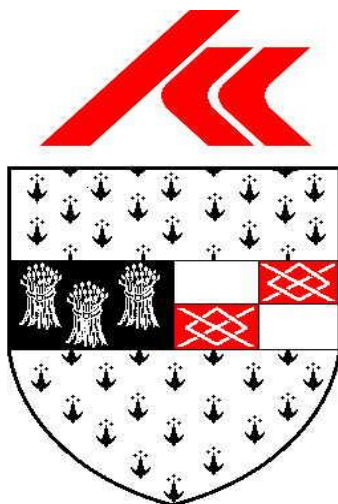


KILKENNY COUNTY COUNCIL
Comhairle Chontae Chill Chainnigh



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

EXPLANATORY BOOKLET

**Kilkenny Street, Castlecomer Traffic Calming
Measures 2022**

PROJECT DESCRIPTION AND PRINCIPLE FEATURES

1.0 Brief description of the proposed works

The proposal put forward provides for the following:

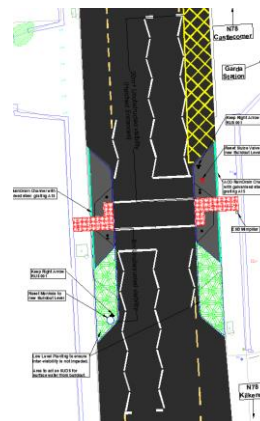
- 2 No. Signalised Pedestrian Crossings
- 1 No. Upgrade to existing uncontrolled crossing
- 2 No. Junction Improvements
- Planters and Benches along wide footpaths

2.0 Background and reasons for scheme

Kilkenny County Council, as the Project Promoter, proposes to undertake traffic management works in the village of Castlecomer from the Garda Station on the Kilkenny Road to the Community Hall. This section of the N78 in Castlecomer has been identified as a High Collision Location (HCL) as part of the TII's Network Safety Analysis. A Feasibility Report was prepared by Tramore House Regional Design Office (THRDO) and arising from the report the following works are recommended.

Location 1

Pedestrian Crossing at Castlecomer Garda Station



The proposed signalised crossing is located on the southern extents of the scheme.

Although the crossing is not justified on the volume of pedestrians as per DN-GEO-03084, the crossing is considered justified due to a number of reasons including;

- There are reports of a collision in the vicinity of the proposed crossing which occurred in late 2019. The incident involved a pedestrian causing minor injury.

- The crossing will facilitate a large catchment area where no formal crossing is provided. The catchment area includes;
 - Residential estates such as Maryville, Church Avenue, Beech Crescent, Oak Hill, Acorns Upper, The Acorns etc.;
 - Commercial services such as Texaco filling station, Castlecomer enterprise centre etc.;
 - HSE Residential Care Facility
 - Public services such as a Health Centre, Castlecomer fire station, the Garda station etc.;
 - Public amenities such as Castlecomer Golf Club; and
 - A significant number of individual private dwellings.
- It is considered that there may be a suppressed demand due to the difficulties vulnerable road users (VRU) experience crossing near this location.
- The crossing will provide access for VRU's to/from the footpath on the eastern side of the N78 which continues south to the Castlecomer retail park.; and
- A number of local representations have been made requesting the provision of a pedestrian crossing.

Location 2

Maryville Road (South) Junction Improvement



The proposed junction improvement will slow entry and exit speeds on the junction into Maryville Housing Estate which is a 30 kph Slow Zone location.

The reduced junction width will facilitate VRU's crossing the junction.

The proposal also provides for new low-level planting on the new junction buildouts and public seating outside the medical centre.

Location 3

Maryville Road (North) Junction Improvement



The proposed junction improvement will slow entry and exit speeds on the junction into Maryville Housing Estate which is a 30 kph Slow Zone location.

The reduced junction width will facilitate VRU's crossing the junction.

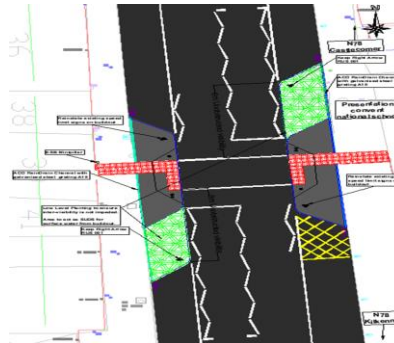
The proposal also provides for new low-level planting on the new junction buildouts.

Location 4 Public Realm at The Church of the Immaculate Conception



It is proposed to provide planters and seating in this area to both improve the public realm and ensure footpaths are kept for pedestrians. Planters and seating will be located in a manner to dissuade informal parking on the existing footpath. Where this informal parking obstructs the pedestrian route it should be eliminated.

Location 5 Pedestrian Crossing at Presentation Convent National School



This proposed signalised crossing is located on Kilkenny Street in close proximity to the Library and the Presentation Convent National School. The crossing is justified in accordance with TII publication DN-GEO-03084. As the crossing is located near a school, the crossing would facilitate safe crossing for children, who are a high priority VRU.

The crossing is located at an existing uncontrolled crossing with parallel parking provided on either side of the road. Pedestrians were observed crossing the road informally upstream and downstream of the existing uncontrolled crossing, which may be a result of pedestrians assuming that no greater opportunity is provided to

cross the road at the existing uncontrolled crossing. This puts the pedestrian at a greater risk of being struck by an approaching vehicle where insufficient awareness and inter-visibility is provided due to parked vehicles.

The proposed crossing would provide a safer crossing for pedestrians and will likely result in pedestrians adhering to the designated crossing points where sufficient inter-visibility to/from approaching vehicles is provided.

The crossing will also provide a wider community benefit and it is anticipated that higher volumes outside the peak periods will be observed should the proposed upgraded crossing be provided due to the proximity of the proposed bus stop location. In turn, will likely result in a reduced number of informal crossings by pedestrians at unsafe locations coming to/from the bus stop.

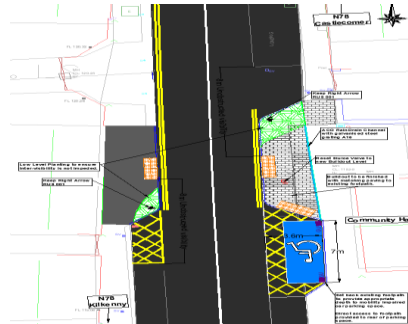
Currently, Kilkenny County Council employ a traffic warden at the existing uncontrolled crossing to provide a safe crossing for school children during the peak hour. Should the proposed crossing be provided, it should be considered to retain the warden for a number of reasons including;

- School children may not adhere to the exact green phase and location of the crossing. The warden would ensure the children would wait at the right location and the warden would control the crossing phase.
- During a pedestrian green phase, the warden would stand in the carriageway as normal and would ensure any late coming children would be able to safely cross as the lights changed or to stop children from rushing across when it is too late.
- The traffic warden would regulate the crossing phases based on the traffic congestion and number of crossing children as frequent pedestrian crossing phases may cause a congestion issue.

The retention of the traffic warden can however be reviewed and subject to compliance, consideration to redeploying elsewhere within Castlecomer could be considered.

Location 6

Uncontrolled Pedestrian Crossing Point at the Community Hall



It is proposed to revise the existing arrangement of the uncontrolled crossing point at the Community Hall so it is line with current TII standards for uncontrolled crossings including construction detail CC-SCD-05042. This is considered sufficient for its location. The revised layout will provide for improved inter visibility to/from pedestrians and traffic on the road.

The existing disabled parking bay will be brought up to current standards and provide direct access to the footpath at the rear of the bay.

3.0 Design Criteria

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

4.0 Funding

The proposed works are to be fully funded by the TII under the HD15 program

5.0 Assessments

In accordance with the requirements of Article 120(1)(a) of the Planning and Development Regulations 2001 (as amended) and Section 50(1) of the Roads Act 1993 (as amended), the local authority has made a preliminary examination of the nature, size and location of the proposed development. The authority has concluded that there is no real likelihood of significant effects on the environment arising from the proposed development and a determination has been made that an Environmental Impact Assessment (EIA) is not required. In accordance with the Habitats Directive a screening assessment was carried out and has determined no significant impacts on species. The assessment is contained in Appendix 2

6.0 Submissions

Submissions or observations with respect to the proposed development dealing with the proper planning and development of the area in which the development will be carried out may be made in writing to the undersigned. The latest date for receipt of comments on the above scheme is **Friday 20th May 2022**. Submissions should be clearly marked Kilkenny Street, Castlecomer Traffic Calming Scheme.

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

**Kilkenny Street Castlecomer Traffic Calming
Scheme**

Appendix 1

COPY OF PUBLIC NOTICE



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

Kilkenny Street, Castlecomer Traffic Calming Scheme

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

The provision of road safety measures to the urban realm along Kilkenny Street, Castlecomer, Co. Kilkenny, these works shall include the following:

- **Provision of a controlled pedestrian at Castlecomer Garda Station**
- **Improvements to the junction of the N78 and Maryville Road (south)**
- **Improvements to the Junction of the N78 and Maryville Road (north)**
- **Public Realm improvements in the vicinity of Church of the Immaculate Conception**
- **Provision of a controlled pedestrian crossing at Presentation Convent National School**
- **Upgrading of existing uncontrolled crossing at the Community Hall**

In accordance with the requirements of Article 120(1)(a) of the Planning and Development Regulations 2001 (as amended) and Section 50(1) of the Roads Act 1993 (as amended), the local authority has made a preliminary examination of the nature, size and location of the proposed development. The authority has concluded that there is no real likelihood of significant effects on the environment arising from the proposed development and a determination has been made that an Environmental Impact Assessment (EIA) is not required.

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

Plans and particulars of the proposed development will be available for inspection by appointment from Friday 8th April to Friday 6th May 2022 inclusive, at the following Kilkenny County Council offices:

**Kilkenny County Council, County Buildings, Friday)
John Street, Kilkenny City.
Ph: 056 7794000 to make an appointment.**

**From 9am to 1pm & 2pm to 5pm
Monday to Friday (Except Public Holidays & Good**

**Kilkenny County Council, Castlecomer Municipal District Office, Friday)
Kilkenny Street
Castlecomer
Ph: 056 4440550 to make an appointment.**

**From 9am to 1pm & 2pm to 5pm
Monday to Friday (Except Public Holidays & Good**

Or online at <https://consult.kilkenny.ie/en>

Submissions or observations with respect to the proposed development dealing with the proper planning and development of the area in which the development will be carried out may be made in writing to the undersigned. The latest date for receipt of comments on the above scheme is Friday 20th May 2022. Submissions should be clearly marked Kilkenny Street, Castlecomer Traffic Calming Scheme.

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

**Kilkenny Street, Castlecomer Traffic Calming
Scheme**

March 2022

Appendix 2

Habitats Directive
Project Screening Assessment

Habitats Directive Project Screening Assessment

Table 1: Project Details

Development Consent Type	Section 38 of the Road Traffic Act, 1994 as amended by the Public Transport Regulation Act, 2009 (Section 46)
Development Location	Various locations along N78/Kilkenny Road, Castlecomer, Co. Kilkenny
Planning ref	N/A
Description of the project	<ul style="list-style-type: none"> • 2 No. Signalised Pedestrian Crossings • 1 No. Upgrade to existing uncontrolled crossing • 2 No. Junction Improvements • Planters and Benches along wide footpaths

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

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

		Y/N
1	ONE- OFF HOUSE /SMALL EXTENSION/ ALTERATION TO EXISTING BUILDING	N
1a	<p>Is the development a one- off house/small extension/alternation to existing building within an SAC/SPA or within 100m of an SAC/SPA and likely to discharge pollutants or nutrients of a significant nature and amount to surface water within catchments of and SAC/ SPA as part of its construction or operational phase (including the installation of waste water treatment systems; percolation areas; septic tanks within SAC/SPA or very close proximity)?</p> <p>If the answer to the above question is: - no, then no appropriate assessment required - yes, then an appropriate assessment is required - not sure, then an appropriate assessment is required in accordance with the precautionary principle</p>	N/A
2	DEVELOPMENTS OTHER THAN THOSE DESCRIBED IN 1 ABOVE	Y
2a	<p>Impacts On Freshwater Habitats Is the development within a Special Area of Conservation whose qualifying interests include freshwater habitats, or in the catchment of same and does the development propose to discharge water to or abstract water from the habitat?</p> <p>Sites to consider: Lower River Suir, River Barrow, River Nore.</p> <p>Habitats to consider:</p>	N

		Y/N
	<p>Alluvial Wet Woodland, (Lower River Suir), Dry Heath (some steep slopes along River Barrow and its tributaries) Rivers, Streams, Lakes and Lagoons, Old Oak Woodland, floating river vegetation,</p> <p>Species to consider: River Lamprey, Brook Lamprey, Freshwater Pearls Mussel, Nore Freshwater Pearl Mussel, Crayfish, Twaite Shad, Atlantic Salmon, Otter, Vertigo Moulinsiana,</p>	
2b	<p>Impacts On Wetland Habitats <i>Is the development within a Special Area of Conservation whose qualifying interests include wetland habitats, or likely to discharge water to or abstract water from the wetland?</i></p> <p>Sites to consider: Hugginstown Fen, Galmoy Fen, The Loughans, Flood Plain wetlands</p> <p>Habitats to consider: Bogs, Alkaline Fens (Hugginstown and Galmoy), Turloughs (The Loughans)</p>	N
2c	<p>Impacts on Intertidal and Marine Habitats <i>Is the development located within a Special Area of Conservation whose qualifying interests include intertidal and marine habitats and species, or within the catchment of same and likely to discharge water to or abstract water from the habitats.</i></p> <p>Sites to consider: Lower River Suir</p> <p>Habitats to consider: Atlantic Salt meadows, Mudflats, sandflats, saltmarsh, estuary</p> <p>Species to consider: Sea Lamprey, River Lamprey, Brook Lamprey, Freshwater Pearl Mussel, Crayfish, Twaite Shad, Atlantic Salmon, Otter.</p>	N
2d	<p>Impacts On Woodlands And Grasslands <i>Is the development within a Special Area of Conservation whose qualifying habitats include terrestrial habitats, or in close proximity to same with a likely ecological impact?.</i></p> <p>Sites to consider: Spa hill and Clomantagh Hill, Cullahil Mountain, River Barrow, River Nore, Lower River Suir</p> <p>Habitats to consider: <i>Alluvial Wet Woodlands</i> (River Nore below Inistioge and River Suir at Fiddown Island and Carrick on Suir), Eutropic tall herb vegetation (River Suir at Fiddown Island and Carrick on Suir), and grasslands (Spa hill and Clomantagh Hill, Cullahil Mountain)</p> <p>Oak Woodlands in old estates next to the Nore and Barrow</p> <p>Species to consider: Greenwinged, Frog and Bee Orchids (Cullahill and Clomantagh Hill), Nettle Leaved Bellflower and Autumn Crocus</p>	N
2e	<p>Impacts On Birds <i>Is the development within a Special Protection Area, or likely to discharge water to same or likely to have another significant impact on the habitats of Birds in same?.</i></p> <p>Sites to consider: River Nore</p> <p>Species to consider: River Nore: Kingfisher (Alcedo Atthis) – Nesting in river banks</p>	N

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

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

1.	Impacts on designated freshwater habitats (rivers, lakes streams and lagoons).	
	<i>Please answer the following if the answer to question 2a in table 2 was yes.</i>	
	<i>Does the development involve any of the following:</i>	
1.1	Impacts on watercourses (tributaries, streams, drains) which are remote from the SAC/SPA but may still impact on the SAC/SPA by reason of the nature or quantity of the discharge	N/A
1.2	Abstraction from surfacewater or groundwater within 1km of SAC/SPA.	N/A
1.3	Removal of topsoil within 100 m of watercourses with potential for surface water runoff.	N/A
1.4	Infilling or raising of ground levels within 100m of watercourses with potential for surface water runoff.	N/A
1.5	Construction of drainage ditches within 1km of SAC/SPA.	N/A
1.6	Construction within a floodplain or within an area liable to flood.	N/A
1.7	Crossing or culverting of rivers or streams within 1km of SAC/SPA.	N/A
1.8	Storage of chemicals hydrocarbons or organic wastes within 100 m of a watercourse.	N/A
1.9	Development of a large scale which involves the production of an EIS.	N/A
1.10	Development of quarries, particularly where abstraction is below water table.	N/A
1.11	Development of windfarms within 1km of an SAC or with the risk of runoff to an SAC/SPA, particularly during construction.	N/A
1.12	Development of pumped hydro electric stations.	N/A
2	Impacts on designated wetland habitats (bog, heath, marsh, fen).	
	<i>Please answer the following if the answer to question 2b in table 2 was yes.</i>	
	<i>Does the development involve any of the following:</i>	
2.1	Impacts on watercourses (tributaries, streams, drains) which are remote from the SAC/SPA but may still impact on the SAC/SPA by reason of the nature or quantity of the discharge.	N/A
2.2	Construction of roads or other infrastructure on peat habitats within 1km of a Natura 2000 site of which qualifying interests include peat, fen or marsh. (Only Peat habitat at Bruckana – consider Galmoy fen – impact unlikely	N/A

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

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

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

Table 4: Consideration of potential impacts on protected species

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

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

Species	Relevant Sites	Activites which could have impacts on species	Possible Impacts Identified? Y/N
Crayfish	Lower River Suir	Activities that interfere with water quality or the river bed;	No
Freshwater Pearl Mussel	River Barrow River Nore Lower River Suir	Activities that interfere with water quality, levels or the river bed ;	No
Nore Freshwater Pearl Mussel	River Nore	Activities that interfere with water quality, levels or the river bed ;	No

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

Habitats Directive Screening Conclusion Statement

Development Type	Section 38 road traffic act 1994 as amended
Development Location	<i>Various locations along Kilkenny Road/N78, Castlecomer</i>
Natura 2000 sites within impact zone	Dinin River
Planning ref	N/A
Description of the project	
<ul style="list-style-type: none"> • 2 No. Signalised Pedestrian Crossings • 1 No. Upgrade to existing uncontrolled crossing • 2 No. Junction Improvement • Planters and Benches along wide footpaths 	
Describe how the project or plan (alone or in combination) could affect Natura 2000 site(s).	
No impacts anticipated having regards to the nature of the proposed works and their location at a remove from the SAC boundary.	
If there are potential impacts, explain whether you consider if these are likely to be significant.	
N/A	
<p>Conclusion of assessment Having regard to the precautionary principle, it is considered that:</p> <p><input checked="" type="checkbox"/> Significant impacts can be ruled out or AA not required (if project is directly connected or necessary to Management</p> <p>of Natura 2000 site (determined in consultation with NPWS).</p> <p>or</p> <p><input type="checkbox"/> Significant impacts are certain, likely or uncertain (cannot be ruled out), Natura Impact Statement (NIS) is required.</p> <p><input type="checkbox"/> Project must be subject to appropriate assessment.</p>	
Documentation reviewed for making of this statement.	
Appropriate Assessment Guidelines and section 38 drawings and documentation received by email 23/02/2022	
Completed By	D. Breen, Executive Planner
Date	23/02/2022