



## **KILKENNY COUNTY COUNCIL**

### **Planning Report – Dated 7<sup>th</sup> August 2019.**

### **Application for approval in accordance with Section 177AE of the Planning and Development Acts 2000 – 2018**

**RE: Proposed Castlecomer Footbridge over River Dinin at  
Castlecomer, Co. Kilkenny.**



## 1.1 Introduction

Kilkenny County Council (KCC) wish to make an application for approval to An Board Pleanála to construct a footbridge to cross the River Dinin along the N78 to the east of Castlecomer town, County Kilkenny.

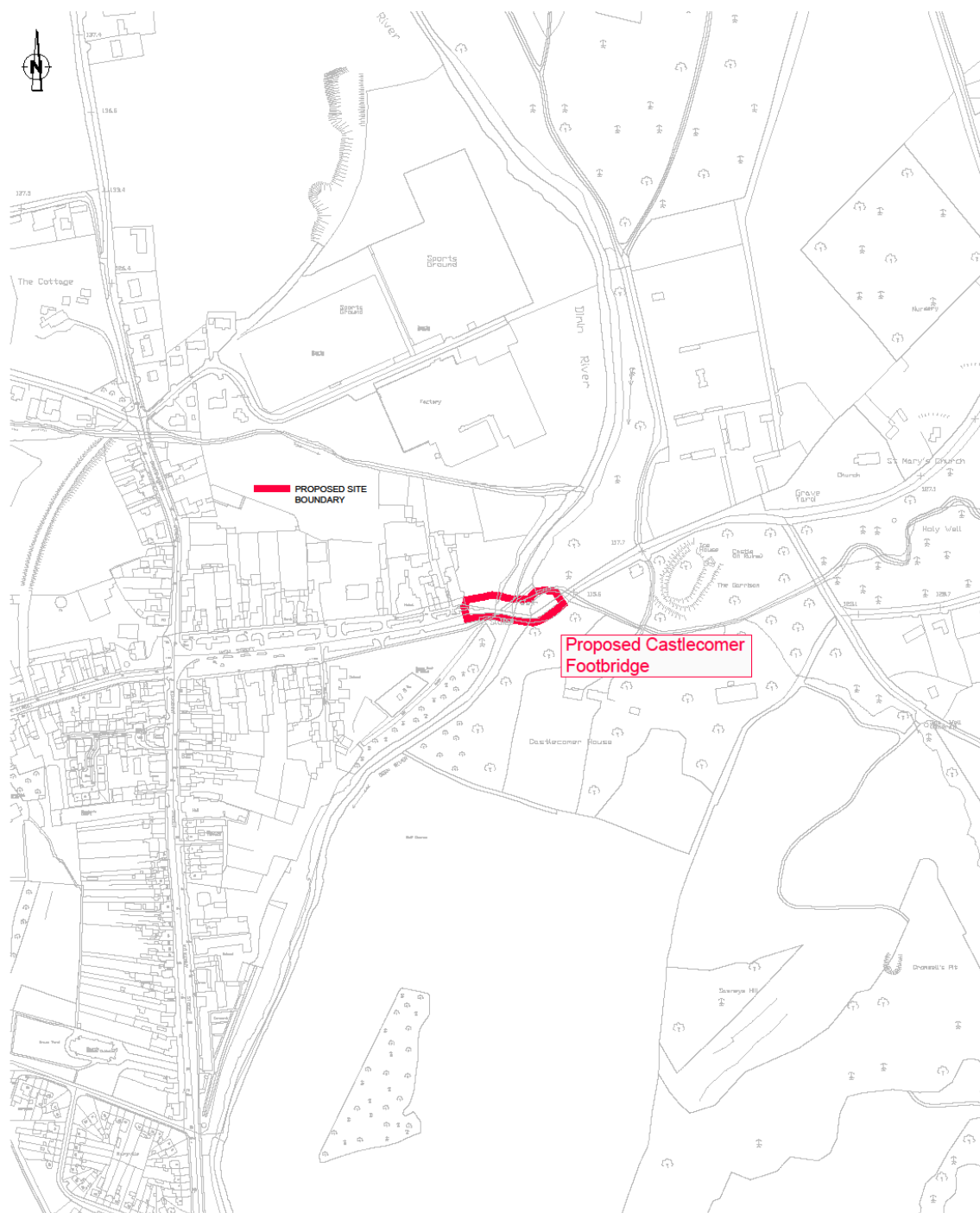
This application for approval is being made in accordance with Section 177AE of the Planning and Development Acts 2000 –2018 which states;

*“Where a Natura Impact statement has been prepared pursuant to subsection (1), the local authority shall apply to the Board for approval and the provisions of Part XAB shall apply to the carrying out of the appropriate assessment”*

This application is being made in accordance with the procedure outlined in Article 249 of the Planning and Development Regulations 2001 to 2018 and Section 177AE (4)(a) of the Planning and Development Acts 2000 to 2018.

## 1.2 Scheme Location

The existing River Dinin Bridge carries the N78 National Primary Road over the River Dinin at the east side of Castlecomer town, between Castlecomer Discovery Park and Castlecomer town, at Irish Transverse Mercator (ITM) Grid Reference 653580, 673040. The new Castlecomer Footbridge is proposed to be located next to the existing structure, with tie-ins beyond the eastern and western ends of the current bridge. The location of the existing bridge and the proposed footbridge is shown in Figure 1 below.



**LOCATION PLAN 1 : 2,500**  
(Scale 1 : 2,500)

If RPS, it is a project must not be copied used prior written consent. The int and RPS must be drawing.  topographical survey, utility detail used in the sheets.					 <b>RPS</b> MARKING COMPLEX EASY Inishmore, Ballinacraig, Co. Cork, Ireland T +353 21 4965900 W www.rpsgroup.com/ireland E ireland@rpsgroup.com	Scale	Shown @ A1 Half @ A3	Project	<b>Eirspan Task Order No. 302 N78, Castlecomer Footbridge</b>				
	P01	July 19	SC/CC	Issue For Planning		AOB	Created on	June 2019	Title	LOCATION PLAN			
Rev	Date	By/Chk	Amendment / Issue	App	Model File Identifier	MCT0756PLD101	File Identifier	MCT0756PLD101	-01	Status	S4	Rev	P01

Figure 1: Scheme Location

## 1.3 Background

The existing River Dinin Bridge is a multi-span masonry arch bridge which is approximately 6.7m wide between parapets. The bridge caters for both vehicular and pedestrian traffic movements on the N78. The bridge was constructed in the 18<sup>th</sup> century and was never intended to cater for modern vehicular traffic, consequentially the existing bridge is too narrow to cater for a safe modern road cross section complete with footway.

The existing footpath is on the north side of the bridge and varies in width from 650-900mm. The footpath is substandard, particularly at the eastern end where the tight bend in the road causes HGV's to encroach upon the footway making it unsafe for pedestrians. The absolute minimum width required for a new road bridge to current standards with a footway one side is 9.4m. This would consist of a 7m carriageway, 1.8m footpath and 0.6m raised verge, although it would likely be well in excess of this in reality.

According to the Castlecomer Local Area Plan 2018-2024, 122,000 people visited Discovery Park in 2016. In order to improve safety for both pedestrians and motorists, Kilkenny County Council intend to construct a new footbridge remote from the existing carriageway.

The need for improved pedestrian links over the River Dinin has been previously identified in the Castlecomer Local Area Plan (LAP) 2009 -2018 and more recently has been identified as key objective in the Castlecomer Local Area Plan 2018-2024.

Kildare County Council National Roads Office (KNRO), acting as Lead Authority under a Section 85 Agreement with Kilkenny County Council, appointed RPS to conduct an options study and to recommend a preferred footbridge option. The options study considered five options; a cantilever structure attached to the exiting bridge, an independent single span steel box girder bridge, an independent two span glulam bridge, an independent two span steel box girder bridge, and an independent single span steel truss/glulam deck bridge. Using an engineering assessment matrix to compare the options under 15 different criteria, the options report produced by RPS indicated that a two-span steel box girder footbridge with a timber deck should be considered as the preferred option.

This option is considered to have most adequately addressed all the constraints of the scheme, which can be summarised as follows;

- Pedestrian safety
- OPW hydraulic capacity requirements
- Cost effectiveness and certainty
- Aesthetic merit
- No adverse impact on the SAC
- Impact on existing protected structure both physically and visually is minimised
- Constructability

## 1.4 Description of Project

Following on from the result of the options report, a new two span footbridge is proposed to cross the River Dinin. Further details of the project are provided in the Scheme Drawings.

Subject to An Bord Pleanála planning approval, construction works are envisaged to commence in Q2 2020. The anticipated construction sequence for the works is as follows;

- Stage 1: Set up site compound and traffic management measures.
- Stage 2: Undertake site clearance on western and eastern banks in preparation for construction of foundations and bunding of riverbanks, including removal of existing vegetation under the footprint

of the proposed embankments. This includes the removal of all invasive species, namely Japanese Knotweed, as described in the Invasive Alien Species Management Plan.

- Stage 3: Temporary diversion of river including installation of bunding, access bridge from Castlecomer Discovery Park to eastern bank and pipe for tributary to river Dinin.
- Stage 4: Construction of new footbridge substructure (piles, abutments, wingwalls and pier).
- Stage 5: Construction of footbridge superstructure (box girders, timber deck and parapets).
- Stage 6: Tie into existing footpath at both ends.
- Stage 7: Reinstate land within site boundary through top soiling and grass seeding as required.

Vegetation removal will be necessary for site access and construction at overgrown sections of the Works, specifically at the eastern and western ends of the bridge. Under Section 40 of the Wildlife Acts, 1976–2012, in the course of preparation of sites on which any structure is intended to be provided is exempt from restrictions in regard to clearance of vegetation. However, as vegetation removal may be required during the restricted period (1st March to 31st August), a site inspection by a suitably qualified Ecologist (Ecological Clerk of Works) prior to and during clearance at these locations is considered best practice to ensure reasonable efforts are undertaken to comply with other requirements of the Wildlife Acts and allow works to proceed.

In-stream activities will be required as part of the works in order to construct the pier and potentially the abutments. In stream works will be restricted to the period from 1st July to 30th September in accordance with Inland Fisheries Ireland requirements. Furthermore, prior to construction, electrofishing shall be undertaken to remove any fish from the area to be dewatered.

## 1.5 Appropriate Assessment

An Appropriate Assessment (AA) is required under the EU Habitats Directive (92/43/EEC), as amended by Directive 97/62/EC, for any plan or project likely to have a significant effect on an internationally important site for nature conservation, i.e. Special Protection Areas (SPAs) and Special Areas of Conservation (SACs), also known as Natura 2000 sites.

The proposed scheme is located in the River Barrow and River Nore Special Protection Area. All qualifying interests have the potential to impact on the scheme, with the most prevalent qualifying environmental feature that will impact on the scheme being the Salmonid habitats in the River Dinin associated with the River Barrow and River Nore SAC. Consequently, careful consideration of the environmental impact of the scheme is required, and a screening for Appropriate Assessment followed by an Appropriate Assessment were conducted.

### 1.5.1 Stage 1: Screening for Appropriate Assessment

An AA Screening Assessment for the proposed footbridge was undertaken which identified the potential for significant effects to the River Barrow and River Nore SAC, Lower River Suir SAC and River Nore SPA. In the absence of mitigation, the potential for water quality degradation and loss of habitat used by the white clawed crayfish exist. An appropriate assessment of the works was required as it could not be excluded, on the basis of objective information, that the works, either on their own or in combination with other plans and projects, would not have significant effects on the River Barrow and River Nore SAC, Lower River Suir SAC and River Nore SPA.

The AA Screening Assessment concluded that the potential for likely significant effects on River Barrow and River Nore SAC from the proposed infrastructural development remained undetermined. Owing to this uncertainty with regards to the project design at that stage, and by applying the precautionary principle, which requires that the conservation objectives of European Sites should prevail, it was determined that it was not possible to rule out likely significant effects on River Barrow and River Nore SAC; and therefore, the AA process should proceed to Appropriate Assessment including the preparation of a Natura Impact Statement (NIS). As such, an Appropriate Assessment has been undertaken and is detailed below.

## 1.5.2 Stage 2: Appropriate Assessment – Natura Impact Statement

The Natura Impact Statement (presented separately) prepared for the scheme identified that the proposed footbridge in Castlecomer provided for localised short and long-term interference with the River Barrow and River Nore SAC and that, in the absence of appropriate mitigation measures, significant adverse effects on the Qualifying Interests of the River Barrow and River Nore SAC and their respective Conservation Objectives are likely to arise from the proposed works.

The NIS has proposed appropriate mitigation measures intended to eliminate these effects or, where this is not possible, to minimise these effects such that they can no longer be judged to be significant. These measures include:

- In-stream activities being restricted to the period from 1<sup>st</sup> July to 30<sup>th</sup> September.
- Removal of individuals of those species listed in the NIS by electrofishing from the area to be dewatered prior to the commencement of construction.
- Implementation of a Construction Environmental Management Plan (CEMP).
- Implementation of a Construction Erosion and Sediment Control Plan.

The conclusion of this Natura Impact Statement is that there will be no potential for cumulative impacts arising in combination with any other plans or proposals. With the implementation of best practice and the recommended mitigation measures, it is considered that the proposed development will not adversely affect the integrity of River Barrow and River Nore SAC, Lower River Suir SAC and River Nore SPA.

## 1.6 Planning Context

The proposed Castlecomer Footbridge is considered necessary to ensure the safe passage of pedestrians across the River Dinin. It has been highlighted in the Castlecomer Local Area Plan (LAP) 2009 -2018 and more recently has been identified as a key objective in the Castlecomer Local Area Plan 2018-2024.

A primary goal of the LAP is to combine the town's tourism product with that of the Castlecomer Discovery Park by increasing the contact between the town and the park. The LAP identified four major new pedestrian links which are deemed essential to the town's development;

- A pedestrian bridge over the river Dinin between the town centre and Discovery Park.
- A pedestrian bridge over the river Dinin between Discovery Park and the Prince Grounds.
- A lane along the river Dinin and the Kilkenny road between Athy road bridge and the former convent, with a branch to Florence terrace.
- A lane between the Council Yard at Maryville and the Acorns.

The proposed pedestrian bridge, for which this planning application is being submitted, is the first of these links and will facilitate both recreational/leisure purposes and aid in pedestrian permeability throughout the town.

## 1.7 Further Information

Letters of support for the proposed Castlecomer footbridge have been received from the following stakeholders;

- Gerard Ferris, Honorary Secretary of the Committee of the Castlecomer Development Association (landowner on the eastern bank of the River Dinin).
- Tom & Mary Slevin, (landowners on the western bank of the River Dinin).
- Michael Brook, Chairman, Castlecomer Demesne Company (Castlecomer Discovery Park).
- Tim Butler, Director of Services, Kilkenny County Council.

A copy of these letters is enclosed with the planning application documentation.

Further information describing the particulars of the proposed works, the likely effects of the works on the environment and ecology (including relevant ecological studies) and copies of relevant statutory documentation and notices are enclosed with this application.