



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

**RE: R713/R448 KNOCKTOPHER TO BALLYHALE NEW FOOTPATH,  
DRAINAGE AND PUBLIC LIGHTING, CO. KILKENNY**

*Planning & Development Acts 2000 - 2019*

**DATE:** 16<sup>th</sup> March, 2020

Dear Councillor,

In accordance with 179 of the Planning & Development Act 2000-2019 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 - R713/R448 KNOCKTOPHER TO BALLYHALE NEW FOOTPATH,  
DRAINAGE AND PUBLIC LIGHTING, CO. KILKENNY**

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

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

  
**Colette Byrne**  
Chief Executive







# **KILKENNY COUNTY COUNCIL**

## **REPORT**

**In Accordance with Section 179 of the  
Planning and Development Acts, 2000-2019 as amended**

**RE: R713/R448, Knocktopher to Ballyhale New Footpath, Drainage  
and Public Lighting, Co. Kilkenny**

***For consideration by the Elected Members  
of Kilkenny County Council  
at monthly meeting to be held  
on 23rd March 2020***

## **Structure of Report**

- Introduction
- Description of proposed development
- Pre-planning advice
- Notice of development
- Implications for proper planning and sustainable development of the area and copy of Planner's Report dated 6<sup>th</sup> March, 2020.
- Council's Intention regarding proposed development

## **Appendix A**

Part 8 Explanatory Booklet & Site Location Map

## **Appendix B**

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, 2000-2019 as amended.

## **Description of Proposed Development**

The proposal put forward provides for the following: -

- Minor site clearance in the form of minor clearance of existing hedgerows and fence clearance in addition to hedgerow breasting;
- Approx. 297m of timber post and tension mesh fencing;
- Installing of kerbing and the provision of tactile paved dropped crossing;
- Construction of a new 858m long 1.2-1.8m wide bituminous footpath
- Soft landscaping in the form of verge reinstatement;
- Public lighting including ducting, chambers and columns;
- Associated road markings including school bus and car set down area, signage, surface water drainage including an infiltration soakaway and potential protection/diversion of existing utilities.

## **Pre-planning**

As part of the planning application process the Road Design Section / Area Office was advised of planning requirements through a formal pre-planning submission prior to lodging the application

## **Notice of Development**

A notice describing the proposed development was placed in the Kilkenny People dated 17<sup>th</sup> January, 2020. A Site Notice was displayed at the site location from 17<sup>th</sup> January, 2020.

## **Referrals:**

The project was referred to the following for comment:

Department of Arts... (Archaeology) – No report at time of writing  
Department of Arts... (Wildlife) – No report at time of writing  
Conservation Officer – no objection subject to conditions  
Roads, – no report at time of writing

Contents of internal report has been noted.

## **Submissions Received**

4 no. valid Third Party submissions were received and have been considered.

1. Paddy O'Keeffe, Property Services Manager, Glanbia Ireland, Glanbia House, Kilkenny:
2. Bernadette & Noel Holden, Ballyhale, Co. Kilkenny:
3. David Murphy, Secretary, KBK Village Renewal Committee, Ballyhale, Co. Kilkenny
4. Jim Denieffe, Highway Safety Developments, Ballyhale, Co. Kilkenny:

## **Implications for Proper Planning and Sustainable Development of the Area**

The proposed development is consistent with the provisions of the Kilkenny County Development Plan 2014-2020 and is compatible with the proper planning and sustainable development for the area.

Appended to this report is report from (*see Appendix B*):

- Planning Department

All conditions/comments will be taken into account when preparing construction drawings.

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

**Proposed Development: Part 8 Proposal, R713/R448, Knocktopher to Ballyhale new Footpath, drainage and public lighting, 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.

**SIGNED**

  
\_\_\_\_\_  
**Tim Butler**  
**Director of Services.**

**13<sup>th</sup> March, 2020.**

# Appendix A

## Part 8 Explanatory Booklet Report January 2020

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## Appendix B

Planners Report dated 6/3/2020



19101-01-002

# R713/R448 Knocktopher to Ballyhale Footpath

## Part 8 of Planning and Development Regulations 2001 (As Amended)

Report on the Nature, Extent and Principal Features of the Proposed Development

for

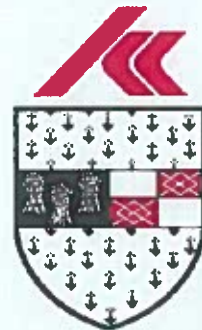
Kilkenny County Council



January 2020 - Rev A



Tionscadal Éireann  
Project Ireland  
2040



**ROADPLAN**  
CONSULTING

7, Ormonde Road  
Kilkenny  
Tel: 056 7795800

**TABLE OF CONTENTS**

1. INTRODUCTION & NEED FOR SCHEME ..... 1

2. PROJECT DESCRIPTION.....2

3. PLANNING CONTEXT ..... 3

4. CONSTRUCTION MITIGATION MEASURES .....4

5. PART 8 PUBLIC CONSULTATION.....5

APPENDIX A - DRAWINGS .....6

## 1. INTRODUCTION & NEED FOR SCHEME

The villages of Knocktopher and Ballyhale in south Kilkenny are linked by the R713 Regional Road. However, there is an absence of a continuous pedestrian linkage between the two villages. Presently there are footpaths extending south from Knocktopher and north from Ballyhale. These footpaths were constructed over a number of phases with the most recent in 2010. There is a gap of approximately 858m between the extremities of both these footpaths.

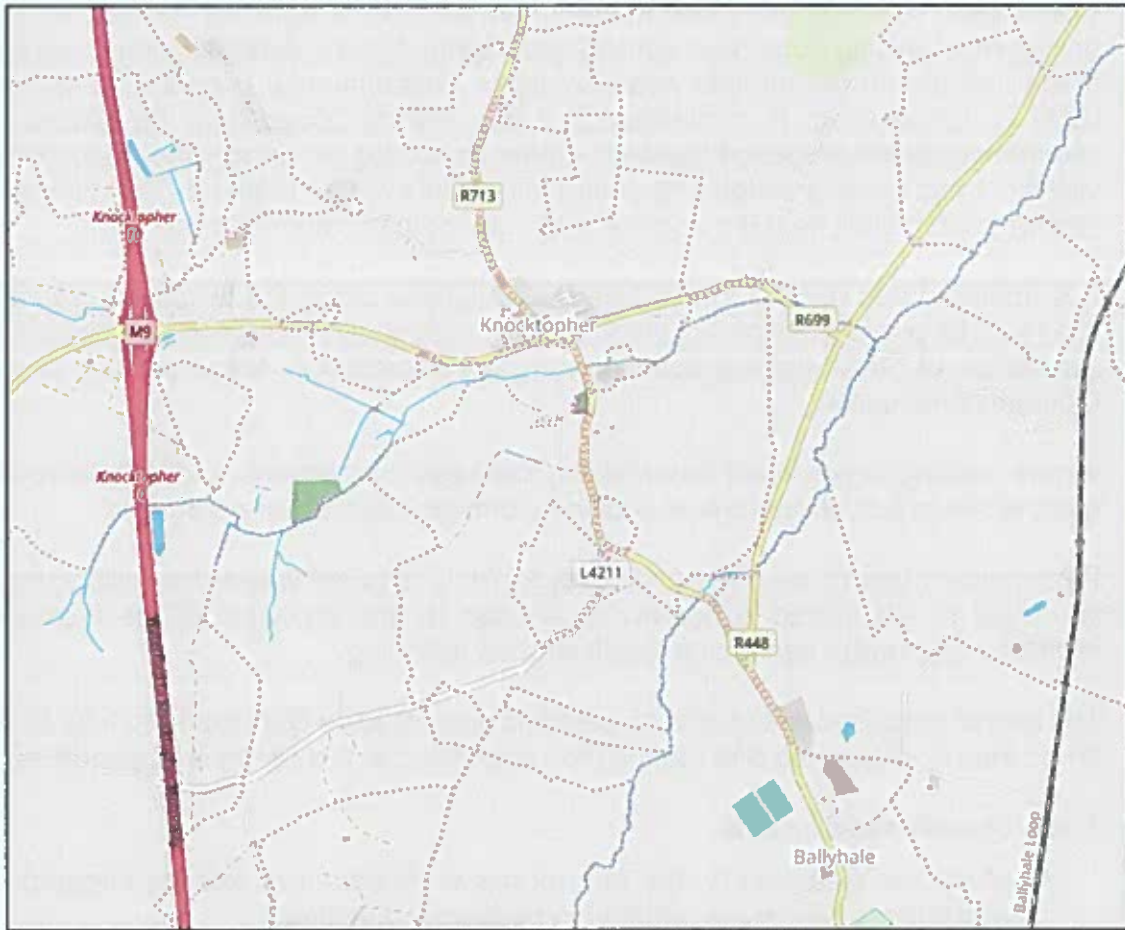


Figure 1.1 - Location Map

Completing this section of footpath has been a long-term aspiration of the local community in both Ballyhale and Knocktopher and the elected members of County Kilkenny. In addition, it will provide for a safe pedestrian connection between both villages.

The overall objectives of the project are:

- Improve the pedestrian environment;
- Maximise accessibility and connectivity;
- Enhance road safety for all road users.

## 2. PROJECT DESCRIPTION

The proposal is to provide an approximate 858m long new continuous 1.2-1.8m wide bituminous footway along the northern verge of the R713 from Ballyhale Secondary School to the R713/R448 Junction Ballyhale. The existing road crosses the River Barrow and River Nore SAC (002162) and the proposed scheme will not have an environmental impact on same. In accordance with the requirements of Article 120(1)(a) of the Planning and Development Regulations 2001 (as amended) a preliminary examination (i.e. Appropriate Assessment Screening) has been made of the nature, size and location of the proposed development. This preliminary examination has concluded that there is no likelihood of significant effects on the environment arising from the proposed development and a determination has been made that further Appropriate Assessment or Environmental Impact Assessment (EIA) is not required. It is intended that the existing bridge shall be utilised to accommodate the proposed footpath. Some narrowing of the regional road in the vicinity of this existing bridge and other pinch points will be required. The minimum roadway width shall be 5.5m and the minimum footpath width shall be 1.2m.

It is intended that ducting to facilitate public lighting along the proposed footpath shall also be provided as part of the footway construction although the timing for the installation of public lighting columns may not immediately follow as part of the footpath construction.

Where kerbing is proposed any existing drainage connections and outfalls to be used where practical. No new or additional drainage outfalls are proposed.

Replacement fencing over approximately 297m is required where the existing road boundary or associated hedgerow is affected by the provision of the footpath, infiltration soakaway trench and localised road widening.

The overall proposed layout of the footpath is presented on Drawing 19101-01-0002 & 003 Rev A –Proposed Site Layout Plan appended to this report in Appendix A.

The proposed works include:

- Minor site clearance in the form of minor clearance of existing hedgerows and fence clearance in addition to hedgerow breasting;
- Approx. 297m of timber post and tension mesh fencing;
- Installing of kerbing and the provision of tactile paved dropped crossing;
- Construction of a new 858m long 1.2-1.8m wide bituminous footpath
- Soft landscaping in the form of verge reinstatement;
- Public lighting including ducting, chambers and columns;
- Associated roadmarkings including school bus and car setdown area, signage, surface water drainage including an infiltration soakaway and potential protection/diversion of existing utilities.

The scheme has been designed in accordance the DTTaS Design Manual for Urban Roads and Streets.

### 3. PLANNING CONTEXT

In the regional and local context, The Kilkenny County Development Plan 2014 to 2020 and the expired Ballyhale 2004 and Knocktopher 2004 Local Area Plans contains a number of specific objectives directly relevant to the project:

- The Kilkenny County Development Plan 2014 to 2020, Objective 11.1.1 Cycling and Walking - *'Providing a network of safe, well-lit and convenient footpaths and cycleways within new residential areas with links to schools, local neighbourhood centres, public transport stops and workplaces will encourage walking and cycling.'*
- Ballyhale and Knocktopher 2004 Local Area Plans - *'To provide quality lighting and footpaths throughout the village that will secure the safe movement of pedestrians, cyclists and drivers alike'*
- Ballyhale and Knocktopher 2004 Local Area Plans - *'To examine the provision of a safe pedestrian and cycleway linkage between Ballyhale and Knocktopher.'*
- It is the policy of the Council to strengthen public infrastructure linkages between local villages within the county.
- It is the policy of the Council to promote and encourage more sustainable modes of transport such as walking and cycling.
- It is also the policy of the Council to promote and encourage better social integration in and between rural communities.

As noted above and in the County Development Plan the cited Ballyhale and Knocktopher Local Area Plans are now expired. Both the villages of Ballyhale and Knocktopher are now identified as smaller settlements in the current County Development Plan and covered exclusively by the objectives and policies of the overarching Kilkenny County Development Plan 2014 to 2020.

This project supports the objectives and policies of the Kilkenny County Development Plan.



#### 4. CONSTRUCTION MITIGATION MEASURES

The objective of construction mitigation is to minimise the scale, severity and duration of temporary disruption that might arise during the construction of the works.

A *Construction Management Plan* will be compiled by the appointed construction contractor and reviewed / agreed by the Planning Authority. Specific items that would be addressed include:

- The overall construction period of the works;
- Time restrictions on construction activities;
- A *Temporary Traffic Management Plan*, showing:
  - construction stages for individual works areas;
  - traffic diversion arrangements and any lane closures or road closures necessary for the works;
  - specific arrangements for the management of construction traffic;
  - the location of the construction works compound;
- Specific arrangements for the management of construction noise and dust;
- Information dissemination arrangements, specifically in respect of businesses and residents, to inform them in relation to all aspects of the works;
- Specific measures for environmental protection, archaeology and the built heritage, detailing the procedures required to manage their monitoring and protection during the course of the construction works.



## 5. PART 8 PUBLIC CONSULTATION

This document is a report on the provision of a continuous footpath between the villages of Knocktopher and Ballyhale, Co. Kilkenny and is made available under Article 83 of Part 8 of the Planning and Development Regulations 2001 (as amended).

The principal objectives of Part 8 consultation are to provide the opportunity for stakeholders, statutory bodies and the public to gain an appreciation of the proposals and to submit comments on them.

This report and its associated documentation and drawings can be viewed by the public at the following locations;

Kilkenny County Council  
County Buildings,  
John Street,  
Kilkenny City  
R95 A39T

or

Kilkenny County Council  
Municipal District Office,  
Ladyswell  
Co. Kilkenny.  
R95 TX68

Written submissions and observations on the proposed development, dealing with the proper planning and sustainable development of the area may be made in writing (by post, email or hand delivery), headed "*R713/R448 Knocktopher to Ballyhale Footpath*" and addressed to:

Mr. Tim Butler,  
Director of Services,  
Kilkenny County Council,  
County Buildings,  
John Street,  
Kilkenny.

Latest date for receipt of submissions/observations is Friday, 28<sup>th</sup> February 2020 at 4:00pm.

IDENTIFICATION INFORMATION

This drawing is a part of the project and is not to be used for any other purpose without the written consent of the project manager.

The drawing is a part of the project and is not to be used for any other purpose without the written consent of the project manager.

**APPENDIX A - DRAWINGS**

This drawing is a part of the project and is not to be used for any other purpose without the written consent of the project manager.

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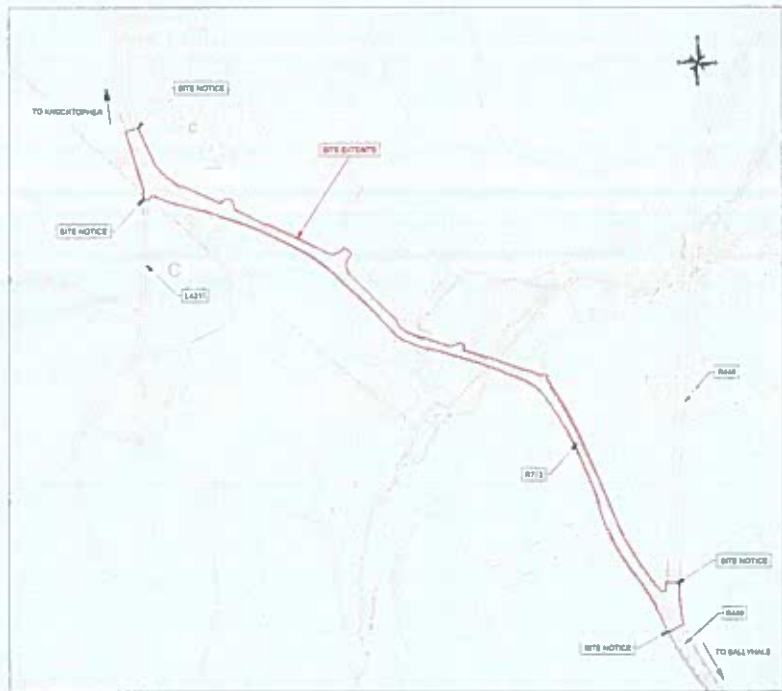
This drawing is a part of the project and is not to be used for any other purpose without the written consent of the project manager.

APPENDIX A - DRAWINGS

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**SITE LOCATION**  
NTB



**LOCATION MAP**  
SCALE 1:200

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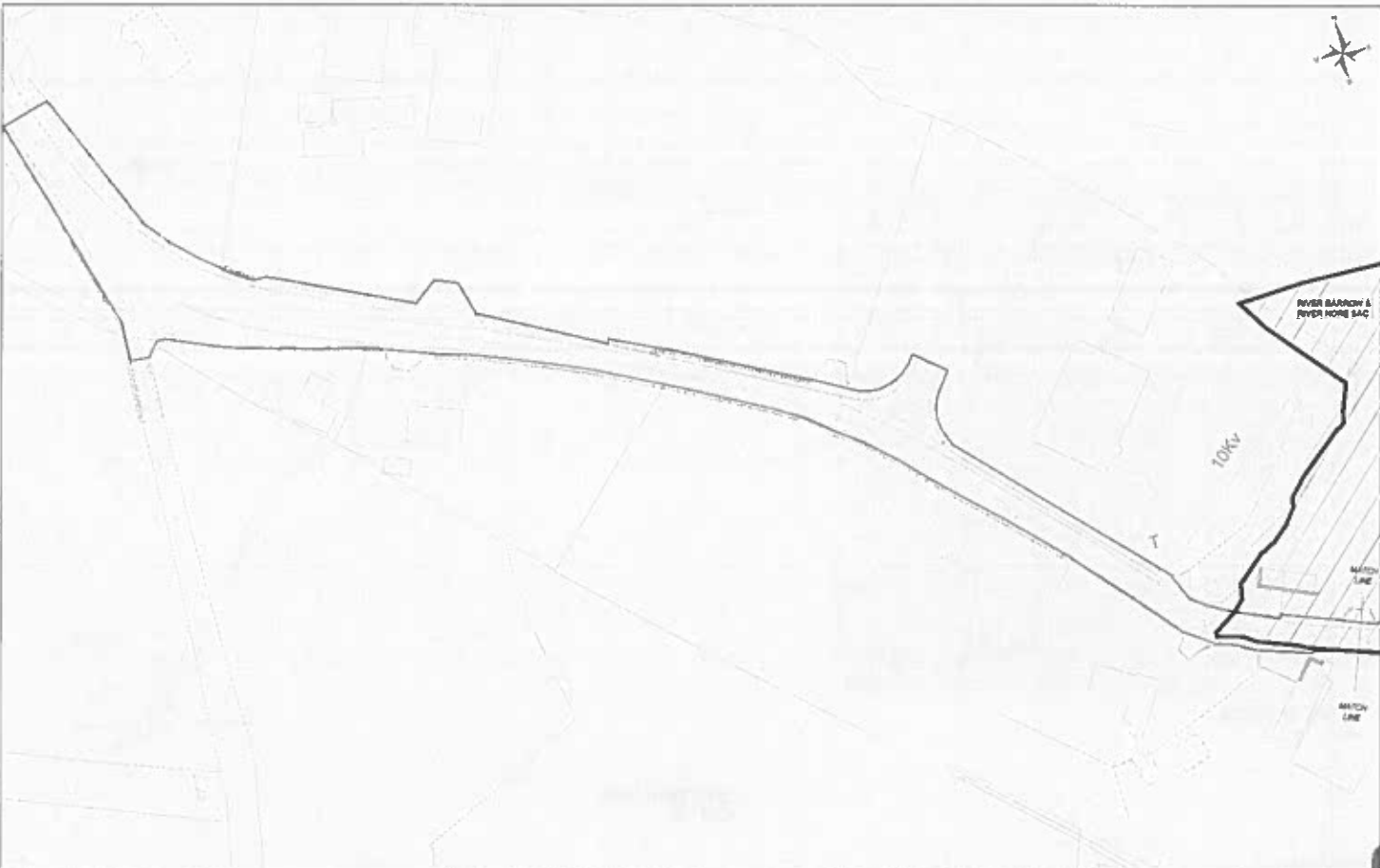



 7 Clonsilla Road  
 Wexford  
 Tel: +353(0)47798889  
 Email: info@roadplan.ie

**LEGEND**  
SITE BOUNDARY

NO.	REVISION	DATE	BY	CHKD	APPD

Project Title	R718/846 KNOCKTOPHER TO BALLINALE FOOTPATH				
Drawing No.	SITE LOCATION MAP				
Scale	1:200	Sheet No.	01	Total	01 Sheets
Drawing Date	10/04/2020	Author		Checked	A



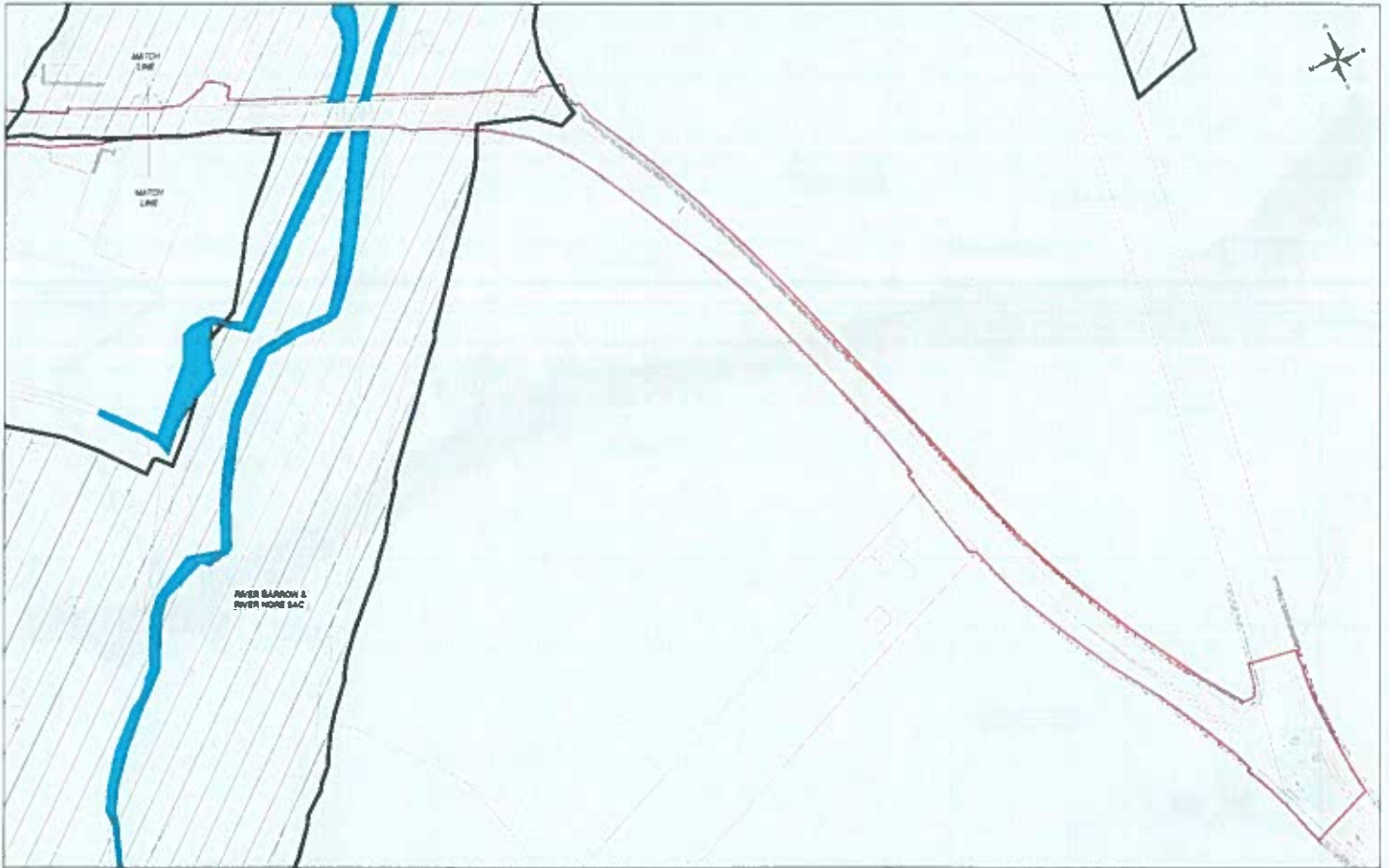
Council of Mayo  
 Mayo County Council  
**ROADPLAN**  
 7 Corcoran Road  
 Ballyvaughan  
 Tel: +353 97 8777000  
 e-mail: info@coymayo.ie

**LEGEND**

— SITE BOUNDARY

NO.	REVISION	DATE	BY	CHECKED BY

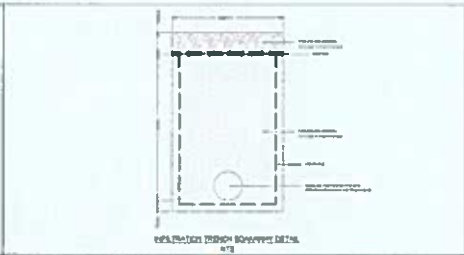
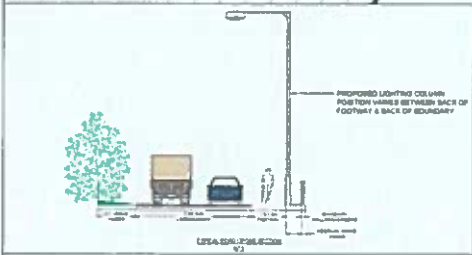
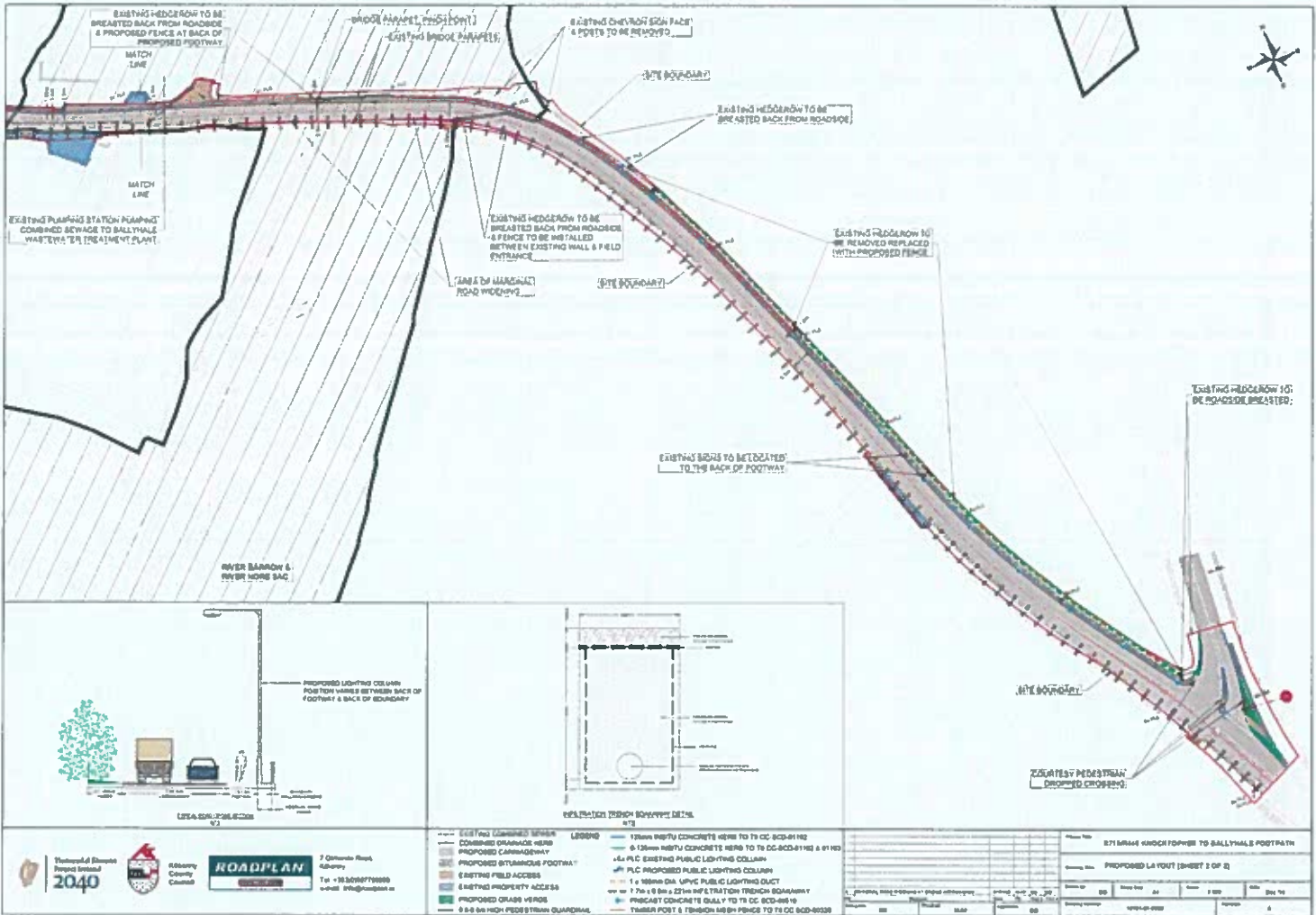
Project No:	071 BRASS BROOKTOPHER TO BALLYHALE POSTPATH			
Drawing No:	EXISTING SITE LAYOUT (SHEET 1 OF 3)			
Scale:	AS SHOWN	Date:	04/08/2024	Drawn by:
Checked by:				



<p>Sligo County Council Keshmoyne County Council <b>ROADPLAN</b> CONSULTANTS</p>	<p>7 Omurra Road Keshmoyne Tel: +353 905 779888 Email: info@roadplan.ie</p>	<p>Project Title: R71 BRIDGE PROCKTOPPER TO BALLYHALE FOOTPATH</p>	
		<p>Drawing No: EXISTING SITE LAYOUT (SHEET 2 OF 2)</p>	
<p>Scale: 1:500</p>		<p>Date: 2024-07-20</p>	
<p>Author: [Name]</p>		<p>Check by: [Name]</p>	
<p>Drawn by: [Name]</p>		<p>Issue: 1.001</p>	
<p>Project No: [Number]</p>		<p>Scale: 1:500</p>	
<p>Client: [Name]</p>		<p>Revision: A</p>	







7 Olinville Park  
 Sligo  
 Tel: +353 071 70000  
 e-mail: info@roadplan.ie

SYMBOL	DESCRIPTION
---	EXISTING UNIMPROVED DRIVE
---	COMBINED GRASSHIDE HERE
---	PROPOSED CARRIAGEWAY
---	PROPOSED BITUMINOUS FOOTWAY
---	EXISTING FIELD ACCESS
---	EXISTING PROPERTY ACCESS
---	PROPOSED GRASS VERGE
---	0.9m HIGH FIBRE OPTIC QUADRANT
---	LEADING
---	120mm DEPTH CONCRETE HERE TO TR CC SCD-8112
---	6.12m DEPTH CONCRETE HERE TO TR CC SCD-8113 & 8114
---	PLC EXISTING PUBLIC LIGHTING COLUMN
---	PLC PROPOSED PUBLIC LIGHTING COLUMN
---	1.6 100mm DIA. LFVFC PUBLIC LIGHTING DUCT
---	1.7m x 0.9m x 22m INFILTRATION TRENCH BOUNDARY
---	PRECAST CONCRETE DUALY TO TR CC SCD-8819
---	TENSION POST & TENSION WIRE FENCE TO TR CC SCD-8820

NO.	REVISION	DATE	BY	CHECKED

Project No: 871 MINE KNOCK FENCE TO BALLYMALL FOOTPATH  
 Drawing No: PROPOSED LA FOUT (SHEET 2 OF 2)  
 Scale: 1:500  
 Date: 2020-08-10  
 Drawing Author: 100148-0000  
 Drawing Checker: 100148-0000





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



**Planning & Development Act 2000-2019**  
**Planning & Development Regulations, 2001 - 2019**

**Part 8 Ref. No.:** Part 8 17/19

**Development:** Construction of new footpath, drainage and public lighting for the R713/R448, Knocktopher to Ballyhale, Co. Kilkenny

**Date** 6/03/2020

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**Site Location and Description**

The site is located along the R713 Regional Road between the Villages of Knocktopher and Ballyhale, Co. Kilkenny. The proposal is to provide an approximate 858m long new continuous 1.2-1.8m wide bituminous footway with associated drainage and public lighting along the northern verge of the R713 from Ballyhale Secondary School to the R713/R448 Junction Ballyhale.

**Planning History on site:**

No recent on-site history.

**Details of Proposal:**

The proposed development of a new footway along the R713/R448 Regional Roads include the following:

- Minor site clearance in the form of minor clearance of existing hedgerows and fence clearance in addition to hedgerow breasting;
- Approx. 297m of timber post and tension mesh fencing;
- Installing of kerbing and the provision of tactile paved dropped crossing;
- Construction of a new 858m long 1.2-1.8m wide bituminous footpath
- Soft landscaping in the form of verge reinstatement;
- Public lighting including ducting, chambers and columns;
- Associated roadmarkings including school bus and car set down area, signage, surface water drainage including an infiltration soakaway and potential protection/diversion of existing utilities.

**Referrals:**

The project was referred to the following for comment:

Department of Arts... (Archaeology) – No report at time of writing

Department of Arts... (Wildlife) – No report at time of writing

Conservation Officer – no objection subject to condition see report dated 4/3/2020

Roads, – no report at time of writing

Contents of internal reports and report received from the prescribed bodies have been noted.

### **Third Party Submissions**

There are 4 no. submissions on file. These have been reviewed by the Area Engineer Department, Kilkenny County Council. The issues raised are summarised and include a response below:

#### **Paddy O’Keeffe, Property Services Manager, Glanbia Ireland, Glanbia House, Kilkenny:**

- Glanbia Ireland welcomes the proposed enhancement works between Knocktopher and Ballyhale and we look forward to seeing this scheme progressing.
- Will improve accessibility and connectivity between both villages and enhance road safety for all road users. Concerned with proposed reduction in existing splayed entrance to premise.
- While safety of all road users is priority, the extent to which the sprayed entrance is to be reduced is simply unworkable for Glanbia.
- Many agricultural vehicles have front loaders extending beyond the front of the vehicles that require additional turning space.
- There is significant risk of a collision due to the reduced splay when there are vehicles entering and exiting the site at the same time.
- There is no proposal to reduce the splayed entrance at the school so it would appear to us to be somewhat unreasonable that entrance be reduced for the reasons given by the Council.
- We would consider this splayed entrance to be within the ownership of Glanbia and would request that the Council work collaboratively with us to agree the appropriate solution for our entrance.

*The issues above have been considered by the Area Engineer and the response is as follows:*

- *Further direct consultation between Kilkenny County Councils and the relevant Landowner shall take with a view to working collaboratively with the Landowner to find and agree an appropriate solution to the road safety concerns raised in relation to the proposed changes to the subject entrance.*

#### **Bernadette & Noel Holden, Ballyhale, Co. Kilkenny:**

- Delighted that Kilkenny County Council has drawn up plans for a new footpath along this section of road.
- concern is based on the existing wall outside the stone cottage just after Glanbia. This wall juts out on to road.
- The Council’s plan is to install a path on the outer side of this wall and to retain this wall in its present position with a reduction in road width.
- The setting of the path on the outer side of the wall will cause a traffic hazard by sharpening the existing curvature of the road alignment.
- It will create an additional hazard as traffic will be in danger of driving up onto this path and possibly causing an accident.
- We feel that all or part of this wall should be removed as permission has been granted by the landowner.
- To set back this wall will allow the path to be installed with its outer edge in line with the current wall, thus allowing the free flow of traffic.

*The issues above have been considered by the Area Engineer and the response is as follows:*

- *As the relevant landowner is agreeable to all or part of the subject boundary wall being removed to facilitate the setting back of the footpath from its proposed location, then further direct consultation between Kilkenny County Council and the relevant Landowner shall take place to explore the potential extent of footpath setback and boundary wall removal addressing the road safety concerns raised while avoiding/minimising the impact on the existing well and rubble stone boundary walls as recommended by both the Archaeological Impact Assessment Report September 2019 and the Built Heritage Assessment Report November 2019.*

**David Murphy, Secretary, KBK Village Renewal Committee, Ballyhale, Co. Kilkenny:**

- Wholeheartedly support for the provision of a footpath that will link Knocktopher and Ballyhale.
- This is a link that has been badly needed for a number of years and will ensure the safety of our children etc. travelling on foot.
- Is it possible to knock and replace the stone wall just beyond Glanbia on the left-hand side as you leave Knocktopher? Doing so would be an added safety feature and would also improve the line of sight.
- As the road has a number of bends and has to pass by a school, could a 50kph limit be placed on the entire stretch of road between the two villages?

*The issues above have been considered by the Area Engineer and the response is as follows:*

- *As the relevant landowner is agreeable to all or part of the subject boundary wall being removed to facilitate the setting back of the footpath from its proposed location, then further direct consultation between Kilkenny County Council and the relevant Landowner shall take place to explore the potential extent of footpath setback and boundary wall removal addressing the road safety concerns raised while avoiding/minimising impact on the existing well and rubble stone boundary walls as recommended by both the Archaeological Impact Assessment Report September 2019 and the Built Heritage Assessment Report November 2019.*
- *A reduction of the existing posted speed limit is outside the scope of the scheme. However, on completion of the proposed footpath and its associated drainage and public lighting works a speed limit review shall be undertaken by Kilkenny County Council. The proposed footway, drainage and public lighting works will serve as the main justification for any proposed reduction in the existing posted speed limit.*

**Jim Denieffe, Highway Safety Developments, Ballyhale, Co. Kilkenny:**

- Concerned that when the path is moved on to the road this will slow the access as lorries manoeuvre into out entrance and this could cause an accident with passing traffic.
- Malone O'Regan Part 8 Assessment Report raising 10 no. clarifications

*The issues above have been considered by the Area Engineer and the response is as follows:*

- *As the relevant landowner is agreeable to all or part of the subject boundary wall being removed to facilitate the setting back of the footpath from its proposed location, then further direct consultation between Kilkenny County Council and the relevant Landowner shall take place to explore the potential extent of footpath setback and boundary wall removal addressing the road safety concerns raised while avoiding/minimising impact on the existing well and rubble stone boundary walls as recommended by both the Archaeological Impact Assessment Report September 2019 and the Built Heritage Assessment Report November 2019.*
- *The wide/space gained by the latter potential footpath setback will be used to shift the proposed road alignment north away from the southern accesses and to provide increased clearance to the proposed footway's kerblines in the form a hardstrip in the subject location to assist HGV movements at this existing pinch point.*

**Assessment**

The proposed development of a new footway along the R713/R448 Regional Roads include the following:

- Minor site clearance in the form of minor clearance of existing hedgerows and fence clearance in addition to hedgerow breasting;
- Approx. 297m of timber post and tension mesh fencing;
- Installing of kerbing and the provision of tactile paved dropped crossing;

- Construction of a new 858m long 1.2-1.8m wide bituminous footpath
- Soft landscaping in the form of verge reinstatement;
- Public lighting including ducting, chambers and columns;
- Associated roadmarkings including school bus and car set down area, signage, surface water drainage including an infiltration soakaway and potential protection/diversion of existing utilities.

### Zoning

The site is partially located within the settlement boundary of Knocktopher as shown in Figure 3.8 of the Kilkenny County Development Plan 2014 – 2020 and is within the existing highway/road boundary.

The need for a new continuous footway is apparent due to the poor state and discontinuous nature of the existing footways along the R713/R448 Regional Roads and the existing carriageway pinch points between Knocktopher and Ballyhale.

### Conservation

The proposed development is not within an Architectural Conservation Area (ACA) and there are no protected structures within the vicinity of the proposed footpath. In addition to the latter the National Inventory of Architectural Heritage (NIAH) has published the results of its survey of County Kilkenny and no buildings in the vicinity of the proposed footpath are included in the survey.

A Built Heritage Assessment Report was prepared by Colm Flynn Archaeology in conduction with Dr. Rosane Walker (BA BAI P.Grad.Dip Applied Building Repair and Conservation PhD) reiterates the above and concludes that no significant impacts are likely however it identifies 3 no. existing built heritage sites within the proposed scheme that will require the following mitigation if impacted by the works;

Site	Location	Impact	Mitigation
BH-01	Front boundary wall and entrance of early nineteenth century house - Rubble stone boundary wall	The potential loss of this boundary interrupts the historic setting of the nineteenth century house. Furthermore, the incremental loss of the rubble stone walls over time is detrimental to the historic roadside character of the locality. The proposed works are considered to have a moderate level of impact.	<p>A detailed written and photographic survey should be undertaken prior to the commencement of works.</p> <p>If the landtake requirement of the footpath allows the gate and piers should be retained and the wall set back in a gradual tapered manner as indicated by the green line in Figure 23 of the Built Heritage Assessment Report. It should follow a curving alignment similar to the existing. This recommendation would minimise the impact of the proposed changes on the setting of the nineteenth century house.</p> <p>If the landtake requirement necessitate the demolition of the gate and piers, they should be reconstructed using the existing material by an expert traditional stonemason in a manner</p>

Site	Location	Impact	Mitigation
			<p>matching the existing piers and reusing the historic gate.</p> <p>The wall should be reconstructed using the existing material by an expert traditional stonemason in a manner matching the existing wall. A plaque should be affixed to the wall indicating that the wall was reconstructed in the twenty-first century as part of a road improvement scheme.</p>
BH-02	Roadside Well - Well (pre 1840) adjoining nineteenth century wall (BH-01)	The proposed scheme traverses directly over or very close to the well and consequently the well could be covered, potentially damaged and no longer visible along the roadside. This would be detrimental to the historic roadside character. The proposed works are considered to have a moderate level of impact.	<p>A detailed written and photographic survey should be undertaken prior to the commencement of works.</p> <p>The well requires careful protection during the demolition and reconstruction of the adjoining wall. It is recommended that the well should be retained in-situ and the footpath bridged over the well if the construction scheme allows. A transparent viewing platform along the footpath showing the well would allow the well to continue as an important historic roadside landmark and contribute to its appreciation.</p>
BH-03	Road Bridge	It is therefore unlikely that the footpath should impact on the historic bridge fabric. The proposed works are considered to have a moderate level of impact.	A detailed written, photographic and measured survey should be undertaken prior to the commencement of work.

Having reviewed the documentation and attached reports The Conservation Officer in his report has stated

*The approach employed in the Built Heritage Assessment is welcome, and the three elements included above, are acknowledged for their social and architectural and special interest. The mitigation measures in the Built Heritage report are deemed appropriate and shall be adhered to, it should also be clarified pre-works whether it possible to retain the pair of gate piers in situ as part of the development.*

The Conservation Officer has noted<sup>4</sup> number of issues to be agreed including the finish of the footpath on the bridge, to investigate the possibility of retention of a pair of gate piers in situ as part of the development.

## **Archaeology**

An Archaeological Impact Assessment Report was prepared by Colm Flynn Archaeology which concluded the following;

- 1) The proposed development of the Ballyhale to Knocktopher Footpath Project, Knocktopher County Kilkenny, will involve ground disturbance and construction works in a part of south County Kilkenny that has a high number of known archaeological sites. The proposed road scheme is situated in close proximity to historic town of Knocktopher (AH01), that has attracted human activity from the early medieval period onwards.
- 2) That said the project works will not impact on any known archaeological sites contained in the Record of Monument & Places (RMP) or Record of Protected Structures (RPS) for Kilkenny.
- 3) The project works will have an uncertain impact on the well (AH05) in Knocktopher Commons townland. The level of this impact depends on the final detailed design of the project works.
- 4) The project works will directly impact on bridge (AH07) in Moanroe Commons townland. The level of this impact is moderate.

From the above conclusions it made that report went on to make the following recommendations including mitigation measures;

- 1) The proposed Ballyhale to Knocktopher Footpath Project should be detailed designed to minimise impact on the well site (AH05) and bridge (AH07).
- 2) Archaeological monitoring of construction stage ground disturbance works in the vicinity of the well (AH05) at Knocktopher Manor and bridge (AH07) at Moanroe Commons is recommended to mitigate the risk of construction works impacting on archaeology.
- 3) Should alterations be made to the scope of works, further archaeological assessment and mitigation measures may be required.

## **Impact on Natura 2000 site**

The proposed site crosses the Little Arrigal River which is a tributary of the River Barrow and is part of the River Barrow and River Nore Special Area of Conservation (SAC).

A Screening Report was prepared by Moore Group Environmental Services which concludes that no significant impact is likely and that there would be no direct impact on River Barrow and River Nore SAC or its associated European site designation.

A Screening exercise was completed by the Planning Authority, which showed that no significant impact is likely having regard to the distance of the subject site from any Natura 2000 site.

## **EIA Conclusion**

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

## **Conclusion and Recommendation:**

The Planning Authority considers that the principle of the proposed development as set out in the subject Part 8 Application plans and particulars is consistent with the zoning objectives for the site and accords with the policies and objectives of the Kilkenny County Development Plan 2014 - 2020 and the proper planning and sustainable development of the area.


It is therefore recommended that the Part 8 Application for the provision of a new footway, drainage and public lighting along the R713/R448 Regional Roads, Knocktopher to Ballyhale, Co. Kilkenny, be approved by Council.

- a) All recommendations and mitigation measures set out in the Built Heritage Assessment Report, carried out by Colm Flynn Archaeology dated November 2019, shall be adhered to.
- b) All recommendations and mitigation measures set out in the Archaeological Impact Assessment Report, carried out by Colm Flynn Archaeology dated September 2019, shall be adhered to.
- c) Prior to any work commencing it is advised that a Construction and Environmental Management Plan (CEMP), which should include details of working hours, parking arrangements, materials / waste storage in addition to standard environmental mitigation and monitoring measures be carried out.
- d) Prior to commencement of works the following shall be agreed with the Planning Authority
  - Investigate the ~~x~~ possibility to retain the pair of gate piers in situ as part of the development.
  - the material finish for the footpath on the bridge section
  - Where safety concerns require the northern parapet wall to be heightened, consideration should be given to a light weight stainless steel handrail as opposed to heightening the masonry of the parapet wall.
  - Details of a subtle sign identifying the Little Arrigle River should also be installed.

  
Catriona Bambrick  
Executive Planner

Date 6/3/2020

I agree with the above report.

  
Arlene O'Connor  
Senior Executive Planner

Date 6/3/20

