



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

**RE: SOUTH EAST GREENWAY
Temporary Construction Compound, Temporary Access Road & Temporary
Access Ramp, at Rathculliheen and Abbeylands, Ferrybank.**

Planning & Development Acts 2000 - 2020

DATE: 15th June, 2021

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
*Temporary Construction Compound, Temporary Access Road &
Temporary Access Ramp, at Rathculliheen and Abbeylands, Ferrybank.*

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 14th June , 2021 -

**In Accordance with Section 179 of the
Planning and Development Acts, 2000 as amended**

***Re: South East Greenway Temporary Construction
Compound, Temporary Access Road and Temporary Access
Ramp, at Rathculliheen and Abbeylands, Ferrybank.***

***For consideration by the Elected Members
of Kilkenny County Council
at Monthly Meeting to be held
on 21st of June 2021***

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Appendix A - Planning Report

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, as amended.

2.0 Description of Proposed Development

The project involves the development of temporary access road, temporary construction compound and temporary site access ramp to remain in situ for a period of three years to facilitate construction of the South East Greenway in Ferrybank. The site for the proposed compound and access ramp is immediately adjacent to the line of the old railway and future Greenway and is on lands owned by Michael Doyle Civil Engineering at Rathculliheen and Abbeylands. Construction access to the compound will be via a temporary access road connecting to the existing terminus of the Clover Meadows Avenue off the R711.

Permission has been given by Michael Doyle Civil Engineering to apply for planning at the site.

The proposal put forward provides for the following:-

- Construction of a 5 metre wide temporary construction access road from the end of the existing public road at Clover Meadows
- Temporary Site boundary fencing of 2.4m high Paladin fencing to entire perimeter
- Temporary Construction compound with an area of 3,527m² surfaced in hardcore
- Temporary 4 metre wide access ramp in a 1:20 slope from the construction compound to the greenway
- Temporary fencing and signage

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 temporary access road, temporary construction compound and temporary access ramp to facilitate the construction of the Greenway in the Ferrybank area.

A description of the project can be summarised as follows:

- Provide a temporary construction site associated with the Greenway construction works surfaced in hardcore, to include storage areas for construction materials and equipment, , area for vehicular parking, area for welfare facilities including offices and canteen and washroom facilities.
- The construction compound will cover an area of 3,527m².
- Temporary site boundary fencing around the entire site will be Paladin fencing and will be 2.4m high.
- The temporary access road will be from the existing terminus of the public at the avenue at Clover Meadows. The temporary access road will be 5 metres wide and fenced from the surrounding lands for safety.
- The temporary access ramp will lead from the proposed temporary compound towards the line of the old railway line where the Greenway is being developed. It will be 4 metres wide and at a slope of 1:20.

Project Benefits

- The proposed works will allow for the construction of the Ferrybank section of the Greenway for the local community. The Greenway will offer substantial benefits to the local community, local businesses and will increase the potential for tourism in the area.
- The construction of the Greenway will provide a safe facility for people of all ages to walk and cycle safely between Waterford (Ferrybank) and New Ross and shorter loops locally.
- It will provide for future connectivity to the Waterford Greenway.

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 of €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 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.

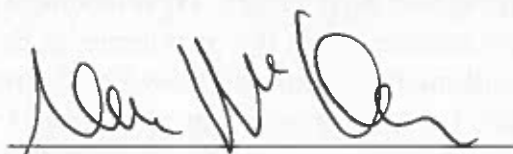
Intention Regarding Proposed Development

**Kilkenny County Council's Intention
Regarding Proposed Development**

Proposed Development: *Part 8 Proposal
South East Greenway Temporary Construction
Compound, Temporary Access Road and Temporary
Access Ramp at Rathculliheen & Abbeylands, Ferrybank,
Co. Kilkenny*

I hereby 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.

SIGNED



**Sean McKeown
Director of Services**

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 Design Criteria

The Construction Compound 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'.

7.0 Notice of Development & Public Consultation

A notice describing the proposed development was placed in the *Kilkenny People*, *Munster Express*, and *New Ross Standard*, week ending Friday the 23rd of April, 2021. Site notices were erected at the site location in Rathculliheen and Abbeylands.

Plans and particulars of the proposed development were made available for inspection from Friday the 23rd of April, 2021 to Friday the 21st of May 2021 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 4th of June, 2021. Two submissions were received from members of the public. These are detailed in the Planning Report *[attached]*.

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 as adopted. The Planning Department has recommended that the project be progressed as proposed and that the Part 8 application for the South East Greenway Temporary Construction Compound, Temporary Access Road and Temporary Access Ramp at Rathculliheen and Abbeylands, Ferrybank Co. Kilkenny be approved by the Council subject to conditions.

Appended to this Report is the Report from:

- The Planning Department

Appendix A

PLANNERS REPORT

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



**Planning & Development Act 2000 - 2021
Planning & Development Regulations, 2001 - 2021**

Part 8 Ref. No.: 03/21

Development: Temporary Construction compound and access ramp, South East Greenway, Rathculliheen and Abbeylands, Ferrybank, Co Kilkenny

1.1 Site Location

The site is located in south kilkenny at Rathculliheen and Abbeylands, Ferrybank, Co. Kilkenny.

1.2 Development Description

The project involves the development of a temporary access road, temporary construction compound and temporary site access ramp to remain in situ for a period of three years to facilitate construction of the South East Greenway in Ferrybank. The site for the proposed compound and access ramp is immediately adjacent to the line of the old railway and future Greenway and is on lands owned by Michael Doyle Civil Engineering. Construction access to the compound will be via a temporary access road connecting to the existing terminus of the Clover Meadows Avenue off the R711. Clover Meadows estate has been formally taken in charge by Kilkenny County Council. Permission has been given by the landowner to apply for proposed development at the site.

The proposal put forward provides for the following:-

- Construction of a 5 metre wide temporary construction access road from the end of the existing public road at Clover Meadows
- Temporary Site boundary fencing of 2.4m high Paladin fencing to entire perimeter
- Temporary Construction compound with an area of 3,527m² surfaced in hardcore
- Temporary 4 metre wide access ramp in a 1:20 slope from the construction compound to the greenway
- Temporary fencing and signage

This construction compound is required to provide safe access to allow for construction for the approved 24km South Eastern Greenway project between Waterford and New Ross along the disused railway corridor.

1.3. 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 proposed development supports infrastructure which will assist in the delivery of the South East Greenway and is compatible and consistent with above policy documents. The proposed works will allow for the construction of the Ferrybank section of the approved Greenway. The Greenway will offer substantial benefits to the local community, local businesses and will increase the potential for tourism in the area.

1.4 Site History

No recent / live planning permission on site.

1.5 Third Party Submissions

Two no submission were received and are summarised below.

Submission By	Submission Details	Submission Addressed in Scheme Review	Comments
Mary Cunningham	Would like to ensure ramp is dismantled after three year period and compound cleaned up. Compound will need to be very secure due to ongoing issues with anti social behaviour	Yes	Compound, temporary road and temporary ramp will be removed once construction is complete after the estimated period of three years
Claire Ryan and Colm Byrne	<p>The proposed compound is adjacent to Belfield estate. The old railway bridge is currently facilitating anti social behaviour. The topography and overgrown vegetation also provides cover for antisocial behaviour.</p> <p>A number of 'escape routes' available through scrub ground Bridge is a short cut across Ferrybank facilitating meeting place for groups</p> <p>Keen to see site secured from all sides and monitored by 24 hour CCTV .</p> <p>Lack of planning or infrastructure to support the new Greenway through Belfield. Do not want an unofficial access to the Greenway</p> <p>Access to the Greenway via the construction ramp should be restricted to construction workers and ramp should be removed at the end of the three year period.</p>	Yes	<p>The Council acknowledge that there is anti social behaviour taking place in the Belfield/Clover Meadows area. The Council is currently working with the Garda to investigate the provision of CCTV. The compound is located at a location where there is unauthorised access to the Greenway. The secure fencing to be provided around the compound will provide further security to the site.</p> <p>Council will engage with local representative groups to look at the restricted access to the old railway bridge which may be facilitating groups to meet and engage in antisocial behaviour</p> <p>It is the intention of the Council that the ramp will be removed after the estimated period of three years.</p>

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

1.6 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 designated Natura 2000 site. The site is located approximately 1.3km metres north of the Lower River Suir SAC. The site is not drained by any streams or rivers and there are no pathways/ hydrological links between the development footprint site boundary and any Natura 2000 site.

Having regard to site location, temporary nature of proposal and best practice design / environmental 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.

1.7 Screening for EIAR

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 EIA is not required.

1.8 Referrals

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

Internal

- Roads Design - No objection subject to conditions
- Environment - No objection subject to conditions

External

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

- Iarnrod Eireann – No report received

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

1.9 Zoning

The site is zoned R3 - Residential in the Ferrybank Belview Local Area Plan 2017.

It is the objective of the lands to allow for new residential development and other services incidental to residential development. The proposed construction compound and access ramp is a temporary use on undeveloped lands and does not it is considered compromise or conflict with the zoning objectives of the area.

2.0 Assessment

A description of the project is summarised as follows:

- Provide a temporary construction site associated with the Greenway construction works surfaced in hardcore, to include storage materials and equipment, are for vehicle parking, area for welfare facilities including offices and canteen and washroom facilities
- The construction compound will cover an area of 3,527m²
- Temporary site boundary fencing around the entire site will be Paladin fencing at 2.4m high.
- The temporary access road will be from the existing terminus of the public at the avenue at Clover Meadows. The temporary access road will be 5 metres wide and fenced from the surrounding lands for safety.
- The temporary access ramp will lead from the proposed temporary compound towards the line of the old railway line where the Greenway is being developed. It will be 4 metres wide and at a slope of 1:20.

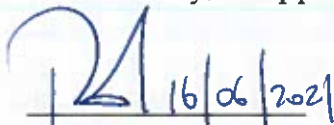
Access to the site is via the Belmont Roundabout along the R711 and main spine road through Clover Meadows. Clover Meadows Estate has been formally taken in charge by Kilkenny County Council and comprises a good road infrastructure network.

The site consists of grass / scrubland vegetation on undeveloped zoned lands. The location of the temporary compound and access ramp adjoins the disused railway line. The construction compound site is proposed approximately 120metres away from the nearest residential dwellings and is for temporary use only. Waste water and storm water is to connect into existing drainage network. The site is not located within a High Amenity or any other important designated or protected area of Kilkenny county. The proposal would not seriously injure the amenities of the area or of property in the area and would be acceptable in terms of traffic safety and convenience. The proposal is compatible with the policies and objectives of the Kilkenny County Development Plan 2014-2020.

3.0 Conclusion and Recommendation

The Planning Authority supports proposed Temporary Construction compound and access ramp at the South East Greenway, at Rathculiheen and Abbeylands, Ferrybank, Co Kilkenny and considers that the proposed development is consistent with National, Regional and county / local 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 Co. Kilkenny, be approved by Council subject to the following conditions


16/06/2021

Ross O'Shea

Executive Planner



Denis Malone

Senior Planner

First Schedule

Reasons & Considerations for Decision on Ref: Part 8 - 03/21

Having regard to the policies and objectives of the Ferrybank Belview Local Area Plan 2017, 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 would not seriously injure the amenities of the area and 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 - 03/21

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.

2. The developer shall ensure that during the construction phase adequate parking is provided for all personnel working on the site. Parking on the public roadway shall not be permitted.

Reason: In the interests of traffic safety and proper planning

3. Prior to the commencement of development, the developer is required to submit to the Municipal District Engineer for written agreement a Construction Management Plan to include

details regarding 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. The details shall include the measures proposed at the junction of the access road with the main Clover Meadows spine road in order to protect the existing footpaths, kerbs etc at that location. The developer shall complete a pre and post photographic survey and shall be responsible for any repairs and/or reconstruction required upon completion.

Reason: In the interests of traffic safety and proper planning

4. Prior to the commencement of any works, the developer shall submit to the Municipal District Engineer for formal written agreement, a Roads Maintenance Programme for 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

Reason: In the interests of traffic safety and proper planning

5 a) Prior to the commencement of the development the developer shall prepare a Waste Management Plan which shall provide for the segregation of all construction and demolition wastes into recyclable, biodegradable and residual wastes. The plan shall be prepared in accordance with the Department of the Environment, Heritage and Local Government's *Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects*. 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 and any hazardous material identified on site. 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. All employees shall be made aware of the obligations under the plan. The plan shall be available for inspection at the site of the proposed development at all reasonable times for examination by any officer of the local authority.

(b) The developer shall ensure that sufficient space is set aside both internally in welfare facilities and externally within the development to allow staff to segregate wastes into recyclable, biodegradable and residual wastes - i.e. 3 bin system.

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

6 (a) Domestic effluent shall only be discharged to the foul drainage system. There shall be no discharge of any effluent which is chemically or biologically dissimilar to that of normal domestic effluent except in accordance with any future licence which may be granted under the Local Government (Water Pollution) Acts 1977 to 2007.

(b) Clean surface water only shall be discharged to the surface water drainage system.

Reason: In the interest of public health and to provide for the protection of the environment.

7. During the construction and operation phase, all tank and drum areas shall be rendered impervious to the materials stored therein. In addition, tank and drum storage areas shall be bunded either locally or remotely to a volume not less than 110% of the capacity of the largest tank or drum within the bunded area. Drainage from the bunded area shall be diverted for collection and safe disposal.

Reason: In the interests of protection of the environment.

8. During the construction and operation phase the developer shall ensure that all operations on site are carried out in a manner such that noise, air emissions and/or odours do not result in significant impairment of, or significant interference with, amenities or the environment beyond the site.

Reason: In the interest of public health and for the protection of the environment.

9. Where the applicant proposes to connect directly or indirectly to a public water / wastewater network operated by Irish Water, the applicant must sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement

In the interests of Public Health and Environmental Sustainability, Irish Water infrastructure capacity requirements and proposed connections to the water and waste water infrastructure will be the subject to the constraints of the Irish Water Investment Programme

All development shall be carried out in compliance with Irish Water Standard Codes and practices

Any existing Irish Water Infrastructure on site shall be adequately protected during construction.

Reason: In the interests of public health and proper planning