

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

**RE: DEVELOPMENT OF LOUGHMACASK LINK ROAD PHASE 1(A)
PART VIII PLANNING REFERENCE P8/14/20**

Planning & Development Acts 2000 as amended

DATE: 8th July, 2021

Dear Councillor,

In accordance with Section 179 of the Planning & Development Act 2000 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 - DEVELOPMENT OF LOUGHMACASK LINK ROAD PHASE 1(A)

I attach herewith Report of the Director of Services together with the 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.

I confirm that no development works will proceed in connection with the proposal pending a determination by An Bord Pleanála in relation to a request received under Article 250(3) of the Planning & Development Regulations 2001, as amended.



Colette Byrne
Chief Executive



KILKENNY COUNTY COUNCIL

REPORT

- Dated 5th July, 2021 -

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

DEVELOPMENT OF LOUGHMACASK LINK ROAD PHASE 1(A) PART VIII PLANNING REFERENCE P8/14/20

***For consideration by the Elected Members
of Kilkenny County Council
at Monthly Meeting to be held
on 19th July, 2021***

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1. **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 notices for 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 Act, 2000 as amended. Planning reference P8/14/20.

2. **Description of Proposed Development**
(Scheme Drawings included in Appendix D)

- Construction of Phase 1(a) of the Loughmacask Link Road in Kilkenny City, approximately 400m in length, from the R693 Kilkenny to Freshford Road at Talbotsinch, to approximately 50m to the west of the Dunningstown Road at Lousybush.
- Construction of a new roundabout at the junction of the Loughmacask Link Road and the Kilkenny to Freshford Road at Talbotsinch.
- Construction of a new section of road, approximately 100m in length, from the end of the existing access road serving Talbot's Gate and Talbot's Court housing estates, to the west side of the Dunningstown Road at Lousybush.
- Widening and upgrading of the existing access road for Talbot's Gate and Talbot's Court housing estates, for approximate length of 300m.
- Construction of a Traffic Signal controlled raised platform cross roads junction at the intersection of the Loughmacask Link Road and the Dunningstown Road.
- Provision of footpaths and cycletracks on both sides of the Loughmacask Link Road from its junction with the Freshford Road at Talbotsinch, to west of the Dunningstown Road at Lousybush.
- Provision of new footpath on the Dunningstown Road on the urban approach, from the cross roads junction with the Loughmacask Link Road, to the existing footpath at the entrance to The Grange housing estate.
- Provision / upgrade of public lighting on the Loughmacask Link Road and on the Dunningstown Road (from the cross roads junction with the Loughmacask Link Road to the end of the existing public lighting on the urban approach and on the rural approach to the cross roads).
- Widening of the Dunningstown Road on the urban and rural approaches to the cross roads junction with the Loughmacask Link Road.
- Provision of new footpath on the Dunningstown Road on the rural approach to the cross roads for the extent of the road widening.

- Provision of surface water drainage.
- Provision of new watermain.
- New boundary treatments to the rear of proposed footpaths
- Provision of Traffic Signal controlled raised pedestrian crossing on the Loughmacask Link Road adjacent to the existing entrance to Talbot's Gate housing estate.
- Relocation of existing trees to green spaces adjacent to the proposed roundabout at the junction of the Loughmacask Link Road and the Freshford Road.
- Construction of two revised junctions on the Loughmacask Link Road to serve Talbot's Gate and Talbot's Court housing estates.

3. **Pre-Planning**

The Roads Section submitted the proposals to the Planning Department for formal pre-planning and screening on December 18th, 2020. Planning reference P8/14/20.

4. **Notice of Development**

A notice describing the proposed development was placed in the Kilkenny People week ending Friday 23rd, April 2021 (*copy attached in Appendix G*). Site Notices were displayed at 3 relevant site locations from Wednesday 21st April, 2021.

5. **Consultation**

Details of proposals were put on display on the consult website: <https://consult.kilkenny.ie> and at the Planning Department, Kilkenny County Council. The period of consultation was from April 23rd, to June 4th 2021, a total of 6 weeks (*4 weeks public display with a further 2 weeks for submissions*).

6. **Details of Submissions Received**

A total of 113 submissions were received via consult Kilkenny, email and by post. These submissions can be categorised as follows:

- (1) Submissions from residents of existing housing estates adjacent to the route of the proposed road (*Talbot's Gate, Talbot's Court etc.*)
- (2) Submissions from residents of the Dunningstown Road on the urban approach to the proposed Link Road/Dunningstown Road traffic light controlled cross roads junction.

- (3) Submissions from residents of the Dunningstown Road on the rural approach to the proposed Link Road/Dunningstown Road traffic light controlled cross roads junction.
- (4) Referrals from other bodies/individuals.

The principle observations included in the submissions received are listed below, and the responses to same are dealt with in the Planning Report in *Appendix C*.

- (1) Use of existing road serving Talbot's Gate and Talbot's Court housing estates as access to the proposed CBS school opposed by local residents.

Points raised include:

- a. Increased risk of road accidents resulting from higher traffic volumes (*in particular increased risk to local children*)
 - b. Additional noise / air pollution resulting from increased traffic
 - c. Loss of existing trees along road due to proposed road widening
 - d. Increased pedestrian traffic from non-residents
 - e. Unsuitability of proposed CBS school location generally (landlocked site / number of large schools in this area of the city already)
 - f. Increased difficulty exiting from housing estates onto proposed road and increased traffic on already congested Freshford Road
 - g. Loss of amenity space at end of existing housing estate road
 - h. Changes in local circumstances since road first proposed render the scheme now inappropriate (housing built since and both estates now effectively acting as single combined estate)
 - i. Infrastructure in area (including Kilkenny Ring Road), should be finished before further development in the area proceeds (the Ring Road once completed will service west side of Kilkenny City thereby negating some of the reasons for the Link Road)
 - j. The increased size of St Luke's Hospital, Aut Even Hospital and the PRL commercial premises mean traffic volumes have increased in recent years and should not be added to by the development of a large school in this area
 - k. Number of large schools in this area of City already
- (2) The construction of the proposed traffic light controlled cross roads junction between the Dunningstown Road and the Link Road is opposed by urban residents of Dunningstown Road. Points raised include:

- a. Increased traffic resulting from the school and vehicles using Dunningstown Road to access to and from Freshford Road (*notwithstanding the proposed traffic light restrictions*)
 - b. Increased risk of road accidents resulting from higher traffic volumes (*in particular increased risk to existing road users*)
 - c. Difficulty exiting houses with increased traffic
 - d. General unsuitability of existing road for additional traffic / cyclists due to restricted width (*also opposition expressed to road widening to alleviate these difficulties that would affect property boundaries*)
 - e. Lack of public consultation with affected residents
- (3) Closure of the Dunningstown Road at the intersection with the Link Road is opposed by rural residents/landowners (*this suggestion was included in the first draft of the scheme - pre-planning*). Points raised include:
- a. Opposition expressed to closing Dunningstown Road access to city - alternative route via Freshford Road considered unsuitable (*the fact that traffic studies indicate c50% of Dunningstown Road traffic ultimately proceeds to the Freshford Road not considered relevant*)
 - b. Concern expressed at suggestion of closing road that has been in use for "hundreds of years". No recognition of the fact this is a standard feature of new roads in Kilkenny City (*Sion Road/Outrath Road etc.*)
 - c. Concerns of residents located on the urban approach to the proposed Link Road / Dunningstown Road traffic light controlled cross roads junction not considered important by rural residents/landowners.
- (4) Objection to use of Part 8 Planning Process to progress Scheme. Reasons include:
- a. Development of the Link Road is premature pending the completion of the Loughmacask Masterplan
 - b. Similar road proposals had previously been refused planning permission by An Bord Pleanala (*Kilkenny Central Access Scheme Phase 3*).
 - c. The Part 8 process is an inappropriate route for obtaining planning permission due to the environmental risks resulting from the scheme

7. Statutory Referrals

A statutory referral submission was received from the Roads Department and the Environment Department of Kilkenny County Council

8. **Implications for future Planning and Development of Kilkenny City**
The proposed development is consistent with the provisions of the Kilkenny City and Environs Development Plan 2014 - 2020 and the provisions of the Kilkenny City and County Draft Development Plan 2021 - 2027. It is also compatible with the overall Strategic Road network for Kilkenny City.

Copies of the Appropriate Assessment (AA) screening report, the Environmental Impact Assessment (EIA) screening report and the report of the Planning Department of Kilkenny County Council are appended to this document.

The recommendations of the Planning Department will be taken into account by the Roads Department when preparing the detailed design of the scheme.

9. **An Bord Pleanála**
Under Article 250(3)(b) of the Planning and Development Regulations, a third party has submitted the proposed scheme to An Bord Pleanála for a determination as to whether the development would be likely to have such significant effect on a European site (*River Nore SAC & SPA*).

The case is due to be decided by An Bord Pleanála by 23rd September, 2021.

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

Proposed Development: *Part 8 Proposal Ref. P8/14/20*
Loughmacask Link Road Phase 1(a)

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

In reaffirming the recommendation to Elected Members that the Part 8 Proposal proceed in this instance, I recommend that no development works proceed in connection with the proposal pending a determination by An Bord Pleanála in relation to request received under Article 250(3) of the Planning & Development Regulations 2001, as amended.

SIGNED:



Tim Butler
Director of Services

Appendix A – AA Screening Report

Habitats Directive Project Screening Assessment

Table 1: Project Details

Development Consent Type	Part 8
Development Location	Loughmacask, Kilkenny City
Planning File Ref	Part 8:14/20
Description of the project	Loughmacask Link Road Phase 1(a)

Table 2: Identification of Natura 2000 sites (SACs and SPAs) which may be impacted by the proposed development

Please answer the following five questions in order to determine whether there are any Natura 2000 sites which could potentially be impacted by the proposed development. If the answer to all of these questions is no, significant impacts can be ruled out for habitats and bird species. No further assessment is required. Please refer to tables 3 and 4 where the answer to any of these questions is yes.

		Y/N
1	ONE- OFF HOUSE /SMALL EXTENSION/ ALTERATION TO EXISTING BUILDING	N/A
1a	<p>Is the development a one- off house/small extension/alteration to existing building within an SAC/SPA or within 100m of an SAC/SPA and likely to discharge pollutants or nutrients of a significant nature and amount to surface water within catchments of and SAC/ SPA as part of its construction or operational phase (including the installation of waste water treatment systems; percolation areas; septic tanks within SAC/SPA or very close proximity)?.</p> <p>If the answer to the above question is: - no, then no appropriate assessment required - yes, then an appropriate assessment is required - not sure, then an appropriate assessment is required in accordance with the precautionary principle</p>	N/A
2	DEVELOPMENTS OTHER THAN THOSE DESCRIBED IN 1 ABOVE	Yes
2a	<p>Impacts On Freshwater Habitats Is the development within a Special Area of Conservation whose qualifying interests include freshwater habitats, or in the catchment of same and does the development propose to discharge water to or abstract water from the habitat?</p> <p>Sites to consider: Lower River Suir, River Barrow, River Nore.</p> <p>Habitats to consider: Alluvial Wet Woodland, (Lower River Suir), Dry Heath (some steep slopes along River Barrow and its tributaries) Rivers, Streams, Lakes and Lagoons, Old Oak Woodland, floating river vegetation,</p> <p>Species to consider: River Lamprey, Brook Lamprey, Freshwater Pearls Mussel, Nore Freshwater Pearl Mussel, Crayfish, Twaite Shad, Atlantic Salmon, Otter, Vertigo Moulinsiana,</p>	No
2b	<p>Impacts On Wetland Habitats Is the development within a Special Area of Conservation whose qualifying interests include wetland habitats, or likely to discharge water to or abstract water from the wetland?</p> <p>Sites to consider: Hugginstown Fen, Galmoy Fen, The Loughans, Flood Plain wetlands</p> <p>Habitats to consider: Bogs, Alkaline Fens (Hugginstown and Galmoy), Turloughs (The Loughans)</p>	No
2c	<p>Impacts on Intertidal and Marine Habitats Is the development located within a Special Area of Conservation whose qualifying interests include intertidal and marine habitats and species, or within the catchment of same and likely to discharge water to or abstract water from the habitats.</p> <p>Sites to consider: Lower River Suir</p> <p>Habitats to consider: Atlantic Salt meadows, Mudflats, sandflats, saltmarsh, estuary</p>	No

		Y/N
	Species to consider: Sea Lamprey, River Lamprey, Brook Lamprey, Freshwater Pearl Mussel, Crayfish, Twaite Shad, Atlantic Salmon, Otter.	
2d	<p>Impacts On Woodlands And Grasslands <i>Is the development within a Special Area of Conservation whose qualifying habitats include terrestrial habitats, or in close proximity to same with a likely ecological impact?.</i></p> <p>Sites to consider: Spa hill and Clomantagh Hill, Cullahil Mountain, River Barrow, River Nore, Lower River Suir</p> <p>Habitats to consider: <i>Alluvial Wet Woodlands</i> (River Nore below Inistloge and River Suir at Fiddown Island and Carrick on Suir), <i>Eutropic tall herb vegetation</i> (River Suir at Fiddown Island and Carrick on Suir), and <i>grasslands</i> (Spa hill and Clomantagh Hill, Cullahil Mountain)</p> <p>Oak Woodlands in old estates next to the Nore and Barrow</p> <p>Species to consider: Greenwinged, Frog and Bee Orchids (Cullahil and Clomantagh Hill), Nettle Leaved Bellflower and Autumn Crocus</p>	No
2a	<p>Impacts On Birds <i>Is the development within a Special Protection Area, or likely to discharge water to same or likely to have another significant impact on the habitats of Birds in same?.</i></p> <p>Sites to consider: River Nore</p> <p>Species to consider: River Nore: Kingfisher (Alcedo Atthis) – Nesting in river banks</p>	No

Table 3: Determination of possible impacts on Natura 2000 sites.

Where it has been identified in table 2 that there is a Natura 2000 site within the potential impact zone of the proposed development, it is necessary to try to determine the nature of the possible impacts. Please answer the following questions as appropriate.

1.	Impacts on designated freshwater habitats (rivers, lakes streams and lagoons).	
	<i>Please answer the following if the answer to question 2a in table 2 was yes.</i>	
	<i>Does the development involve any of the following:</i>	
1.1	Impacts on watercourses (tributaries, streams, drains) which are remote from the SAC/SPA but may still impact on the SAC/SPA by reason of the nature or quantity of the discharge	N/A
1.2	Abstraction from surfacewater or groundwater within 1km of SAC/SPA.	N/A
1.3	Removal of topsoil within 100 m of watercourses with potential for surface water runoff.	N/A
1.4	Infilling or raising of ground levels within 100m of watercourses with potential for surface water runoff.	N/A
1.5	Construction of drainage ditches within 1km of SAC/SPA.	N/A
1.6	Construction within a floodplain or within an area liable to flood.	N/A
1.7	Crossing or culverting of rivers or streams within 1km of SAC/SPA.	N/A
1.8	Storage of chemicals hydrocarbons or organic wastes within 100 m of a watercourse.	N/A
1.9	Development of a large scale which involves the production of an EIS.	N/A
1.10	Development of quarries, particularly where abstraction is below water table.	N/A
1.11	Development of windfarms within 1km of an SAC or with the risk of runoff to an SAC/SPA, particularly during construction.	N/A
1.12	Development of pumped hydro electric stations.	N/A

2	<p>Impacts on designated wetland habitats (bog, heath, marsh, fen).</p> <p><i>Please answer the following if the answer to question 2b in table 2 was yes.</i></p> <p><i>Does the development involve any of the following:</i></p>	
2.1	Impacts on watercourses (tributaries, streams, drains) which are remote from the SAC/SPA but may still impact on the SAC/SPA by reason of the nature or quantity of the discharge.	N/A
2.2	Construction of roads or other infrastructure on peat habitats within 1km of a Natura 2000 site of which qualifying interests include peat, fen or marsh. (Only Peat habitat at Bruckana – consider Galmoy fen – impact unlikely)	N/A
2.3	Development of a large scale within 1km within a Natura 2000 site, whose qualifying features include fen or marsh, which involves the production of an EIS.	N/A
3	<p>Impacts on designated Intertidal and marine habitats (mudflats, sandflats, estuaries, reefs and sea cliffs).</p> <p><i>Please answer the following if the answer to question 2c in table 2 was yes.</i></p> <p><i>Does the development involve any of the following:</i></p>	
3.1	Impacts on intertidal and marine habitats from potential development which are remote from the SAC/SPA but may still impact on the SAC/SPA by reason of the nature or quantity of the discharge	N/A
3.2	Development of piers, slipways, marinas, pontoons or any other infrastructure within 5km of a Natura 2000 site whose qualifying features include intertidal or marine habitats.	N/A
3.3	Dredging within 5km of a Natura 2000 site whose qualifying features include intertidal or marine habitats.	N/A
3.4	Impacts on watercourses (tributaries, streams, drains) which are remote from the SAC/SPA but may still impact on the SAC/SPA by reason of the nature or quantity of the discharge.	N/A
3.5	Removal of topsoil or infilling within 100m of Natura 2000 sites whose qualifying features include intertidal or marine habitats where potential for surface water runoff exists.	N/A
3.6	Development of a large scale within 1km of Natura 2000 sites whose qualifying features include intertidal or marine habitats, which involves the production of an EIS.	N/A
4	<p>Impacts on other designated woodlands and grasslands (woodland, upland grassland, lowland grassland, coastal grassland including dunes).</p> <p><i>Please answer the following if the answer to question 2d in table 2 was yes.</i></p> <p><i>Does the development involve any of the following:</i></p>	
4.1	Works within the boundary of a Special Area of Conservation whose qualifying interests include woodland or grassland habitat types.	N/A
4.2	Development within 200m of Natura 2000 site with woodland or grassland habitats.	N/A
4.3	Development of a large scale within 1km of Natura 2000 site with woodland, grassland or coastal habitats which involves the production of an EIS.	N/A
5	<p>Impacts on birds in SPAs</p> <p><i>Please answer the following if the answer to question 2e in table 2 was yes.</i></p> <p><i>Does the development involve any of the following:</i></p>	

5.2	Erection of wind turbines within 1km of an SPA.	N/A
5.3	All construction works within 100m of SPA (River Nore), including the development of cycle ways or walking routes	
5.4	Infilling of coastal habitats within 500m of intertidal SPA.	N/A
5.5	Works within 1km of coastal SPA which will result in discharges to rivers or streams that are directly connected to designated sites.	N/A

Conclusion: If the answer to question 1 and 2a-e are no or n/a, significant impacts on habitats within Natura 2000 sites and on SPAs can be ruled out. No further assessment is required in relation to habitats or birds. If the answer to any question in table 2 is yes, you may require further information, unless you are satisfied that the project proponents have incorporated adequate mitigation into their design to avoid impacts on the Natura 2000 site (eg water pollution protection measures). Such information should be provided in the form of a Natura Impact Statement which should address the particular issues of concern as identified through the above.

Table 4: Consideration of potential impacts on protected species

Many of our Special Areas of Conservation are designated for species as well as for habitats. These are listed below, alongside the sites for which they are designated. Included is a short list of the types of activities which could have an impact on these species. Please tick if you are concerned that the proposed development could have an impact on these species.

Species	Relevant Sites	Activities which could have impacts on species	Possible Impacts Identified? Y/N
Otter	River Nore River Barrow Lower River Suir Note: Otters are a strictly protected species. All breeding sites and resting places are protected regardless of whether or not they are within or external to Special Areas of Conservation.	Activities that interfere with river banks.	No
Atlantic Salmon	River Barrow River Nore Lower River Suir	Activities that interfere with water quality, levels or the river bed;	No
River Lamprey	River Barrow River Nore Lower River Suir	Activities that interfere with water quality, levels or the river bed;	No
Brook Lamprey	River Barrow River Nore Lower River Suir	Activities that interfere with water quality, levels or the river bed;	No
Sea Lamprey	River Barrow River Nore Lower River Suir	Activities that interfere with water quality or the river bed – estuarine areas;	No
Twaite Shad	Lower River Suir	Activities that interfere with water quality or the river bed – estuarine areas;	No
Crayfish	Lower River Suir	Activities that interfere with water quality or the river bed;	No
Freshwater Pearl Mussel	River Barrow River Nore Lower River Suir	Activities that interfere with water quality, levels or the river bed ;	No
Nore Freshwater Pearl Mussel	River Nore	Activities that interfere with water quality, levels or the river bed ;	No

Conclusion: If the answer to all of the above is no, significant impacts on species can be ruled out. If the answer to any of the above is yes, then further information is likely to be required in relation to potential for impact on that particular species. Where potential impacts are identified on Otters or on Bats outside designated sites, then further information should be sought in the form of a species specific survey. In these cases, appropriate assessment is not required.

Habitats Directive Screening Conclusion Statement

Development Type	Part 8
Development Location	Loughmacask, Kilkenny City
Natura 2000 sites within impact zone	None
Planning File Ref	Part 8:14/20
Description of the project	Construction of Phase 1(a) of the Loughmacask Link road from the Kilkenny to Freshford Road at Talbotsinch, Kilkenny.
Describe how the project or plan (alone or in combination) could affect Natura 2000 site(s).	
No impacts due to the proposal having no significant impact on River Nore SAC.	
If there are potential impacts, explain whether you consider if these are likely to be significant.	
N/A	
<p>Conclusion of assessment Having regard to the precautionary principle, it is considered that:</p> <p><input checked="" type="checkbox"/> Significant impacts can be ruled out or AA not required (if project is directly connected or necessary to Management of Natura 2000 site (determined in consultation with NPWS)).</p> <p>or</p> <p><input type="checkbox"/> Significant impacts are certain, likely or uncertain (cannot be ruled out), Natura Impact Statement (NIS) is required.</p> <p><input type="checkbox"/> Project must be subject to appropriate assessment.</p>	
Documentation reviewed for making of this statement.	
Appropriate Assessment Guidelines, 2009 / Kilkenny City and County Development Plan 2014 – 2020	
Completed By	<i>Arlene O' Connor, Senior Executive Planner</i>
Date	<i>6/4/2021</i>

Appendix B - EIA Screening Report

To: Tim Butler, Director of Services
From: Arlene O' Connor, Senior Executive Planner
Proposal: Part VIII proposal - Loughmacask Link Road Phase 1(a)
Re: Screening for Environmental Impact Assessment (EIA)

Planning Legislation:

Planning and Development Regulations 2001-2020, Schedule 5, Part 1 and 2
European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 Article 75 which amends Article 120 of the Planning and Development Regulations 2001
Planning and Development Act 2000 - 2020

Characteristics of Project

Under this Part VIII proposal, Kilkenny County Council are proposing the following:

- Construct Phase 1(a) of the Loughmacask Link Road, approximately 400m long, from the Kilkenny to Freshford Road at Talbotsinch, to the west side of the Dunningstown Road at Lousybush.
- Construct a new roundabout at the junction of the Loughmacask Link Road and the Kilkenny to Freshford Road at Talbotsinch.
- Construct a new section of road, approximately 100m long, from the end of the existing access road for Talbot's Gate and Talbot's Court housing estates, to the west side of the Dunningstown Road at Lousybush.
- Widen and upgrade the existing access road for Talbot's Gate and Talbot's Court housing estates, for approximately 300m.
- Provide footpaths and cycletracks on both sides of the Loughmacask Link Road from its junction with the Freshford road at Talbotsinch, to the west side of the Dunningstown road at Lousybush.
- Provide public lighting
- Provide a new watermain.
- Provide surface water drainage.
- Provide new boundary treatments to the rear of the proposed footpaths.
- Close the Dunningstown Road immediately on the city side of the Loughmacask Link Road.
- Provide a new junction to access the new Loughmacask Link Road from the rural approach on the Dunningstown Road.
- Provide pedestrian and cycle access across the new Loughmacask Link Road from the rural and city sides of the Dunningstown Road.
- Provide two signal controlled raised pedestrian crossings, one adjacent to entrance to Talbot's Gate Housing estate, and the second at the junction of the new road and the Dunningstown Road.
- Relocate the existing trees to green spaces adjacent to the proposed roundabout at the junction of the new road and the Freshford Road.
- Construct two revised junctions on the Loughmacask Link Road to serve Talbot's Gate and Talbot's Court housing estates.

Location

The proposed road and associated works will run from the Kilkenny to Freshford Road at Talbotsinch, to the west side of the Dunningstown Road at Lousybush in Kilkenny city.

Type and Characteristics of Potential Impact

From assessing the documentation associated with the proposed Loughmacask Link Road, Phase 1(a) in the city, which includes the construction of a new link road, a new roundabout, widening and upgrading of existing access road for Talbot's Gate and Talbot's Court housing estates, new footpath and cycle tracks, two signal controlled raised pedestrian crossings, two revised junctions on the Loughmacask Link Road to serve Talbot's Gate and Talbot's Court housing estates, relocation of existing trees to green spaces adjacent to the proposed roundabout, the provision of public lighting, new surface water drainage and a new watermain, it is considered that the proposed development works are significantly below sub threshold Part 2 activities and having regard to the environmental sensitivities of this area and the potential impacts based on the following environmental factors:

- Population and human health
- Biodiversity, with particular attention to special and habitats protected under the Birds and Habitats Directives
- Land, soil, water, air and the landscape
- Climate
- Interaction between above
- Expected effects from relevant major accidents and / or disasters

it is determined that no Environmental Impact Assessment Report is required.

An Appropriate Assessment Screening report was also carried out by the Planning Authority of Kilkenny County Council, in relation to the proposed Part VIII works relating to the Loughmacask Link Road Phase 1(a) in Kilkenny city and this concluded that significant impacts on any Natura 2000 site can be ruled out therefore it was determined that a Natura Impact Assessment was not required.

Conclusion

It is determined that based on the above preliminary examination, there is no real likelihood of significant effects on the environment arising from the proposed development works which are for the Loughmacask Link road Phase 1(a) and therefore it is recommended that no Environmental Impact Assessment Report is required for this Part VIII proposal, where the proposed road and associated works will run from the Kilkenny to Freshford Road at Talbotsinch, to the west side of the Dunningstown Road at Lousybush in Kilkenny city.

Signed: **Arlene O' Connor**
Senior Executive Planner,
Kilkenny County Council.
6/4/2021

Appendix C - Planning Report

COMHAIRLE CHONTAE CHILL CHAINNIGH KILKENNY COUNTY COUNCIL



PLANNING REPORT

TO: Tim Butler, Director of Services

FROM: Denis Malone, Senior Planner

DATE: 1st July, 2021

RE: Part VIII Ref: P8/14/20
LOUGHMACASK LINK ROAD PHASE 1(A)

Part VIII Proposal

- Construct Phase 1(a) of the Loughmacask Link Road, approximately 400m long, from the Freshford Road at Talbotsinch, to the west side of the Dunningstown Road at Lousybush.
- Construct a new roundabout at the junction of the Loughmacask Link Road and the Freshford Road at Talbotsinch.
- Construct a new section of road, approximately 100m long, from the end of the existing access road for Talbot's Gate and Talbot's Court housing estates, to the west side of the Dunningstown Road at Lousybush.
- Widen and upgrade the existing access road for Talbot's Gate and Talbot's Court housing estates, for approximately 300m.
- Provide footpaths and cycletracks on both sides of the Loughmacask Link Road from its junction with the Freshford road at Talbotsinch, to the west side of the Dunningstown Road at Lousybush.
- Provide public lighting, a new watermain and surface water drainage.
- Provide new boundary treatments to the rear of the proposed footpaths.
- Provide two signal controlled raised pedestrian crossings, one adjacent to entrance to Talbot's Gate Housing estate, and the second at the junction of the new road and the Dunningstown Road.
- Construct two revised junctions on the Loughmacask Link Road to serve Talbot's Gate and Talbot's Court housing estates.

The layout of the proposed scheme is shown on the plan overleaf.

Referrals

Roads Design

The road forms part of the strategic infrastructure link servicing the Loughmacask Area as identified in the Development Plan.

The Area Engineer: No report at the time of writing.

Environment Section: No objection subject to conditions relating to waste disposal and disposal of surface water by means of SuDS.

Irish Water: No response at the time of writing.

Development Plan Provisions

Kilkenny City & Environs Development Plan 2014 – 2020.

The Central Access Scheme consists of 3 phases:

Phase 1 from the Castlecomer Road to Dean Street, including the River Nore crossing is now complete.

Phase 2 consists of East-West Link Road from the Waterbarrack Roundabout to the Circular Road new roundabout newly constructed.

Phase 3 consists of a link from the proposed Phase 2 East-West Link Road to the Freshford Road roundabout.

It is an objective of the 2014 – 2020 City & Environs Plan to complete Phase 1 and reserve the lines for Phase 2 & 3 as follows:

“10K Reserve the line of Phase 2 and Phase 3 of proposed Central Access Scheme free from development and to complete Phase 1 of the Central Access Scheme within the plan period.”¹

See Extract Fig 10.2 below.

It is a strategic aim of the 2014 – 2020 Plan, “to co-ordinate transport and land use planning, reducing the demand for travel and the reliance on the private car in favour of public transport, cycling and walking.”

¹ Page 171 Kilkenny City & Environs Development Plan 2014 -2020

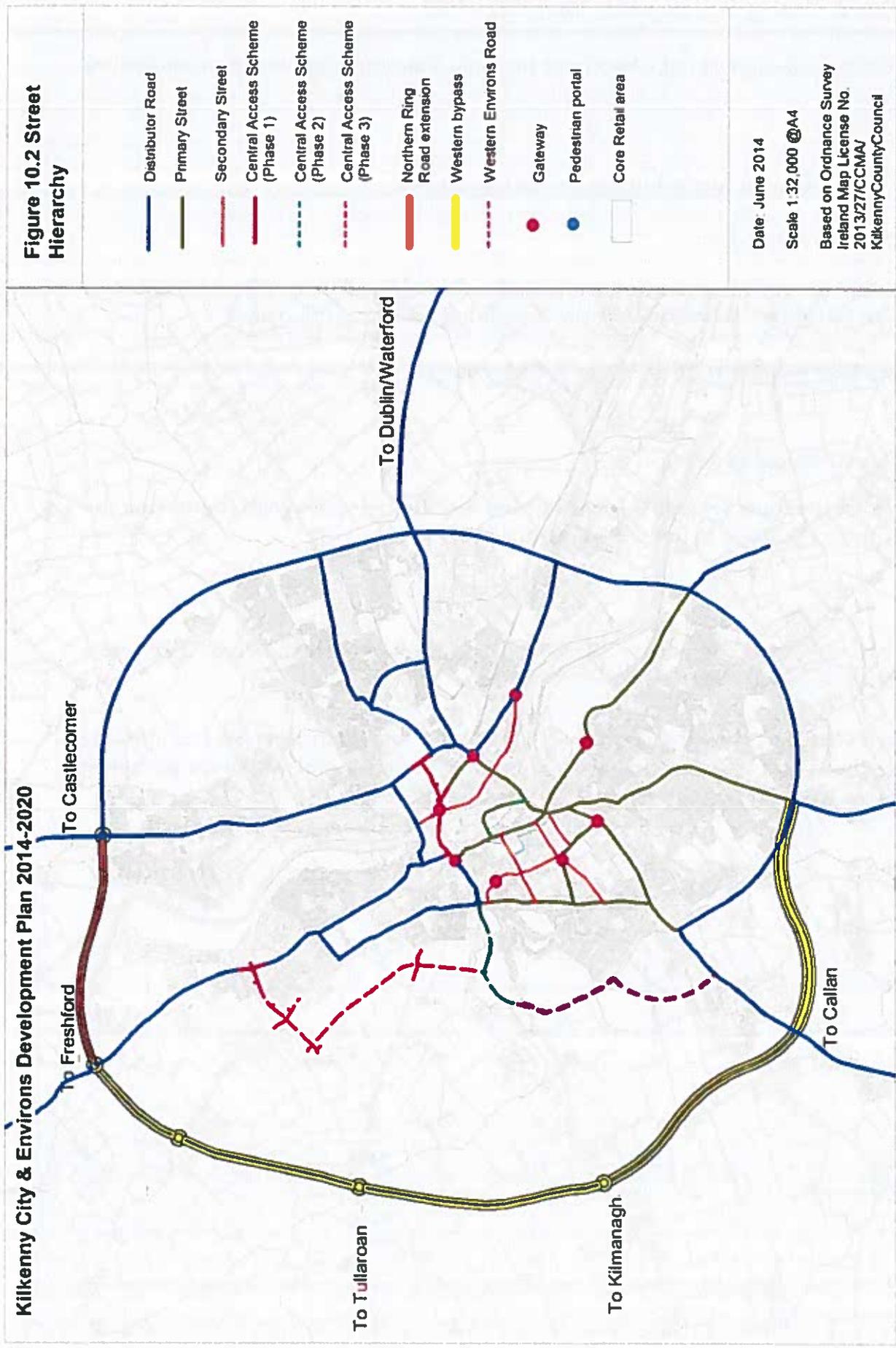


Figure 10.2 illustrates the hierarchy of the road network in the City and Environs both in terms of the existing road network and strategic road proposals.

Draft City & County Development Plan 2021 - 2027

In the Mobility & Movement Chapter of the draft Plan the following road objectives is stated:

C5U To Implement the following Roads Objectives:

Objective R6 is stated as:

R6: Provide for a road connection from the Freshford Road to the site reserved for a proposed secondary school within the Loughmacask masterplan area.

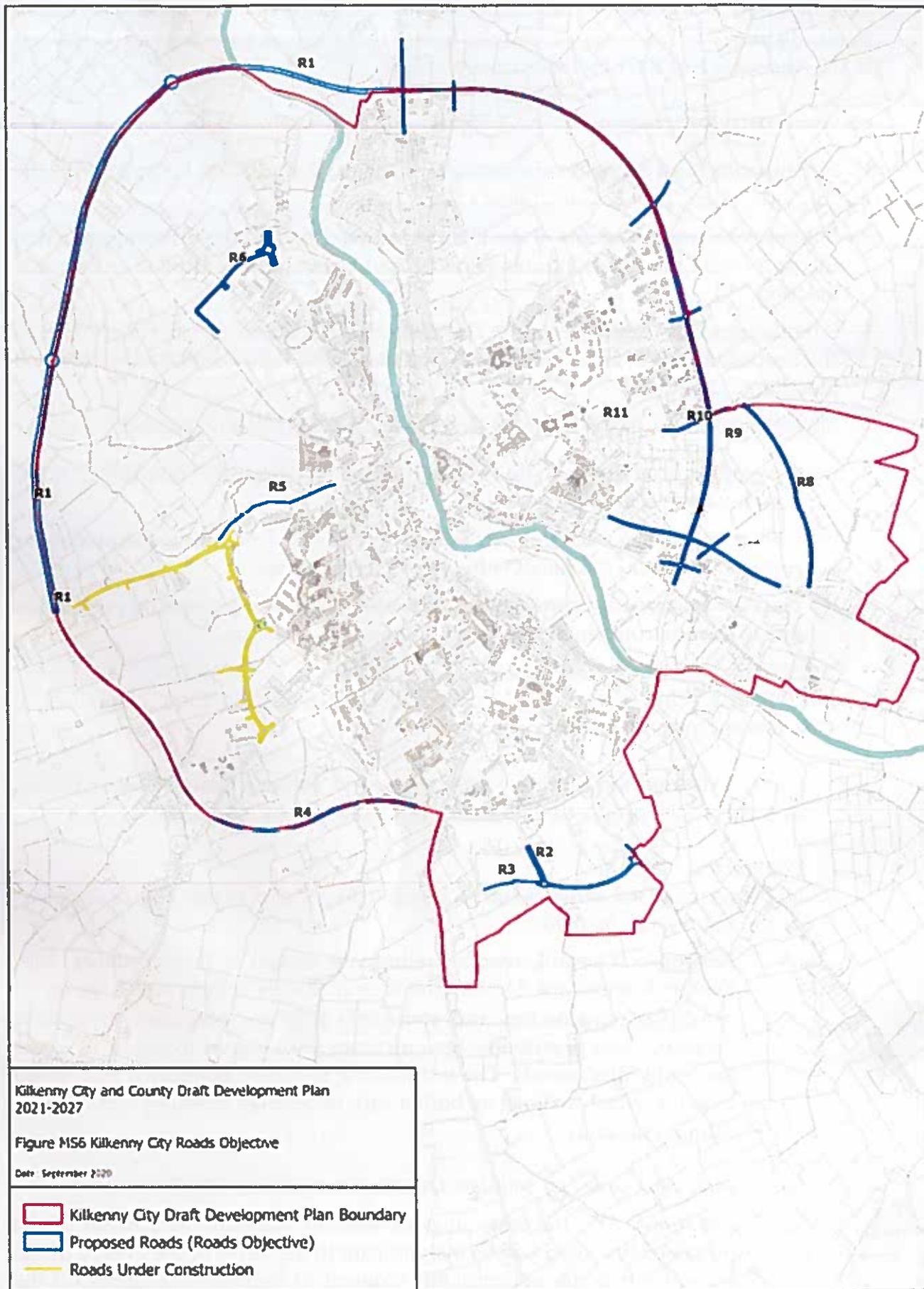
See figure MS6 from Draft City & County Plan overleaf.

Objective R7 states as follows:

To progress the route selection, planning and development of a road connecting the R695 Kilmanagh Road to the R693 Freshford Road.

These two objectives combined replace the Central Access Scheme Phase 3 objective from the 2014 – 2020 Plan.

The Draft Plan states that the Council will continue to maintain, develop and improve existing roads and to construct new roads as needs arise and resources permit in accordance with the Annual Roadworks Programme.



Third Party Submissions

One hundred and thirteen (113) submissions were received during the period of public display. The names of the people/bodies that made submissions are contained in the *Appendix F* of the Chief Executive's report.

The third party submissions can be categorised as follows:

1. Submissions from residents of existing housing estates adjacent to the route of the proposed road (*Talbot's Gate, Talbot's Court etc.*).
2. Submissions from residents of the Dunningstown Road on the urban approach to the proposed Link Road/Dunningstown Road traffic light controlled cross roads junction.
3. Submissions from residents of the Dunningstown Road on the rural approach to the proposed Link Road/Dunningstown Road traffic light controlled cross roads junction.
4. Objection to use of Part 8 Planning Process to progress scheme. Reasons include:
 - (a) Development of the Link Road is premature pending the completion of the Loughmacask Masterplan.
 - (b) Similar road proposals had previously been refused planning permission by An Bord Planeála (*Kilkenny Central Access Scheme Phase 3*).
 - (c) The Part 8 process is an inappropriate route for obtaining planning permission due to the environmental risks resulting from the scheme.

I have detailed below the principle observations included in these categories of submissions and provided a response to same.

1. Use of existing road serving Talbot's gate and Talbot's Court housing estates as access to the proposed CBS school opposed by local residents.

Points raised include:

- (a) *Increased risk of road accidents resulting from higher traffic volumes (increased risk to local children)*

Response: The link road's preliminary design is in accordance with Design Manual for Urban Roads and Streets which sets a series of principles, approaches and standards that are necessary to achieve balanced, best practice design outcomes with regard to street networks and individual streets. The introducing signalled controlled pedestrian crossing which will act as both a safe pedestrian crossing and a traffic calming measure.

- (b) *Additional noise / air pollution resulting from increased traffic*

Response: Any increase in noise and air pollution as a result of the proposed link road will be insignificant in the terms of the overall traffic volumes. It is the policy of the Council to reduce the reliance on the private car as a primary means of travel. The proposed link road and associated cycling and pedestrian links is part of that overall strategy for the City.

- (c) *Loss of existing trees along road due to proposed road widening.*
Response The existing trees will be relocated within existing open space either side of the road. If these trees fail, they will be replaced.
- (d) *Increased pedestrian traffic from non-residents.*
Response: No planning implications for increased pedestrian traffic.
- (e) *Unsuitability of proposed CBS school location generally (landlocked site / number of large schools in this area of the city already)*
Response: The CBS proposed development is subject to a separate planning application (ref 21/327) process independent of this Part 8.
- (f) *Increased difficulty exiting from housing estates onto proposed road and increased traffic on already congested Freshford Road.*
Response: As part of the design the existing entrances are to be revised to meet the requirement of the Design Manual for Urban Roads and Streets and to accommodate the provision of necessary footpaths and cycle lanes. These revisions will assist in reducing traffic speed and increasing visibility at the junctions. With the additional traffic calming measures this will ensure a safer junction arrangement than exists at present.
- (g) *Loss of amenity space at end of existing housing estate road.*
Response: There is a significant amount of amenity space on either side of the proposed link road which is zoned amenity/open space in the Development Plan and Draft Development Plan.
- (h) *Changes in local circumstances since road first proposed render the scheme now inappropriate (housing built since and both estates now effectively acting as single combined estate)*
Response: When the estates were granted planning permission under Ref 00/1966 & 00/1968 the design of the schemes took into account the proposals to have a link road from the Freshford Road through to the Dunningstown Road as part of the configuration of the urban road network.
- (i) *Infrastructure in area (including Kilkenny Ring Road), should be finished before further development in the area proceeds (the Ring Road once completed will service west side of Kilkenny City thereby negating some of the reasons for the Link Road).*
Response While the Ring Road extension is a critical piece of infrastructure for the overall development of the City it is considered unreasonable to suggest that the future expansion of the city should be halted until its completion.
- (j) *The increased size of St Luke's Hospital, Aut Even Hospital and the PRL commercial premises mean traffic volumes have increased in recent years and should not be added to by the development of a large school in this area.*
Response: The CBS secondary school planning application is a separate process to this Part 8 and will be dealt with on its own merits.

(k) *Number of large schools in this area of city already.*

Response: The CBS application is a separate planning application and will be dealt with on its own merits.

2. The construction of the proposed traffic light controlled cross roads junction between the Dunningstown Road and the Link Road is opposed by existing urban residents of Dunningstown Road.

Points raised include:

(a) *Increased traffic resulting from the school and vehicles using Dunningstown Road to access to and from Freshford Road (notwithstanding the proposed traffic light restrictions).*

Response: The proposed traffic light setting/arrangements will prevent vehicular traffic from the school accessing the Dunningstown Road to the City.

(b) *Increased risk of road accidents resulting from higher traffic volumes (in particular increased risk to existing road users)*

Response: The proposed scheme is designed to meet the requirement of DMURS and to accommodate the provision of necessary footpaths and lighting. As part of the active travel measures in the City additional traffic calming measures for the Dunningstown Road will be progressed in the short term.

(c) *Difficulty exiting houses with increased traffic.*

Response: It is not anticipated that there will be any significant level of increased vehicular traffic on the Dunningstown Road given the traffic restrictions proposed for the scheme.

(d) *General unsuitability of existing road for additional traffic / cyclists due to restricted width (also opposition expressed to road widening to alleviate these difficulties that would affect property boundaries).*

Response: Additional vehicular traffic will be limited on the Dunningstown Road. There are measures included to facilitate pedestrian safety and additional measures under the Active Travel.

(e) *Lack of public consultation with affected residents.*

Response: Notwithstanding the formal public consultation process which this report and submissions form part of, additional meetings were held with the residents/public before and as part of the Part 8 process. It is noted that 114 submissions were received which is an indication of public awareness and activity in the process.

3. Objection to the possible closure of the Dunningstown Road on the City side of the proposed Link Road.

Points raised include:

- (a) *Opposition expressed to closing Dunningstown Road access to city – alternative route via Freshford Road considered unsuitable (the fact that traffic studies indicate c50% of Dunningstown Road traffic ultimately proceeds to the Freshford Road not considered relevant).*

Response: The proposal as advertised provides for the Dunningstown Road to remain a through route to the City.

- (b) *Concern expressed at suggestion of closing road that has been in use for "hundreds of years". No recognition of the fact this is a standard feature of new roads in Kilkenny City (Sion Road / Outrath Road etc.)*

Response: The proposal as advertised provides for the Dunningstown Road to remain a through route to the City.

- (c) *Concerns of residents located on the urban approach to the proposed Link Road/Dunningstown Road traffic light controlled cross roads junction not considered important by existing rural residents / landowners.*

Response: The proposal as advertised provides for the required level of safety as per the design manuals and provides for an accepted level of safety and convenience for all road users.

4. Objection to use of Part 8 Planning Process to progress scheme.

Points raised include:

- (a) *Development of the Link Road is premature pending the completion of the Loughmacask Masterplan.*

Response: The provision of the Link Road as an objective is not dependant on the formal completion of the Loughmacask Masterplan. The objective for the road is contained within the current Kilkenny City & Environs Development Plan 2014 – 2020 and is also contained in the Kilkenny City & County Draft Development Plan 2021 – 2027 both of which are higher order strategic plans. The masterplan must conform to the higher order plans.

- (b) *Similar road proposals had previously been refused planning permission by An Bord Pleanála (Kilkenny Central Access Scheme Phase 3).*

Response: Previous decisions by An Bord Pleanála in connection with the 3 Phases of the Central Access Scheme are not relevant to this current proposal.

- (c) *Part 8 process is an inappropriate route for obtaining planning permission for this scheme due to environmental risk.*

Response: Every Plan and project is subject to a screening exercise for appropriate assessment and environmental impact assessment. The proposed scheme has been subject to such screenings (*see Appendix A and B of the Chief Executive's Report*). The proposed scheme will **not** increase the risk to the environment as a result of its implementation.²

² The scheme has been referred to An Bord Pleanála under Article 251(3) of the Planning and Development Regulations 2001 as amended.

An Bord Pleanála Referral

Under Article 250(3)(b) of the Planning and Development Regulations, a third party has submitted the proposed scheme to An Bord Pleanála for a determination as to whether the development would be likely to have such significant effect on a European site (*River Nore SAC & SPA*).

The case is due to be decided by An Bord Pleanála by 23/09/2021

The screening report prepared at public consultation stage was based on the assumption that no additional surface waters would flow from the scheme through the existing road drainage network to the River Nore.

On that basis it was concluded that there would be no significant impact on the River Nore SAC and SPA.

Following the referral to An Bord Pleanála (ABP) a submission was made by the Council to ABP which identified in detail that no additional surface water will flow to the River Nore as a result of the scheme. This is achieved by diverting some of the drainage on the existing road to a sustainable urban drainage system which will be utilised for the new section of road.

The result is that no additional surface waters will enter the River Nore SAC and SPA over and above the present regime. It can be concluded therefore, that on the best knowledge available that the development, individually or in combination with other plans or projects would not be likely to have a significant effect on a European Site.

Assessment

The proposed project is part of the strategic road network for the City.

Under the 2014 - 2020 Kilkenny City & Environs Development Plan, the link road formed part of Phase 3 of the Central Access Scheme and an objective and policy is contained in the Plan to that effect.

The Draft Kilkenny City and County Development Plan currently at Material Alteration Stage (*public display of Material alterations 30th June – 28th July*) contains the objective to implement the road objectives on Figure MS6 of the Plan.

Figure MS6 identifies objective R6 which is to provide “for a road connection from the Freshford Road to the site reserved for a proposed secondary school within the Loughmacask Masterplan area.

The proposed link road will also serve residential land in the Loughmacask Masterplan area.

The proposed link road is part of the strategic road network for the City and is an overarching objective for the Loughmacask Masterplan.

The Loughmacask Masterplan is nearing its completion and the objective for the link road is one which has been incorporated in to the provisions of the Masterplan from its initial stages. The proposed road is not dependent on the finalisation of the Masterplan but the implementation of the Masterplan is dependent on the delivery of the Link Road.

In order to ensure that there is no impact on the River Nore SAC and SPA it is a recommendation of the Planning Department that drainage for the scheme is developed at detailed design stage to ensure that no additional surface waters are drained to the River Nore SAC & SPA. This will ensure that there is no possibility that there will be any significant effects of the Natura 2000 site.

Recommendation

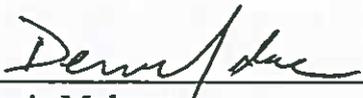
Having regard to:

- (a) the details submitted with the Part 8 application,
- (b) the referral reports received,
- (c) the submissions received,
- (d) policies and objectives of the Kilkenny City & Environs Development Plan 2014 to 2020 and the Draft City & County Development Plan 2021 to 2027 in relation to the proposed Link Road it is considered that the Planning Authority can recommend approval of Part 8 application subject to the recommendations below that the proposed Loughmascask Link Road is in accordance with the proper planning and sustainable development of the area.

Recommendations

1. The proposed Link Road shall be completed in accordance with the documentation submitted with the Part 8 application.
2. Prior to the commencement of the development, a detailed surface water drainage proposal shall be submitted to the Planning Authority for approval confirming and or demonstrating as necessary that:
 - (a) the design of surface water system has had regard to and incorporated the provisions of the [Greater Dublin Regional Code of Practice for Drainage Works](#)³ and associated GSDSDS technical documents.
 - (b) no additional surface water on the current road will enter the River Nore SAC over and above what is currently draining to the River Nore from the existing surface water systems.
3. Prior to commencement of development the detailed surface water drainage system with the requirements in recommendation 2 above shall be agreed with the Planning Department.
4. Prior to the removal or relocation of any trees on site a methodology for the relocating of existing trees shall be agreed with the Planning Department.

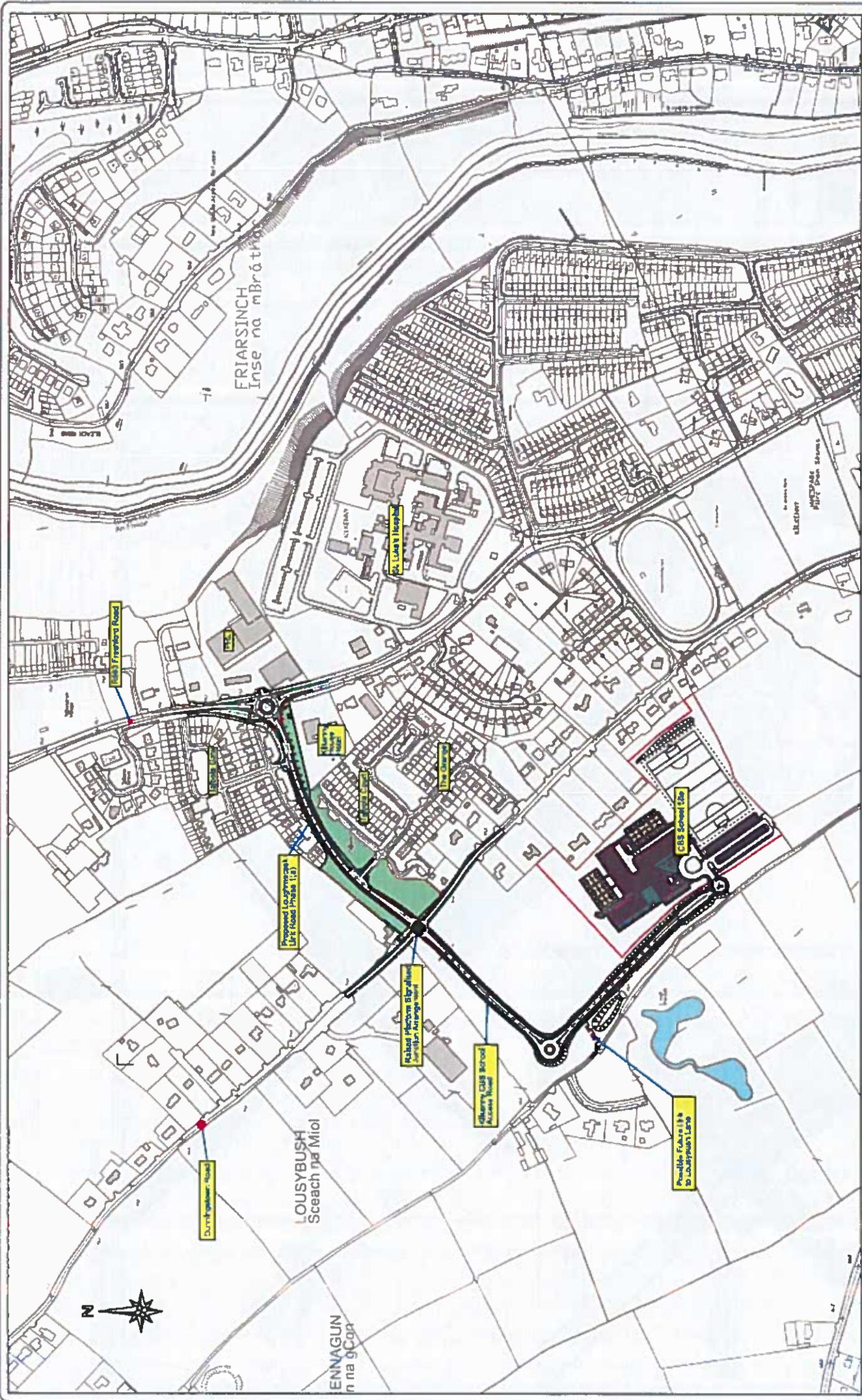
Signed:


Denis Malone

Date:

1/7/2021

Appendix D - Drawings

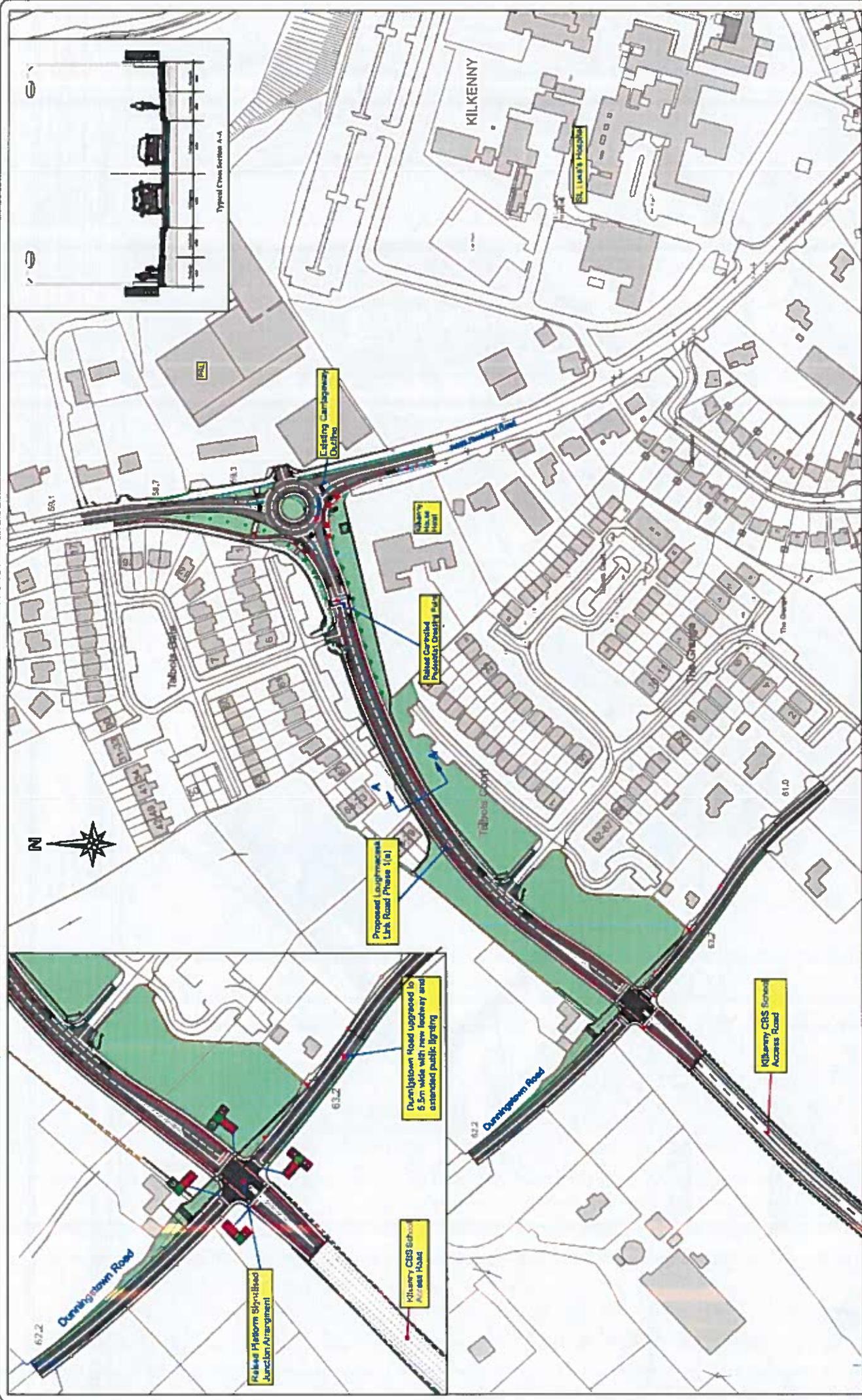


Project	Loop-around Line Road Phase 1 (A)
Compassing	Part 6
W&J	Landline Map
Designed By	J.P. Murray
Drawn By	MM
Checked By	MM
Drawn Date	17/2
Checked Date	Apr 2021
Drawn By	MM
Checked By	MM

No.	By	Date	Description

WICKERMAN COUNTY COUNCIL
 Wick
 1000 O'NEILL STREET
 WICK, CO. WICK
 WICKERMAN COUNTY COUNCIL

Based on Ordnance Survey Map of Ireland
 Licensed to Wickerman County Council 2021/176000A



Project	Leamington Linc Road Phase 1(a)
Client	Wexford Council
Drawn By	JG
Checked By	MS
Drawn Date	14/04/2021
Checked Date	14/04/2021

No.	Date	Description

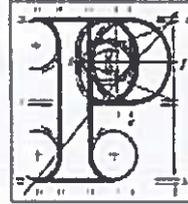
KILKENNY COUNTY COUNCIL
 Kilkenny Chamber of Commerce
 ROAD DESIGN SECTION
 1 GLEN STREET
 KILKENNY

Based on Ordnance Survey Map of Ireland
 License No. Kilkenny County Council 2021/27CCMA

Appendix E

An Bord Pleanála Correspondence

Our Case Number: ABP-310305-21



**An
Bord
Pleanála**

Tim Butler
Kilkenny County Council
County Hall
John Street
Kilkenny
Co. Kilkenny

Date: 26 May 2021

Re: Loughmacask Link Road Phase 1(a)
From the R693 Kilkenny to Freshford Road to approximately 50m to the west of the
Dunningstown Road at Lousybush

Dear Sir,

In order to facilitate the Board's consideration of the matter you are hereby requested, in accordance with article 250(3)(d) of the Planning and Development Regulations 2001, as amended, to provide the Board with the documentation in relation to the Part 8 process for the above mentioned application.

Your response to this letter should be received not later than 5:30 p.m. on the 21st June, 2021. If you have any queries in relation to the matter please contact the undersigned officer of the Board.

Please quote the above mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

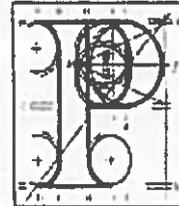
Yours faithfully,

Sarah Kerley
Executive Officer
Direct Line: 01-8737287

Tel (01) 858 8100
Glaos Áitiúil LoCall 1890 275 175
Facs Fax (01) 872 2684
Láithreán Gréasáin Website www.pleanala.ie
Ríomhphost Email bord@pleanala.ie

64 Sráid Maoibhríde 64 Marlborough Street
Baile Átha Cliath 1 Dubhín 1
D01 V902 D01 V9C2

Our Case Number: ABP-310305-21



An
Bord
Pleanála

Tim Butler
Kilkenny County Council
County Hall
John Street
Kilkenny
Co. Kilkenny

Date: 25 May 2021

Re: Loughmacask Link Road Phase 1(a)
From the R693 Kilkenny to Freshford Road to approximately 50m to the west of the
Dunningstown Road at Lousybush

Dear Sir,

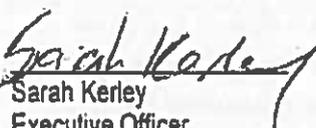
Please be advised that the Board has received a request by email requesting it to exercise its powers under Article 250(3) of the Planning and Development Regulations, 2001, as amended, to require you to prepare a Natura impact statement in respect of the above-mentioned proposed development

You are requested to submit any observations on the issue of whether it is considered that the proposed development would, in the local authority's opinion, be likely to have significant effects on a European Site. Furthermore, if it is considered that the proposed development would not be likely to have significant effects on a European Site, the local authority is requested to explain the basis for such an opinion.

Please submit your response no later than 5.30pm on the 21st June 2021.

If you have any queries in relation to the matter, please contact the undersigned officer of the Board. Please quote the above-mentioned An Bord Pleanála reference number in any correspondence or telephone contact with t

Yours faithfully,



Sarah Kerley
Executive Officer
Direct Line: 01-8737287

Tel (01) 858 8100
Glae Áitúil LoCall 1890 275 175
Facs Fax (01) 872 2584
Láithreán Gréasáin Website www.pleanala.ie
Ríomhphost Email bcrd@pleanala.ie

64 Sráid Maoibhride 64 Marlborough Street
Baile Átha Cliath 1 Dublin 1
D01 V902 D01 V902



Ms Sarah Kerely

Executive Officer

An Bord Pleanála

Your Ref ABP – 320305 21

Our Ref Part 8 14/20

Re : Loughmacask Link Road.Phase 1(a)

From the R693 Kilkenny to Freshford Rd to approximately 50m west of the Dunningstown Road at Lousybush

Article 250(3) of the Planning and development Regulations, 2001 as amended.

Dear Ms Kerely

I refer to your letter of the 26th May last and wish to respond as follows.

The proposed link road scheme was placed on public display in accordance with the provisions of Part XI of the Planning and Development Act 2000 as amended and Part 8, Article 81 of the Planning and Development Regulations 2001 as amended by Kilkenny County Council. The public display period was from Monday April 26th to Friday May the 21st with submission received up to and including the 4th June 2021.

The scheme is described as follows:

- **Construct Phase 1(a) of the Loughmacask Link Road, approximately 400m long, from the Freshford Road at Talbotsinch, to the west side of the Dunningstown Road at Lousybush.**
- **Construct a new roundabout at the junction of the Loughmacask Link Road and the Freshford Road at Talbotsinch.**
- **Construct a new section of road, approximately 100m long, from the end of the existing access road for Talbot's Gate and Talbot's Court housing estates, to the west side of the Dunningstown Road at Lousybush.**
- **Widen and upgrade the existing access road for Talbot's Gate and Talbot's Court housing estates, for approximately 300m.**
- **Provide footpaths and cycletracks on both sides of the Loughmacask Link Road from its junction with the Freshford road at Talbotsinch, to the west side of the Dunningstown road at Lousybush**

- Provide public lighting, a new watermain and surface water drainage.
- Provide new boundary treatments to the rear of the proposed footpaths
- Provide two signal controlled raised pedestrian crossings, one adjacent to entrance to Talbot's Gate Housing estate, and the second at the junction of the new road and the Dunningstown Road.
- Construct two revised junctions on the Loughmacask Link Road to serve Talbot's Gate and Talbot's Court housing estates.

A copy of the documentation placed on public display is attached for your information. Included in that documentation is the appropriate assessment screening report carried out by the Planning Department which identifies that the development will not discharge water to or abstract water from any Natura 2000 site. Thus a Natura Impact statement is not required. (copy attached)

The nearest Natura site to the proposed development is the River Barrow And River Nore SAC and SPA, site code : 002162. The site is located in the development within a Special Area of Conservation whose qualifying interests include freshwater habitats, or in the catchment of same and does the development propose to discharge water to or abstract water from the habitat?

The proposed link road overlays on an existing road which was constructed under planning ref 001966 for the construction of Phase 1 of an overall housing development of 191 dwellings and community service buildings, new site entrance and associated site works and revised site layout and site entrance locations. This estate and the road network associated with it are in charge of the local authority as are the open space areas adjacent.

The existing road drainage along this constructed section of road is collected by gullies to a 300mm diameter pipe and drains to a surface water system along the Freshford Rd that discharges to the River Nore.

In accordance with the policies and objectives of its own Kilkenny City & Environs Development Plan the local authority's strategic aim is to provide a framework for the protection of the environment, including water quality.

Existing Road Drainage Outfall (see attached sketch) is a 300mm drainage pipe laid in existing road ultimately outfalls to River Nore the area serviced by that is $286m \times 6.0m = 1716m^2$ (existing road length x width)

The estimated increased area of road resulting from the changes in road width (from 6.0m to 6.5m for length of c280m) and the construction of the roundabout, is approximately $1000m^2$.

The surface water drainage from all the additional length of new road, and 180m length of the widened existing road, (shown in dark blue on the attached map LMLR-P1(a)-D1) will in future outfall to soakholes. The location and design of the soakholes will be determined at detailed design stage.

The direction of surface water flow is shown by the red chevron arrows on the plan. Proposed road 6.5m wide (to comply with DMURS), and new roundabout to be constructed at junction with Freshford Road.

The existing road drainage system along 180 m of the exiting road will be diverted to the new soakaway system as part of the detailed design of the scheme. The roundabout area will drain to the existing system.

The overall net effect is that the net discharge to the River Nore Sac will be marginally reduced through the existing surface water drainage scheme.

The proposed new linkroad Phase 1(a) will drain to soakaways and will not enter the system.

It is proposed that standard best practice construction measures will be employed to ensure that no pollutant construction materials such as sand, cement, concrete or waste water would enter the existing drainage system during the construction phase.

Kilkenny County Council Planning Authority as the competent authority is satisfied that the project will not have an impact on a European site, and that significant impacts can be ruled out and thus it is not necessary to proceed to a Stage 2 Appropriate Assessment in this instance.

Should you require any further information, please do not hesitate to contact the undersigned,

Mise, le meas,

Tim Butler

Tim Butler
Director of Services,
Kilkenny County Council.

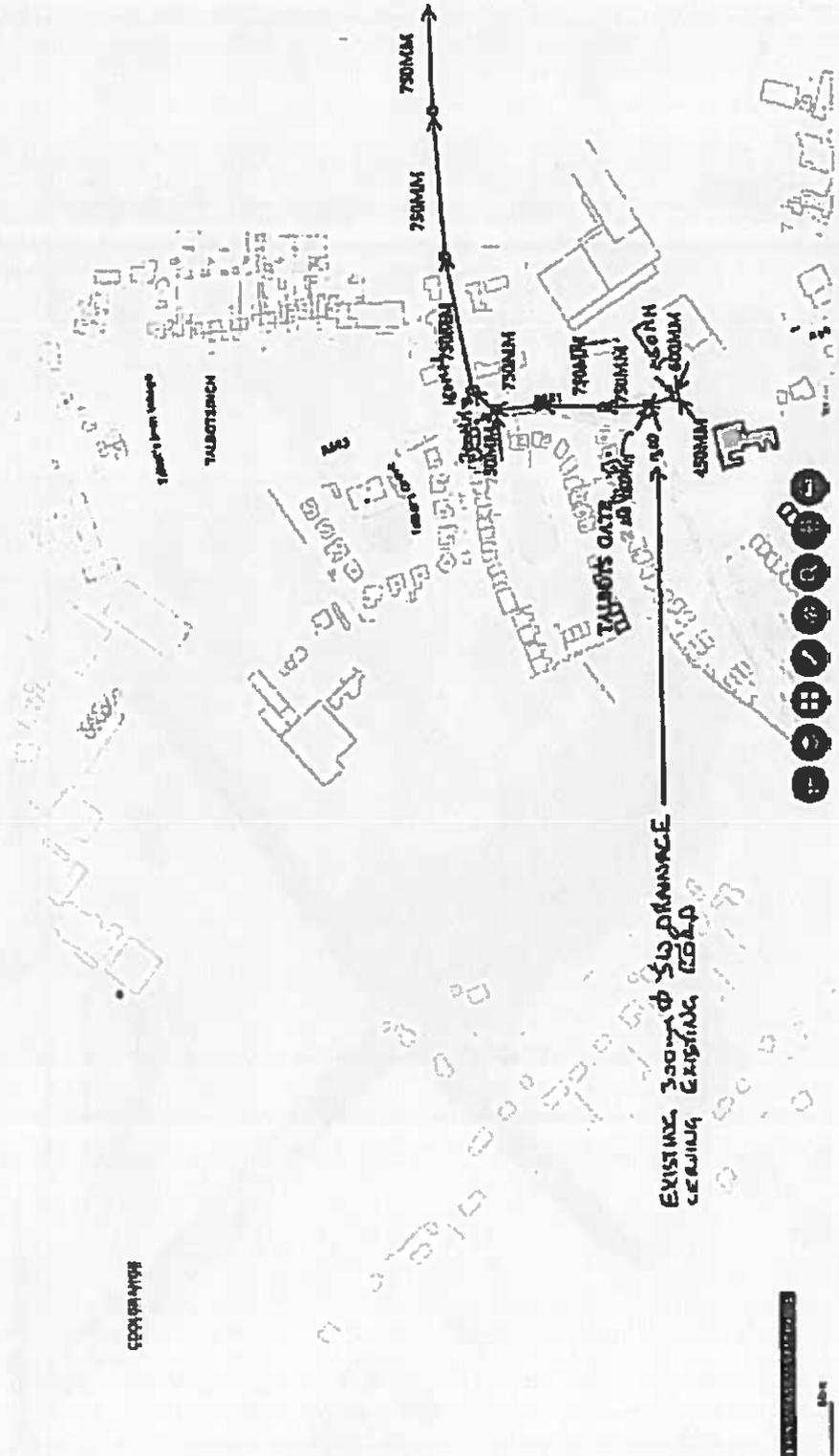
BLAZEN DRAIN

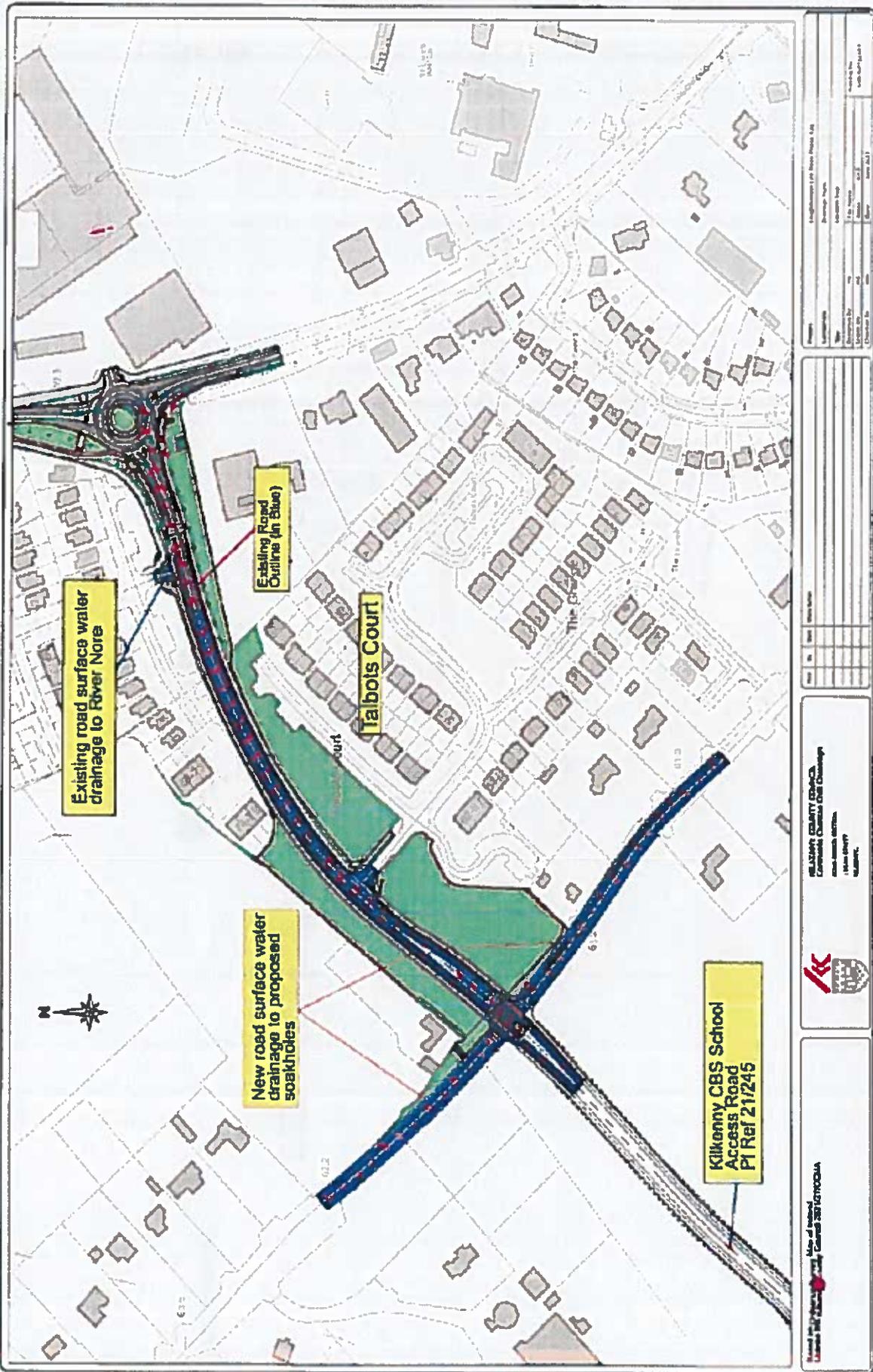
11.17
11.18
11.19

11.20

SEWER MAIN

EXISTING 300mm Ø SUB DRAINAGE
CEILING EXISTING COLP





Project Name	Kilkenny CBS School Access Road
Client	Kilkenny County Council
Scale	1:500
Drawn By	[Name]
Checked By	[Name]
Issue No.	01
Date	21/03/2024

Sheet No.	1 of 1
Scale	1:500
Project Name	Kilkenny CBS School Access Road
Client	Kilkenny County Council
Scale	1:500
Drawn By	[Name]
Checked By	[Name]
Issue No.	01
Date	21/03/2024

KILKENNY COUNTY COUNCIL
 Kilkenny City Council
 Kilkenny County Council
 Kilkenny City Council



Map of Ireland
 Kilkenny CBS School Access Road
 P1 Ref 21/245

Appendix F
List of Persons/Groups Who Made A
Submission

**LIST OF PERSONS/GROUPS WHO MADE A SUBMISSION FOR THE
LOUGHMACASK LINK ROAD PART 8**

A Better Way
 Benny, Brevin
 Breathnach, Sean
 Brennan, Carol
 Brennan, Denis
 Brosnan, Jim
 Butler, Sinead
 Byrne, Katherine and Walsh, Jamie
 Campion, Margaret
 Cantwell
 Clarnwood Residents Association
 Cody, Daryl
 Comerford, Philip
 Connolly, Cathy
 Corr, Caitriona
 Crotty, Martin
 Dalton, Anne Marie
 Delahunty, Elizabeth
 Delahunty, Jack
 Delahunty, Patrick and Elizabeth
 Delaney, Aine and Eoghan
 Delaney, Pat
 Doheny, Killian
 Donohue, Breda
 Donohue, Kevin
 Donohue, Laura
 Donohue, Paul
 Dowling, Peter and Sinead
 Dunningstown Road City Side Residents
 Dwyer, Stephen and Moore, Arlene
 Eckhoff, Julia
 Egan, Alan
 Egan, Ursula
 Fitzgerald, Ian and Margaret
 Foley, Deirdre
 Gallagher, Brian
 Gavin, Joan and PJ
 George, Benny
 Graham, Brendan
 Griffin, Niall
 Gunn, Peter and Eileen
 Harrington, Linda
 Hctor, Katriona
 Hogan, John

Horan, Alice and Tim
 Hughes, Cormac
 Hurley Family
 Keane, John
 Kelly, Aisling
 Kelly, Chris
 Kelly, Sheila J
 Kelly, Tom
 Kennedy, Enya
 Kennedy, Thomas and Aine
 Kenny, Tom
 Keogh, Adrian
 Kilkenny Archaeological Society
 Kodukula, Srinivas
 Lacey, Brian and Margaret
 Lacey, Declan
 Leahy, Gerry
 Leahy, Patrick
 Leahy, Raymond
 Loughmacask Land Partnership
 Lowry, Richie
 Macaraeg, Rowena
 Madden, Kevin
 Maharaj, Harry
 Maharaj, Mairead
 Maharaj, Robin
 Mahony, Graham
 Maloney, Gerard and Mullan, Imelda
 Manning, James
 Martin, Colette
 McCabe, Maureen
 McCabe, Philip
 McDonnell, Gillian
 Moore, Kay
 Mullins Family
 Murphy, Laura
 Murphy, Margaret
 Nagle, April
 Norton, Catherine
 Norton, Richard and Nora
 O'Brien, Anne
 O'Brien, Vincent
 O'Brien, Shane and Cuddihy, Caitriona
 O'Caomh, Micheal

O'Dwyer, Frank and Margaret
O'Hogain, Eoin
O'Keeffe, Christopher
O'Neill, Dan
O'Reilly, Ken
O'Rourke, Conor
Perez-Gavilan, Ariane and Delehanty, Michael
Rafter, Joe
Reilly, Anne
Reilly, Michaela
Rhatigan, Sinead
Roche, Aiden
Ryan Consulting
Stokes, Mary
Sweetman, Peter
Teehan, Richard
The Grange Residents
Turley, Tomas and Aine
Tynan, Frank
Tynan, Shem
Walsh, Kevin
Walsh, Mary Ita
White, Kevin
Wyse, James
Wyse, Martin

Appendix G - Kilkenny People Notice



**Planning and Development Act 2000, as amended
Planning and Development Regulations 2001, as amended
NOTICE OF PROPOSED DEVELOPMENT BY A LOCAL AUTHORITY**

Loughmacask Link Road Phase 1(a)

In accordance with the provisions of Part XI of the Planning & Development Act 2000, as amended and Part 8, Article 81, of Planning and Development Regulations 2001, as amended, Kilkenny County Council gives notice of its intention to construct the Loughmacask Link Road Phase 1(a) road scheme.

The principle features of the proposed development will consist of;

- Construction of the Loughmacask Link Road Phase 1(a), approximately 400m in length, from the R693 Kilkenny to Freshford Road at Talbotsinch, to approximately 50m to the west of the Dunningstown Road at Lousybush
- Construction of a new roundabout at the junction of the Loughmacask Link Road, and the Kilkenny to Freshford Road at Talbotsinch
- Construction of a new section of road, approximately 100m in length, from the end of the existing access road serving Talbot's Gate and Talbot's Court housing estates, to the west side of the Dunningstown road at Lousybush
- Widening and upgrading of the existing access road for Talbot's Gate and Talbot's Court housing estates, for approximate length of 300m
- Construction of a Traffic Signal controlled raised platform cross roads junction at the intersection of the Loughmacask Link Road and the Dunningstown Road
- Provision of footpaths and cycletracks on both sides of the Loughmacask Link Road
- Provision of new footpath on the Dunningstown Road on the urban approach, from the cross roads junction with the Loughmacask Link Road, to the existing footpath at the entrance to The Grange housing estate
- Provision / upgrade of public lighting on the Loughmacask Link Road and on the Dunningstown Road (from the cross roads junction with the Loughmacask Link Road to the end of the existing public lighting on the urban approach and on the rural approach to the cross roads)
- Widening of the Dunningstown Road on the urban and rural approaches to the cross roads junction with the Loughmacask Link Road
- Provision of new footpath on the Dunningstown Road on the rural approach to the cross roads for the extent of the road widening
- Provision of Traffic Signal controlled raised pedestrian crossing on the Loughmacask Link Road adjacent to the existing entrance to Talbot's Gate housing estate

Plans and particulars of the proposed development will be available for inspection or purchase for a fee not exceeding the reasonable cost of making a copy during office hours from **Monday April 26th 2021 until Friday May 21st 2021 inclusive**, at the following Kilkenny County Council office by appointment only:

- Planning Dept., Kilkenny County Council, County Hall, John St., Kilkenny City from 9am to 1pm & 2pm to 4pm Monday to Friday (excluding weekends and Bank Holidays). To make an appointment please contact: 056 7794010 or email: planning@kilkennycoco.ie
- Details of the proposed development can also be viewed at <https://consult.kilkenny.ie/>

In accordance with the requirements of Article 120(1)(a) of the Planning and Development Regulations 2001 (as amended) the Planning authority has made a preliminary examination of the nature, size and location of the proposed development. The authority has concluded that there is no real likelihood of significant effects on the environment arising from the proposed development and a determination has been made that an Environmental Impact Assessment (EIA) is not required.

As per Article 120(3) of the Planning and Development Regulations 2001 (as amended), where any person considers that the development proposed to be carried out would be likely to have significant effects on the environment, he or she may, at any time before the expiration of 4 weeks beginning on the date of the publication of this updated notice apply to An Bord Pleanála for a screening determination as to whether the development would be likely to have a significant effect on the environment.

Submissions or observations with respect to the proposed development, dealing with the proper planning and sustainable development of the area in which the development will be carried out, may be made online at <https://consult.kilkenny.ie/>, in writing to the Planning Section, Kilkenny County Council, County Hall, John Street, Kilkenny or sent to the following e-mail address loughmacasklinkrdpart8@kilkennycoco.ie.

The latest time and date for receipt of submissions on the development is 4.00pm on Friday June 4th 2021.

Submissions should be clearly marked "Loughmacask Link Road Part 8"

Tim Butler
Director of Services,
Kilkenny County Council.