



**TO: AN CATHAOIRLEACH
& EACH MEMBER OF KILKENNY COUNTY COUNCIL**

**RE: SOUTH EAST GREENWAY CAR PARK AT BALLYVERNEEN, GLENMORE
*Planning & Development Acts 2000 - 2020***

DATE: 10th November, 2020.

Dear Councillor,

In accordance with 179 of the Planning & Development Act 2000-2020 as amended and Part VIII of the Planning & Development Regulations 2001, as amended, Kilkenny County Council hereby gives notice of its intention to carry out the following development:

PART VIII - SOUTH EAST GREENWAY CAR PARK AT BALLYVERNEEN, GLENMORE

I attach herewith Report of the Director of Services together with Planner's Report. I am satisfied that the proposed development is consistent with proper planning and sustainable development of the area and consistent with the provisions of the County Development Plan 2014 - 2020.

I recommend that Kilkenny County Council proceed with the proposed development in accordance with the plans made available for public inspection and taking into account the recommendations made by the Planning Department.


Colette Byrne
Chief Executive



KILKENNY COUNTY COUNCIL

REPORT - Dated 15th October, 2020

In Accordance with Section 179 of the
Planning and Development Acts, 2000 - 2020

Re: South East Greenway Car Park at Ballyverneen, Glenmore.

*For consideration by the Elected Members
of Kilkenny County Council
at monthly meeting to be held
on 16th of November, 2020*

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Intention Regarding Proposed Development

Appendix A [*Planners Report*]

Appendix B [*AA Screening Report & Map*]

1.0 Introduction

This report has been prepared for submission to the Elected Members of Kilkenny County Council and contains information regarding the proposed development, issues raised following the erection of the public notice of the proposed development and the display for public inspection of the plans and particulars and other matters as required in accordance with Section 179 of the Planning & Development Acts, 2000 - 2020.

2.0 Description of Proposed Development

The project involves the development of a 29 space car park to facilitate public parking and access to the South East Greenway which connects New Ross to Waterford travelling through rural south Kilkenny. The site for the proposed car park is immediately adjacent to the line of the old railway and future Greenway which will facilitate direct access on to the Greenway. Access will be from the Local Road L7513 -14 at Ballyverneen, Glenmore.

The proposal put forward provides for the following:-

- Construction of a 29 space car park
- Setting up site boundary fencing and warning signs
- Excavating and removing unsuitable material.
- Installing storm water attenuation tank and petrol interceptor
- Construction of retaining wall using gabions along the road boundary
- Backfilling area
- Laying ducting for lighting
- Laying finished surface including kerbs
- Installing and connecting lighting
- Marking out of car spaces

3.0 Background and reasons for scheme

Kilkenny County Council is about to commence the construction of a 24km Greenway between Waterford and New Ross on the disused railway corridor. This scheme will provide a safe walking and cycling environment for local people and will facilitate cycle tourism in the region. This Part 8 planning process refers to a proposal for a 29 space car park to facilitate public parking and access to this Greenway at Ballyverneen, Glenmore. The Department of Transport, Tourism & Sport have confirmed funding towards the development of the South East Greenway. This proposed car park forms part of the supporting infrastructure for this project.

The aim of the project can be summarised as follows:

- Provide car parking facilities at a strategic, easily accessible location to provide for public access to the Greenway for local people and visitors
- Safe off-road parking to ensure local roads are not congested with adhoc parking
- Allows an option for local people to complete a shorter cycle or walk on the Greenway rather than having to complete the entire 24km length.
- Access to a high quality facility in accordance with the national cycle standards to encourage cycle tourism in the region as per the TII latest Publication on Rural Cycleway Design.
- Facilitates tourism in the area and supports local commercial enterprises by encouraging locals and tourists alike to cycle and visit the area utilising local access points.
- Improves the connectivity between rural areas in south east Kilkenny and surrounding areas.

Project Benefits

- Future connectivity to the Waterford Greenway and the proposed Rosslare to Waterford Greenway

- The proposed works will offer substantial benefits to the local community, local businesses and will increase the potential for tourism in the area.
- The provision of the car parking to access the Greenway will provide a safe facility for people of all ages to walk and cycle safely between Waterford (Ferrybank) and New Ross and facilitate access for shorter local loops.

Greenways are a Proven Catalyst for Local Economic Development

The 46km Great Western Greenway, for example, developed by Mayo County Council in partnership with Fáilte Ireland has been a major success in helping to stimulate the economic development of the region. A Fáilte Ireland Report in 2012 found that in its first full year of operation the Greenway:

- attracted 80,000 visitors, of which 60% were local, 26% were from neighbouring counties, and 14% were overseas tourists.
- the Greenway resulted in additional expenditure €7.2m in the local economy. That spend supported the setting up of new businesses such as coffee shops, restaurants and bike hire companies, which in turn led to the creation of 38 new full-time jobs and sustaining a further 56 existing jobs. By its fourth year of operation the Great Western Greenway attracted 300,000 visitors.

Similarly, the Waterford Greenway has been a huge success with accommodation providers seeing a huge boost in visitor numbers due to its development. In 2018 alone, the Waterford Greenway was visited by 283,503 people. 68% of these said the Greenway was their main motivation for visiting.

Project Ireland 2040 National Planning Framework and the National Development Plan 2018-2027 notes that creating the environment to support job creation in rural areas will be a key enabler to rejuvenating rural towns and villages, sustaining vibrant rural communities and reversing population decline. It recognises that “The development of Greenways offer a unique alternative means for tourists and visitors to access and enjoy rural Ireland. The development of a strategic national network of these trails is a priority and will support the development of rural communities and

job creation in the rural economy, as well as the protection and promotion of natural assets and biodiversity.”

The health of the population is also a major focus for the Government. The National Physical Activity Plan for Ireland – Get Ireland Active, states “physical inactivity is a demonstrated clear risk to health and wellbeing in Ireland. Physical inactivity and sedentary behaviours are associated with numerous chronic diseases. With people no longer as physically active as they should be, there are many threats to our health and wellbeing from being inactive”.

Greenways provide an excellent opportunity for people to participate in a healthy outdoor activity. Evidence from the Waterford Greenway has shown that 50% of users are walkers, this is a hugely important element and shows that Greenways can play a vital part in addressing physical inactivity.

National Greenway Strategy

The Government published a national Greenway Strategy in 2019. This was the subject of a public consultation in 2017. The main objective of the national strategy is to develop a regional/national network of Greenway arterial routes. These main arterial routes will then open up access to the landscape (e.g. Ireland’s Ancient East). Further local trails and walks can then be linked to the arterial Greenway routes, bringing visitors to the towns, villages and attractions across the country. Greenways can therefore become an asset for local communities to exploit as a tool for rural development and regeneration. Greenways can provide a focus and locus for the regeneration of rural areas, connecting and galvanising local communities and providing a positive impact on the towns and villages along their routes. The 46km Waterford Greenway has transformed the county. The economic benefits are evident with coffee shops, hotels and other accommodation providers, bars, shops, restaurants, bike hire companies and more all reporting a boom in trade.

4.0 Design Criteria

The Greenway car park is designed in accordance with 'Building for Everyone: A Universal Design Approach - Booklet 1 External environment and approach; Building Regulations 2010 Technical Guidance Document M'

5.0 Environmental Reports

An AA Screening report has been prepared to determine the potential effects, if any, of the proposed scheme on sites with European conservation designations, *i.e.* Natura 2000 sites located near the proposed scheme. This report concluded that the project presents no adverse impacts on the conservation objectives of any site designated under the European Habitats Directive.

6.0 Public Consultation

Plans and particulars of the proposed development were made available for inspection from **Friday the 31st of July, 2020 to Friday the 28th of August 2020 inclusive**, on the Consult website : <https://consult.kilkenny.ie/en> , and at the Municipal District offices in Ferrybank, County Hall Kilkenny and Municipal District Offices in New Ross, Co. Wexford. Submissions were invited by the 11th of September, 2020. Three no. submissions were received from members of the public. These are detailed in the summary of submissions in the Planners Report.

7.0 Pre-planning

As part of the planning application process the Parks Section was advised of planning requirements through a formal pre-planning submission prior to lodging the application.

8.0 Notice of Development

A notice describing the proposed development was placed in the Kilkenny People, Munster Express, and New Ross Standard, week ending Friday the 31st of July, 2020.

A site notice was displayed at the site location in Ballyverneen.

9.0 Referrals

The following referrals were made by the Planning Section for their observations: -

Date Referred	Name	Comments
30/7/20	Road Design	No objection subject to conditions
30/7/20	Water Services	No comment
30/7/20	National Parks and Wildlife	No comment

Implications for Proper Planning and Sustainable Development of the Area

The proposed development is consistent with the provisions of the Kilkenny County Development Plan 2014-2020 and the Ferrybank Belview Local Area Plan. The Planning Department has recommended that the project be progressed as proposed and that the Part 8 application for the South East Greenway Car Park at Ballyverneen, Co. Kilkenny be approved by the Council subject to conditions.

Appended to this report are the following documents:

- Planners Report
- AA Screening Report & Map.

All conditions/comments will be taken into account when preparing the detailed tender drawings.

Intention Regarding Proposed Development

Kilkenny County Council's Intention
Regarding Proposed Development

Proposed Development: Part 8 Proposal
South East Greenway Car Park at Ballyverneen,
Glenmore

I recommend that Kilkenny County Council proceed with the proposed development in accordance with the plans made available for public inspection and taking into account the recommendations made by the Planning Departments.

SIGNED



Sean McKeown
Director of Services

**Comhairle Chontae Chill Chainnigh
Kilkenny County Council
Part 8 Planning Report**



**Planning & Development Act 2000 - 2020
Planning & Development Regulations, 2001 - 2020**

Part 8 Ref. No.: 02/20

Development: South East Greenway Car Park, Ballyverneen, Glenmore, Co Kilkenny

1.1 Site Location

The site is located in south kilkenny approximately 1.5km north east of Glenmore village, and less than 500metres from the N25 New Ross By Pass junction. The site is approx. 6km south of New Ross Town. Access to the site is from the Local Road L7513 -14 at Ballyverneen, Glenmore.

1.2 Development Description

The project involves the development of a 29 space car park to facilitate public parking and access to the South East Greenway which connects New Ross to Waterford travelling through rural south Kilkenny. The site for the proposed car park is immediately adjacent to the line of the old railway and future Greenway which will facilitate direct access onto the Greenway.

The proposal put forward provides for the following:-

- Construction of a 29 space car park
- Setting up site boundary fencing and warning signs
- Excavating and removing unsuitable material.
- Installing storm water attenuation tank and petrol interceptor
- Construction of retaining wall using gabions along the road boundary

- Backfilling area
- Laying ducting for lighting
- Laying finished surface including kerbs
- Installing and connecting lighting
- Marking out of car spaces

This proposed car park forms part of the supporting and necessary infrastructure for this Greenway project.

1.2. Policy

The various policy documents were considered in the assessment

- Kilkenny County Development Plan 2014 - 2020
- Ferrybank Belview Local Area Plan 2017
- National Planning Framework - Project Ireland 2040
- National Greenway Strategy
- Regional Spatial and Economic Strategy (RSES) for the Southern Region (
- Smarter Travel: A Sustainable Transport Future
- The National Cycle Policy Framework (NCPF)
- National Trails Office - Guide to Planning and Developing Recreational Trails

The proposed development supports infrastructure for the South East Greenway and is compatible and consistent with above policy documents

1.3 Site History

None

1.4 Third Party Submissions

Three no submission were received and are summarised below.

Submission No.	Submission By	Submission Details	Submissions addressed in Scheme Review	Comments
1	CLlr Fidelis Doherty	<p>Requests directional signage in the vicinity of the approach roads and an information board about Glenmore and the hinterland.</p> <p>Greenery to ensure screening and reduction in potential noise pollution for 3 no. households living adjacent to proposed car park.</p> <p>Requests that sightlines on the junction of the newly created road are maintained as traffic will be turning onto the R723, formerly the N25.</p> <p>Enquiring regarding the provision of rubbish bins and maintenance of same.</p>	Yes	<p>Directional signage will be provided</p> <p>Screening in the form of planting will be provided.</p> <p>Sightlines will be maintained</p> <p>A maintenance crew will be permanently appointed to maintain the Greenway and pick litter.</p>
2	Jimmy Morrow and Mairead Dwyer	<p>Concerns that the impact of increased traffic levels will have on cul-de-sac. Concerned that 29 spaces is not sufficient and may lead to overflow onto surrounding road.</p> <p>Concerns regarding illegal camper van parking</p>	Yes	<p>There are two other car parks proposed in the vicinity 6 km away with a combined number of 204 car parking spaces between them. This will provide capacity for the main parking demand where there will also be access to other infrastructure such as cafes, bike hire and accommodation. These other proposed car parks are at Raheen, New Ross (6km) and at Rosbercon, New Ross (6.7km).</p> <p>Camper vans will be accommodated at the proposed car park in Rosbercon and overhead barriers and/or other suitable arrangements will be</p>

				installed at Ballyverneen to limit access by high vehicles.
3	Harry O Reardon	Proximity of the proposed car park to residence is of concern. Concerns that insufficient space is provided and there may be overflow from the proposed car park Overnight camping of campervans and caravans. Queries what we propose to put in place around litter management and unsocial behaviour in the proposed car park at night.	Yes	There are two other car parks proposed in the vicinity 6 km away with a combined number of 204 car parking spaces between them. This will provide capacity for the main parking demand where there also be access to other infrastructure such as cafes, bike hire and accommodation. These other proposed car parks are at Raheen, New Ross (6km) and at Rosbercon, New Ross (6.7km). Camper vans will be accommodated at the proposed car park in Rosbercon and overhead barriers and/or other suitable arrangements will be installed at Ballyverneen to limit access by high vehicles. A maintenance crew will be permanently appointed to maintain the Greenway. Picking litter on a regular schedule will be one of their tasks

All submissions were read and considered in the assessment of the planning application.

1.5 Screening for Appropriate Assessment

A detailed Screening exercise was completed by Malachy Walsh and Partners – Engineering and Environmental Consultants which showed that no significant environmental impact is likely on any Natura 2000 site. The site is located approximately 475metres north of the River Barrow and River Nore SAC. Surface water run off associated with proposed development will be connected to existing culvert drainage network constructed under recent upgrading road works in the area which form part of the N25 New Ross By Pass Project and which was subject to detailed environmental assessment. The storm water drainage system on site will be designed in accordance with Sustainable Urban Drainage System (SUDS) principles with

attenuation tank and petrol interceptors proposed following best practice design prior to connection into existing drainage network.

Having regard to site location, small scale and design measures proposed, it is considered that no Natura 2000 sites, including any of those within 15km of the proposed development are likely to be significantly affected by proposed development either individually or in combination with other plans / projects and proposal will not adversely impact on conservation objectives associated with the Natura 2000 network and its integrity.

1.6 Screening for EIA

A preliminary examination of the nature, size and location of the proposed development has been carried out which determines that there is no real likelihood of significant effects on the environment arising from the proposed development. It is therefore concluded that an EIAR is not required.

1.7 Referrals

The following sections were consulted with as part of the part 8 application

Internal

- Roads Design - No objection subject to conditions
- Environment - No report received
- Water Services - No report received

External

- Department of Arts, Heritage and Gaeltacht (Parks and Wildlife) - No report received

All submissions have been considered as part of the assessment and detailed design.

1.8 Assessment

The site consists of grass / scrubland. The site gently rises up from the road then falls towards the railway line from the eastern boundary. The contours require cut and fill with gabions required at the lower contour to retain the ground build up as shown on site section detailed drawing. The car park build up required once the cut and fill formation is achieved comprises a dense bituman macadam surface on graded granular fill, drainage, attenuation and site lighting. Adequate turning area is provided for 29 car park spaces close to where proposed 3metre wide link to the greenway will be provided. The 29 car parking spaces are dimensioned and laid out to comply with development plan standards and includes for two no disabled car parking spaces. Good sightlines and visibility are available in both directions at proposed access along the local road.

The site is not located within a High Amenity or any other important designated or protected area of Kilkenny county. It is located in a rural upland area adjoining existing old railway line and future south east greenway. There are three no residential houses located south of the site. Timber post and rail fence boundary is proposed along the site boundaries. Screen landscaping is also proposed along the site boundaries and inter-site which will assist integrate proposed development into this upland landscape and protect adjoining residential amenities.

The proposal would not seriously injure the amenities of the area or of property in the vicinity and will provide car parking facilities at a strategic, easily accessible location off the N25 and New Ross By Pass junction to provide for public access to the Greenway for local people and visitors. The aims and benefit of the proposed development are detailed in the proposers main report and are supported by the Planning Section. The proposal is compatible with the policies and objectives of the Kilkenny County Development Plan 2014-2020.

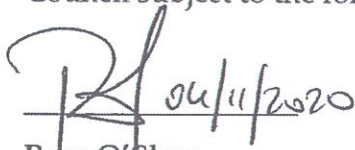
1.9 Conclusion and Recommendation

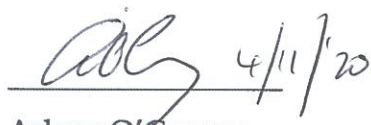
The Planning Authority supports the proposed south east greenway car park project and considers that the proposed development is consistent with National, Regional and county development


plan policy objectives and accords with the proper planning and sustainable development of the area.

The development has been screened for EIA and Appropriate Assessment, which showed that no significant environmental impact is likely on the environment or on any Natura 2000 site.

I recommend that the project be progressed as proposed and that the Part 8 application for the South East Greenway Car Park at Ballyverneen, Glenmore, Co. Kilkenny, be approved by Council subject to the following conditions


Ross O'Shea
Executive Planner


Arlene O'Connor
Senior Executive Planner


Denis Malone
Senior Planner

First Schedule

Reasons & Considerations for Decision on Ref: Part 8 02.20

Having regard to the policies and objectives of the Kilkenny County Development Plan 2014-2020, National and Regional policy objectives which promote Greenway infrastructure, tourism and smarter travel, the location and design of the proposed development, referral reports on file, third party submissions received, it is considered that the proposed development if constructed in accordance with the attached conditions would accord with the proper planning and sustainable development of the area

Second Schedule

Conditions attached to Ref. Part 8 02.20

1. The development shall be carried out and completed in accordance with the plans and particulars submitted with the Part 8 application except as otherwise required by the conditions of this permission.

Reason: To ensure that the development accords with the permission and to ensure that effective control is maintained.

2a) Advance signage indicating the proposed carpark shall be provided on both approaches to the carpark from the local road.

b) All road markings and signage shall follow the Department of Transport, Traffic Signs Manual, 2019. In this regard the applicant shall provide stop road markings and signage at the junction with the local road.

c) During the construction phase adequate parking shall be provided within the site confines for all personnel working on site.

d) Prior to the commencement of development, a Construction Management Plan shall be submitted and agreed with the Municipal District Area Engineer to include details regarding a Works Schedule for the phasing of the development, construction working hours, storage of construction materials, construction traffic and traffic management, access, supervision details etc. Construction on Sundays and Bank Holidays is not permitted, without prior written consent from the Planning Authority.

e) Prior to the commencement of any works, a Roads Maintenance Programme shall be submitted to the Municipal District Area Engineer for formal written agreement dealing with the construction phase of the development including street sweeping/cleaning in order to prevent muck/debris, excavated materials and construction materials interfering with the safe operation of the public road. No materials either excavated or for construction purposes, shall be stored on the public road.

f) During the detailed design the layout of the parking bays 16-29 shall be reviewed to optimise the layout and also ensure that lighting columns are not located within proposed parking bays or within 750mm of trafficked areas. This to ensure that such columns are not struck by vehicles.

g) Public lighting shall be designed in such a manner that all areas of the carpark are adequately lit. The public lighting provided shall have energy efficient LED technology and capable to be adapted for use with a central management system (CMS -with 7pin NEMA sockets) or equivalent. The LEDs installed should be set at a minimum of 3000 Kelvin. All proposed lighting columns shall be set a minimum of 750mm from the roadside kerb or vehicular driving/parking areas. The lighting system shall be designed and installed in a manner such

that there is no adverse lighting effects or hazard to vehicular movement on the adjoining public road network and does not cause nuisance to the surrounding residential dwellings.

h) A Road Safety Audit Stage 2 shall be undertaken for this development at detailed design stage. The recommendations of same shall be submitted for the agreement of the Road Design Office and the cost to implement any such agreed recommendations shall be borne by the applicant.

i) Prior to the opening of the facility a Road Safety Audit Stage 3 shall be undertaken. The recommendations of same shall be submitted for the agreement of the Road Design Office and the cost to implement any such agreed recommendations shall be borne by the applicant.

Reason: In the interests of traffic safety and proper planning

3. No surface water from the site shall be allowed to discharge onto the public road and road side drainage shall not be negatively impacted by the works.

Reason: In the interests of traffic safety and proper planning

4. The site shall be suitably landscaped and screened in accordance with a detailed landscaping scheme which shall be submitted for agreement of the Planning Authority prior to development works commencing.

Reason: In the interests of visual and residential amenity protection

5. A suitable overhead barrier or similar system / signage etc shall be installed and implemented at the proposed car park access

Reason: To limit and manage access by high vehicles particularly at night time.

6. Covered bicycle parking spaces shall be provided within the site. Details of the number, type and location of these stands, which should be covered, shall be submitted to and agreed in writing with the Planning Authority prior to commencement of development. The locations shall not create any obstruction.

Reason: In the interests of promoting smarter and sustainable mode of travel

7. All operations at the site shall be managed and programmed in such a manner so as to minimise waste production and maximise recycling. The plan shall also deal with any litter arising during the construction phase of the development. Wastes sent off site for recovery or disposal shall only be conveyed by an authorised waste contractor and transported from the proposed development site to an authorised site of recovery/disposal in a manner which will not adversely affect the environment.

Reason: To provide for the recovery/disposal of waste, the protection of the environment and in the interest of visual amenity.

Screening for Appropriate Assessment
South East Greenway Car Park at Ballyverneen,
Glenmore, Co. Kilkenny



ISSUE FORM	
Project number	19983
Document number	6028
Document revision	A
Document title	Screening for Appropriate Assessment: Car Park at Ballyverneen, Glenmore, Co. Kilkenny
Document status	FINAL
Document prepared by	ÚW, HD, CH
Document checked by	JoL (MWP 09/04/20), HD (MWP 20/04/20)



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1 SUMMARY OF FINDINGS

1.1 SCREENING FOR APPROPRIATE ASSESSMENT

Project Title	Construction of a new Car Park associated with the South-East Greenway
Project Proponent	Kilkenny County Council
Project Location	Ballyverneen, Glenmore, Co. Kilkenny
Screening for Appropriate Assessment	The Screening for Appropriate Assessment is undertaken to determine the potential for likely significant effects of the construction and operation of a car park, individually, or in combination with other plans or projects, in view of the conservation objectives of the site on a Natura 2000 Site.
Conclusion	<p>It has been objectively concluded during the screening process that significant impacts on Natura 2000 sites, as outlined below, are not likely:</p> <ul style="list-style-type: none">• River Barrow and River Nore SAC (002162)• Lower River Suir SAC (002137)• River Nore SPA (004233)

2 INTRODUCTION

2.1 PURPOSE OF ASSESSMENT

This Screening for appropriate assessment has been undertaken to determine the potential for significant impacts of a proposal to construct and operate a new car park associated with the South East Greenway, in the townland of Ballyverneen Co. Kilkenny, on nearby sites with European conservation designations (i.e. Natura 2000 Sites).

The Screening for appropriate assessment has been undertaken by Malachy Walsh and Partners ecologists.

2.2 LEGISLATIVE CONTEXT

The Habitats Directive (92/43/EEC) seeks to conserve natural habitats and of wild fauna and flora by the designation of Special Areas of Conservation (SACs) and the Birds Directive (79/409/EEC) seeks to protect birds of special importance by the designation of Special Protected Areas (SPAs). It is the responsibility of each member state to designate SPAs and SACs, both of which will form part of Natura 2000, a network of protected sites throughout the European Community. The Habitats Directive has been transposed into Irish law and the relevant Regulations are the European Communities (Birds and Natural Habitats) Regulations 2011. The requirement for appropriate assessment of the implications of plans and projects on the Natura 2000 network of sites comes from the Habitats Directive (Article 6(3)).

Under the European Communities (Birds and Natural Habitats) Regulations 2011 a public authority is required to carry out a Screening for appropriate assessment of a proposed development prior to issuing consent to assess, in view of best scientific knowledge and the sites conservation objectives, if that project or plan, individually or in combination with other plans or projects is likely to have a significant effect on a Natura 2000 site. The information presented in this Screening for appropriate assessment will be used by the competent authority to assist them to complete their screening exercise.

Further information is available at:

<http://ec.europa.eu/environment/nature/legislation/habitatsdirective/>

<http://www.npws.ie/planning/appropriateassessment/>

The Screening for appropriate assessment will determine whether an appropriate assessment of the proposed development is required if it cannot be excluded, on the basis of objective information, that the proposed development, individually or in combination with other plans or projects, will have a significant effect on a Natura 2000 site. If it is determined that an appropriate assessment is required in respect of the proposed development, a Natura Impact Statement (NIS) must be prepared. In the case of a proposed development, the application for consent must be accompanied by a NIS. The NIS will assist the competent authority to conduct the appropriate assessment.

The current assessment was conducted within this legislative framework and also the DoEHLG (2009) guidelines. As outlined in these, it is the responsibility of the proponent of the project, Kilkenny County Council, to provide a comprehensive and objective Screening for Appropriate

Assessment, which can then be used by the competent authority in order to conduct the Appropriate Assessment (DoEHLG, 2009).

2.3 STAGES OF APPROPRIATE ASSESSMENT

The appropriate assessment process is a four-stage process with issues and tests at each stage. An important aspect of the process is that the outcome at each successive stage determines whether a further stage in the process is required. The stages are set out in **Appendix 1**. This proposal has proceeded as far as stage 1.

3 ASSESSMENT METHODOLOGY

3.1 APPROPRIATE ASSESMENT GUIDANCE

This Screening for appropriate assessment has been undertaken in accordance with the European Commission Methodological Guidance on the provision of Article 6(3) and 6(4) of the 'Habitats' Directive 92/43/EEC (EC, 2001) and the European Commission Guidance 'Managing Natura 2000 sites' (EC, 2000) and guidance prepared by the NPWS (DoEHLG, 2009).

3.2 DESK STUDY

In order to complete the Screening for Appropriate Assessment, certain information on the existing environment is required. A desk study was carried out to collate available information on the site's natural environment. This comprised a review of the following publications, data and datasets:

- OSI Aerial photography and 1:50000 mapping, and other online mapping sources (online)
- National Parks and Wildlife Service (NPWS) (online)
- National Biodiversity Data Centre (NBDC) (online)
- BirdWatch Ireland
- Teagasc soil area maps (NBDC website)
- Geological Survey Ireland (GSI) area maps (online)
- Environmental Protection Agency (EPA) water quality data (online)
- Water Framework Directive Cycle 2 datasets (online)

3.3 SCREENING FOR APPROPRIATE ASSESSMENT

As set out in the NPWS guidance, the task of establishing whether a plan or project is likely to have an effect on a Natura 2000 site(s) is based on a preliminary impact assessment using available information and data, including that outlined above, and other available environmental information, supplemented as necessary by local site information and ecological surveys. This is followed by a determination of whether there is a risk that the effects identified could be significant. The precautionary principle approach is required.

Once the potential impacts that may arise from the proposal are identified the significance of these is assessed through the use of key indicators:

- Habitat loss and alteration
- Disturbance and/or displacement of species
- Habitat or species fragmentation
- Water quality

4 SCREENING FOR APPROPRIATE ASSESSMENT

Screening for Appropriate Assessment (Stage 1) determines the need for a full Appropriate Assessment (Stage 2) and consists of a number of steps, each of which is addressed in the following sections of this report:

- 4.1 Establish whether the project is necessary for the management of a Natura 2000 site
- 4.2 Description of the Project (*to construct and operate a car park*)
- 4.3 Identification of Natura 2000 sites potentially affected
- 4.4 Identification and description of individual and cumulative impacts of the project
- 4.5 Assessment of the significance of the impacts on the integrity of Natura 2000 sites
- 4.6 Conclusion of screening stage

4.1 MANAGEMENT OF NATURA 2000 SITES

The proposal is not connected with or necessary to the conservation management of a Natura 2000 site.

4.2 DESCRIPTION OF THE PROJECT

4.2.1 Site Location

The proposed car park will be located in the townland of Ballyverneen, Co. Kilkenny. The site is located approximately 13km northeast of Waterford City centre and 5km southwest of New Ross, Co. Wexford. The site is located within close proximity to the junction between the regional road R723 and part of the N25 National Primary Road namely, the recently constructed New Ross Bypass.

The proposal site is located in the townland of Ballyverneen, bordered by the townlands of Forestalstown to the north, Carrickcloney to the south, and both Jamestown and Graiguenakill to the west. The River Barrow makes up the eastern boundary of the townland of Ballyverneen. The ITM coordinates for the centre point of the car park are ITM: 667418.37 Easting; Northing 623956.49 (See **Figure 1** below).

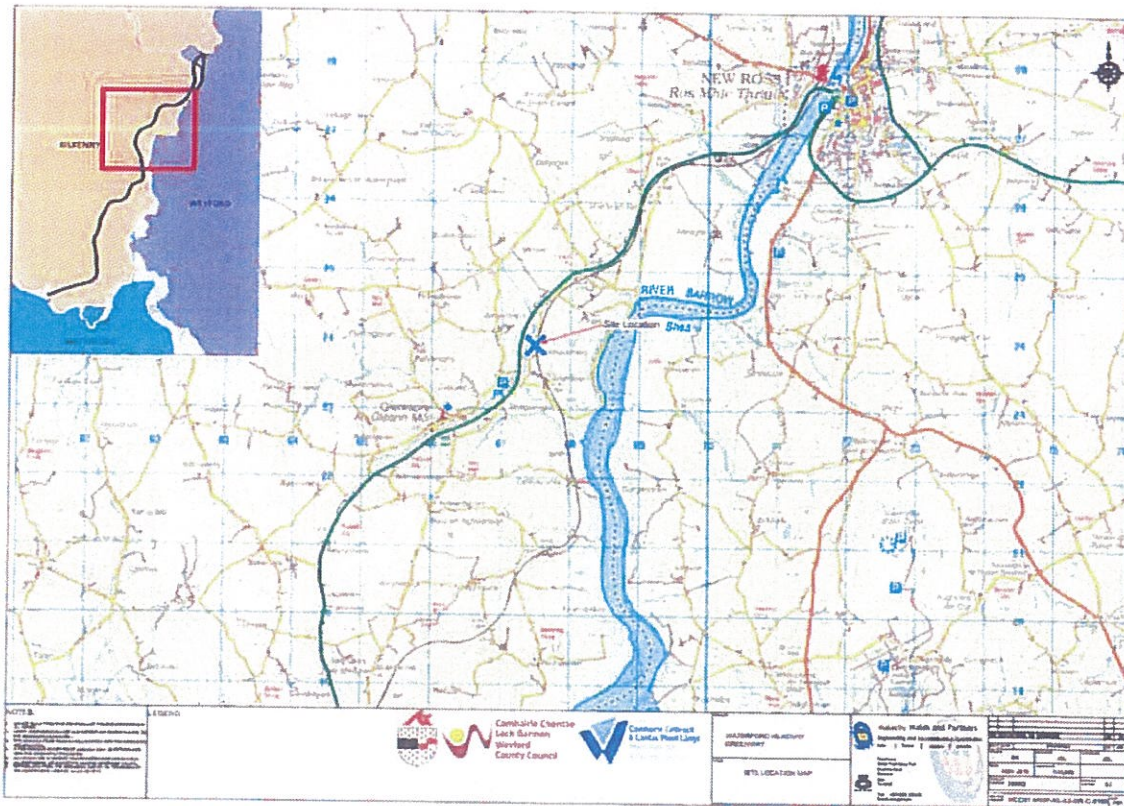


Figure 1: Location of proposed car park at Ballyverneen, Co. Kilkenny

4.2.2 Brief Project Description

Kilkenny County council proposes to construct and operate a new car park in the townland of Ballyverneen, in Co. Kilkenny. The proposed car park will encompass an area of approximately 1,650m². The car park will provide spaces for up to 27 No. cars and 2 No. disabled parking bays with associated fencing, landscaping, drainage, and public lighting. Vehicle access to the car park will be from the existing local road which connects to the adjacent national road network. In the future, a further 19 spaces may be added into the footprint of the original rail corridor (potentially encompassing an additional area of 175m²).

The works will also include a new trailhead to connect the proposed car park to the South East Greenway at the southeast of the car park. Pedestrian and cyclist access to the Greenway will be via this trail head. The work required for this connection is modest as the car park is adjacent to the Greenway.

4.2.3 Purpose of the Project

The purpose of the proposed car park is to provide safe parking and access for users (visitors/cyclists/pedestrians) along the middle section of the South East Greenway.

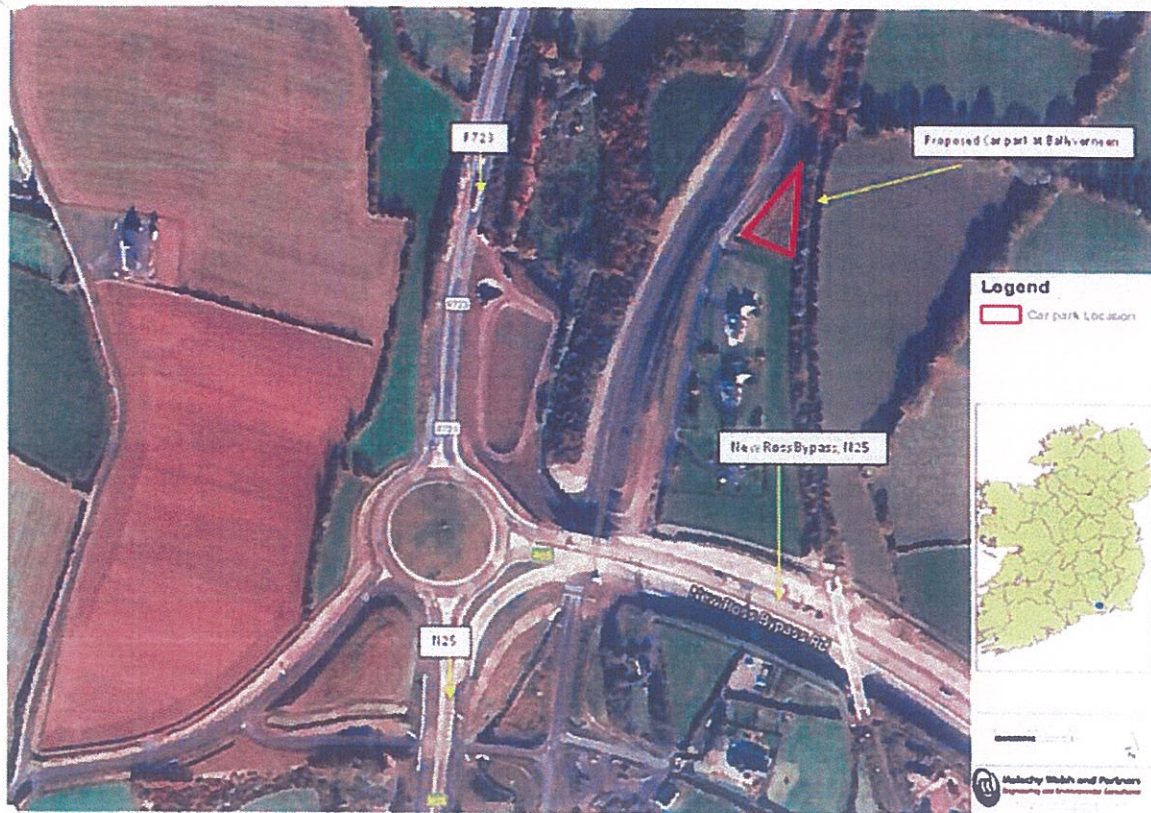


Figure 2: Proposed Car Park Location, Ballyverneen, Co. Kilkenny

4.2.4 Description of the Existing Site

The proposed site has an approximate total footprint of 1,825m² and is roughly triangular in shape. It is bounded by a local road to the west, and a disused railway line to the east.

The dominant habitat within the site is Improved Agricultural Grassland (GA1), bounded by Hedgerows (WL1) and Tree-lines (WL2) along the peripheries. The southern border of the proposed site adjoins an area of Amenity Grassland (improved) GA2 with a residential property located approximately 25m from the proposed site's southern border.

The R723 Regional Road is located approximately 175m west of the site boundary while the recently constructed New Ross Bypass (part of the N25) is located approximately 205m to the south. The N25 National Primary Road is the main transport artery connecting Cork to Rosslare via Waterford City. Extending away from the site is a mixture of improved and marginal agricultural grassland, with some scattered private dwellings and farmsteads, which now exist within the network of main and local roadways associated with the junction between the R723 and the new bypass road (see Figure 2 above). The proposed South East Greenway route will encompass an old, disused railway line located immediately east of the proposed development site, behind its eastern border of hedgerow. Beyond this, agricultural land extends as far as the River Barrow, approximately 1km east of the proposal site.

The site is located within the Electoral Division (ED) of Shanbogh which, in Census 2016, reported a population of 486 people, 245 of which were male, and 241 were female. Total housing stock in the area was 178 in 2016, with only a reported 20 homes vacant in the area, excluding holiday homes¹.

The bedrock at the site is made up of "Red-purple and green laminated and variegated siltstones and shales" from the Oakland formation, Lower Paleozoic - Ordovician. The soil type is comprised of clayey Shale Till and Undifferentiated Alluvium. The 2018 Corine (2018) land cover category for the proposed site is "Agricultural". Geological Survey Ireland data shows that the proposed site is located on a locally important aquifer with bedrock that is considered moderately productive, but in local zones only².

Compliance with the reporting requirements of the Water Framework Directive (Directive 2000/60/EC) obliges each member state to publish reports providing summary information about individual water bodies relating to their status, risks and objectives. Within this reporting framework, the proposed work site is located within the "Nore_SC_140" sub-catchment (Sub-catchment Code: 15_18) which in turn is located within the "Nore catchment" (Catchment ID: 15).

The western boundary of the proposed site is approximately 95m from the Oaklands_010 river waterbody (Code: IE_SE_14O130860). This waterbody flows generally in a southerly direction before veering southeast and eventually draining into the River Barrow approximately 2km downstream. The River Waterbody Status (2010-2015) of the Oaklands_010 waterbody is currently 'Unassigned' and is under review. The River Barrow, within the vicinity of the proposal site, forms part of the transitional waterbody 'New Ross Port' (Code: IE_SE_100_0200). The Transitional Waterbody WFD Status (2010-2015) of this stretch of the Barrow is categorised as 'Moderate' with a risk status of 'At risk'³. The lower reaches of the Oaklands_010 river and the River Barrow form part of the River Barrow and River Nore SAC (002162).

The greatest pressures on the Nore_SC_10 sub-catchment comprise septic tanks and agricultural and forestry activities identified as part of the sub-catchment assessment, which was carried out as part of the national characterisation programme undertaken for the second lifecycle of the Water Framework Directive (WFD) river basin management planning. This characterisation programme was led by the EPA and relevant local authorities, in this case, Kilkenny County Council.⁴

4.2.5 Description of the Proposed Car Park

The proposed car park will be installed as per the planning drawings. The site contours dictate a measure of cut/fill with gabions required at the lower contour to retain the ground build up. The car park build up required once the cut/fill formation is achieved is a dense bitumen macadam surface on graded granular fill, appropriate drainage, attenuation and site lighting.

¹ <http://census.cso.ie/sapmap/> [Accessed 07/04/2020]

² <https://dcenr.maps.arcgis.com/apps/MapSeries/index.html?appid=a30af518e87a4c0ab2fbde2aac3c228> [Accessed 07/04/2020]

³ <https://gis.epa.ie/EPAMaps/> [Accessed 07/04/2020]

⁴ https://www.catchments.ie/wp-content/files/subcatchmentassessments/15_18Nore_SC_140SubcatchmentAssessmentWFDcycle2.pdf [Accessed 07/04/2020]

4.2.5.1 Car park and site development works

The following gives details for the works:

- Car Park (approximate area 1,825m²)
- Concrete Footpaths
- Imported Hardcore (800m³)
- Imported Dense Bitumen Macadam (200m³)
- Imported pea gravel for surround to storm sewer (50m³)
- Storm sewer comprising 225 diameter upvc piping (c. 90m)
- 1 no. Class 1 Full Petrol Interceptor

The access to the greenway is immediately adjacent to the site so minor modifications only are required at the connection.

The new car park will have an impermeable dense bitumen surface. All storm water falling on the new car park will be collected through a network of gulleys into a sealed piped sewer network. The storm drainage system will be designed in accordance the Sustainable Urban Drainage System (SUDS) principles whereby the storm water is collected on-site and discharged at a controlled rate such that the discharge to the existing network is the equivalent to the greenfield run-off (Qbar). The storm water will be passed through a full oil interceptor before discharging to the existing storm network.

4.2.5.2 Concrete

There will be a requirement to pour approximately 35m³ of concrete to provide for footpaths. The concrete will be poured within a completely sealed formed area away from any water bodies. All concrete will be supplied ready-mixed by licensed suppliers. There will be no on-site batching of concrete. Concrete trucks will return to suppliers to wash out chutes and main drums. Pours will not take place during heavy rainfall.

4.2.5.3 Water Treatment – Operation

The new car park will have an impermeable dense bitumen macadam surface. All storm water falling on the new car park will be collected through a network of gulleys into a sealed piped sewer network. The storm drainage system is designed in accordance with the Sustainable Urban Drainage System (SUDS) principles whereby the storm water is collected on site and discharged at a controlled rate such that the discharge to the storm network is the equivalent of the existing run-off (Qbar). The storm water will be passed through a full oil interceptor.

4.2.6 Characteristics of the Project

The proposal is described below and has been confirmed with the Project Engineer.

<p><i>Size, scale, area, land-take</i></p>	<p>The proposed works involves the construction of a car park with associated fencing, landscaping, drainage, and public lighting. The works also include a new trailhead to connect the proposed car park to the Greenway. The proposed car park will have an approximate area of 1,825m².</p> <p>There will be an indirect hydrological connection between the subject area and a designated site via the proposed stormwater network. Any stormwater falling</p>
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	<p>will be collected from the car park and will discharge to the existing stormwater drainage network associated with the recently completed road upgrading works in the greater area. This existing stormwater network discharges to the Oaklands_010 river, the lower reaches of which are encompassed within the River Barrow and River Nore SAC.</p>
<p><i>Details of physical changes that will take place during the various stages of implementing the proposal</i></p>	<p>The following works are proposed:</p> <ul style="list-style-type: none"> • Construction of a site compound to provide welfare facilities and site storage of required materials for the project duration. This will involve the erection of temporary fencing to the compound area and provision of welfare facilities. • Plant and equipment will access the site via the public road system and will be transported by low loader. • Graded stone will be transported to site in tipper trucks and placed to form car park sub-base • Buried services such as drainage and ducts will be installed and final wearing course laid. • Access to the Greenway is immediately adjacent to the site of the car park. • The Greenway build-up can then be applied [as per car park above]. • Perimeter stock proof fencing consisting of timber posts and steel mesh will be installed to the fully perimeter. • Signage / planting and street furniture will be installed. • The finished car park surface will be at the modified ground level. This will be made up with imported stone and a dense bitumen macadam surface. <p>There will be a closed network drainage system installed consisting of twin wall pipe work and associated manholes. The drainage system will include 1 no. full oil interceptor and will discharge to the existing network adjacent to the site.</p> <p>The proposed car park boundary will incorporate stock-proof fencing (timber and post with galvanised mesh fencing) and planting</p> <p>The trailhead access to the greenway will involve the removal of existing vegetation to the boundary of the rail corridor where required and excavation of existing sub-soil and rock to be form the access required to serve the greenway.</p>
<p><i>Description of resource requirements for the construction/operation and decommissioning of the proposal (water resources, construction material, human presence etc)</i></p>	<p>Construction materials and quantities to be used in the proposed development (approximate quantities):</p> <ul style="list-style-type: none"> • Imported Hardcore 800m³ • Imported Dense Bitumen Macadam 200m³ • Imported pea gravel for surround to storm sewer 50m³ • Storm sewer 225 diameter upvc piping 90m approximately • 1 no. Class 1 full Petrol Interceptor <p>All works will be managed by the contractor's site management team. Approximately 8 construction staff will be required to cover the various phases of project construction, including workers, and managers.</p>

	<p>The car park drainage will be at a depth of approximately 1.0m. A trench will be dug in the existing ground to an average depth of 0.5m.</p> <p>A Construction and Environmental Management Plan (CEMP) will be prepared for the project.</p>
<i>Description of timescale for the various activities that will take place as a result of implementation (including likely start and finish date)</i>	It is anticipated that the proposed works will take 3 months to complete.
<i>Description of wastes arising and other residues (including quantities) and their disposal</i>	<p>The existing stored material on site will be removed to a licensed facility prior to work commencing. Any subsoil material generated will be reutilised for landscaping.</p> <p>Fuels/oils.</p> <p>Wastewater/effluent from temporary toilet facilities.</p>
<i>Identification of wastes arising and other residues (including quantities) that may be of particular concern in the context of the Natura 2000 network</i>	<p>No wastes arising are of particular concern in the context of Natura 2000 sites.</p> <ul style="list-style-type: none"> • No hazardous waste material is envisaged from the proposal • Incidental waste materials such as pallets and packaging will be separated accordingly prior to disposal • Waste will be minimised by strict control and planning of materials received <p>All wastes generated during the construction phase will be managed as part of the Waste Management Plan included in the contractors CEMP.</p> <p>During construction waste from the portable toilet will be collected and disposed of off-site by a licensed contractor.</p> <p>Refuelling will take place within a dedicated, hard-surface area which will be lined and bunded. Fuel will be stored in a secure, impermeable storage area away from drains and open water. A fuel management plan will be put in place for the duration of the works.</p>
<i>Description of any additional services required to implement the project or plan, their location and means of construction</i>	<p>A temporary site compound will be in-situ for the duration of the works. This will be located at least 25 metres from any surface drain.</p> <p>No additional services are required to implement the project.</p>

4.2.7 Identification of Other Projects or Plans or Activities

The proposal was considered in combination with other plans and projects in the area that could result in cumulative impacts on Natura 2000 sites. Other plans considered include:

- Kilkenny County Development Plan (2014 – 2020); and

- The River Basin Management Plan for Ireland: 2018-2021⁵

Each of these plans has a range of environmental and natural heritage policy safeguards in place. These safeguards to protect the natural environment and Natura 2000 Sites will also apply to the proposal described in this report. The primary land-use in the area extending away from the site is agriculture. As such, the level of agricultural activity is likely to be sustained at current levels, throughout the construction and operational phases of the proposal, constraints on the extent and type of developments that are, or will be, permitted are imposed by the Kilkenny County Development Plan (2014-2020) which indicates that the amount of development that will occur within the environs of the subject site are limited to lands zoned for residential development.

A review of on-line mapping determined that there are no EPA licensed facilities in the surrounding area.

A search of the Kilkenny County Council Planning website indicates that existing plans in the townlands of Ballyverneen, Cappagh, Forestalstown, Jamestown and Graiguenakill all relate primarily to relatively small construction/renovation projects within existing residential areas. In all the areas listed above, only Forestalstown and Graiguenakill contained current plans permitted to go ahead by the Kilkenny County Council. Activity in these areas, in relation to planning and development was low, which may be attributed to the dominant land use of the area, being mainly rural/agricultural. Table 4-1 below shows the projects granted planning permission by Kilkenny County Council.

Table 4-1: Current planning permissions in the vicinity of the proposal

Planning Reference No.	Name of Applicant	Address	Type of Works Sought
19964	Ger Doherty	Forestalstown, Glenmore, Kilkenny	Demolition of existing slurry tank and cattle shed, and construction of new agricultural shed
19400	Daniel Piechnick and Kacper Swic	Graiguenakill, Glenmore, Kilkenny	Alterations to existing dwelling house
991264	John Duggan	Graiguenakill, Glenmore, Kilkenny	Extension to existing dwelling house

Therefore, it is considered that agriculture and permitted, proposed or future residential developments within the environs of the proposed site comprise the main elements with which the proposed development could potentially interact synergistically to create cumulative or in-combination impacts. While it is not foreseen that any of the projects or plans discussed above will result in significant cumulative impacts on any of the Natura 2000 sites in combination with the proposal, the potential for significant cumulative or in-combination impacts is discussed in Section 4.5.5 below.

⁵ https://www.housing.gov.ie/sites/default/files/publications/files/rbmp_report_english_web_version_final_0.pdf [Accessed 08/04/2020]

4.3 IDENTIFICATION OF NATURA 2000 SITES

4.3.1 Zone of Impact Influence

The screening stage of AA involves compiling a 'long list' of European sites within a zone of potential impact influence for later analysis which may or may ultimately not be significantly impacted upon by the proposal. All Natura 2000 sites within 15km of the proposal location will be characterised in the context of the rationale for designation and qualifying features, in accordance with NPWS guidance. In line with the precautionary principle, during the preparation of this report Natura 2000 sites that lie outside 15km that may be significantly impacted as a result of the proposed works were also considered. Following this, the potential impacts associated with the proposal will be identified before an assessment is made of the likely significance of these impacts.

As described above, the test for the screening for appropriate assessment is to assess, in view of best scientific knowledge, if the development, individually or in combination with other plan/project is likely to have a significant affect on a Natura 2000 site. If there are any significant, potentially significant, or uncertain effects, it will be necessary to proceed to appropriate assessment and submit an NIS.

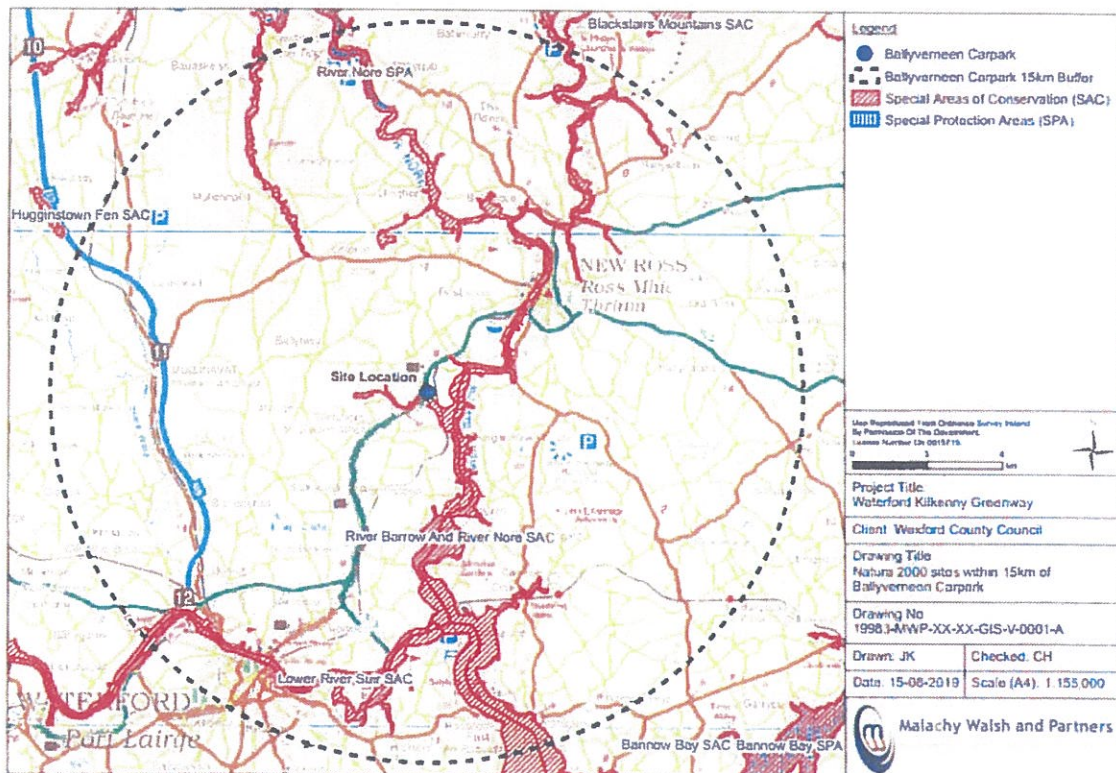


Figure 3: Natura 2000 Sites within 15km radius of proposed site

4.3.2 Identification of Natura 2000

Adopting the precautionary principle in identifying potentially affected European sites, it has been decided to include all SACs and SPAs, within a 15km radius of the proposal site.

Table 4-2 below lists designated SACs and SPA within 15km or the anticipated zone of influence of the proposal site including their proximity. Figure 3 above shows all Natura 2000 sites within 15km of the proposal.

Given the nature, scope, scale and location of the works, it is not considered that the proposal will significantly affect Natura 2000 sites outside of those considered here.

Table 4-2: Designated conservation sites within 15km radius of proposal site

No.	Designated Site	Site Code	Proximity of site to nearest point of designated site
1	River Barrow and River Nore SAC	002162	475m to the south
2	Lower River Suir SAC	002137	9.2km to south
3	River Nore SPA	004233	11.5km to north

4.3.3 Characteristics of Natura 2000 Sites

Table 4-3 below lists the features of interest for the SACs and SPAs that lie within 15km of the proposal site, as identified in the previous table. Information pertaining to designated sites from site synopses, conservation objectives and other information is available on www.npws.ie.

Table 4-3: Natura 2000 sites with qualifying features of conservation interest within 15km of proposed development

Natura 2000 Site	Qualifying features of conservation interest	Conservation Objectives
River Barrow and River Nore SAC (002162)	<p>Estuaries [1130]</p> <p>Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p>Reefs [1170]</p> <p><i>Salicornia</i> and other annuals colonizing mud and sand [1310]</p> <p>Atlantic salt meadows (<i>Glaucopuccinellietalia maritima</i>) [1330]</p> <p>Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410]</p> <p>Water courses of plain to montane levels with the <i>Ranunculus fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation [3260]</p> <p>European dry heaths [4030]</p> <p>Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels [6430]</p> <p>Petrifying springs with tufa formation (Cratoneurion) [7220]</p> <p>Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91A0]</p> <p>Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae) [91E0]</p> <p>Desmoulin's Whorl Snail (<i>Vertigo moulinsiana</i>) [1016]</p>	<p>To maintain or restore the favourable conservation condition of the Annex I habitats listed as Qualifying Interests for this SAC.</p> <p>To maintain or restore the favourable conservation condition of the species listed as Qualifying Interests for this SAC.</p>

Natura 2000 Site	Qualifying features of conservation interest	Conservation Objectives
	<p>Freshwater Pearl Mussel (<i>Margaritifera margaritifera</i>) [1029]</p> <p>White-clawed Crayfish (<i>Austropotamobius pallipes</i>) [1092]</p> <p>Sea Lamprey (<i>Petromyzon marinus</i>) [1095]</p> <p>Brook Lamprey (<i>Lampetra planeri</i>) [1096]</p> <p>River Lamprey (<i>Lampetra fluviatilis</i>) [1099]</p> <p>Twaite Shad (<i>Alosa fallax fallax</i>) [1103]</p> <p>Salmon (<i>Salmo salar</i>) [1106]</p> <p>Otter (<i>Lutra lutra</i>) [1355]</p> <p>Killarney Fern (<i>Trichomanes speciosum</i>) [1421]</p> <p>Nore Pearl Mussel (<i>Margaritifera durrovensis</i>) [1990]</p>	
<p>Lower River Suir SAC (002137)</p>	<p>Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) [1330]</p> <p>Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410]</p> <p>Water courses of plain to montane levels with the <i>Ranunculus fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation [3260]</p> <p>Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels [6430]</p> <p>Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91A0]</p> <p>Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>) [91E0]</p> <p><i>Taxus baccata</i> woods of the British Isles [91J0]</p> <p>Freshwater Pearl Mussel (<i>Margaritifera margaritifera</i>) [1029]</p> <p>White-clawed Crayfish (<i>Austropotamobius pallipes</i>) [1092]</p> <p>Sea Lamprey (<i>Petromyzon marinus</i>) [1095]</p> <p>Brook Lamprey (<i>Lampetra planeri</i>) [1096]</p> <p>River Lamprey (<i>Lampetra fluviatilis</i>) [1099]</p> <p>Twaite Shad (<i>Alosa fallax fallax</i>) [1103]</p> <p>Salmon (<i>Salmo salar</i>) [1106]</p> <p>Otter (<i>Lutra lutra</i>) [1355]</p>	<p>To maintain or restore the favourable conservation condition of the Annex I habitats listed as Qualifying Interests for this SAC.</p> <p>To maintain or restore the favourable conservation condition of the species listed as Qualifying Interests for this SAC.</p>
<p>River Nore SPA</p>	<p>Kingfisher (<i>Alcedo atthis</i>) [A229]</p>	<p>To maintain or restore the favourable</p>

Natura 2000 Site	Qualifying features of conservation interest	Conservation Objectives
(004233)		conservation condition of the species listed as Qualifying Interests (QI) for this SPA.

** indicates a priority habitat under the Habitats Directive*

4.3.4 Conservation Objectives

According to the Habitat's Directive, the conservation status of a natural habitat will be taken as 'favourable' within its biogeographic range when:

- Its natural range and areas it covers within that range are stable or increasing, and
- The specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future, and
- The conservation status of its typical species is favourable as defined below.

According to the Habitat's Directive, the conservation status of a species means the sum of the influences acting on the species concerned that may affect the long-term distribution and abundance of its populations. The conservation status will be taken as 'favourable' within its biogeographic range when:

- population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats, and
- The natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future, and
- There is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

The conservation objectives for each site are available on www.npws.ie. These have been accessed for the sites listed in the tables above on the 8th April 2020.

Specific conservation objectives are available for the following sites:

- River Barrow and River Nore SAC (002162). Version 1.0. Produced July 2011.
- Lower River Suir SAC (002137). Version 1.0. Produced March 2017

Generic conservation objectives are available for the River Nore SPA (004233). Generic version 6.0. Produced February 2018.

All conservation objectives together with other designated site information are available on <http://www.npws.ie/protectedsites/>.

4.4 IDENTIFICATION OF POTENTIAL IMPACTS

In this section potential theoretical impacts associated with the proposal will be identified before an assessment is made. In **Section 4.5** below, it is assessed as to whether these theoretical impacts are likely to cause significant impacts to the qualifying features of conservation interest of the Natura 2000 sites listed in **Table 4-2** and **Table 4-3** above, in view of those sites' conservation objectives. Identification of a theoretical risk does not constitute a prediction either that it will occur, or that it

will cause or create an adverse impact. However, identification of the risk does mean that there is a possibility of ecological or environmental damage occurring, with the level and significance of the impact depending upon the nature and exposure to the risk and the characteristics of the receptor. Table 4-4 below identifies the potential theoretical impacts which could occur as a result of the project.

Table 4-4: Potential Theoretical Impacts Owing to the Project

<p><i>Description of elements of the project likely to give rise to potential ecological impacts sites.</i></p>	<ul style="list-style-type: none"> - Works will take place within 500m of a Natura 2000 site - Some excavation works, use of construction equipment, vehicles, and plant/increased human presence for the duration of the works - Use and storage of fuel/oil etc on-site - Existing/proposed surface drainage network - Duration of the works (3 months)
<p><i>Describe any likely direct, indirect or secondary ecological impacts of the project (either alone or in combination with other plans or projects) by virtue of:</i></p> <ul style="list-style-type: none"> • <i>Size and scale;</i> • <i>Land-take;</i> • <i>Distance from Natura 2000 Site or key features of the Site;</i> • <i>Resource requirements;</i> • <i>Emissions;</i> • <i>Excavation requirements;</i> • <i>Transportation requirements;</i> • <i>Duration of construction, operation etc.; and</i> • <i>Other.</i> 	<ul style="list-style-type: none"> - The project is not inherently large or complex in design or scale. The proposal will encompass a total area of 1,825m² of already modified agricultural habitat with relatively low ecological value. - The proposal site will be fully encompassed within this already modified area, and no additional land-take is required. - The project site lies less than 500m from a Natura 2000 site. - There exists a potential for a tenuous indirect hydrological connection between the proposal site and watercourses within the SAC via existing drains. <p>In general, construction works associated with the project have the potential to result in the following impacts:</p> <ul style="list-style-type: none"> - Surface run-off of sediments/fines to watercourses - Ingress of fuels/oils or uncured cementitious material/concrete wastewater to watercourses - Species disturbance/displacement impacts due to increased noise levels from plant, machinery, excavation works, site personnel, lighting etc <p>There is also, albeit, limited potential for water quality and/or species disturbance/displacement impacts during the operational phase of the proposal.</p>

4.5 ASSESSMENT OF LIKELIHOOD OF POTENTIAL IMPACTS ON NATURA 2000 SITES

Identification of a risk of impact does not mean that there is a latent possibility of ecological or environmental damage occurring. The level and significance of the impact depends upon the nature of the risk, the extent of the exposure to the risk and the characteristics of the receptor. The test criteria that pertains to screening for appropriate assessment carried out under Article 6(3) is to assess whether the impacts identified in the preceding section identified, as plausibly ensuing from the proposal, are likely to have a significant effect on the Natura 2000 sites selected for inclusion in light of those site's conservation objectives.

When assessing impact, Natura 2000 sites are only considered relevant where a credible or tangible source-pathway-receptor link exists between the proposed development and a protected species or habitat type. In order for an impact to occur there must be a risk initiated by having a 'source' (e.g. masonry works), a 'receptor' (e.g. a protected habitat/species and/or the habitats on which they depend), and an impact pathway between the source and the receptor (e.g. a waterbody which connects the proposal site to the protected species or habitats). An evaluation based on these factors to determine which Natura 2000 sites are the plausible ecological receptors for potential impacts of the proposed programme of remedial works will be conducted in **Sections 4.5.1 to 4.5.4** below. The evaluation takes cognisance of the scope, scale, nature and size of the project, its location relative to the Natura 2000 sites listed in **Table 4-2** above, and the degree of connectedness that exists between the project and each Natura 2000 site's potential ecological receptors. The assessment and the rationales provided in support of the conclusions are outlined in **Table 4-5** below.

The likelihood of significant effects to a Natura 2000 site from the project was determined based on a number of indicators including:

- Water quality
- Habitat loss and alteration
- Disturbance and/or displacement of species
- Habitat or species fragmentation source

The likelihood of significant cumulative/in-combination effects is assessed in **Section 4.5.5**

Table 4-5. Likelihood of Significant Impacts on Conservation Objectives of Natura 2000 Sites

Natura 2000 Site	Proximity of Natura 2000 site to subject site	Potential for Impact	Rationale
River Barrow and River Nore SAC (002162)	475m to the south	Yes	<ul style="list-style-type: none"> – Designated for wide variety of habitats and species including freshwater, terrestrial and coastal/marine – No spatial overlap between subject area and SAC – An indirect hydrological pathway may occur between the subject site and the SAC via existing surface-water drains – Potential for ecological impacts to the SAC as a result of the proposal.
Lower River Suir SAC (002137)	Approximately 9.2km south west of the subject site	No	<ul style="list-style-type: none"> – Designated for wide variety of habitats and species including freshwater, terrestrial and coastal/marine – No spatial overlap between subject area and SAC – No plausible impact pathway for potential water quality effects (the eastern boundary of the SAC is contiguous with the River Barrow and River Nore SAC east of Waterford City but the SAC is located upstream of the confluence between the River Barrow and the River Suir) – Nature, scale and location of the works – Intervening distance considered sufficient to negate any potential for significant disturbance/displacement impacts
River Nore SPA	Approximately 11.5km north	No	<ul style="list-style-type: none"> – Designated for protection of Kingfisher – No spatial overlap between subject area and SPA

Natura 2000 Site	Proximity of Natura 2000 site to subject site	Potential for Impact	Rationale
(0042330)	of the subject site		<ul style="list-style-type: none"> – No plausible impact pathway for potential water quality effects – Nature, scale and location of the works – Intervening distance considered sufficient to negate any potential for significant disturbance/displacement impacts

4.5.1 Water Quality

In general, where works are conducted within proximity to a watercourse, impairment of water quality may potentially occur as a result of run-off of sediment/fines, accidental fuel/oil spills from machinery/equipment and/or release of uncured cementitious or other such material during the works.

The surface-water drainage system for the proposed car park will connect into the existing drainage network associated with the recently completed road upgrading works in the surrounding area. This drainage system is considered to provide an indirect hydrological link, albeit tenuous, between the subject site and the River Barrow and River Nore SAC. During the operational phase of the project, surface-water will be directed to the existing drainage network which will be upgraded to facilitate the works. Storm water will be discharged to the drainage network and eventually the Oaklands_010 River following attenuation complete with petrol interceptor to ensure that outflow is suitable for discharge to the receiving waterbody.

With regard to the potential impacts to water quality from fuels or oils, it is noted that standard best construction practices will be employed for the duration of the construction phase. All fuels will be stored within secure and impermeable storage areas away from drains and other potential water features. Re-fuelling of plant and equipment will only take place within designated suitable areas. All plant will be equipped with drip trays. Spill-kits will be available in the event of any accidental spills of fuels, oils or other contaminants. In the unlikely event of an accidental fuel leak any potential spillage would be restricted to a relatively confined area; however, in the normal course of events fuel leaks are not a common or likely occurrence. The temporary site compound will be located at least 25 metres from any drains or other water features. It is concluded that the proposal will not cause or initiate any event that could release any significant volumes of sediment or nutrient-enriched material into nearby watercourses that would be sufficiently large enough to exert significant impacts on the River Barrow and River Nore SAC.

It is considered that the excavation requirement will be minimal and small in scale. Bearing in mind that standard best construction practices will be employed with regard to run-off and sediment control and that ground surface slope within the subject area is low and uniform, generation of considerable volumes of sediment and fines are not expected as a result of the proposal.

All wastes are to be minimised by strict control and where not reused are to be removed from site by authorised contractors and disposed of at a suitably licensed facility off-site. All wastes generated during the construction phase will be managed as part of the contractors Waste Management Plan. Wastewater/effluent from temporary welfare facilities will be collected and disposed of off-site by a suitably-licensed contractor.

Concrete will be handled in contained and controlled circumstances at all times. Any of this material falling to waste will be removed on an ongoing basis and will be disposed of appropriately. Concrete will be ready mixed when delivered to site and washing of concrete truck chutes will not be permitted on site.

Bearing in mind that the works are not substantial in their scale or scope and will be of a relatively short duration, as described in detail in **Section 4.2.6**, it has been objectively concluded that significant water quality impacts are not envisaged within the River Barrow and River Nore SAC due to the scale of the development, the nature of the works, the limited excavation requirement, the contained nature of the site and the indirect existing hydrological connection between the subject area and the nearby SAC. Therefore, significant impacts to the Conservation Objectives of the River Barrow and River Nore SAC as a result of water quality impacts are not envisaged as a result of the proposal. For the same reasons, and because there is no direct hydrological connection between them and the site of the proposed car park, it is judged that Lower River Suir SAC and River Nore SPA will also not be effected by the proposed remedial works at Baldwin's Bridge.

4.5.2 Habitat Loss and Alteration

The proposed development works will not overlap with any of the designated areas listed in **Table 4-2** and so therefore will not result in any loss or alteration of any of the qualifying interest habitats for which these areas are designated. As detailed in **Section 4.5.1**, there are not likely to be any significantly deleterious impacts to water quality as a result of the proposed works, and therefore no direct or indirect loss of habitat due to water quality within the Natura 2000 sites listed in **Table 4-2** above.

It is therefore objectively concluded that significant impacts to any of the qualifying habitats for which the River Nore and River Barrow SAC, Lower River Suir SAC, and River Nore SPA are designated are not envisaged or likely to occur as a result of the proposal.

4.5.3 Disturbance and/or Displacement of Species

As there is no spatial overlap between subject area and the designated areas listed in **Table 4-2**, it is not envisaged that there will be any direct disturbance and/or displacement of species during the construction of the proposed car park.

Indirect ecological impacts potentially arising as a result of the proposed remedial works are water quality effects and/or an increase in noise levels/human activity during the construction phase of the project. These aspects of the proposal have the potential to create disturbance/displacement impacts to qualifying interest species for all designated areas listed in **Table 4-2**, particularly the River Nore and River Barrow SAC, located 475m from the proposed development site. However, as was described in **Section 4.5.1**, the proposed works are not sufficiently large enough in scope, scale and duration to adversely affect water quality.

The River Barrow and River Nore SAC is designated for the semi-aquatic mammal Otter (*Lutra lutra*). The most recent assessment for this species determined that the 10km grid square, S62, is included within the current known range but not the distribution for this species (NPWS, 2019). A review of on-line records held by the NBDC determined that there is one record (2005) for otter in the vicinity of the proposal site. This record is from a stream culvert passing under the N25 close to the proposal

area (grid square S672234) where fresh prints were recorded on an area of exposed sand/mud⁶. Bearing in mind the location of the works and the record which exists in the greater area, it must be assumed, based on the precautionary principle, that otters have the potential to occur in the vicinity of the subject site.

The favourable conservation condition for otter within the River Barrow and River Nore SAC is defined by the following list of Attributes and Targets:

Table 4-6. Species Attributes, measures and Targets for 'Otter' (NPWS, 2011)

Attribute	Measure	Target
Distribution	Percentage positive survey sites	No significant decline
Extent of terrestrial habitat	Hectares	No significant decline
Extent of marine habitat	Hectares	No significant decline
Extent of freshwater (river) habitat	Kilometres	No significant decline
Extent of freshwater (lake) habitat	Hectares	No significant decline
Couching sites and holts	Number	No significant decline
Fish biomass available	Kilograms	No significant decline

The works, by their nature and scale, will result in the release of fugitive noise emissions for the duration of the construction phase; however, this is not considered to have the potential to be significantly greater than existing background noise levels given the setting of the development site in close proximity to a major road network. While otters may occasionally occur in the general area surrounding the site it is expected that these are most likely transient individuals moving through the area. The development site itself does not encompass suitable habitat for otters comprising built-ground.

Therefore, while the proposed works could potentially result in avoidance of the general area by otters this is likely to occur only during such times as when construction works are taking place. As such, any potential displacement impacts to otter are expected to be temporary and short-term. Otters are highly mobile species which can adjust their foraging routes to take account of such changes in the environment. In addition, construction works will for the most part occur during daylight hours when the species are less active. No significant disturbance/displacement impacts are therefore considered to be likely. The proposal will not result in any loss or modification of aquatic habitats or functionally linked habitats which could impact on species distribution or habitat accessibility/landscape connectivity and the proposal is not expected to result in any impairment of water quality, which could significantly impact on prey availability.

⁶ <https://maps.biodiversityireland.ie/Map> [Accessed 07/03/2020]

Bearing these factors in mind, it is concluded that significant disturbance/displacement impacts to otter are not likely to occur as a result of the proposal considered in this report during either the construction or operational phases of the proposal. Therefore, it is objectively concluded that the achievement of the Attributes and Targets for otter, as outlined in the Conservation Objectives for the River Barrow and River Nore SAC, will not be affected and significant adverse impacts are not envisaged as a result of either the construction or operational phases of the proposal, described at **Section 4.2.6** above.

4.5.4 Habitat or Species Fragmentation

Habitat fragmentation has been defined as 'reduction and isolation of patches of natural environment' (Hall *et al.*, 1997 cited in Franklin *et al.*, 2002) which results in spatial separation of habitat areas which had previously been in a state of greater continuity. Adverse effects of habitat fragmentation on species include the increased isolation of populations which can detrimentally impact on the resilience or robustness of the populations.

In light of the conclusions of preceding sections 4.5.1 to 4.5.3, inclusive, and bearing in mind the scale and scope of the works and their temporary, localised nature, it is concluded that significant habitat or species fragmentation impacts are not likely.

4.5.5 Cumulative/In-combination Impacts

As well as singular effects, the potential for in-combination or cumulative impacts also need to be considered. A cumulative impact arises from incremental changes caused by past, present and proposed projects together with the proposal considered in this document. Relevant plans and projects have been identified in **Section 4.2.7** above.

Taking into account the conclusions of the preceding **Sections 4.5.1 to 4.5.4**, inclusive, it is concluded that there is no potential for significant cumulative/in-combination impacts through synergistic interaction of the projects/activities identified in **Section 4.2.7**, above, and the programme of works described in **Section 4.2.5** above. It is objectively concluded that significant cumulative/in combination impacts are not likely.

4.6 CONCLUSION OF SCREENING STAGE

It has been objectively concluded during the screening process, that no Natura 2000 sites, including any of those located within 15km of the proposed development, are likely to be significantly affected by the proposal, either individually or in combination with other plans/projects. These Natura 2000 sites are:

- River Barrow and River Nore SAC (002162)
- Lower River Suir SAC (002137)
- River Nore SPA (004233)

Therefore, it is objectively concluded that significant effects to the Conservation Objectives of the River Barrow and River Nore SAC, Lower River Suir SAC and the River Nore SPA are not likely as a result of the proposal considered in this report.

5 REFERENCES

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Appendix 1

Stages of Appropriate Assessment



Stage 1 - Screening

This is the first stage of the Appropriate Assessment process and that undertaken to determine the likelihood of significant impacts as a result of a proposed project or plan (either alone or in combination with other projects or plans). It determines need for a full Appropriate Assessment.

If it can be concluded that no significant impacts to Natura 2000 sites are likely then the assessment can stop here. If not, it must proceed to Stage 2 for further more detailed assessment.

Stage 2 - Natura Impact Statement (NIS)

The second stage of the Appropriate Assessment process assesses the impact of the proposal (either alone or in combination with other projects or plans) on the integrity of the Natura 2000 site with respect to the conservation objectives of the site and its ecological structure and function. This is a much more detailed assessment than Stage 1. A Natura Impact Statement containing a professional scientific examination of the proposal is required and includes any mitigation measure to avoid, reduce or offset negative impacts.

If the outcome of Stage 2 is negative i.e. adverse impacts to the sites cannot be scientifically ruled out, despite mitigation, the plan or project should proceed to Stage 3 or be abandoned.

Stage 3 - Assessment of alternative solutions

A detailed assessment must be undertaken to determine whether alternative ways of achieving the objective of the project/plan exists.

Where no alternatives exist the project/plan must proceed to Stage 4.

Stage 4 - Assessment where no alternative solutions exist and where adverse impacts remain

The final stage is the main derogation process examining whether there are imperative reasons of overriding public interest (IROPI) for allowing a plan or project to adversely affect a Natura 2000 site where no less damaging solution exists.

Appendix 2

Layout of Proposed Development



