Persons who have spent a substantial period of their lives (i.e., over seven years), living in the local rural area in which they propose to build a first home for their permanent occupation-residence.</p> <p>Preference shall be given to renovation/restoration/alteration/extension of existing dwellings on the landholding before consideration to the construction of a new house.</p>	<p>from the objective removes a level of ambiguity as regards housing need in the context of the aims of the objective. On balance it is considered that amendments will ensure greater alignment with national and regional planning policy that seeks to sustainably manage settlement patterns in the county in line with national and regional spatial planning policy and climate action policy, particularly as it relates to one-off housing in areas located in proximity to main towns and settlements that are urban generated.</p>
Chapter 6 – Sustainable Communities	
6.1, 6.2, 6.3	None identified – the MA seeks to strengthen environmental mitigation and include specific climate/biodiversity text.
6.4, 6.5, 6.6, 6.8, 6.9	None identified – the MA seeks to support a night economy/arts/young people/the community
6.7 & 6.10	The MA will include text to support playgrounds within the county – an positive impact for local communities. It is noted the text/objective is qualified by “at appropriate locations” while any future play policy will be subject to a screening in compliance with

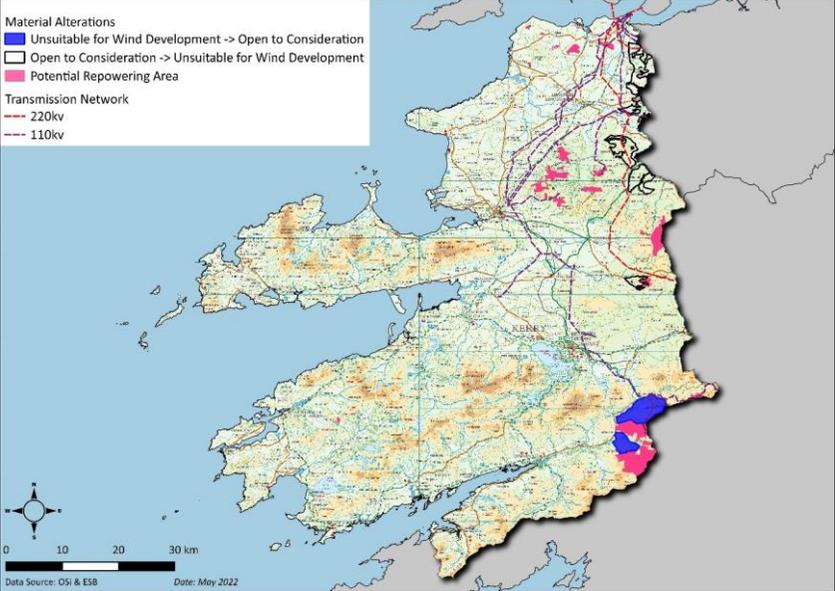
Material Alterations (MA) Ref Note that the list of proposed amendments below to the Draft Plan, changes are shown as deletions (strikethrough) and additions (bold).	LIKELY SIGNIFICANT EFFECTS
	the Habitats Directive. Given the generality of the objective, with no specific locations identified, and the prefacing of the objective/text with the aforementioned text, it is considered that existing policies and objectives in the plan will mitigate any likely significant effect from this MA.
6.11 7 6.12	None identified – the MAs seek to strengthen the Irish Language
Chapter 7 – Housing for All	
7.1	None identified – the MA seeks to complete unfinished estates which have already been granted permission further to proper planning and sustainable development.
7.2	None identified – the MA supports the provision of emergency accommodation for people in need of same.
Chapter 8 - Gaeltacht Areas, Culture & Heritage	
8.1, 8.2, 8.3, 8.4, 8.6, 8.12, 8.13,8.14;8.15; 8.16;8.17; 8.18; 8.20	None identified – typographical/editing/acronym errors/minor addition of explanatory text
8.5	None identified – the MA supports 20 year Irish Language Strategy.
8.7, 8.8; 8.9;8.10	None identified -the MA seeks to strengthen the Irish language by requiring Linguistic Impact Assessments and/or language planning.
8.11	None identified the MA will result in a Language Enurement Clause for 15years to ensure the protection of the Irish language in Gaeltacht areas.
8.19; 8.21	None identified – the MA supports Dingle town as a Smart Village and the Dingle Peninsula 2030 initiative
8.22	None identified – the MA seeks to support the sustainable provision of accommodation of workers in the tourism industry
8.23	None identified -the MA seeks to support the arts
8.24, 8.25,8.26, 8.27, 8.28	None identified – the MAs seek to protect archaeological heritage
Chapter 9 – Economic Development	
9.1, 9.3	None identified- the MA seeks to support local communities
9.2	None identified – the MA seeks to reference the correct strategy
9.4	
9.4; 9.5, 9.6,9.11;9.13,9.14	None identified – the text added is strategic in nature and reflects the potential for collaborations between sectors, including connectivity, to facilitate economy growth in the county in line with National and Regional strategies.
9.12	This MA includes additional text for the designation of employment zones in Section 9.6.1. It is noted the additional bullet points seek to clarify criteria for employment zones. This includes compliance with the NPF; using evidence based criteria and also

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	acknowledgement of environmental and infrastructural constraints. No significant effects identified.
9.7, 9.8, 9.9, 9.10, 9.15, 9.16, 9.17;9.18, 9.19; 9.20; 9.23	None identified – the MA seeks to support business entrepreneurship, training and other soft skills
9.21, 9.22, 9.28	None identified – the MA seeks to strengthen environmental mitigation namely by adding specific sustainability text.
9.24, 9.25;9.26	None identified – the MA seeks to strengthen environmental mitigation namely by adding specific text relating to protection of geological heritage. The MA 9.26 also includes a map showing the minerals and aggregates in the county, as requested by a submission to the CDP.
9.27	None identified – the MA seeks to clarify national fishing policy.
Chapter 10 – Tourism & Outdoor Recreation	
10.1, 10.2, 10.5, 10.9; 10.11, 10.12,10.16,10.18,10.20; 10.21	None identified – minor addition/clarification of text
10.3, 10.12	None identified – the MA seeks to promote sustainable tourism
10.4	None identified – the MA seeks to promote sustainable travel initiatives including active travel initiatives and supports the roll out of climate policy in relation to transport.
10.5, 10.7;10.23	None identified – the MA seeks to strengthen environmental mitigation namely by adding specific sustainability text.
10.6	It is noted that the objective promotes accommodation facilities and other infrastructure linked to tourism. However, it is noted the objective is also qualified by the term “sustainable”. Given the generality of the objective, with no specific locations identified, and the prefacing of the objective with “sustainable” it is considered that existing policies and objectives in the plan will mitigate any likely significant effect from this MA.
10.8	It is noted this MA seeks to include reference to other plans linked to tourism along the WAW. However, it is noted the WAW has been assessed for SEA and AA as part of the strategic development of the tourism initiative. Further to this it is noted that any likely significant effects are addressed within the context of those assessments. It is noted that any project following from these plans will be subject to the proper planning and sustainable development.
10.13, 10.14	None identified – the MA seeks to promote the principles of accessibility/access for all
10.15	It is noted that the MA includes additional text on glamping/camping and campervan sites. Further to the nature, scale or location of such facilities, there is the potential for significant effects on the local environment. However, it is noted that the objective is

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	strategic in nature, no specific locational information is referenced. Further to the generality of the additional text and the existing environmental mitigation embedded in the policies and objectives of the plan, it is considered that any likely significant effect from this MA can be satisfactorily mitigated.
10.17, 10.22,10.26	None identified – the MA seeks to strengthen environmental mitigation and include specific climate/biodiversity/environmental assessment text and/or specific sustainability text.
10.19	This MA includes an objective to support an integrated pedestrian and cycle network. This is a positive effect promoting active travel and climate policy. However, further to the scale, nature and location significant effects on the local environment could occur. However, the objective is qualified by “subject to environmental, heritage and normal planning constraints”. Further to this and the overall generality of the objective and the existing environmental mitigation embedded in the policies and objectives of the plan, it is considered that any likely significant effect from this MA can be satisfactorily mitigated.
10.24	None identified – the MA is qualified by “at appropriate locations”. Further to the generality of objective and the existing environmental mitigation embedded in the policies and objectives of the plan, it is considered that any likely significant effect from this MA can be satisfactorily mitigated.
10.25	None identified – the MA seeks to strengthen the Irish Language
Chapter 11 – Environment	
11.1	None identified – the MA will recognise bogs as an part of the county’s natural heritage.
11.2; 11.3; 11.4; 11.5;11.6;11.7;11.8	None identified – the MAs seek to include additional ecological information/biodiversity and/or climate policy into the plan as environmental mitigation.
11.9	None identified – the MA seeks to include additional text as mitigation for possible noise impacts.
11.10	None identified – the MA clarifies specific groups that may be involved in climate actions
11.11;11.12;11.13;11.15;11.16	None identified – these MAs clarify further mitigation in relation to flooding – they seek to ensure due regard is given to potential flood schemes in all development proposals and further liaising with the OPW in relation to any future works.
11.14 Facilitate and support dredging and/or pumping where appropriate to protect rivers and waterways	This objective is identified as likely to have significant effects specifically in relation to biodiversity; water and archaeology.

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Chapter 12 – Energy	
12.1; 12.7;12.17;12.18;12.21	None identified – the MA seeks to strengthen environmental mitigation namely by adding specific sustainability text and/or other clarifications on environmental assessment.
12.2;12.19;12.20	None-identified – the MA amends the name of a reference document/organisation name/other editions/typographical error
12.3; 12.17	None identified – the MA seeks to protect existing material assets
12.4	None identified – the MA seeks to include additional environmental mitigations specifically in relation to biodiversity and sensitive landscapes
12.5	The MA seeks to support hybrid energy systems and to co-locate energy infrastructure. As detailed in the ER, energy infrastructure has the potential to have significant effects on the environment further to its scale, nature and location. However, it is noted that the objective is strategic in nature, no specific locational information is referenced. Furthermore, the objective is qualified by “will not have adverse impacts on the surrounding environment”. Further to this and the existing policies and objectives in the plan, it is considered that any likely significant effect from this MA can be satisfactorily mitigated.
12.6	<p>This MA includes text that provides further details on the future capacity of the county to produce RE in MWs. The text has been included further to a submission by the OPR. As detailed in the ER, RE/energy infrastructure has the potential to have significant effects on the environment further to its scale, nature and location. However, it is noted that the MA text is strategic in nature, no specific locational information is referenced. Furthermore, the text is qualified in parts by the acknowledgement that certain REs, eg hydro may have “environmental factors that may determine the suitability” of certain sites for RE. It is also noted the additional text is a positive effect for climate/air quality/material assets. The text supports RE by projecting and committing the CDP to specific MW from RE that could be supported in the county over the lifetime of the plan.</p> <p>Having regard to the this, and the existing policies and objectives in the plan that embed environmental mitigation into the plan, it is considered that any likely significant effect from this MA can be satisfactorily mitigated.</p>
12.8 Chapter 12, Section 12.5.4.1.3 Local areas where communities have developed or are developing proposals	Notwithstanding the removal of areas OTC for on-shore wind from the wind zoning map, this MA seeks to support community-based on-shore wind projects. The MA has removed restrictions on a community-based on-shore wind project and seeks to allow

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<p>for on shore community-based wind projects may be considered in areas not deemed suitable for commercial wind farm development, subject to environmental assessment, including compliance with the requirements of the Habitats Directive. They may be considered in areas outside of those zoned open to consideration or repower areas that are not subject to constraints as identified in the Wind Zoning Methodology.</p>	<p>any such project to be considered, including in areas not subject to the Wind Zoning Methodology.</p> <p>Notwithstanding the “community-based” qualification on this objective, any on-shore wind application by its nature, scale or location can have a significant effect on the environment, regardless of whether the project is “community-based” or “commercial”. As detailed in the ER, energy infrastructure has the potential to have significant effects on the environment further to its scale, nature and location. However, it is noted that the objective is strategic in nature while the objective is qualified by “subject to environment assessment, including compliance with the Habitats Directive”. Further to this and the existing policies and objectives in the plan, it is considered that any likely significant effect from this MA can be satisfactorily mitigated.</p>
<p>12.9</p> <p>Amend Text and Map</p> <p>12.5.4.1.4 Open-to-Consideration</p> <p>Having regard to County Kerry’s current contribution to the provision of wind energy generation capacity in the State, the scale of this contribution and the scale of permitted, but not as yet constructed development, it is considered that the capacity of certain areas in the County to facilitate additional wind energy developments has been reached.</p> <p>12.5.4.1.4 Open-to-Consideration</p> <p>Second last bullet point to be amended as follows:-</p> <p>Ensure that all applications are in compliance with Article 6 Habitats Directive, EIA Directive and Water Framework Directive. Where applicable, this should be informed by at least 2 years of annual (breeding and wintering) bird survey undertaken to best practices guidelines in addition to early engagement with statutory and non-statutory holders of ecological data, including with the Irish Hen Harrier Winter Survey</p>	<p>The MA will amend a section in Chapter 12 that details how on-shore wind projects would be considered in areas Open to Consideration (OTC). In amending this section, the MA removes areas OTC as identified through the wind zoning methodology and indicated in the Wind Zoning Map, Volume 4,</p> <p>While the removal of OTC areas implies potential positive effects on biodiversity, water and landscape in the short-term due to no future development in these areas, ultimately the removal of areas OTC will have a negative effect on the county’s ability to comply with targets identified in Ireland’s Climate Action Plan regarding RE production and reducing GHG emissions. Overall, in not complying with Climate Action targets, the removal of all areas OTC for on-shore wind, is considered to have a negative effect on climate, air quality, material assets and into the long-term biodiversity and water further to climate inaction and failure to meet RE targets. This MA implies that all areas identified in the CDP through the wind zoning methodology as areas OTC are now removed.</p> <p>It is noted that the additional text added in relation to early engagement with statutory and non-statutory holders of ecological data, relates to a submission from the DHLGH and its inclusion is deemed a positive effect for biodiversity. No significant effects are identified from its inclusion.</p>

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<p>12.10</p>	<p>This MA promotes RE. As detailed in the ER, RE infrastructure has the potential to have significant effects on the environment further to its scale, nature and location. However, it is noted that the objective is strategic in nature, no specific locational information is referenced. In addition, the promotion of RE is a positive effect for climate policy. Further to this and the existing policies and objectives in the plan for RE specifically detailed in Chapter 12, it is considered that any likely significant effect from this MA can be satisfactorily mitigated.</p>
<p>12.11</p>	<p>It is noted that any future plan/programme to be undertaken over the lifetime of the plan will be subject to SEA as required. Furthermore, it is noted that plans/programmes within the scope of energy policy fall within the scope of the SEA Directive.</p>
<p>12.12</p>	<p>The MA seeks to change the text that qualify the wind energy project by the word “commercial”.</p> <p>The wording does not ultimately change the meaning of what was already in the objective, the objective had already implied no wind energy areas outside of open to</p>

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	consideration and/or repower areas. In the context of the plans existing objectives and policy for RE and wind development in particularly, the amendments is deemed immaterial.
12.13; 12.14;12.15;12.16;	These MAs are included further to a submission from the DHLGH and relate to compliance with the Habitats Directive. Further details are provided in the NIR that accompanies the MAs. As regards the SEA, no significant effects identified, the text as noted is to ensure compliance with the Habitats Directive.
12.22;12.23	None identified – the MA seeks to ensure community benefit from RE projects and/or to allow RE in areas OTC and repower areas which is already supported in the plan
Chapter 13 – Water and Waste Management	
13.1	This MA seeks to include text that specifically supports ICWs in the context of waste water management. It is noted the ICW can have both positive and potentially negative effects on the environment, particularly water further to the discharge and its ability to comply with its discharge licence. However, it is noted that the new text proposed is qualified by “at appropriate locations”. Furthermore, it is noted that the objective is strategic in nature, no specific locational information is referenced. Further to this and the existing policies and objectives in the plan, it is considered that any likely significant effect from this MA can be satisfactorily mitigated.
13.2; 13.3;	None identified – typographical/editing/acronym errors/minor addition of explanatory text/updating of reference document
13.4;13.5	None identified – the MA seeks to include additional text that supports the principles of the circular economy and initiatives to reduce food waste
Chapter 14 – Connectivity	
14.25;14.27;14.29;14.30; 14.33;14.32;14.34	None identified – the MA seeks to include text that supports public transport infrastructure
14.2;14.7;14.8;14.11;14.14;14.16	None identified – the MA seeks to include text to support the 10min town concept/active travel
14.3	None identified – the MA seeks to include further environmental mitigation
14.1;14.4	None identified – the MA seeks to support the roll out of electric charging points
14.5;14.6;14.9;14.12;14.13;14.26;14.35;14.36	None identified – typographical/editing/acronym errors/minor addition of explanatory text/updating of reference document or groups/organisations
14.10;14.15;	None identified – the MA seeks to promote the principles of accessibility/access for all
14.17;14.18;14.19;14.23;14.24;14.28;14.28;14.37	None identified – the MAs seeks to ensure protection of the national road network and

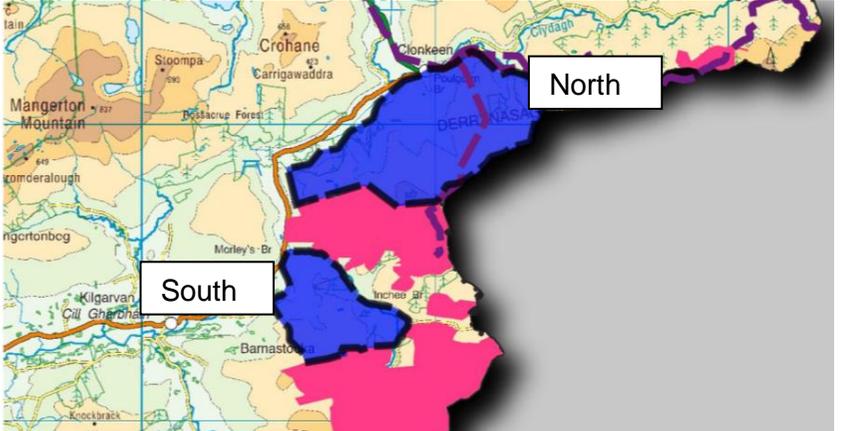
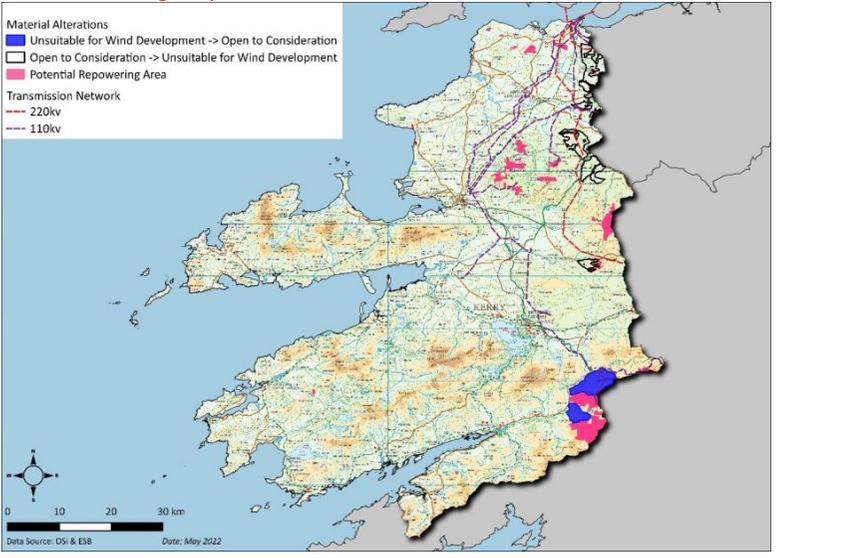
Material Alterations (MA) Ref Note that the list of proposed amendments below to the Draft Plan, changes are shown as deletions (strikethrough) and additions (bold).	LIKELY SIGNIFICANT EFFECTS
	its infrastructure and/or other material assets
14.20 New Objective Allow access onto National/Secondary/Primary Roads where there is existing entrances, and that this plan would support new planning applications.	These MAs are at variance with national policy (Spatial Planning and National Roads – Guidelines for Planning Authorities (2012)); in relation to access onto National/Secondary/Primary Roads. In addition, it is noted that in the preparation of the Draft Plan, Kerry County Council must have regard to Section 28 guidelines which the above guidelines are listed.
14.21 New Objective That all applications on local private roads, with sufficient width, over 250m in length, with 3 or more residences, be treated as any other applicant on a public road, entering from a national, primary or secondary road.	To ensure compliance with the provisions of the Section 28 Guidance issued under the Spatial Planning and National Roads Guidelines (2012) it is recommended that these MAs are removed.
14.22; 14.38	None identified – the MA seeks to strengthen environmental mitigation namely by adding specific sustainability text.
14.31	This MA seeks to include a new objective for a feasibility study for a light rail transport in Tralee and Killarney. It is noted that a light rail network as an infrastructure scheme could have significant effects on the environment. Further to its scale, nature and location this could include natural heritage, built heritage, archaeology and local town and streetscapes. A light rail system however could also have positive impacts on climate and air quality by reducing car dependency in key towns. It is noted that any feasibility study will by its nature have to include an environmental constraints study. Further to this and the strategic nature of the objective, it is considered that the MA is satisfactorily mitigated.
14.39;14.41	None identified – the MA is strategic in nature and seeks to support connectivity, including smart/digital connectivity, throughout the county
14.40;14.42;14.43;14.44	None identified – the MA seeks to clarify where communications mast should be located
Volume 2 – Town Development Plans	
Tralee	
T1	This MA removes the Austin Stack Plaza from the objective. It is noted that the parcel of land is still adjacent to the Casement Station Plaza and any future masterplan. Any proposal for the site will need to take into consideration recommendations from the adjacent masterplan, be in compliance with the design principles of the wider area/proper planning and sustainable development.

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	Considering the existing mitigation embedded in the plan, particularly relating to urban design, it is considered that any likely significant effect from this MA can be satisfactorily mitigated.
T2	None identified- the MA seeks to include additional text that supports populating town centre in line with NPF
T3;T4	None identified – the MA seeks to provide ongoing support for educational facilities including the MTU
T5	Further to the wording of the objective and the existing environmental mitigation embedded in the policies and objectives of the plan, it is considered that any likely significant effect from this MA can be satisfactorily mitigated.
T6	None identified – typographical/editing/acronym errors/minor addition of explanatory text/updating of reference document
T7	None identified – the MA seeks to strengthen environmental mitigation namely by adding specific sustainability text.
T8	None identified – the MA seeks to include text that supports public transport infrastructure/active travel
T9;T10;T11;T12;T13T14;T15	None identified – these MAs are included further to a submission by the OPW. The OPW has requested that specific flooding objectives are included for Tralee town and that specific flooding objectives are proposed for specific zonings within the town boundary – as detailed in the MAs. See also the SFRA Addendum for further assessment on flood risk.
Killarney	
K1	None identified – the MA seeks to support IW in developing solutions to impacts on Lough Leane from waste water discharges. This is identified as a positive impact for both water and biodiversity.
K2	None identified – the MA seeks to support outdoor infrastructure, at appropriate locations, in the town
K3	None identified – the MA seeks to strengthen environmental mitigation namely by adding specific sustainability text.
K4	None identified – typographical/editing/acronym errors/minor addition of explanatory text/updating of reference document
K5;K6;K7;K8;K9,K10 & K11	None identified – these MAs are included further to a submission by the OPW. The OPW has requested that specific flooding objectives are included for Killarney town and that

Material Alterations (MA) Ref Note that the list of proposed amendments below to the Draft Plan, changes are shown as deletions (striketrough) and additions (bold).	LIKELY SIGNIFICANT EFFECTS
	<p>specific flooding objectives are proposed for specific zonings within the town boundary – as detailed in the MAs.</p> <p>See also the SFRA Addendum for further assessment on flood risk.</p>
Listowel	
L1	None identified – the MA seeks to support the employment opportunities in the town
L2	None identified – the MA seeks to support the availability of accommodation in the town. Any future developments within the town will be subject to proper planning and sustainable development.
L3;L4	None identified – the MA seeks to include further environmental mitigation
L5	None identified – the MA support the undertaking of an economic strategy
L6;L7;L8;L9;L10	<p>None identified – these MAs are included further to a submission by the OPW. The OPW has requested that specific flooding objectives are included for Listowel town and that specific flooding objectives are proposed for specific zonings within the town boundary – as detailed in the MAs.</p> <p>See also the SFRA Addendum for further assessment on flood risk.</p>
Volume 2. 6. Settlement Capacity Audit	
SCA 1 Settlement capacity audit	<p>None identified – this MA has been added further to the submission by the OPR. The audit is required to ensure lands zoned for residential development within the key towns of Tralee, Killarney and Listowel are evidence based as regards potential unit yield taking into consideration national guidelines and the individual characteristics for individual sites. The SCA indicates that the quantum of lands zoned R1 in Tralee, Killarney and Listowel are adequate and that over capacity of residentially zoned lands does not exist.</p> <p>The MA also inserts text that aligns with national policy in relation to consolidated growth allowing for the redevelopment of brownfield/infill sites and a tiered approach to zoning.</p>
Volume 3 – Heritage – 5. Record of Protected Structures	
RPS 1 Ballybrack Cottage – to remove the PS from the RPS	The CER noted that <i>this structure was previously added to the RPS on the basis of its special architectural category of interest and for its significant contribution to the architectural heritage of Waterville. It should be highlighted that Kerry County Council administers conservation grants for conservation-led upgrading and renovation of protected structures. As a protected structure, the owner would be eligible to apply for</i>

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	<p><i>this grant-aid. The designation of a structure as a protected structure does not impede its redevelopment but seeks to achieve a high-quality design and finish maintaining the inherent character of the structure.</i></p> <p>The CER report culminated with a recommendation that the structure remain on the RPS.</p> <p>Although it would be preferred that the structure is retained on the RPS as per the recommendation of the Conservation Officer, it is noted that the building will still be subject to proper planning and sustainable development and any future development of the structure will need to take into account the vernacular heritage of the structure and its location and setting on the outskirts of Waterville village. Existing objectives in the plan relating to the protection of architectural heritage will apply to the structure and mitigate against likely significant effects on built heritage.</p>
<p>To not include a proposed PS on the RPS- a two storey house at Farranreagh, Knightstown.</p>	<p>This pPS was recommended for inclusion in the county's RPS as an example of an imposing two storey dwelling house which occupies a strategic position on the seafront in Knightstown. The building as a two-storey double pile house with hipped roofs, a flat roof single storey porch to the front and several extensions to each gable ends of the building. The northern or gable extension facing the Royal Hotel has vertical-hung natural slate cladding which is a distinctive weathering feature of note. The roof is a natural slate roof with large substantial chimney stacks with pots in situ. Bipartite timber sliding sash windows remain to the front elevation. The first edition OS map (c 1842) shows the building and gardens. The structure is clearly an imposing feature in the streetscape and its contribution to the architectural character of Knightstown warrants its inclusion to the RPS.</p> <p>The MA to not add the structure to the RPS is noted. Although it would be preferred that the structure is included as per the recommendation of the Conservation Officer, it is noted that the building will still be subject to proper planning and sustainable development and any future development of the structure will need to take into account the vernacular heritage of the structure and its location within the village of Knightstown. Existing objectives in the plan relating to the protection of architectural heritage will apply to the structure and mitigate against likely significant effects on built heritage.</p>
<p>RPS4</p>	<p>The CER noted that <i>the front building has been significantly altered over the past years. It</i></p>

Material Alterations (MA) Ref Note that the list of proposed amendments below to the Draft Plan, changes are shown as deletions (striketrough) and additions (bold).	LIKELY SIGNIFICANT EFFECTS
Relates to Flahive’s Bar, Strand Street, Dingle Reference (RPS KY 043-028)- to be removed from the RPS	<p><i>states that the ACA designation ensures that the architectural heritage of Strand Street will continue to be protected following its removal from Kerry County Council’s Record of Protected Structures.</i></p> <p>Further to the continued inclusion of the structure within an ACA which will ensure a level of protection that will ensure the character of the area is maintained, on balance it is considered appropriate to remove the structure from the RPS.</p>
RPS 5 “Allens”, Lahesrough North, Ballybunion NIAH 21300506 RPS 5-6 – to be removed the RPS.-	The CER notes that further to submission made, the structure due to its dilapidated state should be removed from the RPS.
RPS additions (1-7) & MA to include ACAs	None identified – these MA seeks to include structures of military interest to the RPS and add a new ACA in Waterville
Volume 4 – Maps	
Include additional maps for Tralee, Killarney and Listowel to include areas at flood risk	None identified – this MA will include flooding maps for Tralee, Killarney and Listowel. Specific flooding objectives are included for each specific area identified in the SFRA further to a submission from the OPW and OPR – the objective are listed above in MAs relating to Tralee: T9;T10;T11;T12;T13T14;T15; Killarney: K6;K7;K8;K9;K10 and Listowel: L6;L7;L8;L9;L10.
Include maps showing the environs of Tralee and Killarney	None identified – the MA reflects the existing environs of the two key towns as per adopted LAPs.
Amend zoning in Ballyard, Tralee from R1.6 Proposed Residential to P1 agriculture	None identified – this MA is made further to recommendations from the SFRA.
Amend zoning in Killarney from S3 (Community Facilities) to R1 (Proposed Residential) in Killarney	None identified – this MA is made further to an error in the original plan, the amendment reverts back to the existing zoning on this parcel of land as previously assessed in the LAP.
Amend Map 4 - Visually Sensitive Areas and Views & Prospects Extend the identified view and prospect into Waterville Village	None identified – this MA will extend an existing view and prospect to include an additional part of the streetscape in Waterville village.
Amend Map 5 - Wind Zoning	
<p>1. Include 2 new areas into Wind Zoning Map (Map 5 as included in Volume 4) as open to consideration (OTC) for onshore wind.</p> <p>The two areas (north and south) included as OTC are shown in blue below.</p>	<p>It is noted that these areas had previously not been included as areas OTC further to the Wind Zoning Methodology outlined in Volume 1, Appendix 6.</p> <p>The two areas (shown over) were included as material alterations during Council Meetings held in April 2022.</p>

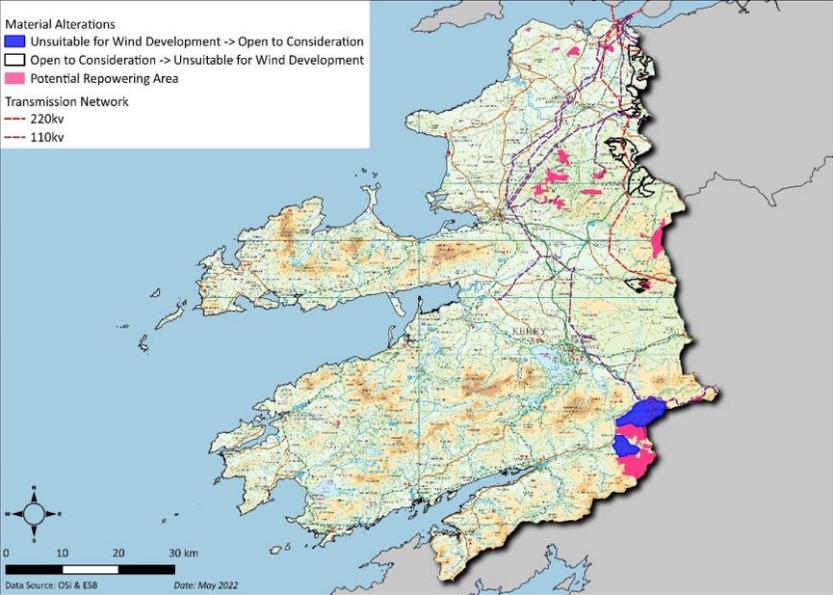
Material Alterations (MA) Ref Note that the list of proposed amendments below to the Draft Plan, changes are shown as deletions (strikethrough) and additions (bold).	LIKELY SIGNIFICANT EFFECTS
	<p>These areas have not been previously assessed as part of the KCDP SEA and therefore likely significant effects cannot be excluded. Further assessment is required which is undertaken in more detail in Table 3.1 and Table 3.2 below.</p>
<p>2. Further to MA Ref 12.9 – all areas OTC are removed from the wind zoning map</p> 	<p>See response to Ref 12.9</p>
<p>Amend Map 6 – Tarbert- Ballylongford Landbank</p>	<p>None identified – this MA is proposed further to recommendations from the NIR and</p>

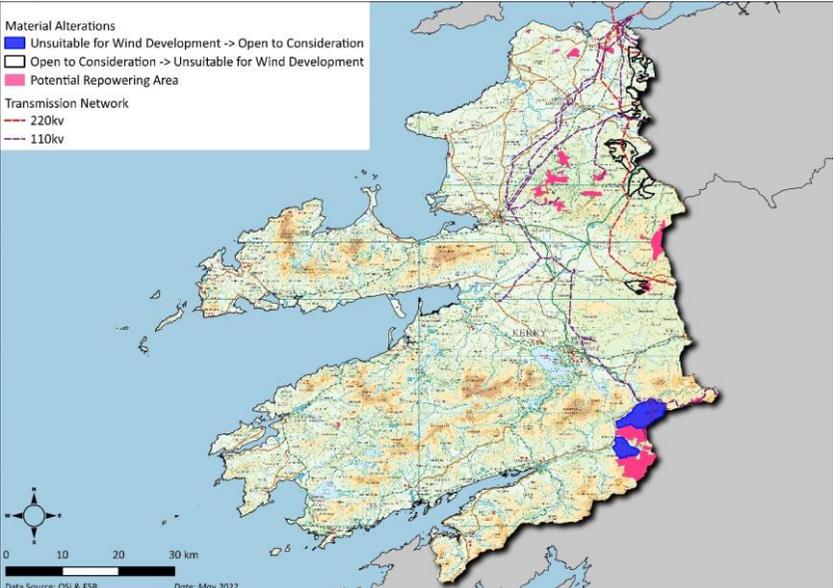
Material Alterations (MA) Ref Note that the list of proposed amendments below to the Draft Plan, changes are shown as deletions (striketrough) and additions (bold).	LIKELY SIGNIFICANT EFFECTS
	SEA. Specifically, the MA seeks to amend the land bank zoning by removing the overlap between the zoning and the pNHA and cultural heritage sites.
Volume 6 – Other Documents	
1. Development Management Standards & Guidelines	
DM1	None identified – this MA was made further to a submission made by the OPR, it seeks to clarify development management in relation to private amenity space when well designed, high quality development is proposed.
DM2	None identified – the MA seeks to include additional text that supports the principles of the circular economy
DM3;DM4	None identified – typographical/editing/acronym errors/minor addition of explanatory text/updating of reference document
DM5;DM7	None identified – the MA seeks to include additional environmental mitigation
DM6	None identified – the MA seeks to clarify where communications mast should be located
DM8;DM9	None identified – the MA seeks to provide specific guidance in relation to the provision of EV charge points and active travel infrastructure.
2. Land-Use Zoning – Local Area Plans (LAPs)	
LUZ 1 Replace Land Use Zoning Section	None identified – these MA reflects changes made to zoning in the KCDP and to be used in future LAPS, further to submissions made to the draft Plan. The MA seeks to ensure a robust alignment of zonings used in the KCDP/LAP with National and Regional policy.
3. Biodiversity Action Plan (BAP)	
Amend BAP	None identified – the MAs include additional biodiversity and climate actions to be included into the BAP.

3. MITIGATION OF MATERIAL ALTERATIONS HIGHLIGHTED AS HAVING A POSSIBLE SIGNIFICANT EFFECT ON THE ENVIRONMENT

3.1. Mitigation of Material Alterations (MA) to the Kerry County Development Plan 2022-2028 highlighted as having a possible significant effect on the environment

MA	LIKELY SIGNIFICANT EFFECTS	MITIGATION
Chapter 2		
<p>2.16 New Objective Support the continued cutting and distribution of turf in order for people to heat their homes.</p>	<p>Likely significant effects on biodiversity, air and climate policy are identified by this MA.</p>	<p>It is noted that the NIR has made the following recommendation to this objective: Support the continued cutting and distribution of turf, from appropriate locations outside of designated nature conservation sites, in order for people to heat their homes.</p> <p>Further to the above amendment, and the existing environmental mitigation included in the policies and objectives of the plan, it is considered that any likely significant effect from this MA can be satisfactorily mitigated.</p>
Chapter 11 – Environment		
<p>11.14 Facilitate and support dredging and/or pumping where appropriate to protect rivers and waterways</p>	<p>This objective is identified as likely to have significant effects specifically in relation to biodiversity; water and archaeology.</p>	<p>It is noted that the NIR has made the following recommendations: Facilitate and support dredging and/or pumping, subject to environmental assessment and where appropriate, to protect rivers and waterways.</p> <p>In addition, this SEA recommends to add as follows: Facilitate and support dredging and/or pumping, subject to environmental assessment and where appropriate, and in consultation/agreement with IFI, to protect rivers and waterways.</p>
Chapter 12 – Energy		

MA	LIKELY SIGNIFICANT EFFECTS	MITIGATION
<p>12.9 Amend Text and Map</p> <p>12.5.4.1.4 Open-to-Consideration Having regard to County Kerry's current contribution to the provision of wind energy generation capacity in the State, the scale of this contribution and the scale of permitted, but not as yet constructed development, it is considered that the capacity of certain areas in the County to facilitate additional wind energy developments has been reached.</p> 	<p>The MA will amend a section in Chapter 12 that details how on-shore wind projects would be considered in areas Open to Consideration (OTC). In amending this section, the MA removes areas OTC as identified through the wind zoning methodology and indicated in the Wind Zoning Map, Volume 4,</p> <p>While the removal of OTC areas implies potential positive effects on biodiversity, water and landscape in the short-term due to no future development in these areas, ultimately the removal of areas OTC will have a negative effect on the county's ability to comply with targets identified in Ireland's Climate Action Plan regarding RE production and reducing GHG emissions. Overall, in not complying with Climate Action targets, the removal of all areas OTC for on-shore wind, is considered to have a negative effect on climate, air quality, material assets and into the long-term biodiversity and water further to climate inaction and failure to meet RE targets. This MA implies that all areas identified in the CDP through the wind zoning methodology as areas OTC are now removed.</p>	<p>It is recommended that MA is not included and the text reverts back to original Section 12.5.4.1.4.</p>
Chapter 14 – Connectivity		
<p>14.20 New Objective</p> <p>Allow access onto National/Secondary/Primary Roads where there is existing entrances, and that this plan would support new planning applications.</p>	<p>These MAs are at variance with national policy (Spatial Planning and National Roads – Guidelines for Planning Authorities (2012)); in relation to access onto National/Secondary/Primary Roads.</p>	<p>The MAs are removed and the KCDP complies with Section 28 Guidance issued under the <i>Spatial Planning and National Roads Guidelines (2012)</i></p>
14.21		

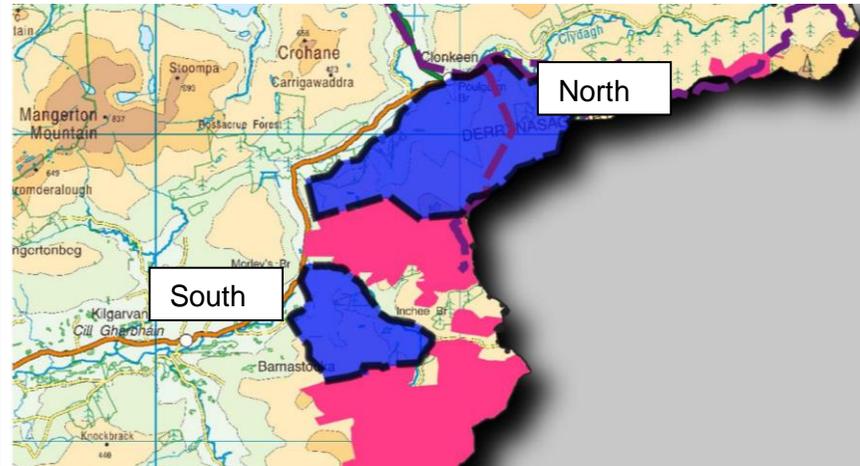
MA	LIKELY SIGNIFICANT EFFECTS	MITIGATION
<p>New Objective That all applications on local private roads, with sufficient width, over 250m in length, with 3 or more residences, be treated as any other applicant on a public road, entering from a national, primary or secondary road.</p>	<p>In addition, it is noted that in the preparation of the Draft Plan, Kerry County Council must have regard to Section 28 guidelines which the above guidelines are listed.</p> <p>To ensure compliance with the provisions of the Section 28 Guidance issued under the Spatial Planning and National Roads Guidelines (2012) it is recommended that these MAs are removed.</p>	
Volume 4 – Maps		
<p>Further to MA Ref 12.9 – all areas OTC are removed from the Wind Zoning Map</p> 	<p>See response to Ref 12.9</p>	<p>It is recommended that OTC areas identified through the Wind Zoning Methodology are re-inserted into the Wind Zoning Map.</p>

3.1.1. Likely Significant Effect from MA to Amend Map 5 – Wind Zoning Map:

Amend Map 5 - Wind Zoning

Include 2 new areas into Wind Zoning Map (Map 5 as included in Volume 4) as open to consideration (OTC) for onshore wind.

The two areas (north and south) included as OTC are shown in blue below.

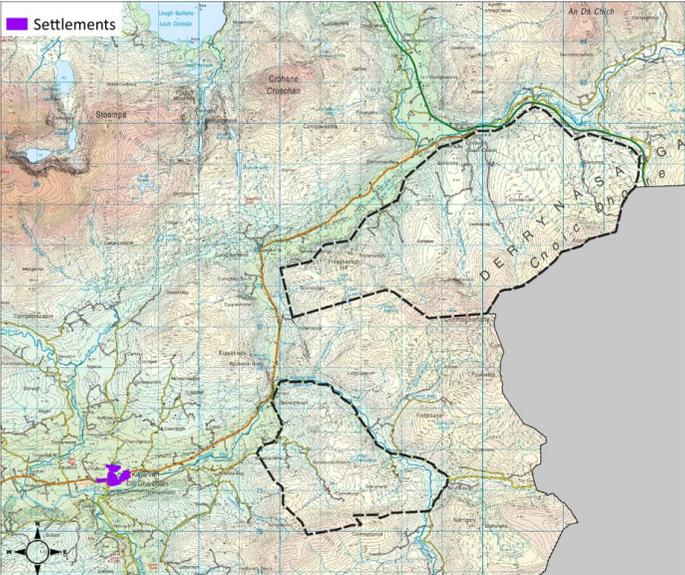


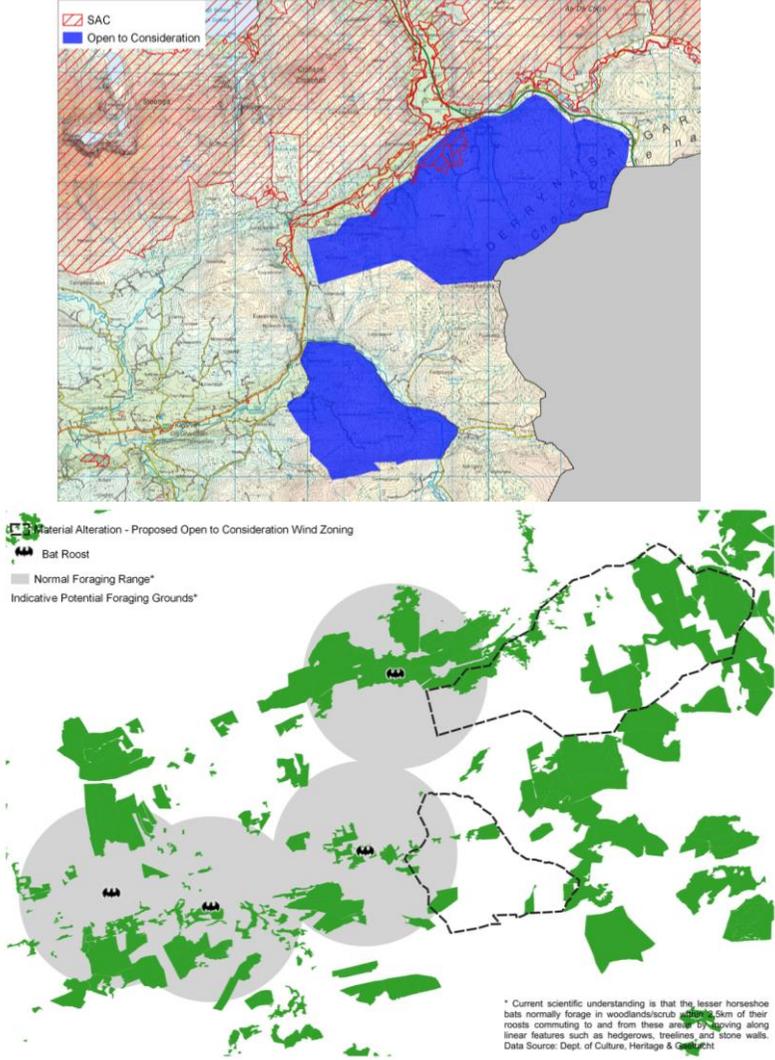
It is noted that these areas had previously not been included as areas OTC further to the Wind Zoning Methodology outlined in Volume 1, Appendix 6.

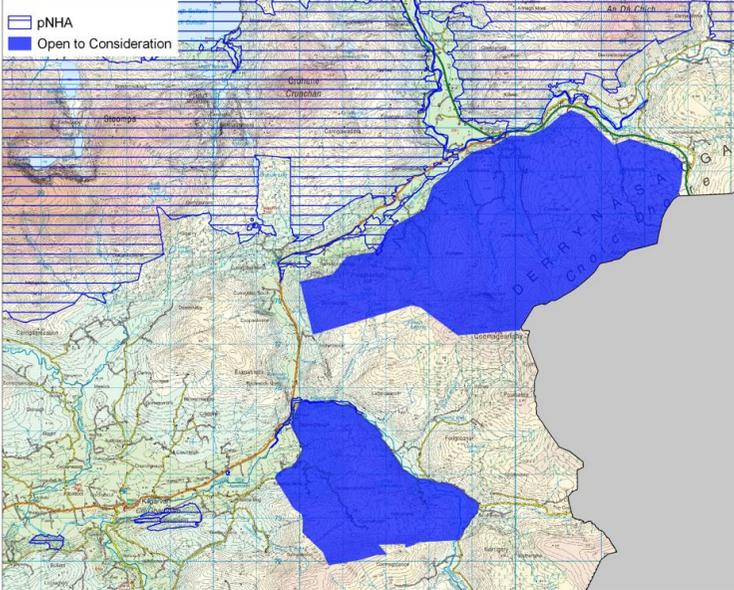
The two areas (shown over) were included as material alterations during Council Meetings held in April 2022.

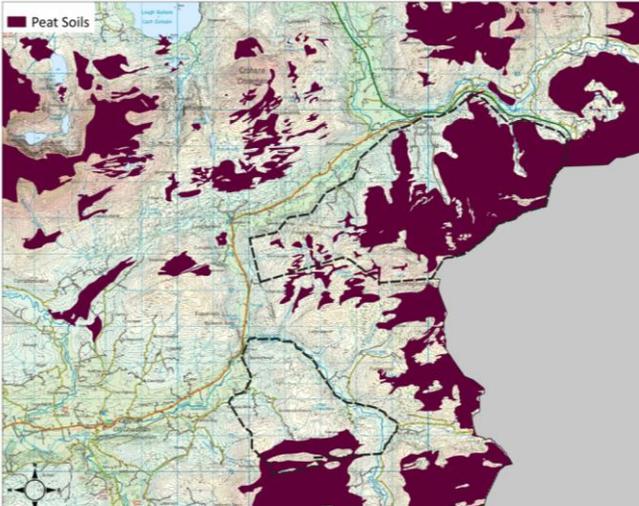
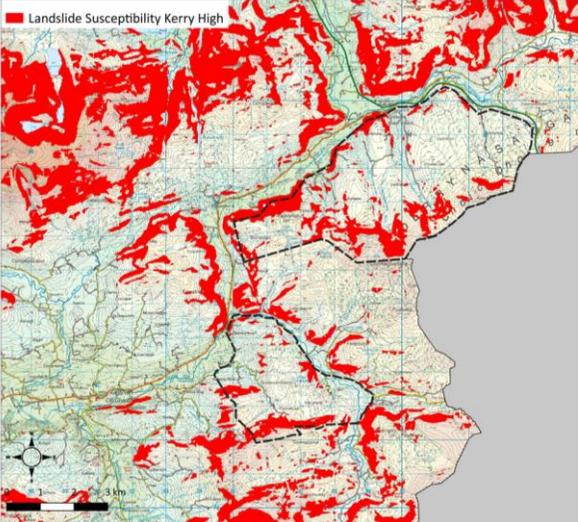
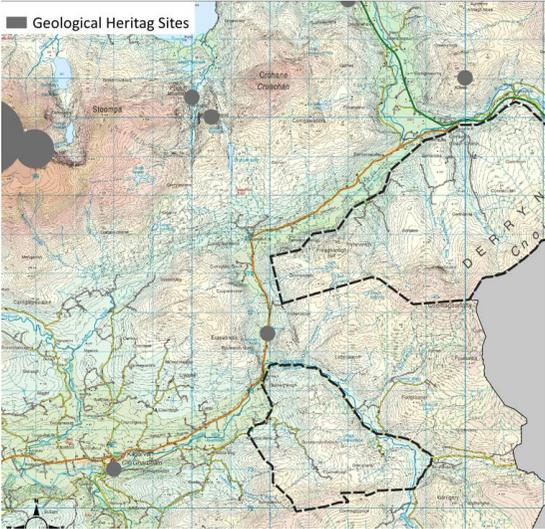
These areas have not been previously assessed as part of the KCDP SEA and therefore likely significant effects cannot be excluded. Further assessment is required which is undertaken in more details in Table 3.1 and Table 3.2 below.

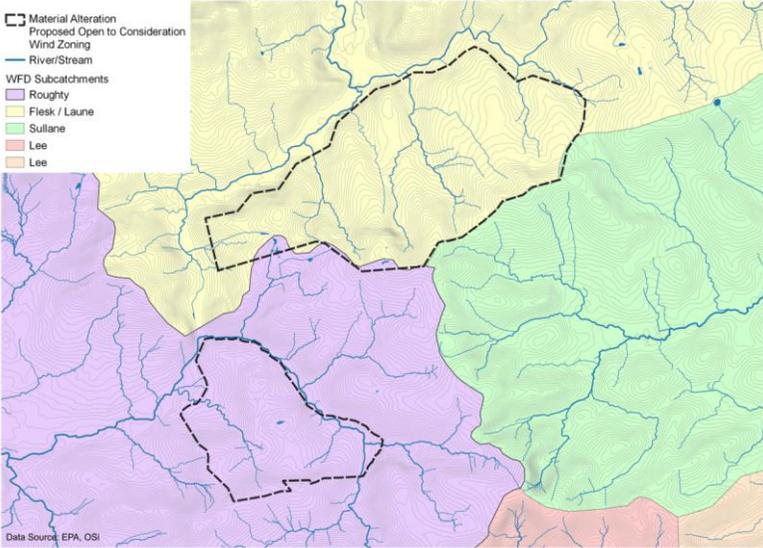
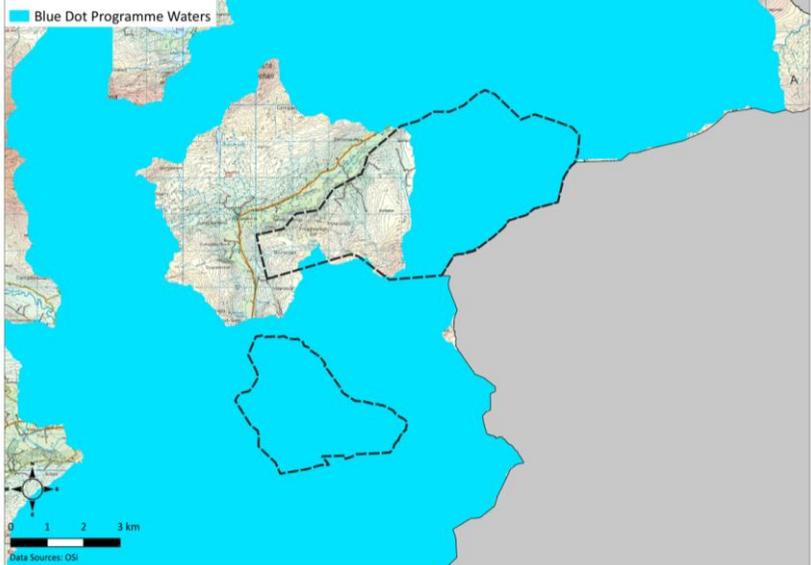
Table 3-1 Likely significant effects from MA to amend Wind Zoning Map 5

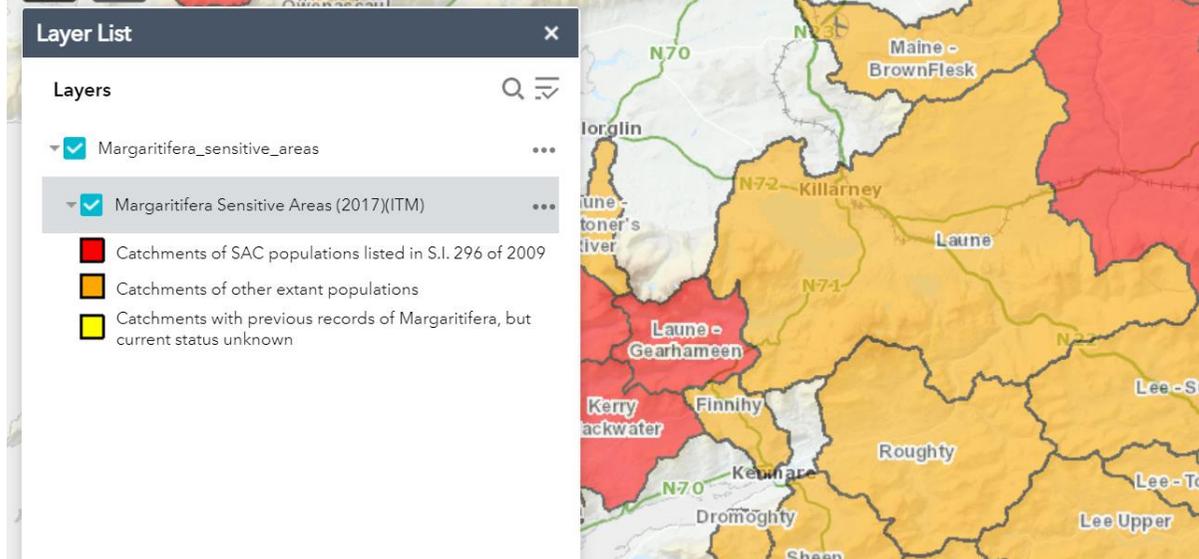
Environmental Parameter	North Likely Significant Effect	South Likely Significant effect
<p>Population/Human Health</p>	<p>Kilgarvan village is the main settlement in the vicinity of both areas. The village however is located a considerable distance from both areas.</p> <p>Overall, further to the location of the areas, it is considered that existing mitigation within the plan will mitigate likely significant effects on this environmental parameter. It is excluded from the further environmental assessment of this MA.</p> 	
<p>Biodiversity</p>	<ul style="list-style-type: none"> • Overlaps within the Killarney National Park and Macgillycuddy Reeks and Caragh Catchment cSAC; • In proximity to the Kilgarven Ice House SAC and Old Domestic Dwelling, Curraglass Wood SAC with the OTC areas including foraging habitat within the 2.5km range of LHS bats roosts, • In proximity to commuting habitat of White-Tailed Sea Eagle, • Within a catchment of extant populations of FWPM, • Possible upland annexed habitats outside SAC designations 	<ul style="list-style-type: none"> • In proximity to the Killarney National Park and Macgillycuddy Reeks and Caragh Catchment cSAC, Kilgarven Ice House SAC and Old Domestic Dwelling, Curraglass Wood SAC - including foraging habitat within the 2.5km range of LHS bats roosts, • Overlaps with the Roughty River pNHA, • In proximity to commuting habitat of White-Tailed Sea Eagle • Within a catchment of extant populations of FWPM, • Possible upland annexed habitats outside SAC designations

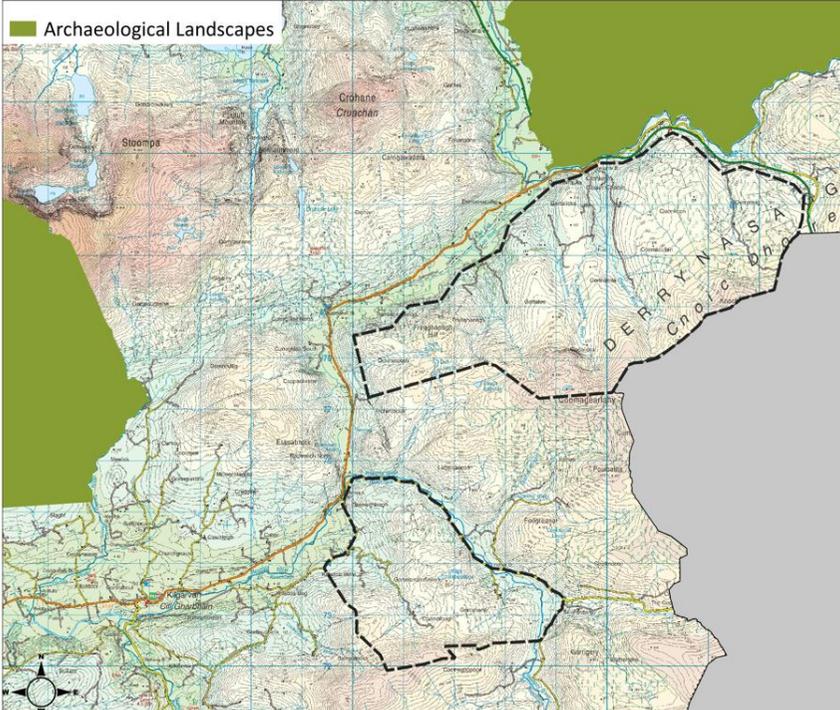
Environmental Parameter	North Likely Significant Effect	South Likely Significant effect
	 <p>The figure consists of two maps. The top map is a regional map showing Special Areas of Conservation (SAC) in red hatched areas and 'Open to Consideration' areas in solid blue. The bottom map is a detailed map of bat roosts (indicated by black bat icons) and their foraging grounds. It shows 'Normal Foraging Range*' as grey circles and 'Indicative Potential Foraging Grounds*' as green patches. A legend for the bottom map includes: 'Material Alteration - Proposed Open to Consideration Wind Zoning' (green hatched), 'Bat Roost' (black bat icon), and 'Normal Foraging Range*' (grey circle). A note at the bottom right states: '* Current scientific understanding is that the lesser horseshoe bats normally forage in woodlands/scrub within 5km of their roosts commuting to and from these areas by flying along linear features such as hedgerows, treelines, and stone walls. Data Source: Dept. of Culture, Heritage & Gaeltacht'.</p>	

Environmental Parameter	North Likely Significant Effect	South Likely Significant effect
		
Soil/geology	<ul style="list-style-type: none"> • Wind Zoning Methodology had identified areas of peat soil; landslide susceptibility and geological heritage within the general area, • two new OTC areas are shown relative to each parameter in maps provided below, • Further to the location of the new OTCs and the degree of overlapping within these environmental parameters, overall, it is considered that existing mitigation within the plan will mitigate likely significant effects on these environmental parameters. They are excluded from the further environmental assessment of this MA. 	

Environmental Parameter	North Likely Significant Effect	South Likely Significant effect
	 <p>A map showing the distribution of peat soils in a region. The peat soils are highlighted in dark purple/maroon. The map includes a legend in the top-left corner with the text 'Peat Soils' and a dark purple square. A north arrow and a scale bar are located in the bottom-left corner.</p>	 <p>A map showing areas of high landslide susceptibility in Kerry, Ireland. The susceptible areas are highlighted in red. The map includes a legend in the top-left corner with the text 'Landslide Susceptibility Kerry High' and a red square. A north arrow and a scale bar are located in the bottom-left corner.</p>
	 <p>A map showing the locations of Geological Heritage Sites. The sites are marked with black dots. The map includes a legend in the top-left corner with the text 'Geological Heritag Sites' and a black square. The map also shows the county boundary for Derry and the locations of Sligo, Carrigrohane, and Carrigrohane. A north arrow and a scale bar are located in the bottom-left corner.</p>	

Environmental Parameter	North Likely Significant Effect	South Likely Significant effect
Water	<ul style="list-style-type: none"> • Is located within the Lough Leane Catchment which has been <i>hitherto</i> excluded from areas OTC due to pressures on the Lough Leane Catchment and its associated waterbodies, • Is located in an area with several high-status waterbodies including those within the <i>blue dot</i> programme, • Feale catchment has extant populations of FWPM 	<ul style="list-style-type: none"> • Is located within the Roughy Catchment with several high-status waterbodies including those within the <i>blue dot</i> programme, • Roughy catchment has <i>extant populations</i> of FWPM,
		

Environmental Parameter	North Likely Significant Effect	South Likely Significant effect
		
air quality climatic factors	<p>Positive impacts on air quality and climate policy as the MA will see an increase in the areas in the county considered suitable for on-shore wind. Increase in RE will in the long-term will lead to a reduction in fossil fuel use and associated positive impacts on air quality and lowering of harmful GHG emissions.</p> <p>These environmental parameters are excluded from the further environmental assessment of this MA.</p>	
material assets	<ul style="list-style-type: none"> • Possible negative impacts on local transport networks specifically during construction works. • Positive impact on the future ability to produce RE energy and associated infrastructure, • Overall, it is considered that existing mitigation within the plan will mitigate likely significant effects on this environmental parameter while positive effects are also noted. The parameter is excluded from the further environmental assessment of this MA. 	
Cultural heritage	<p>Archaeology:</p> <ul style="list-style-type: none"> • 25-30 known archaeological sites including a significant cluster of prehistoric monuments in Gortalee/Gort na tSleibhe (radial stone cairn, stone pair, standing stones etc) • Also the new OTC is adjacent to the protected 	<p>Archaeology:</p> <ul style="list-style-type: none"> • 4-6 known sites. • also the new OTC is adjacent to the protected archaeological landscape (CDP) based around Mangerton/Cumeenduvassig/Bausheen/Slaght/Knockeen to the north. Possible adverse impact on this aspect

Environmental Parameter	North Likely Significant Effect	South Likely Significant effect
	<p>archaeological landscape (CDP) based around The Paps to the north. The visual aspect of this landscape, given the focus on the two mountains, is a significant part of the landscape. Possible adverse impact on this aspect of the monuments in the landscape area.</p>	<p>of the monuments in the landscape area.</p>
		
Landscape	<p>Both sites within areas that have landscape sensitivities, notably in areas identified in the Wind Zoning Methodology as being <i>Visually Sensitive</i> and in proximity to designated <i>views and prospects</i>.</p>	

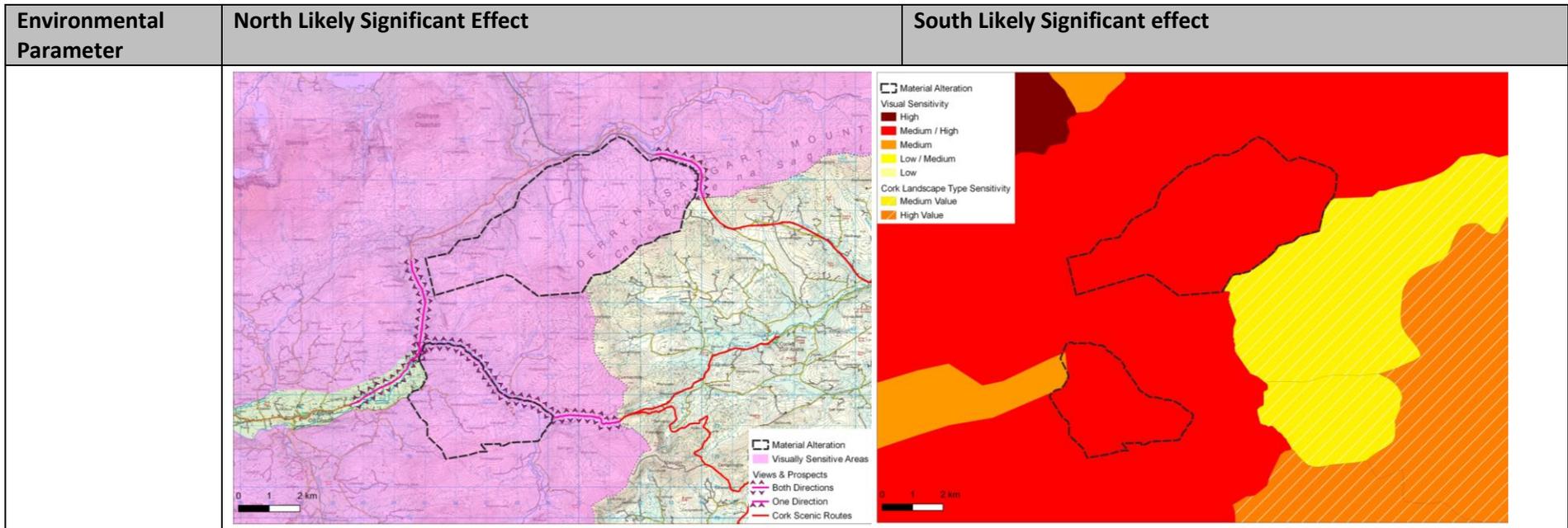


Table 3-2 SEA Recommendation and Mitigation

MA	LIKELY SIGNIFICANT EFFECTS	SEA RECOMMENDATION AND MITIGATION
<p>Include two new OTC areas</p>	Biodiversity	<p>It is recommended that the two new areas included as a MA are removed, in line with the methodology outlined in the <i>Wind Zoning Methodology</i> at the commencement of the plan making process.</p> <p>If the areas are not excluded, the SEA recommends in order to mitigate likely significant effects the following mitigation is incorporated into Chapter 12, Section 12.5.4.1.4 (for mitigation specifically relating to European Sites – please see recommendation from the NIR which is summarized below):</p> <p><i>Amend Chapter 12, Section 12.5.4.1.4 Open-to-Consideration</i> as follows (SEA amendments in red/NIR amendments in blue):</p> <p>It is the policy of the Council to:</p>
	Water	
	Archaeology	
	Landscape	

MA	LIKELY SIGNIFICANT EFFECTS	SEA RECOMMENDATION AND MITIGATION
		<ul style="list-style-type: none"> • Ensure that applications for wind development are accompanied by a technical assessment in relation to the slope stability, landslide susceptibility of the development site and the proposed project. • Ensure that all proposals for wind energy development (including the grid connection) have regard to the cumulative effect of the development on the environment in conjunction with the entire development and other existing/permitted developments in the area. • Ensure that all proposals demonstrate conformity with existing and approved wind farms to avoid visual clutter and demonstrate how they had regard to potential cumulative effects, where appropriate. • Ensure that all applications have regard to the impact on existing built environment, particularly neighbouring residential properties and other sensitive amenity areas. • Ensure that the development of wind turbines comprise a setback distance as detailed in the Draft Wind Energy Development Guidelines 2019 (DHPLG). • Ensure that noise restriction limits are consistent with those as included in the Draft Wind Energy Development Guidelines 2019 (DHPLG). • Ensure that no neighbouring property experiences the occurrence of shadow flicker and in accordance with the Draft Wind Energy Development Guidelines 2019 (DHPLG). • Ensure that all applications have regard to the impact of any proposal for wind energy development on surrounding tourism and recreational related activities. • Ensure that all applications are in compliance with Article 6 Habitats Directive, EIA Directive and Water Framework Directive, where applicable this should be informed by at least 2 years of annual (breeding and wintering) bird survey undertaken to best practices guidelines. • Ensure that proposals within sensitive water catchments must demonstrate compatibility with the objectives of the Water Framework Directive having due regard to possible impacts on high status objectives waterbodies and non-annexed freshwater habitats and species including extant (non-designated) populations of Freshwater Pearl Mussel, • Ensure that any application proposed in an area known to support the White-Tailed Sea Eagle is informed by at least two years of ornithological survey (breeding and winter) by a suitably qualified expert and if applicable, the ornithological impact assessment takes into account the results of ongoing monitoring of existing renewable energy infrastructure in the area, • Ensure that, at a minimum, turbines shall be set-back a distance equalling the blade tip height of the turbine from national roads and railways. Set-back from other roads will be site specific and determined at application stage,

MA	LIKELY SIGNIFICANT EFFECTS	SEA RECOMMENDATION AND MITIGATION
		<ul style="list-style-type: none"> • Ensure that any wind energy proposals within the Lough Leane catchment or other water quality sensitive catchments, demonstrate that they have been designed in a manner which prevents any risk of peat, soil and rock slippage or erosion and which provides for ongoing protection / improvement of water quality and the maintenance of natural hydrological processes. Proposals which would increase flood risk or bankside erosion downstream will not be permitted. • Ensure that proposals which cannot avoid adverse impacts on Natura 2000 Sites (SPA's and SAC's) or adjoining areas and locations affecting Natura 2000 site integrity, including habitats of significant value for Lesser Horseshoe Bats associated with Natura 2000 sites in the vicinity, and other sites and locations of significant ecological value, will not be permitted. • Ensure that all proposals within/in proximity to known visually sensitive areas/designated views and prospects are subject to a Landscape Visual Impact Assessment (LVIA) undertaken to best practices guidelines. Where applicable the LVIA should include possible visual impacts on archaeological landscapes identified in Section 8.3.2 of the County Development Plan notably No.11 The Paps and No.13 Mangerton/Cumeenduvassig/Bausheen/Slaght/Knockeens..

4. CHANGES TO BE MADE TO THE ER AS A RESULT OF SUBMISSIONS RECEIVED

4.1. Introduction

Further to the consultation period a number of submissions were made that specifically relate to the ER that went on display with the draft Kerry County Development Plan 2022-2028 between Monday December 6th, 2021 – Wednesday, 23rd February, 2022. As a result of these submissions, a number of amendments are also now proposed to the ER. Those submissions and recommended changes to the ER are outlined and discussed below.

4.2. Submissions that relate to or specifically mention the SEA ER

4.2.1. Office of the Planning Regulator

The OPR makes a detailed submission on the CDP – see KE-C1-365 for further detail. As regards specific comments on the SEA ER, the submission notes that further to the Planning System and Flood Risk Management Guidelines for Planning Authorities, flood risk assessments undertaken for plans should be integrated with the SEA process. While the issue of flooding is recognised as a threat in the SEA, the Office considers that the findings of the SFRA could be better integrated into the SEA. The submission goes on to note that the SEA confirms that the findings of the SFRA have been incorporated into the draft Plan but there are a number of measures, requirements and mitigation measures detailed in the SFRA which have not been fully incorporated into the draft Plan.

The Office also notes that section 7 of the SEA ‘Summary of Potential Effects’, does not comprehensively address proposed zoning in the context of the SFRA and the Justification Test undertaken. Further, Section 8 does not list any environmental considerations with respect to flooding arising from the Justification Test in relation to land zoned for a development purpose in the towns of Tralee, Killarney and Listowel.

Response.

Comments in relation to flooding are noted. It is proposed to include flooding into the SEA ER in more a more integrated manner and further to other comments made in relation to flooding made by the OPW.

Recommended Change:

Amend the ER to include a specific section on Flood Risk Assessment. This is based on integrating the SFRA and SFRA addendum report further to the proposed material alterations to the draft KCDP 2022-2028.

In particular, the SFRA addendum makes the following recommendations following the above submission by the OPR (and also the OPW). These are assessed for likely significant effects above in Section 2.3 but include:

1. Amend the flood zoning maps for the towns indicating the flood Zones A and B, for fluvial/coastal,
2. Include the following text in section 11.5.2 within the existing built-up areas of some town centres an existing residual flood risk remains pending the construction of flood mitigation infrastructure. The redevelopment of these existing sites and the undeveloped infill sites should take into consideration the identified and mapped flood risk in any design proposal. Development proposals in relation to these sites should seek to avoid the identified flood risk areas or if not possible ensure that the flood risk is not increased for adjacent properties and consider flood resilient or flood resistant construction design methodologies.
3. In Tralee amend the zoning from R1 (proposed residential) to P1 (agriculture),

4. Include a new objective 11-66a; ensure that zoning or development proposals support and do not impede or prevent the progression of flood relief schemes throughout the county.
5. Include a new objective 11-66b Ensure that access requirements are preserved for the maintenance of Arterial Drainage Schemes and Drainage Districts

Tralee;

Include new objectives for following specific sites and indicate on the associated maps;

6. TR114- (C5.2) ; Ensure that only water compatible development is permitted
7. TR115- (C5.4); Ensure that less vulnerable development and water compatible development only is permitted with suitable mitigation measures
8. TR116-(C5.5l); Ensure that less vulnerable development and water compatible development only is permitted with suitable mitigation measures
9. TR117- (M1.)1 Ensure that less vulnerable development and water compatible development only is permitted with suitable mitigation measures
10. TR118-(C2.1.1/R1.6.2/R1.6.3/S1.1); Ensure that highly vulnerable development is not permitted in areas identified in Flood Zone A and B.
11. TR119-Development within existing built-up areas located within Zone A & B; Ensure that development proposals avoid the identified flood risk area, or if not possible ensure that proposals avoid the identified flood risk properties and consider flood resilient or flood resistant construction design methodologies.

Killarney;

Include new objectives for following specific sites and indicate on the associated maps;

12. KA84- (C5.1) Ensure that only water compatible development is permitted in flood zone A and less vulnerable development is permitted in flood zone B.
13. KA85- (R1.6) Ensure that highly vulnerable development is not permitted in areas identified in Flood Zone A and B.
14. KA86-(R4.6.1/R4.6.2/R1.6.2) Ensure that highly vulnerable development is not permitted in areas identified in Flood Zone A and B.
15. KA87-(C5.2) &Development within existing built-up areas located within Zone A & B; Ensure that development proposals avoid the identified flood risk area, or if not possible ensure that proposals avoid the identified flood risk properties and consider flood resilient or flood resistant construction design methodologies.

Listowel;

Include new objectives for following specific sites and indicate on the associated maps;

16. Lis-98 (O.1.1) Ensure that a Stage 3 Detailed Flood Risk assessment shall be carried out as part of the preparation of a masterplan for these lands.
17. LIS; 99-(C5.1) Ensure that only water compatible development is permitted.
18. LIS-100-(C2.1.1) Ensure that site specific flood risk assessment shall be submitted with any application.
19. LIS-101 -(C2.1. 2)Ensure that proposals avoid the identified flood risk areas or if not possible ensure that the flood risk is not increased for adjacent properties and consider flood resilient or flood resistant construction design methodologies.
20. An objective number will be placed on each site (above) on the landuse map with a corresponding objective for Tralee, Killarney and Listowel.
21. Additional text to be added to Section 11-5 “full regard to the scheme to ensure proposal support and do not impede”
22. Amend Objective KCDP 11-63 – include benefiting lands and in maintaining access for OPW.

23. For the above mentioned maps, please refer to the SFRA Addendum report.

24. It is noted the SFRA addendum concludes:

This report systematically assessed the proposed amendments / material alterations for impact on flood risk management. For the most part, no impact on flood risk management are considered to be likely. Elsewhere positive impacts are anticipated as the modifications provide additional flood risk management safeguards. Notable proposed amendments / material alterations include the incorporation of Flood Zones A and B and the inclusion of additional objectives on specific sites within Tralee, Killarney and Listowel which mitigate potential flood risk.

4.2.2. EPA

The submission from the EPA comments on the Kerry County Development Plan 2022-2028 and the SEA ER of the KCDP. Comments on the ER are summarised as follows:

- Non-Technical Summary: Consider inclusion of key graphics/maps to further enhance content in the NTS.
- Assessment of Environmental Effects: KCC should assess and document the full range of likely significant environmental effects of implementing the Plan, including the potential for cumulative effects in-combination with other relevant Plans/ Programmes and Projects.
- Mitigation Measures: Where the potential for likely significant effects have been identified, KCC should provide appropriate mitigation measures and the Plan includes clear commitments to implement the mitigation measures.
- Monitoring: Programme should be flexible; consider and deal with the possibility of cumulative effects; consider positive and negative effects; set out the various data sources; monitoring frequencies and responsibilities. If the monitoring identifies adverse impacts during the implementation of the Plan, KCC should ensure that suitable and effective remedial action is taken.
- State of the Environment Report –Ireland’s Environment 2020 should be included the plan and findings in the SEA, as relevant and appropriate.
- Future Amendments to the Plan: KCC should screen any future amendments to the Plan for likely significant effects, using the same method of assessment applied in the “environmental assessment” of the Plan.
- SEA Statement- once the Plan is adopted, KCC should prepare an SEA Statement as per the SEA regulations making a copy of the SEA Statement available to environmental authorities consulted during the SEA process. Environmental Authorities are listed.

Response

- Non-Technical Summary: comments noted and deemed appropriate graphics as suggested should be included into the NTS.
- Assessment of Environmental Effects: KCC is satisfied that the ER assesses and documents the full range of likely significant environmental effects of implementing the Plan, including the potential for cumulative effects in combination with other relevant Plans/ Programmes and Projects as detailed in the ER in Sections 7 and 8. No further changes to ER required.
- Mitigation Measures: KCC is satisfied that where the potential for likely significant effects have been identified, appropriate mitigation measures to avoid or minimise these effects have been included and the Plan includes clear commitments to implement the mitigation measures. No further changes to the ER required.
- Monitoring: KCC is satisfied the Monitoring Programme as outlined in Chapter 9 meets the requires listed by the EPA submission notably flexibility to take account of specific environmental issues and unforeseen adverse impacts should they arise including from cumulative effects. Equally, KCC is satisfied that monitoring both positive and negative effects is considered and captures while the monitoring programme outlined in Chapter 9 sets out the

various data sources, monitoring frequencies and responsibilities. Finally, if the monitoring identifies adverse impacts during the implementation of the Plan, suitable and effective remedial action is outlined taken. Due regard was made to the EPA's guidance on monitoring.

- The *State of the Environment Report –Ireland's Environment 2020* was referred to and referenced in the ER and integrated into the plan accordingly. No further changes to the ER required.
- Future Amendments to the Plan: KCC is aware of its obligations under the SEA Directive to screen any future amendments to the Plan for likely significant effects, using the same method of assessment applied in the "environmental assessment" of the Plan. No further changes to the ER required.
- SEA Statement – KCC is aware of its obligations to produce an SEA Statement once the Plan is adopted and is aware of summary required in the statement and the need to make the plan available to the Environmental Authorities as listed. No further changes to the ER required.

Recommended Change

- Amend NTS with graphics.

4.2.3. Department of Agriculture, Food and the Marine.

Comments in relation to the commercial sea-fisheries is noted and the issues outlined are satisfactorily reflected in the ER. Comments on Section 5.8.8 relating to commercial sea fisheries is noted and the request to amend text in the above Section accordingly. Also requests that the ER reflects the key role of the Department of Agriculture, Food and the Marine is the fisheries industry.

Response

The submission is noted and the requested amendments are considered appropriate, as detailed below.

Recommended Change

- Amend Section 5.8.8 as follows (additions in italics, deletions ~~strike through~~):

~~The plan acknowledges that in recent years while there has been a decline in the marine fishing industry due in part to the EU quota restrictions, The Plan acknowledges that the Common Fisheries Policy provides the National framework for the long-term conservation and sustainability of fish stocks.~~ In Kerry there has been an expansion in the aquaculture and secondary sectors of the industry. Fishing therefore remains an important sector in the rural economy of the county *with the Department of Agriculture, Food and the Marine playing a key role.* In South Kerry e.g there are a.300-400 Irish and foreign fishing vessels operating off the coastline. *As off-shore energy begins to form part of the marine environment, the evaluation and consideration of potential impacts on commercial sea fishing activities needs to be considered so as to avoid negative impacts on fisheries.*

4.2.4. Department of the Environment, Climate and Communication, specifically Geological Survey Ireland

The submission from GSI specifically makes note of the SEA and the recommendation made in the ER in relation to Section 1.16.1 'Extractive Development' in Volume 6, 'Development Management Standards & Guidelines'. GSI go on to acknowledge the new amendment and requests that the text is qualified further to include consideration of geological heritage also includes a requirement to consult with Geological Survey Ireland. Furthermore, Geological Survey Ireland would request that Kerry County Council might assist our geological heritage goals with the following (and ideally this could be written into the restoration / closure plan by the operator) and be included as a condition of planning as deemed appropriate by the planning authority:

1. Allowing access to quarry faces by appropriate scientists (upon request and with due regards to Health and Safety requirements) during quarrying to check for interesting new stratigraphies / relationships as they might become exposed and to establish if the quarry site is worthy of recognition post extraction and through aftercare/restoration planning.

2. If deemed appropriate in (1) above, leaving a representative section of the quarry face at the end of the quarry life or inclusion of information panels to promote the geology to the public or develop tourism or educational resources if appropriate depending on the future use of the site. Natural exposures are few, or deeply weathered, this measure would permit on-going improvement of geological knowledge of the subsurface. The Geoheritage Programme tries to promote a partnership between geological heritage and active quarrying, with such measures as those outlined in the 'Geological Heritage Guidelines for the Extractive Industry', which can be downloaded here. This document, written in association with Irish Concrete Federation, acts as a comprehensive guide in the sustainable extraction of natural resources while preserving the geological heritage of Ireland.

Response

Specific comments in relation to the ER are noted. It is noted however that the related amendments to be made as result of the submission, are to be made to the plan and not specifically the ER. These amendments were subsequently made in the CER report – see response to KE-C1-353.

Recommended Change

None.

4.2.5. Department of Housing, Local Government and Heritage

The submission acknowledges the thorough assessment of the implementation of the plan on the natural environment. The submission goes on to recommend a number of suggested amends to the plan. However, none of the comments specifically relate to the SEA.

Response

No specific comments made on the SEA ER. A summary of the response in relation to the actual plan is provided in KE-C1-232.

Recommended Change

None.

4.2.6. Safety Before LNG

This submission raises a number of point but as regards the SEA, specifically notes that the SEA (NIR) submitted with the Draft County Development do not take any account of the climate, public health and adverse human rights impacts of a fracked gas import terminal proposal on the Tarbert-Ballylongford Landbank. Further it notes that the main Plan itself refuses to address those issues.

Response

An overview of an assessment of the policies and objectives relating to the Tarbert/Ballylongford land bank is outlined in Chapter 7 of the SEA with mitigation provided in Chapter 8. The SEA in its assessment of the zoning and associated policy addresses the key environmental parameters of the SEA Directive, namely populations/human health; biodiversity; water; geology/soil; air/climate factors; cultural heritage; material assets; landscape; Flooding and associated interrelationships. Furthermore, the SEA is informed by an assessment as outlined in the SIFP of likely effects on the above parameters as informed by its own SEA undertaken as the plan was drafted, in consultation with key environmental stakeholders including the EPA. This equally addresses likely significant effects on human populations/health. Regarding climate policy, it is acknowledged widely in European, National and Regional policy that gas will form part of the energy mix as Europe transitions towards a decarbonised energy sector.

Recommended Change

None

5. CONCLUSION OF THIS SEA ADDENDUM REPORT

This report undertakes the screening for possible significant effects of proposed material alterations (MAs) to the Kerry County Development Plan 2022-2028. The MAs were made further to a resolution made by the Elected Members at meetings held on April 25th, 26th and 27th 2022.

Further to the Section 12(7)(aa) it has been determined that a SEA (and AA) is required to be carried out in respect of one or more proposed MA. The SEA of the MAs is presented in this report. This document should be read in conjunction with the SEA / Environmental Report, NIR and SFRA placed on public display between Monday December 6th, 2021 – Wednesday, 23rd February, 2022 and the NIR and SFRA addendum reports that accompanies the MAs and the *Proposed Amendment/Material Alterations to the Draft Kerry County Development Plan 2022-2028*.

This addendum report presents the next stage in the SEA of the draft Kerry County Development Plan, 2022-2028. It assesses the likely significant effects on the environment of the proposed material alterations made by the Elected Members at meetings held over three days in April 2022 further to the public consultation phase. This Addendum also records recommended changes to the SEA Environmental Report made further to public consultation, where appropriate.

Further to the assessment undertaken in this report, it is concluded that the majority of material alterations proposed to the Kerry County Development Plan 2022-2028 will not have a significant effect on the environment.

The reasons for this conclusion are:

- Several MAs were made further to recommendations from Statutory consultees in order to ensure robust alignment with National and Regional Planning Policy,
- Several MAs were made further to recommendations from submissions on flood risk including the inclusion of flood zones for fluvial/coastal flooding in Tralee, Killarney and Listowel,
- Where possible significant effects were identified from MAs, they were deemed likely to be mitigated by existing objectives/policies or by mitigation measures previously provided in the ER, and
- Several MAs were minor in nature - relating to changes in wording or minor administrative changes to text, updating of reference documents or group names/acronyms.

However:

It is noted that MA Ref 11.14 was recommended to be amended by the NIR addendum report, in addition this SEA recommends the following addition to the new objective:

*Facilitate and support dredging and/or pumping, subject to environmental assessment and where appropriate, to protect rivers and waterways and **in consultation/agreement with IFI**, to protect rivers and waterways.*

It is also recommended that the two new OTC areas included as a MA to the Wind Zoning Map are removed, in line with the methodology outlined in the *Wind Zoning Methodology* at the commencement of the plan making process. If the areas are not excluded, the SEA recommends in order to mitigate likely significant effects the following mitigation is incorporated into Chapter 12, Section 12.5.4.1.4 (for mitigation specifically relating to European Sites – please see recommendation from the NIR which is summarized below):

Amend Chapter 12, Section 12.5.4.1.4 Open-to-Consideration as follows (SEA amendments in red/NIR amendments in blue):

It is the policy of the Council to:

- Ensure that applications for wind development are accompanied by a technical assessment in relation to the slope stability, landslide susceptibility of the development site and the proposed project.
- Ensure that all proposals for wind energy development (including the grid connection) have regard to the cumulative effect of the development on the environment in conjunction with the entire development and other existing/permitted developments in the area.
- Ensure that all proposals demonstrate conformity with existing and approved wind farms to avoid visual clutter and demonstrate how they had regard to potential cumulative effects, where appropriate.
- Ensure that all applications have regard to the impact on existing built environment, particularly neighbouring residential properties and other sensitive amenity areas.
- Ensure that the development of wind turbines comprise a setback distance as detailed in the Draft Wind Energy Development Guidelines 2019 (DHPLG).
- Ensure that noise restriction limits are consistent with those as included in the Draft Wind Energy Development Guidelines 2019 (DHPLG).
- Ensure that no neighbouring property experiences the occurrence of shadow flicker and in accordance with the Draft Wind Energy Development Guidelines 2019 (DHPLG).
- Ensure that all applications have regard to the impact of any proposal for wind energy development on surrounding tourism and recreational related activities.
- Ensure that all applications are in compliance with Article 6 Habitats Directive, EIA Directive and Water Framework Directive, where applicable this should be informed by at least 2 years of annual (breeding and wintering) bird survey undertaken to best practices guidelines.
- Ensure that proposals within sensitive water catchments must demonstrate compatibility with the objectives of the Water Framework Directive having due regard to possible impacts on high status objectives waterbodies and non-annexed freshwater habitats and species including extant (non-designated) populations of Freshwater Pearl Mussel,
- Ensure that any application proposed in an area known to support the White-Tailed Sea Eagle is informed by at least two years of ornithological survey (breeding and winter) by a suitably qualified expert and if applicable, the ornithological impact assessment takes into account the results of ongoing monitoring of existing renewable energy infrastructure in the area,
- Ensure that, at a minimum, turbines shall be set-back a distance equalling the blade tip height of the turbine from national roads and railways. Set-back from other roads will be site specific and determined at application stage,
- Ensure that any wind energy proposals within the Lough Leane catchment or other water quality sensitive catchments, demonstrate that they have been designed in a manner which prevents any risk of peat, soil and rock slippage or erosion and which provides for ongoing protection / improvement of water quality and the maintenance of natural hydrological processes. Proposals which would increase flood risk or bankside erosion downstream will not be permitted.
- Ensure that proposals which cannot avoid adverse impacts on Natura 2000 Sites (SPA's and SAC's) or adjoining areas and locations affecting Natura 2000 site integrity, including habitats of significant value for Lesser Horseshoe Bats associated with Natura 2000 sites in the vicinity, and other sites and locations of significant ecological value, will not be permitted.
- Ensure that all proposals within/in proximity to known visually sensitive areas/designated views and prospects are subject to a Landscape Visual Impact Assessment (LVIA) undertaken to best practices guidelines. Where applicable the LVIA should include possible visual impacts on

archaeological landscapes identified in Section 8.3.2 of the County Development Plan notably No.11 The Paps and No.13 Mangerton/Cumeenduvassig/Bausheen/Slaght/Knockeens..

Finally, the following MAs were highlighted for possible significant effects that at this stage could not be fully mitigated, namely:

- MA ref 12.9 and removal of areas OTC from the Wind Zoning Map – contrary to the Wind Zoning Methodology provided in the draft KCDP, these MAs will remove all areas considered OTC for on-shore wind from the county’s Wind Zoning Map. This is at variance with National Climate Action Policy which has set national targets for RE production from on-shore wind, and
- MA 14.20 & 14.21 – these MAs add text to the KCDP relating to access on the County’s road network that is at variance with National Policy as outlined in the Section 28 Guidance issued under the *Spatial Planning and National Roads Guidelines (2012)*.

6. NEXT STAGE

6.1. Material Alterations and ER Addendum Consultation

A copy of the:

1. Proposed Amendments/Material Alterations Report to the Draft Kerry County Development Plan 2022-2028,
2. Environmental Reports Addenda:
 - 2(a) Strategic Environmental Assessment Environmental Report Addendum
 - 2(b) Habitats Directive Appropriate Assessment/Natura Impact Report Addendum
 - 2(c) Strategic Flood Risk Assessment Report Addendum, and
3. SEA and AA Screening Determination Statements in accordance with Section 12 (7) (aa) of the Planning & Development Act 2000 (as amended),

may be inspected from the **18th May 2022 to the 16th June 2022**, online at **<https://consult.kerrycoco.ie/en>**.

Printed copies will be on display in all Kerry public libraries as well as at the following locations from Wednesday 18th May 2022 to Thursday 16th June 2022:

- **Tralee** Kerry County Council, County Buildings, Rathass, Tralee
- **Killarney** Town Hall, Killarney
- **Listowel** Listowel Municipal District Office, Arás an Phiarsaigh, Charles Street, Listowel

Signed submissions, observations or comments should be marked “Submission on SEA ER Report Addendum for the Kerry County Development Plan 2022-2028.

Submissions may be made in one of the following ways:

1. **Online via our Public Consultation Portal:** <https://consult.kerrycoco.ie>
- OR**
2. **In writing to:** Damien Ginty, Senior Planner, Planning Policy Unit, Kerry County Council, Rathass, Tralee, Co. Kerry, V92H7BT.

Email submissions will not be accepted.

CLOSING DATE FOR SUBMISSIONS: 5:00pm THURSDAY 16th JUNE 2022

Submissions/Observations should quote the relevant Reference number of the Amendments / Material Alterations.

Written submissions or observations with respect to the proposed amendments/material alterations and/or the environmental assessments undertaken and/or the determination statements, and made to the planning authority within the stated period, shall be taken into account by the Planning Authority before the development plan is made.

- **YOU ARE STRONGLY ADVISED TO MAKE YOUR SUBMISSION AS EARLY AS POSSIBLE.**
- All submissions are to be clearly marked with **‘MATERIAL AMENDMENTS/ALTERATIONS KERRY COUNTY DEVELOPMENT PLAN’**.
- **Submissions must relate to the specific amendments/material alterations.**

- Submissions or aspects of submissions relating to the Environmental Reports Addenda (Environmental Report Addendum, Natura Impact Report Addendum, Strategic Flood Risk Assessment Addendum) should be clearly marked as such.
- All submissions should include your name and a contact address, a map (where appropriate) and, where relevant, details of any organisation, community group or company etc., which you represent.
- **Please make your submission by one medium only, i.e. via the online portal or hard copy.**
- All submissions will form a part of a statutory Chief Executive's report to be presented to the elected members of Kerry County Council.
- Please be advised that all submissions received will be published online in accordance with the requirements of the Planning Act. You should ensure that no vexatious, libellous or confidential information, including confidential information relating to a third party (in respect of which the third party has not, expressly, or impliedly in the circumstances, consented to its disclosure) is included in your submission. The Planning Authority reserves the right to redact any submission or part thereof that does not comply with this requirement. Please be advised that the name of the person(s)/group(s) who made the submission will be published, but personal data will be redacted.
- Please note that all submission shall be published online within 10 working days of receipt.
- LATE SUBMISSIONS WILL NOT BE ACCEPTED.