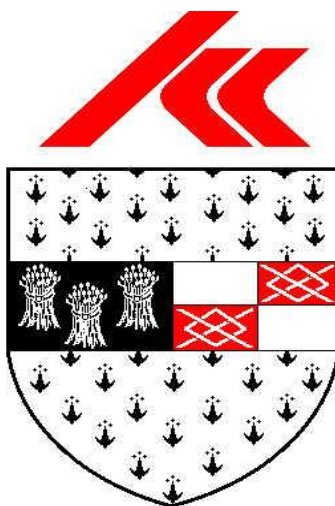


**KILKENNY COUNTY COUNCIL**  
**Comhairle Chontae Chill Chainnigh**



**Section 38 of the Road Traffic Act, 1994 as amended by the Public Transport Regulation Act, 2009 (Section 46)**

**EXPLANATORY BOOKLET**

**STONEFYORD TO ENNISNAG PEDESTRIAN WALKWAY & PUBLIC LIGHTING**

## **PROJECT DESCRIPTION AND PRINCIPLE FEATURES**

### **1.0 Brief description of the proposed works**

The works proposed were designed to address connectivity between Stoneyford and Ennisnag addressing safety issues for pedestrians and motorists. The works includes the following:-

- Provide a pedestrian walkway (940m in length approx) from Stoneyford to Ennisnag;
- Provision of street lighting along the walkway;
- Installation of signing and road markings;
- Review of speed limits signage;

Refer to proposed drawing layout in Appendix 2.

### **2.0 Background and reasons for scheme**

This document has been prepared in accordance with Section 38 of the Road Traffic Act, 1994 as amended by the Public Transport Regulation Act, 2009 (Section 46), refer to Appendix 1 of this document for copy of Public Notice.

The proposed works will offer substantial benefits to the local community, namely:-

- Provide a safe pedestrian walkway with public lighting from Stoneyford to Ennisnag.
- Deliver safe pedestrian access to schools, shop, Church services, the Stoneyford and Kings River Community facilities, Sports Complex and other amenities in the village.
- Facilitate the further development of a historic trail presently being developed by the community.
- Increase footfall in both Stoneyford and Ennisnag.
- Provide business opportunities in both villages and in the village of Kells through linking in with the Ennisnag-Kells riverside trail.
- Improve connectivity between both villages.
- Extend the 50kph speed limit to the current 60kph zone (Bye Laws to be amended).
- Extend the 60kph speed limit to north of the bridge at Ennisnag (Bye Laws to be amended).

### **3.0 Design Criteria**

The scheme shall be designed in accordance with the TII Design Manual for Roads and Bridges and the DTTAS Design Manual for Urban Roads and Streets.

## 4.0 Funding

Funding for the project was secured via the Town and Village Renewal Scheme under the Dept. of Rural & Community Development's "Rural Development Investment Programme, Project Ireland 2040.

## 5.0 Habitats Directive Project Screening Assessment

The Screening for Appropriate Assessment was undertaken by the Local Authority and a copy of this report is available in Appendix 3 of this booklet.

## 6.0 Submissions

Submissions or observations with respect to the proposed development dealing with the proper planning and development of the area in which the development will be carried out may be made online at <https://consult.kilkenny.ie>; in writing to Tim Butler, Director of Services, Kilkenny County Council, County Hall, John Street, Kilkenny or sent to the following email address [StoneyfordEnnisnag@kilkennycoco.ie](mailto:StoneyfordEnnisnag@kilkennycoco.ie).

**The latest time and date for receipt of submissions on the above scheme is 4pm on Friday 9<sup>th</sup> July 2021.** Submissions should be clearly marked "**Stoneyford Ennisnag Pedestrian Walkway**".

T. Butler  
Director of Services  
Kilkenny County Council  
County Buildings  
John Street  
Kilkenny

**Appendix 1**

**COPY OF PUBLIC NOTICE**



**Public Notice in Compliance with the Road Traffic Act, 1994 (Section 38) as amended by the Public Transportation Regulation Act, 2009 (Section 46).**

Kilkenny County Council, in exercise of the powers conferred on it under Section 38 of the Road Traffic Act, 1994 as amended by the Public Transport Regulation Act, 2009 (Section 46), hereby gives notice of proposals pertaining to the following development:

**Stoneyford Ennisnag Pedestrian Walkway**

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 **Friday 11<sup>th</sup> June 2021 until Friday 2<sup>nd</sup> July 2021**, at the following office by appointment:

- Area office of Callan/Thomastown Municipal District, Lady's Well Street, Thomastown, Co. Kilkenny from 9am to 1pm & 2pm to 4pm Monday to Friday (excluding weekends and Bank Holidays) by appointment only. To make an appointment please contact 056-7794340 or email [Thomastownoffice@kilkennycoco.ie](mailto:Thomastownoffice@kilkennycoco.ie).
- Area office of Callan/Thomastown Municipal District, Prologue, Callan, Co. Kilkenny from 9am to 1pm & 2.30pm to 4pm Monday to Friday (excluding weekends and Bank Holidays) by appointment only. To make an appointment please contact 056-7794321 or email [Callanareaoffice@kilkennycoco.ie](mailto:Callanareaoffice@kilkennycoco.ie).
- Online at <https://consult.kilkenny.ie/> and [www.kilkennycoco.ie](http://www.kilkennycoco.ie)

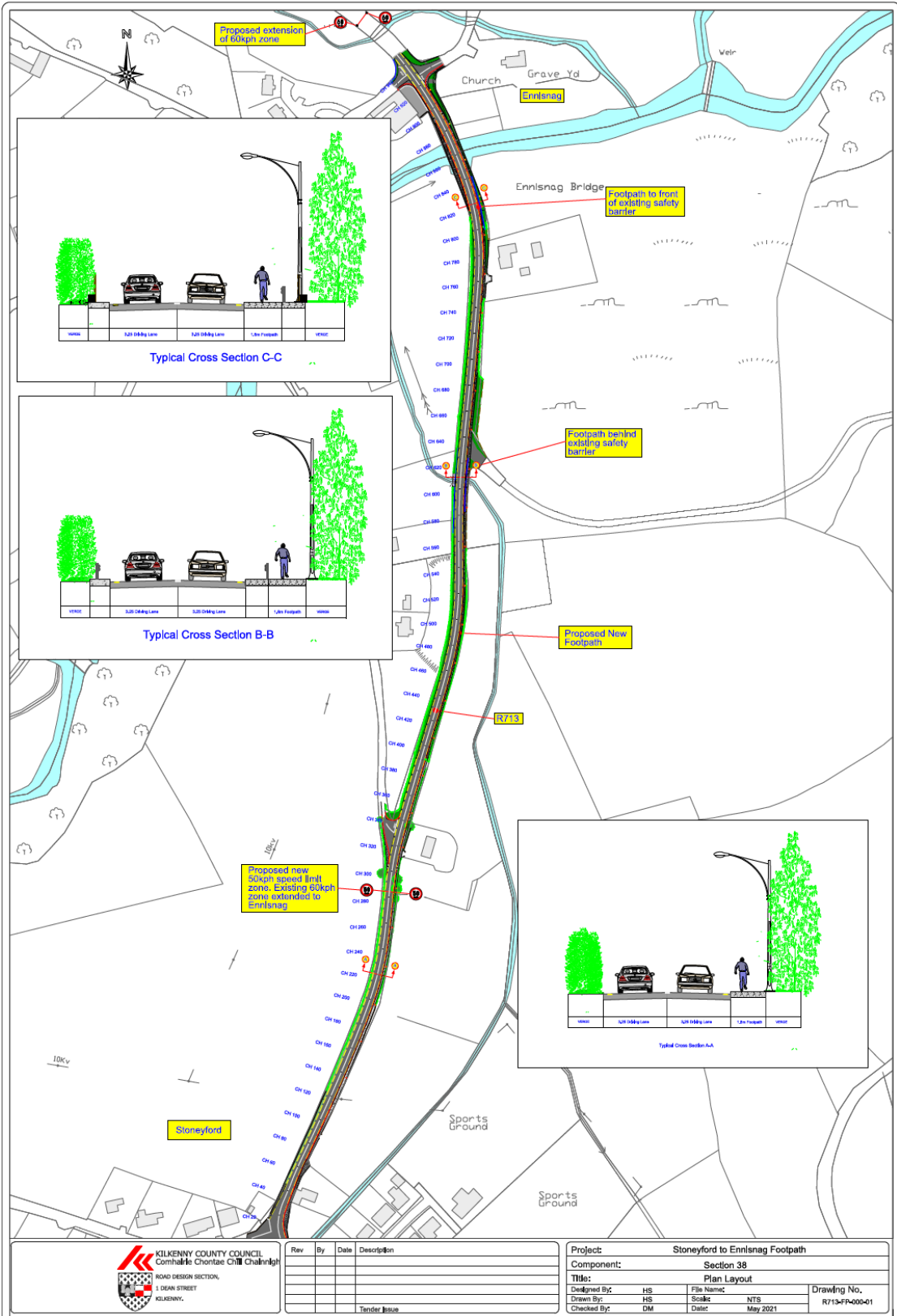
In accordance with the current COVID-19 restrictions and advice, all face to face project public consultations and meetings have been postponed until further notice. We are seeking the public's engagement through the following means; Submissions or observations with respect to the proposed development dealing with the proper planning and development of the area in which the development will be carried out may be made online at <https://consult.kilkenny.ie/>, in writing to **Tim Butler, Director of Services, Kilkenny County Council, County Hall, John Street, Kilkenny** or sent to the following email address [StoneyfordEnnisnag@kilkennycoco.ie](mailto:StoneyfordEnnisnag@kilkennycoco.ie).

The latest time and date for receipt of submissions on the above scheme is **4pm Friday 9<sup>th</sup> July 2021**. Submissions should be clearly marked "**Stoneyford Ennisnag Pedestrian Walkway**"

**T. Butler**  
**Director of Services,**  
**Kilkenny County Council, County Buildings, John Street, Kilkenny**

## **Appendix 2**

### **Proposed Plan Layout Drawing**



**KILKENNY COUNTY COUNCIL**  
 COMHAILE CHOIRte Chiallúgh  
 ROAD DESIGN SECTION  
 1 DEAN STREET  
 KILKENNY.

Rev	By	Date	Description

Tender Issue

Project: **Stoneyford to Ennisnag Footpath**  
 Component: **Section 38**

Title: **Plan Layout**

Designed By: HS	File Name:	Drawing No.
Drawn By: HS	Scale: NTS	R71347-000-01
Checked By: DM	Date: May 2021	

## **Appendix 3**

### **Habitats Directive** **Project Screening Assessment**



## Habitats Directive Project Screening Assessment

**Table 1: Project Details**

<b>Development Consent Type</b>	Section 38 road traffic act 1945, as amended
<b>Development Location</b>	Stoneyford to Ennisnag
<b>Planning ref</b>	N/A
<b>Description of the project</b>	New footpath, lighting and associated works

**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
<b>1</b>	<b>ONE- OFF HOUSE /SMALL EXTENSION/ ALTERATION TO EXISTING BUILDING</b>	N
<b>1a</b>	<p>Is the development a one- off house/small extension/alternation 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><b>If the answer to the above question is:</b>  - 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
<b>2</b>	<b>DEVELOPMENTS OTHER THAN THOSE DESCRIBED IN 1 ABOVE</b>	Y
<b>2a</b>	<p><b>Impacts On Freshwater Habitats</b>  <i>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?</i></p> <p><b>Sites to consider:</b> Lower River Suir, River Barrow, River Nore.</p> <p><b>Habitats to consider:</b>  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><b>Species to consider:</b>  River Lamprey, Brook Lamprey, Freshwater Pearls Mussel, Nore Freshwater Pearl</p>	N

		Y/N
	Mussel, Crayfish, Twaite Shad, Atlantic Salmon, Otter, Vertigo Moulinsiana,	
<b>2b</b>	<p><b>Impacts On Wetland Habitats</b>  <i>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?</i></p> <p><b>Sites to consider:</b> Hugginstown Fen, Galmoy Fen, The Loughans, Flood Plain wetlands</p> <p><b>Habitats to consider:</b>  Bogs, Alkaline Fens (Hugginstown and Galmoy), Turloughs (The Loughans)</p>	N
<b>2c</b>	<p><b>Impacts on Intertidal and Marine Habitats</b>  <i>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.</i></p> <p><b>Sites to consider:</b> Lower River Suir</p> <p><b>Habitats to consider:</b> <i>Atlantic Salt meadows, Mudflats, sandflats, saltmarsh, estuary</i></p> <p><b>Species to consider:</b> Sea Lamprey, River Lamprey, Brook Lamprey, Freshwater Pearl Mussel, Crayfish, Twaite Shad, Atlantic Salmon, Otter.</p>	N
<b>2d</b>	<p><b>Impacts On Woodlands And Grasslands</b>  <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><b>Sites to consider:</b> Spa hill and Clomantagh Hill, Cullahil Mountain, River Barrow, River Nore, Lower River Suir</p> <p><b>Habitats to consider:</b>  <i>Alluvial Wet Woodlands</i> (River Nore below Inistioge 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><b>Species to consider:</b> Greenwinged, Frog and Bee Orchids (Cullahill and Clomantagh Hill), Nettle Leaved Bellflower and Autumn Crocus</p>	N
<b>2e</b>	<p><b>Impacts On Birds</b>  <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>	N

		Y/N
	<p><b>Sites to consider:</b> River Nore</p> <p><b>Species to consider:</b>  <b>River Nore:</b> Kingfisher (Alcedo Atthis) – Nesting in river banks</p>	

**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.

<b>1.</b>	<p><b>Impacts on designated freshwater habitats (rivers, lakes streams and lagoons).</b></p> <p><i>Please answer the following if the answer to question 2a in table 2 was yes.</i></p> <p><i>Does the development involve any of the following:</i></p>	
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
<b>2</b>	<p><b>Impacts on designated wetland habitats (bog, heath, marsh, fen).</b></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><b>Impacts on designated intertidal and marine habitats (mudflats, sandflats, estuaries, reefs and sea cliffs).</b></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><b>Impacts on other designated woodlands and grasslands</b> (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
<b>5</b>	<b>Impacts on birds in SPAs</b>	
	<i>Please answer the following if the answer to question 2e in table 2 was yes.</i>	
	<i>Does the development involve any of the following:</i>	
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	N/A
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.

<b>Species</b>	<b>Relevant Sites</b>	<b>Activities which could have impacts on species</b>	<b>Possible Impacts Identified? Y/N</b>
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	Activities that interfere with water quality, levels or the river bed;	No

Species	Relevant Sites	Activities which could have impacts on species	Possible Impacts Identified? Y/N
	Lower River Suir		
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

<b>Development Type</b>	Section 38 road traffic act 1945 as amended
<b>Development Location</b>	<i>Stoneyford to Ennisnag</i>
<b>Natura 2000 sites within impact zone</b>	Kings River
<b>Planning ref</b>	N/A
<b>Description of the project</b>	
New footpath and lighting	
<b>Describe how the project or plan (alone or in combination) could affect Natura 2000 site(s).</b>	
No impacts	
<b>If there are potential impacts, explain whether you consider if these are likely to be significant.</b>	
N/A	
<p><b>Conclusion of assessment</b>          Having regard to the precautionary principle, it is considered that:</p> <p><input checked="" type="checkbox"/> Significant impacts can be ruled out <b>or</b> AA not required (if project is directly connected or necessary to Management</p> <p>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>	
<b>Documentation reviewed for making of this statement.</b>	
Appropriate Assessment Guidelines, GIS details and section 38 drawings submitted by email on 25/05/2021	
<b>Completed By</b>	<i>Deirdre Breen,</i> Executive Planner
<b>Date</b>	<i>26/05/2021</i>