Comhairle Chontae Chill Chainnigh

Halla an Chontae, Sráid Eoin, Cill Chainnigh, R95 A39T.

Kilkenny County Council

County Hall, John Street, Kilkenny, R95 A39T.



Fónamh don Phobal - Caomhnú don Oidhreacht

Serving People - Preserving Heritage

TO:

AN CATHAOIRLEACH

& EACH MEMBER OF KILKENNY COUNTY COUNCIL

RE:

PART VIII - FERRYBANK NEIGHBOURHOOD PARK AYLESBURY FERRYBANK

Planning & Development Acts 2000 - 2017

Planning & Development Regulations 2001 - 2017

DATE:

11th September, 2017

Dear Councillor,

In accordance with 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 - Ferrybank Neighbourhood Park Aylesbury Ferrybank

I attach herewith report of the Director of Services, with Planner's Report attached. 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. The Ferrybank/Belview Local Area Plan and the Draft Ferrybank/Belview Local Area Plan.

I recommend for your consideration that the proposed scheme is progressed on the basis of the attached report.

Colette Byrne
Chief Executive







KILKENNY COUNTY COUNCIL

REPORT

In Accordance with Section 179 of the Planning and Development Acts, 2000-2017

RE: Ferrybank Neighbourhood Park, Aylesbury, Ferrybank.

For consideration by the Elected Members

of Kilkenny County Council

at monthly meeting to be held

on 18th of September, 2017

No liber

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- Summary
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Planners Report

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, 2000-2017.

Description of Proposed Development

The proposal involves the development of an area of formerly derelict ground into a neighbourhood park to serve the recreational needs of the community. The site is 2.177 hectares in size and is the ownership of Kilkenny County Council.

The Ferrybank Belview Local Area Plan 2009 identifies the need for a network of open space, and in particular for a Park for the Ferrybank urban area. Kilkenny County Council has identified this site at Aylesbury to be used for the development of the Ferrybank Neighbourhood Park and includes an objective in the Draft Ferrybank Belview Local Area Plan 2017.

 Objective RTA4 and Figure 2.4) - To develop a public park and playground at Aylesbury

This need to provide a large scale play and outdoor fitness was identified in conjunction with sports clubs and communities in the area. The proposed development addresses a zoning objective in the local area plan and will serve the recreation needs of the existing and future community of Ferrybank. It is envisaged that the neighbourhood park will connect into a longer term walking and cycle network within the Ferrybank area.

A series of public consultation workshops and events to involve the community in the development of this park took place from January 2017.

The proposal put forward provides for the following:-

The development of a neighbourhood park at Aylesbury Road, Belmount, Ferrybank, Co. Kilkenny. The park will incorporate the following: -

- A playground for children of all age groups,
- A Multi Use Games Area (MUGA),
- Seating areas/picnic areas,
- An outdoor exercise area,
- A footpath network,
- Meadow areas for biodiversity,
- Shelter belt planting to provide shelter and screen planting to Aylesbury housing estate.
- A shallow swale to deal with surface water,
- Four no. pedestrian entrances and 1 no. vehicular entrance
- · Car parking and all other associated works.

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

Public Consultation

A notice describing the proposed development was placed in the Kilkenny People and Munster Express, week ending Friday 12th of May, 2017. 4 no. site notices were displayed at the site location from Friday 12th May, 2017.

In the spring of 2017 between February and March a significant level of public engagement was carried out by Kilkenny County Council.

Details of the submissions and responses are set out in the planner's report in Appendix B

Summary

Overall it is considered that the proposed development is consistent with the proper planning and sustainable development of the area and will provide an important recreational amenity and public park for the Ferrybank urban area and addresses a specific objective of the local area plan. The development was screened for appropriate assessment which showed that no significant environmental impact is likely on any Natura 2000 site.

Kilkenny County Council's Intention Regarding Proposed Development

Proposed Development:

Part 8 Proposal

Ferrybank Neighbourhood Park, Ferrybank, Co.

Kilkenny

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 and other Service Departments.

SIGNED

Mary Mulholland
Director of Services

Appendix A

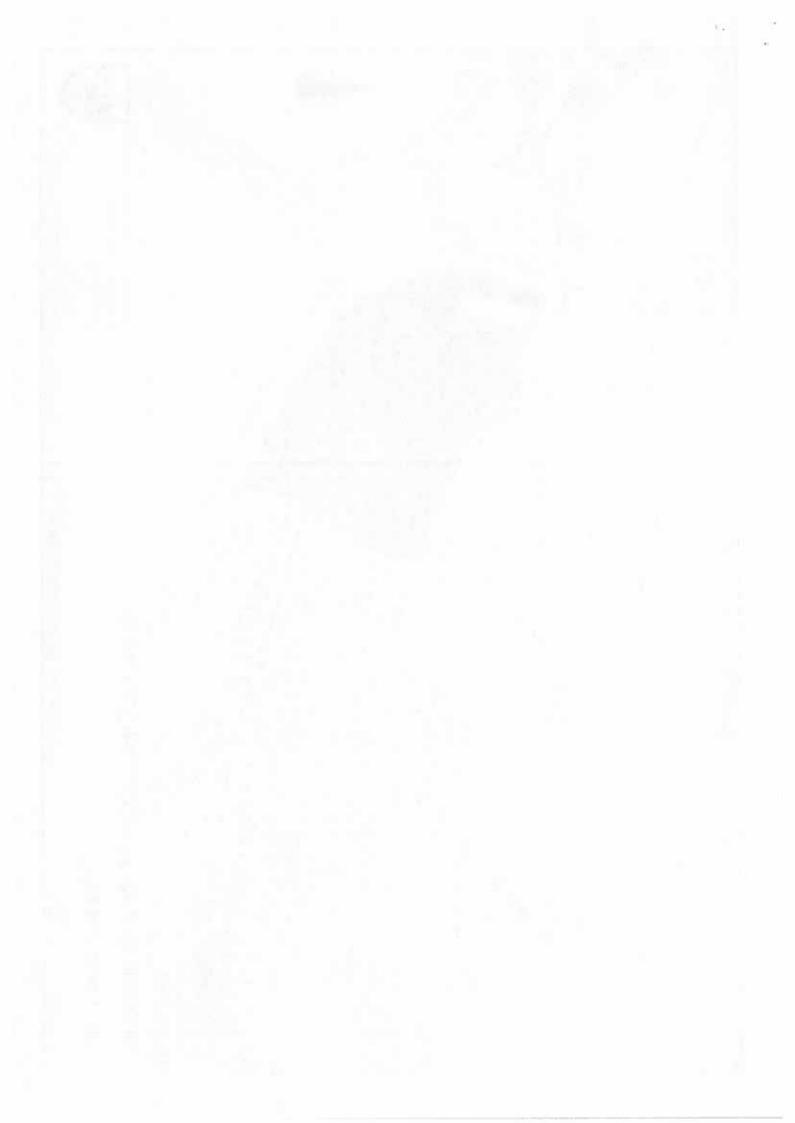
Site Location Map

Concept Landscape Layout – LA_001

Appropriate Assessment Screening









Chartered member of the Irish Landscape Institute

Client: Kilkenny Co. C.

Cathal O'Mears Landscape Architects 087 9202548 Showgrounds, Fermoy Co. Cork catha meara

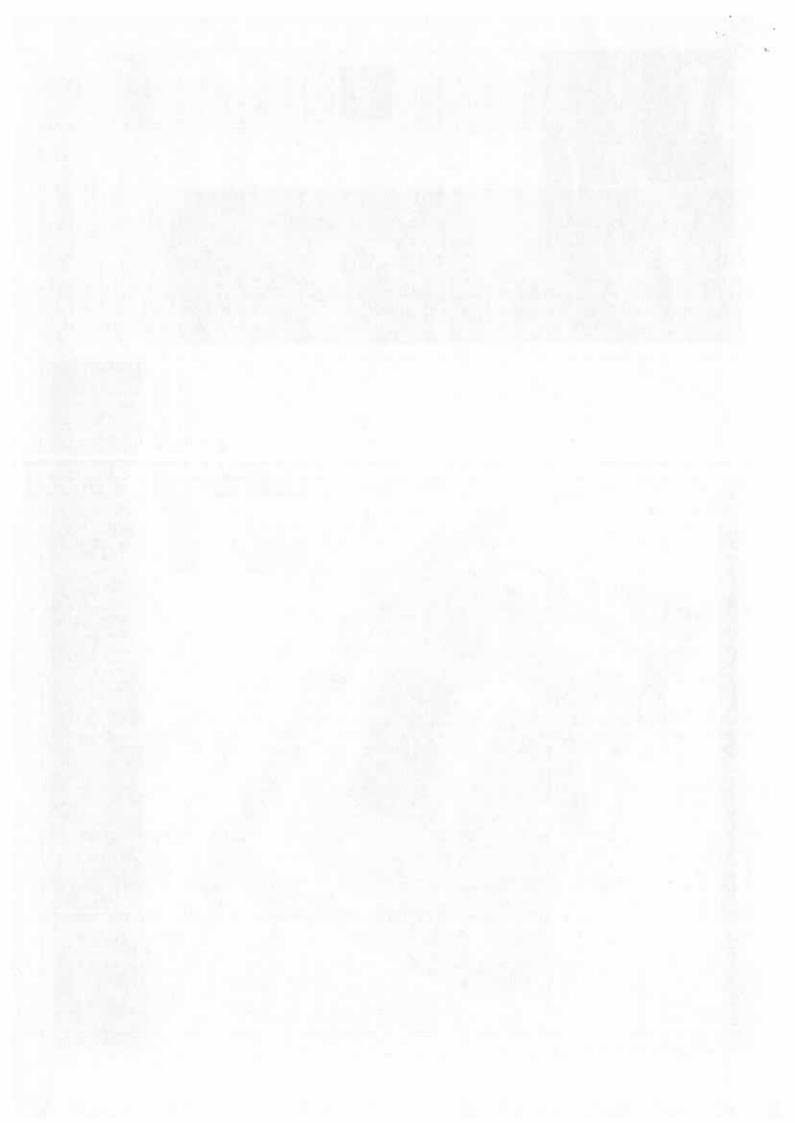
Cale 1 500, @ A1

Issue: Concept Rev

Dwg No: LA_001

Project: Aylesbury Park Drawing: Concept Londscope Layout Date: 04 April 2017

Drawn By: Cathol O'Meara



Appendix B

Planner's Report



Comhairle Chontae Chill Chainnigh Kilkenny County Council Planning Report

Planning & Development Acts, 2000 - 2017
Planning & Development Regulations, 2001 - 2017

Part VIII Proposal

01/17

Applicant/Proposer:

Parks Section - Kilkenny County Council

Subject:

Ferrybank Neigbourhood Park

Due Date:

7th August 2017

Development Location

The proposal involves the development of a former derelict site into a Neighbourhood Park to serve the recreational needs of the wider Ferrybank community. The location of the Neighbourhood Park is at Aylesbury Road, Belmount, Ferrybank, Co. Kilkenny The site is 2.177 hectares in size and is the ownership of Kilkenny County Council. The site is not located within any important designated area of the county i.e. SAC, SPA, archaeology etc.

Access

Access to the site is from Aylesbury Road which connects to the R711 road (Aldi Belmont roundabout) and is located within a 50km/h maximum speed restriction zone. One main vehicular entrance along the Aylsbury Road and four pedestrian entrances are proposed.

Zoning

The site is zoned 'Residential Low Medium Density' in the Ferrybank Belview Local Area Plan 2009.

This zoning allows for new residential development and other services incidental to residential development.

While housing is the primary use in this zone, childcare facilities and recreation will also be considered (20-30 units per hectare / 8-12 per acre.

A recreation park is considered a compatible use and does not conflict with the current zoning objectives.

Under the Draft Ferrybank Belview Local Area Plan 2017, the site is zoned Passive Open Space. *This zoning allows for passive open space/green links/biodiversity conservation*. A playground is a permissible use and car park, leisure and associated structures are uses open for consideration.

Having regard to the current and Draft Ferrybank Belview Local Area Plan the proposed use is acceptable and compatible with the zoning objectives of the site.

Policy

Kilkenny County Development Plan 2014-2020 Ferrybank Belview Local Area Plan 2009 Draft Ferrybank Belview Local Area Plan 2017 Ferrybank Community Development Strategic Plan 2015

The above documents were considered in the assessment of the application.

Impact on Natura 2000 site (SAC or SPA):

A Stage 1 Screening exercise report was completed, which showed that no significant environmental impact is likely having regard to the nature of the development and distance of the subject site from any Natura 2000 site.

Site History:

P06/1508 - Permission granted to Richmond Partnership for modifications to house types and alterations to phase 2 of the site layout only (total: 39 houses) as previously approved under planning ref: 02/750. (This permission has expired and was not developed).

Third Party Submissions:

7 no. valid Third Party submissions were received as follows:-

- 1. Dan Jensen, received the 15th of May, 2017 by email
- 2. Trevor O Hanlon, received the 16th of May, 2017 by email
- 3. Ferrybank Lifestyle Links received the 9th of June, 2017 by email
- 4. (Name supplied but asked to be kept private) received the 15th of June, 2017 by email
- 5. Joanne Freyne received the 27th of June, 2017 by email
- 6. Elaine Donnelly received the 5th of July by email
- 7. Catherine Warren on behalf of residents of Aylesbury received the 7th of July submitted through the consultation portal.

The table below provides a summary of the submission and responses

Submission By	Submission Details	Submission addressed in scheme review	Comments
Dan Jensen	Welcomes the proposed park but makes some suggestions with regard to wheelchair use: - Play grade bark mulch difficult to negotiate for wheelchair users and if some of the picnic tables or benches could be wheelchair accessible also	Yes	The park will be designed to the highest standards in terms of accessibility and use and will comply with all relevant best practice in relation to accessibility: - Building for Everyone — A Universal Design Approach — National Disability Authority
Trevor O' Hanion	Welcomes and supports the park but has reservations about the connection from the linear area to the rear of the estate and its potential to attract anti social behaviour.	Yes	The park is set out to promote connectivity to the wider nelghbourhood and forms part of an overall plan for connectivity of public open space in the wider Ferrybank area. It is best practice to promote connectivity and permeability to facilitate travel on foot. Concerns about anti social behaviour are noted. An operational and management plan will address this issue.
	Also requires clarification on the existing fencing		A solid boundary treatment along the western boundary will be provided.
Name supplied but requested to be kept private	Welcomes the park but concerned about proximity of elements of the park such as table tennis and kick about area to the residents	Yes	The plan is conceptual in layout with typical park and playground elements shown as examples only. The plan must be detailed and finalised with further consultation with residents and local communities. Every effort will be made to locate potentially noisier areas in the park further away from houses as requested.
	Concerns raised about a proposed pedestrian access to the park from Aylesbury as a source of potential annoyance to residents as others may use it as a 'rat run'		The park is laid out to promote connectivity to the wider neighbourhood and forms part of an overall plan for connectivity of public open space in the wider Ferrybank area. It is best practice to promote connectivity and permeability to facilitate travel on foot. Concerns about anti social behaviour are noted and this issue will be addressed in the operational and management plan. It should be noted that the proposed pedestrian access is intended to facilitate residents

			from Aylesbury to access the park directly from their estate and will not permit vehicular use.
Joanne Freyne	Welcomes the park but concerned about proximity of elements of the park such as table tennis and kick about area to the residents	Yes	The plan is conceptual in layout with typical park and playground elements shown as examples only. The plan must be detailed and finalised with further consultation with residents and local communities. Every effort will be made to locate potentially noisier areas in the park further away from houses as requested.
	Also concerned about a proposed pedestrian access to the park from Aylesbury as a source of potential annoyance to residents as others may use it as a 'rat run'		The park is laid out to promote connectivity to the wider neighbourhood and forms part of an overall plan for connectivity of public open space in the wider Ferrybank area. It is best practice to promote connectivity and permeability to facilitate travel on foot.
			The proposed pedestrian access is intended to facilitate residents from Aylesbury to access the park directly from their estate and will not permit vehicular use. An operational and management plan will address this issue.
Ferrybank Lifestyle Links c/o Michelle Price	Concerns that the plan is not inclusive especially for those with disabilities. Suggests a wheelchair swing	Submission addressed in scheme review	The plan is conceptual in layout with typical layout only shown at this stage. The park will be designed to the highest standards in terms of accessibility and use and will comply with all relevant best practice in relation to accessibility: Building for Everyone — A Universal Design Approach — National Disability Authority
Elaine Donnelly	Concerns about future impact on daily life – security risks, invasion of privacy and potential noise	Yes	A strong buffer of planting to the western boundary with Aylesbury will reduce any potential noise issues and the re-location of the potentially noisier play elements further away will address same.
	Observed numbers of cars parked during 'Picnic in the Park Day', how will these be accommodated.		Car parking provision is adequate and the connectivity from surrounding areas will encourage

			people to travel on foot and by bike.
	Screening – proposed planting insufficient, suggests instead a 6ft high wall		Adequate buffer planting will be provided along the western boundary
	Policing of the park, Including monitoring of vandalism and underage alcohol abuse		An operational and management plan for the facility will address this Issue.
Catherine Warren on behalf of Aylesbury residents	Request that the topmost corner of land, at the entrance to the estate, be separated from the park to facilitate private use by residents of Aylesbury only so children can play safely and be easily visible. The current small green slope is unsuitable.	Yes	This park is proposed to be a neighbourhood park for the use of all the people of the wider Ferrybank area. This proposal is a considerable improvement on the existing open space in Aylesbury and will enhance the amenity offering of the entire neighbourhood. The design of the park follows best practice in terms of Urban Design providing for connectivity and linkages to surrounding neighbourhoods and areas of open space providing opportunities for passive and active surveillance of the amenity.
	Strongly object to the pedestrian entrance to the park from the Aylesbury estate, feel it would encourage others to park in the estate to access the park.		The park is laid out to promote connectivity to the wider neighbourhood and forms part of an overall plan for connectivity of public open space in the wider Ferrybank area. It is best practice to promote connectivity and permeability to facilitate travel on foot.
			The proposed pedestrian access is intended to facilitate residents from Aylesbury to access the park directly from their estate and will not permit vehicular use. An operational and management plan for the facility will address this issue.
	Insufficient planting to protect privacy		Adequate buffer planting will be provided along the western boundary. It should be noted that passive surveillance is also important to the success of a park providing security to users and reducing the potential

The positioning of the table tennis and basket swing are a cause of concern. They should be located in areas of high visibility to discourage anti social behaviour

Suggest a 300mm wall with railing more appropriate than the proposed 1.2 wall with railing (to replace the existing circa 2m high block concrete wall) to encourage visibility and discourage anti social behaviour

Suggestion that the park is locked at night. Willing to organise a rota to help out in this regard.

opportunities for anti social behaviour and is incorporated in the layout.

Potentially noisier activities can be located to the centre and eastern side of the park to assist in the reduction of disturbance.

Boundary treatment existing and proposed where there are existing walls and railings allow for both passive surveillance and security. Any additional works will be subject to available budget/resources.

An operational and management plan for the facility will address this issue.

All observations were read and considered in the assessment of this application

Referrals:

This application was referred to the following Sections for comment; Environment Section: No objections expressed subject to conditions

Area Engineer: No objections expressed

Roads: No objection to the current proposal subject to conditions

Waterford Council: No report received Irish Water: No report received

Kilkenny County Childcare Committee: No report received

Services proposed:

Water supply - n/a

Waste water - n/a

Surface water - drain to existing surface water network

Assessment:

The proposed park will incorporate the following: -

- · A playground for children of all age groups,
- A Multi Use Games Area (MUGA),
- Seating areas/picnic areas,
- An outdoor exercise area,
- A footpath network,
- Meadow areas for biodiversity,
- Shelter belt planting to provide shelter and screen planting to Aylesbury housing estate,
- A shallow swale to deal with surface water,

- Four no. pedestrian entrances and 1 no. vehicular entrance
- · Car parking and all other associated works.

The site is located within a central area of the Ferrybank urban area situated close to a number of residential estates of Aylesbury, Oakridge, The Cresent, Clover meadows and Ard Daire. Ferryfun Community Centre and the local primary and secondary schools are located within walking distance to the site. The site is accessible by car, foot or public transport which will encourage smarter travel. Belmont Brothers of Charity Services is located to the north, Aylesbury residential estate to the west, Clover Meadows residential estate and Walsh's Garage/Shop to the south and Brothers of Charity graveyard and Aldi supermarket further east.

The proposed design is concept in layout and shows various recreational uses throughout the scheme. The multi use active play area is proposed to the central east of the site away from the housing in Aylesbury estate. The western boundary which adjoins Aylesbury estate will be planted with a buffer of trees and shrubs thereby providing residential amenity protection. The design of the park was informed by a public consultation process 'Park Life' with the local community.

The car parking area is located in the north east corner close to the road and raised area of the site in proximity to the main access. The parking area is to include 31 off street car parking spaces. This is considered adequate to serve the needs of the park and community. The scheme also includes for pedestrian connectivity throughout the site and future indicative bicycle cycle spaces.

The playground areas will be designed in accordance EN 11 76 and EN11 77 and the outdoor gym to EN 16630. The roads / traffic element of the scheme shall be designed in accordance with the NRA Design Manual for Roads and Bridges and the DTTaS Design Manual for Urban Roads and Streets.

The Ferrybank Belview Local Area Plan 2009 identifies the need for a network of open space, and in particular for a Park for the Ferrybank urban area. Kilkenny County Council has identified this site at Aylesbury to be used for the development of the Ferrybank Neighbourhood Park which includes a objective in the Draft Ferrybank Belview Local Area Plan 2017.

Objective RTA4 and Figure 2.4) - To develop a public park and playground at Aylesbury

This need to provide a large scale play and outdoor fitness was identified in conjunction with sports clubs and communities in the area. The proposed development addresses a zoning objective in the local area plan and will serve the recreation needs of the existing and future community of Ferrybank. It is envisaged that the neighbourhood park will connect into a longer term walking and cycle network within the Ferrybank area.

Existing provision of playground / park areas in Ferrybank is lacking. Only one housing development (Blackthorn Hills, Rockshire Road) in the Ferrybank plan area has a purpose built playground and there is no regional public park serving the community. The proposed development is to be welcomed in this context and will improve the recreational amenity offered and make Ferrybank area a more attractive place to visit, play and live, which will in turn support the local business and promote a sense of place and pride in the local community.

Conclusion and Recommendation

The issues raised in the third party submissions have been considered by the Planning, Roads, Environment and Parks sections and the relevant responses have been detailed in the report. Overall, the Planning Authority considers that the proposed development is consistent with the zoning objectives for the site and accords with the proper planning and sustainable development of the area and will provide an important recreation amenity

/ park for the Ferrybank urban area and address a specific objective of the plan. The development has been screened for Appropriate Assessment, which showed that no significant environmental impact is likely on any Natura 2000 site.

It is therefore recommended that the Part 8 application for the Ferrybank Neigbourhood Park at the Aylesbury Road, Ferrybank, Co. Kilkenny, be approved by Council subject to the following conditions.

Ekecutive Planner

I agree with the above recommendation.

Senior Executive Planner

Lagree with the above recommendation.

Senior Planner

First Schedule

Reasons & Considerations for Decision on Ref: Part 8 01/17

Having regard to the policies and zoning objectives of the Kilkenny County Development Plan 2014-2020, Ferrybank Belview Local Area Plan 2009 and Draft Ferrybank Belview Local Area Plan 2017 and the location and design of the proposed development, referral reports on file, third party submissions, 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 the proposed development would accord with the proper planning and sustainable development of the area.

Second Schedule

Conditions attached to Ref. Part 8 01/17

1. The development shall be carried out and completed in accordance with the plans and particulars submitted with the Part 8 application.

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

- 2a) Adequate lighting shall be provided in the car park and general park area to ensure safe ingress and egress of users and to deter antic-social behavior. The lighting should be energy efficient in design and shall be designed in a manner such that there is no an adverse lighting effect or hazard to vehicular movement on the adjoining public roads, and does not cause nuisance to the surrounding residential dwellings.
- b) Regulatory STOP control roadmarkings and signage shall be provided at the junction between the car park access road and Aylesbury Road.
- c) The footpath and grass verge shall be continued across the pedestrian access located at approximately the mid way point into the park from Aylesbury Road.
- d) The footpath shall be continued across the vehicular access to the car park with a dropped kerb and the grass verge shall be omitted.
- e) Staggered pedestrian guard rails of 'Kissing gates' should be provided at each pedestrian entrance to mitigate against the risk of child running onto the public road into the path of a vehicle. The latter option would also prevent dogs entering the park unsupervised and fouling in same.
- g) The location of the proposed pedestrian access across onto Belmont Road should be relocated closer to the roundabout. This will provide for better pedestrian connectivity along the pedestrian desired line.
- h) All road markings and signage shall be in compliance with the Department of Transport, Traffic Signs Manual, 2010.
- i) The applicant shall ensure that during the construction phase adequate parking is provided for all personnel working on the site as on street parking shall not be permitted.

- j) Prior to commencement of development, a Construction Management Plan shall be submitted for the approval of the Municipal District of Ferrybank Engineer. The Construction Management Plan shall include details regarding Works Schedule for the phasing of the development, construction working hours, storage of construction materials, construction traffic and traffic management, roads maintenance, access, supervision details etc. Construction on Sundays and Bank Holidays is not permitted without prior written consent from the Planning Authority.
- k) No surface water from the site shall be allowed to discharge onto the public road or onto adjoining properties.
- I) Roads side drainage shall not be negatively impacted by the works.

Reason: In the interests of traffic safety and proper planning

- 3. The roads / traffic / public access element of the scheme shall be designed in accordance with the
 - NRA Design Manual for Roads and Bridges and
 - the DTTaS Design Manual for Urban Roads and Streets
 - Building for Everyone: A universal Design Approach, National Disability Authority

Reason: In the interests of traffic safety and proper planning

- 4 a) All car parking spaces shall be clearly delineated and suitably surfaced in accordance with the site layout plan details submitted with the application.
- b) Bicycle stands should be provided at the site in accordance with Table 11.1 Bicycle parking requirements of the Kilkenny County Development Plan 2014-2020. Details of the number, type and location of these stands, which should be covered, shall be submitted to an agreed and in writing the planning authority prior to commencement of development. The location shall not create any obstructions.
- c) In line the National Disability Authority Standard Guidelines, appropriate disabled parking bays shall be provided and located in a manner that provides safe and ease of access for disabled patrons to the facility

Reason: In the interests of traffic and public safety and to promote sustainable transport

- Sa) Landscaping shall be carried out in accordance with the plans and particulars submitted with the Part 8 application. Suitable buffer planting along the western boundary adjoining Aysbury estate shall be provided. Planting shall take place within the first planting season following commencement of construction and shall be indefinitely maintained and shall be supplemented or replaced should it fail.
- b) Existing shrub and tree vegetation on the site shall be retained and adequately protected during construction, particularly along the entire roadside boundary, except those strictly required to be removed to carry out the development and achieve access sightlines.

Reason: In the interest of visual amenity and protection of residential amenities.

6. The detailed design and contract documentation shall provide for best environmental practice in the management of waste and the protection of waters. In particular:

- a) Any wastes sent off site for recovery or disposal including waste subsoil and rubble, 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.
- b) No construction materials shall be stored in close proximity to any drain or surface water gully. All plant, materials and fuel shall be suitably placed and stored, and all works carried out in such a manner, so as to prevent the infiltration of silt bearing material or any potentially polluting matter to any drainage network.
- c) Any tank and drum storage areas used during the construction 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.
- d) All operations shall be carried out in a manner such that noise, air emissions and/or odours do not result in significant impairment of, or significant interference with the environment, or amenities beyond the site.

Reason: In the interests of protection of environment.

7. The playground shall be designed in accordance European EN 11 76 and EN11 77 and the outdoor gym to EN 16630 standards and shall follow best practice guidelines.

Reason: In the interests of public safety and proper planning

- 8 a) The detailed design shall consider the operational phase of the development and ongoing maintenance requirements. A suitable number of litter bins should be provided. The entire development shall be designed to be accessible for all users, discourage illegal dumping, parking and anti-social behaviour. Use of passive overlooking is encouraged in this regard.
- b) An operational and management plan shall be set up that provides for the proper operation, maintenance and management of the overall development.

Reason: To ensure adequate maintenance of the overall development, in the interests of the orderly development, visual / residential amenity protection and proper planning of the area.

Stage 1 Screening for Appropriate Assessment of Ferrybank Neighbourhood Park

1. Description of Development

The proposal involves the development of an area of a formerly derelict site into a neighbourhood park to serve the recreational needs of the wider Ferrybank community. The site is 2.177 hectares in size and is the ownership of Kilkenny County Council.

The Part 8 project entails the development of a neighbourhood park at Aylesbury Road, Belmount, Ferrybank, Co. Kilkenny. The park will incorporate the following:-

- a playground for children of all age groups,
- a Multi Use Games Area (MUGA),
- seating areas/picnic areas,
- an outdoor exercise area.
- · a footpath network, meadow areas for biodiversity,
- shelter belt planting to provide shelter,
- screen planting to Aylesbury housing estate,
- a shallow swale to deal with surface water.
- four no. pedestrian entrances and 1 no. vehicular entrance.
- car parking and all other associated works.

2. Legislative Context

The European Communities (Birds and Natural Habitats) Regulations, 2011 which transpose into Irish law both the European Union (EU) Directive 2009/147/EC (the Birds Directive) and the Habitats Directive and list habitats and species that are of international conservation importance and require protection. This protection is afforded in part through the designation of areas that represent significant examples of habitats that support populations of listed species within a European context, known as Natura 2000 sites. An area designated for bird species is classed as a Special Protection Area (SPA) and an area designated for other protected species and habitats is classed as a Special Area of Conservation (SAC). Together, SPAs and SACs form the Natura 2000 network of protected sites.

The Habitats Directive requires competent authorities to carry out an Appropriate Assessment (AA) of plans and projects that, alone and/or in combination with other plans and projects, would be likely to have significant effects on one or more Natura 2000 sites. The assessment process is divided into a stage 1 Screening for Appropriate Assessment and where required, a full Stage 2 Appropriate Assessment.

3. Natura 2000 Sites

Note: European Natura 2000 sites include SAC's, cSACs, SPA's and pSPA's, but not NHA's.

This stage 1 screening assessment covers Natura 2000 sites within 15km of the site development boundary which includes the following:-

- Lower River Suir Special SAC (approximately 1.2km away)
- River Barrow and River Nore SAC (approximately 5km away)
- Tramore Backstrand SPA (approximately 13km away)

The closest SAC, which is the Lower River Suir (SAC site code 002137) is located 1.2km south of Ferrybank (study area) which is protected under the Habitats Directive as a European Natura 2000 site.

4. Conservation objectives of site

Details of the conservation objectives of this site can be found (http://www.npws.ie/en/PublicationsLiterature/ConservationManagementPlans/FullCPs/)

The Qualifying Interests for the Lower River cSAC and the Draft Conservation Objectives (NPWS, 2011) are attached for information purposes to this screening report.

5. Relationship with other Relevant Plans and Programmes

The site for proposed development is located within a central location of the Ferrybank Belview Local Area Plan.

A Screening report for Appropriate Assessment for the Draft Ferrybank Belview Local Area Plan 2017 was carried out and concluded that the plan will not result in any effects on European Sites and consequently stage 2 Appropriate Assessment (AA) is not required.

6. Assessment of Likely Effects

Impacts on the River Barow/River Nore and Tramore Strand can be ruled out due to their distance from the site and the lack of linkages with same. The Lower River Suir (SAC) has been identified as the only Natura 2000 Site that can potentially be affected by proposed development on the Natura 2000 Network.

This Lower River Suir cSAC is selected for the presence of alluvial wet woodland and Yew woodland, listed as priority habitats on Annex 1 of the EU Habitats Directive. The site is also selected as a cSAC for floating river vegetation, Atlantic Salt meadows, Mediterranean Salt meadows, old oak woodlands and euthrohic tall herbs, all habitats listed on Annex 1 of the EU Habitats Directive. None of these habitats occur within the study area.

Annex II same Habitats directive include the following protected species - Sea Lamprey, River Lamprey, Brook Lamprey, Freshwater pearly mussel, Crawyfish, Twait Shad, Atlantic Salmon and Otter. None of these occur within the study area.

The conservation objectives of the Lower River Suir cSAC are set out as generic measures (NPWS, 2011) which aim to restore and maintain favourable conservation condition of Annex 1 habitats and Annex II species for which the cSAC has been designated.

Likely effects on the Natura 2000 site to be considered are

Impact Type	Significance Indicator	Likely Effect
Loss of Habitat	Percentage of loss	Not anticipated
Disturbance	Duration or permanence, distance from site	Not anticipated
Water Quality	Relative change in key indicative chemicals or other elements	Not anticipated
Fragmentation	Duration or permanence, level in relation to original extent	Not anticipated
Species population density	Timescale for replacement	Not anticipated
Water resource	Relative change	Not anticipated

Some examples of effects that are likely to be significant are:

- Possibility of any impact on an Annex I habitat
- Possibility of causing reduction in the area of the habitat or Natura 2000 site
- Possibility of causing direct or indirect damage to the physical quality of the environment (e.g. water quality and supply, soil compaction) in the Natura 2000 site
- Possibility of causing serious or ongoing disturbance to species or habitats for which the Natura 2000 site is selected (e.g. increased noise, illumination and human activity)
- Possibility of causing direct or indirect damage to the size, characteristics or reproductive ability of populations on the Natura 2000 site
- Possibility of interfering with mitigation measures put in place for other plans or projects

No works are required within the cSAC and there are no hydrological / natural drainage path connections direct or indirect from the site to the River Suir. No foul water discharge from the development site is proposed.

In relation to surface water management, a swale feature has been shown to be included in the park which will start at the higher end of the site. This will mostly be dry so only present as a planted ditch but in times of heavy rainfall will carry any run off from the car park. Depending on if the swale is lined, the water will either filter into the ground along the route or can be retained in a pond as shown. The route of the swale will be planted with ornamental grasses, reeds, iris and plants chosen for the conditions. Water from the swale will be from a clean rainfall source and not of any polluting nature. The surface water from the site will then be slowly released to an existing infrastructural network of surface water drainage in the area which has sufficient capacity.

Having considered all aspects of the development it is considered that there are no indirect or direct impacts arising within the site boundaries of proposed development

which would have the potential to adversely affect the integrity of the conservation interests of any Natura 2000 site with regard to either habitats or fauna, either during the construction or operational phase of proposed scheme.

7. Screening Conclusions and Statements

It is considered that due to the distance of the Ferrybank Neigbourhood Park Project from the Lower River Suir SAC (approximately 1.2km away) and the nature of the scheme there is no potential for significant environmental effects either alone or in combination with other plans / projects on any Natura 2000 site.

The Ferrybank Neigbourhood Park project is located outside of the Lower River Suir cSAC and will not result in any direct impacts affecting this Natura 2000 Site. The scale of the works is limited to the local area within a surrounding urban built-up context. Therefore there is no potential to adversely affect the integrity of the conservation interests of any Natura 2000 site during either the construction or operational phases of the proposed scheme and it is considered that significant environmental impact can be ruled out.

It is therefore considered that a stage 2 Appropriate Assessment / Natura Impact Statement is not required.

Ross O'Shea Executive Planner Date: 22/06/2017

Denis Malone Senior Planner Date: 22/06/2017 SITE SYNOPSIS

SITE NAME: LOWER RIVER SUIR

SITE CODE: 002137

This site consists of the freshwater stretches of the River Suir immediately south of Thurles, the tidal stretches as far as the confluence with the Barrow/Nore immediately east of Cheekpoint in Co. Waterford and many tributaries including the Clodiagh in Co. Waterford, the Lingaun, Anner, Nier, Tar, Aherlow, Multeen and Clodiagh in Co. Tipperary. The Suir and its tributaries flows through the counties of Tipperary, Kilkennyand Waterford. Upstream of Waterford city, the swinging meanders of the Suir crisscross the Devonian sandstone rim of hard rocks no less than three times as they leave the limestone-floored downfold below Carrick In the vicinity of Carrick-on-Suir the river follows the limestone floor of the Carrick Syncline. Upstream of Clonmel the river and its tributaries traverse Upper Palaeozoic Rocks, mainly the Lower Carboniferous Visean and Tournaisian. The freshwater stretches of the Clodiagh River in Co. Waterford traverse Silurian rocks, through narrow bands of Old Red Sandstone and Lower Avonian Shales before reaching the carboniferous limestone close to its confluence with the Suir.

The Aherlow River flows through a Carboniferous limestone valley, with outcrops of Old Red Sandstone forming the Galtee Mountains to the south and the Slievenamuck range to the north. Glacial deposits of sands and gravels are common along the valley bottom, flanking the present-day river course.

The site is a candidate SAC selected for the presence of the priority habitats on Annex I of the E.U. Habitats Directive - alluvial wet woodlands and Yew Wood. The site is also selected as a candidate SAC for floating river vegetation, Atlantic salt meadows, Mediterranean salt meadows, old oak woodlands and eutrophic tall herbs, all habitats listed on Annex I of the E.U. Habitats Directive. The site is also selected for the following species listed on Annex II of the same directive - Sea Lamprey, River Lamprey, Brook Lamprey, Freshwater Pearl Mussel, Crayfish, Twaite Shad, Atlantic Salmon and Otter.

Alluvial wet woodland is declining habitat in Europe as a result of drainage and reclamation. The best examples of this type of woodland in the site are found on the islands just below Carrick-on-Suir and at Fiddown Island. Species occurring here include Almond Willow (Salix triandra), White Willow (S. alba), Grey Willow (S. cinerea), Osier (S. viminalis), with Iris (Iris pseudacorus), Hemlock Water-dropwort (Oenanthe crocata), Angelica (Angelica sylvestris), Pendulus Sedge (Carex pendula), Meadowsweet (Filipendula ulmaria) and Valerian (Valeriana officinalis).

The terrain is littered with dead trunks and branches and intersected with small channels which carry small streams to the river. The bryophyte and lichen floras appear to be rich and require further investigation. A small plot is currently being coppiced and managed by National Parks and Wildlife. In the drier areas the wet woodland species merge with other tree and shrub species including Ash (*Fraxinus excelsior*), Hazel (*Corylus avellana*), Hawthorn (*Crataegus monogyna*) and Blackthorn (*Prunus spinosa*). This adds further to the ecological interest of this site.

Eutrophic tall herb vegetation occurs in association with the various areas of alluvial forest and elsewhere where the flood-plain of the river is intact. Characteristic species of the habitat include Meadowsweet (*Filipendula ulmaria*), Purple Loosestrife (*Lythrum salicaria*), Marsh Ragwort (*Senecio aquaticus*), Ground Ivy (*Glechoma hederacea*) and Hedge Bindweed (*Calystegia sepium*).

Old oak woodlands are also of importance at the site. The best examples are seen in Portlaw Wood which lies on both sides of the Clodiagh River. On the south-facing side the stand is more open and the Oaks (mainly Quercus robur) are well grown and spreading. Ivy (Hedera helix) and Bramble (Rubus fruticosus) are common on the ground, indicating relatively high light conditions. Oak regeneration is dense, varying in age from 0-40 years and Holly (Ilex aquifolium) is fairly common but mostly quite young. Across the valley, by contrast, the trees are much more closely spaced and though taller are poorly grown on average. There are no clearings; large Oaks extend to the boundary wall. In the darker conditions, Ivy is much rarer and Holly much more frequent, forming a closed canopy in places. Oak regeneration is uncommon since there are as yet few natural clearings. The shallowness of the soil on the northfacing slope probably contributes to the poor tree growth there. The acid nature of the substrate has induced a "mountain" type Oakwood community to develop. There is an extensive species list present throughout including an abundance of mosses, liverworts and lichens. The rare lichen Lobaria pulmonaria, an indicator of ancient woodlands, is found,

Inchinsquillib Wood consists of three small separate sloping blocks of woodland in a valley cut by the young Multeen River and its tributaries through acidic Old Red Sandstone, and Silurian rocks. Two blocks, both with an eastern aspect, located to the north of the road, are predominantly of Sessile oak (*Quercus petraea*) and Hazel, with Downy Birch (*Betula pubescens*), Ash and Holly. The ground flora is quite mixed with for example Wood sedge (*Carex sylvatica*), Bluebell (*Hyacinthoides non-scriptus*), Primrose (*Primula vulgaris*), Wood-sorrel (*Oxalis acetosella*), Pignut (*Conopodium majus*) and Hard fern (*Blechnum spicant*). The base poor nature of the underlying rock is, to some extent masked by the overlying drift. The third block, to the south of the road, and with a northern aspect, is a similar although less mature mixture of Sessile Oak, Birch and Holly, the influence of the drift is more marked, with the occurrence of Wood anemone (*Anemone nemorosa*) amongst the ground flora.

Floating river vegetation is evident in the freshwater stretches of the River Suir and along many of its tributaries. Typical species found include Canadian Pondweed (*Elodea canadensis*), Milfoil (*Myriophyllum* spp.), Fennel Pondweed (*Potamogeton pectinatus*), Curled Pondweed (*P. crispus*), Perfoliate Pondweed (*P. perfoliatus*), Pond Water-crowfoot (*Ranunculus peltatus*), other Crowfoots (*Ranunculus* spp.) and the moss *Fontinalis antipyretica*. At a couple of locations along the river, Oppositeleaved Pondweed (*Groenlandia densa*) occurs. This species is protected under the Flora (Protection) Order, 1999.

The Aherlow River is fast-flowing and mostly follows a natural unmodified river channel. Submerged vegetation includes the aquatic moss *Fontinalis antipyretica* and Stream Water-crowfoot (*Ranunculus pencillatus*), while shallow areas support species such as Reed Canary-grass (*Phalaris arundinacea*), Brooklime (*Veronica beccabunga*) and Water Mint (*Mentha aquatica*). The river bank is fringed in places with Alder (*Alnus glutinosa*) and Willows (*Salix* spp.).

The Multeen River is fast flowing, mostly gravel-bottomed and appears to follow a natural unmodified river channel. Water Crowfoots occur in abundance and the aquatic moss *Fontinalis antipyretica* is also common. In sheltered shallows, species such as Water-cress (*Rorippa nasturtium-aquaticum*) and Water-starworts (*Callitriche* spp.) occur. The river channel is fringed for most of its length with Alder, Willow and a narrow strip of marshy vegetation.

Salt meadows occur below Waterford City in old meadows where the embankment is

absent, or has been breached, and along the tidal stretches of some of the in-flowing rivers below Little Island. There are very narrow, non-continuous bands of this habitat along both banks. More extensive areas are also seen along the south bank at Ballynakill, the east side of Little Island, and in three large salt meadows between Ballynakill and Cheekpoint. The Atlantic and Mediterranean sub types are generally intermixed. The species list is extensive and includes Red Fescue (Festuca rubra), Oraches (Atriplex spp.), Sea Aster (Aster tripolium), Sea Couch Grass (Elymus pycnanthus), frequent Sea Milkwort (Glaux maritima), occasional Wild Celery (Apium graveolens), Parsley Water-dropwort (Oenanthe lachenalii), English Scurvygrass (Cochlearia anglica) and Sea Arrowgrass (Triglochin maritima). These species are more representative of the Atlantic sub-type of the habitat. Common Cord-grass (Spartina anglica), is rather frequent along the main channel edge and up the internal channels. The legally protected (Flora (Protection) Order, 1999) Meadow Barley (Hordeum secalinum) grows at the landward transition of the saltmarsh. Sea Rush (Juncus maritimus), an indicator of the Mediterranean salt meadows, also occurs.

Other habitats at the site include wet and dry grassland, marsh, reed swamp, improved grassland, coniferous plantations, deciduous woodland, scrub, tidal river, stony shore and mudflats. The most dominant habitat adjoining the river is improved grassland, although there are wet fields with species such as Yellow Flag (*Iris pseudacorus*), Meadow Sweet (*Filipendula ulmaria*), Rushes (*Juncus* spp.), Meadow Buttercup (*Ranunculus acris*) and Cuckoo Flower (*Cardamine pratensis*).

Cabragh marshes, just below Thurles, lie in a low-lying tributary valley into which the main river floods in winter. Here there is an extensive area of Common Reed (*Phragmites australis*) with associated marshland and peaty fen. The transition between vegetation types is often well displayed. A number of wetland plants of interest occur, in particular the Narrow-leaved Bulrush (*Typha angustifolia*), Bottle Sedge (*Carex rostrata*) and Blunt-flowered Rush (*Juncus subnodulosus*). The marsh is naturally eutrophic but it has also the nutritional legacy of the former sugar factory which discharged into it through a number of holding lagoons, now removed. Production is high which is seen in the size of such species as Celery-leaved Buttercup (*Ranunculus sceleratus*) as well as in the reeds themselves. Throughout the Lower River Suir site are small areas of woodland other than those described above. These tend to be a mixture of native and non-native species, although there are some areas of semi-natural wet woodland with species such as Ash and Willow.

Cahir Park Woodlands is a narrow tract of mixed deciduous woodland lying on the flatlying floodplain of the River Suir. This estate woodland was planted over one hundred years ago and it contains a large component of exotic tree species. However, due to original planting and natural regeneration there is now a good mix of native and exotic species. About 5km north west of Cashel, Ardmayle pond is a long, possibly artificial water body running parallel to the River Suir. It is partly shaded by planted Lime (*Tilia* hybrids), Sycamore (*Acer pseudoplatanus*) and the native Alder. Growing beneath the trees are shade tolerant species such as Remote sedge (*Carex remota*).

The site is of particular conservation interest for the presence of a number of Annex II animal species, including Freshwater Pearl Mussel (*Margaritifera margaritifera* and *M. m. durrovensis*), Freshwater Crayfish (*Austropotamobius pallipes*), Salmon (*Salmo salar*), Twaite Shad (*Alosa fallax fallax*), three species of Lampreys - Sea Lamprey (*Petromyzon marinus*), Brook Lamprey (*Lampetra planeri*) and River Lamprey (*Lampetra fluviatilis*) and Otter (*Lutra lutra*). This is one of only three known spawning grounds in the country for Twaite Shad.

The site also supports populations of several other animal species. Those which are listed in the Irish Red Data Book include Daubenton's Bat (*Myotis daubentoni*), Nattererer's Bat (*M. nattereri*), Pipistrelle (*Pipistrellus pipistrellus*), Pine Marten (*Martes martes*),

Badger (*Meles meles*), the Irish Hare (*Lepus timidus hibernicus*), Smelt (*Osmerus eperlanus*) and the Frog (*Rana temporaria*). Breeding stocks of Carp are found in Kilsheelan Lake. This is one of only two lakes in the country which is known to have supported breeding Carp. Carp require unusually high summer water temperatures to breed in Ireland and the site may therefore support interesting invertebrate populations.

Parts of the site have also been identified as of ornithological importance for a number of Annex I (EU Birds Directive) bird species, including Greenland White-fronted Goose (10), Golden Plover (1490), Whooper Swan (7) and Kingfisher. Figures given in brackets are the average maximum counts from 4 count areas within the site for the three winters between 1994 and 1997. Wintering populations of migratory birds use the site. Flocks are seen in Coolfinn Marsh and also along the reedbeds and saltmarsh areas of the Suir.

Coolfinn supports nationally important numbers of Greylag Geese on a regular basis. Numbers between 600 and 700 are recorded. Other species occurring include Mallard (21), Teal (159), Wigeon (26), Tufted Duck (60), Pintail (4), Pochard (2), Little Grebe (2), Black-tailed Godwit (20), Oystercatcher (16), Lapwing (993), Dunlin (101), Curlew (195), Redshank (28), Greenshank (4) and Green Sandpiper (1). Nationally important numbers of Lapwing (2750) were recorded at Faithlegg in the winter of 1996/97. In Cabragh marshes there is abundant food for surface feeding wildfowl which total at 1,000 or so in winter. Widgeon, Teal and Mallard are numerous and the latter has a large breeding population - with up to 400 in summer. In addition, less frequent species like Shoveler and Pintail occur and there are records for both Whooper and Bewick's swans. Kingfisher, a species that is listed on Annex I of the EU Birds Directive, occurs along some of the many tributaries throughout the site.

Landuse at the site consists mainly of agricultural activities including grazing, silage production, fertilising and land reclamation. The grassland is intensively managed and the rivers are therefore vulnerable to pollution from run-off of fertilisers and slurry. Arable crops are also grown. Fishing is a main tourist attraction on stretches of the Suir and some of its tributaries and there are a number of Angler Associations, some with a number of beats. Fishing stands and styles have been erected in places. Both commercial and leisure fishing takes place on the rivers. The Aherlow River is a designated Salmonid

Water under the EU Freshwater Fish Directive. Other recreational activities such as boating, golfing and walking are also popular. Several industrial developments, which discharge into the river, border the site including three dairy related operations and a tannery.

The Lower River Suir contains excellent examples of a number of Annex I habitats, including the priority habitat Alluvial Forest. The site also supports populations of several Annex II animal species and a number of Red Data Book animal species. The presence of two legally protected plants (Flora (Protection) Order, 1999) and the ornithological importance of the river adds further to the ecological interest of this site.

6.10.2006

CONSERVATION OBJECTIVES FOR THE LOWER RIVER SUIR SAC (002137)

The overall aim of the Habitats Directive is to maintain or restore the favourable conservation status of habitats and species of community interest. These habitats and species are listed in the Habitats and Birds Directives and Special Areas of Conservation and Special Protection

European and national legislation places a collective obligation on Ireland and its citizens to maintain habitats and species in the Natura 2000 network at favourable conservation condition. The Government and its agencies are responsible for the implementation and enforcement of regulations that will ensure the ecological integrity of these sites.

The maintenance of habitats and species within Natura 2000 sites at favourable conservation condition will contribute to the overall maintenance of favourable conservation status of those habitats and species at a national level.

Favourable conservation status of a habitat is achieved when:

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

The favourable conservation status of a species is achieved when:

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

Objective: To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected:

- · [1029] Margaritifera margaritifera
- [1092] Austropotamobius pallipes
- · [1095] Petromyzon marinus
- · [1096] Lampetra planeri
- [1099] Lampetra fluviatilis
- · [1103] Alosa fallax
- · [1106] Salmo salar (only in fresh water)
- [1330] Atlantic salt meadows (Glauco-Puccinellietalia maritimae)
- · [1355] Lutra lutra
- [1410] Mediterranean salt meadows (Juncetalia maritimi)
- [3260] Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitricho-Batrachion* vegetation
- [6430] Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels

• [91A0] Old sessile oak woods with *llex* and *Blechnum* in the British Isles

For more information please go to: www.npws.ie/protectedsites/conservationmanagementplanning NPWS (2011) Conservation objectives for Lower River Suir SAC [002137].

Generic Version 3.0. Department of Arts, Heritage & the Gaeltacht. **Citation:**

18 July 2011 Generic Conservation Objective