



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

**RE: PART VIII - WATERFORD TO NEW ROSS GREENWAY AT
AYLWARDSTOWN
*Planning & Development Acts 2000 - 2017
Planning & Development Regulations 2001 - 2017***

DATE: 6th March, 2018

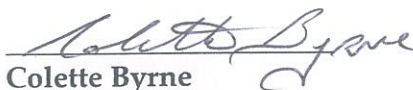
Dear Councillor,

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 - WATERFORD TO NEW ROSS GREENWAY AT AYLWARDSTOWN

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 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 - Dated 5th March, 2018

In Accordance with Section 179 of the
Planning and Development Acts, 2000-2015

Re: Waterford to New Ross Greenway at Aylwardstown.

*For consideration by the Elected Members
of Kilkenny County Council
at monthly meeting to be held
on 12th of March, 2018*

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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, 2000-2015.

Description of Proposed Development

The project involves the development of the disused railway line on lands at Aylwardstown, Glenmore to a Greenway incorporating an off road cycle and walking facility for the public that meets with the accepted definition of a Greenway: -

“A Greenway is a recreational or pedestrian corridor exclusively for non motorised journeys, developed in an integrated manner which enhances both the environment and quality of life of the surrounding area” (Department of Transport, Tourism and Sport)

Iarnród Eireann (CIE) have been consulted in relation to the proposed development from the outset. At the most recent meeting with senior staff from the engineering and property sections of CIE (held on 17th November, 2017), it was confirmed as follows:

- CIE are agreeable in principle to granting a licence agreement to Kilkenny County Council to develop a Greenway along the entire c22km route of the disused railway line between New Ross and Waterford;
- Under this licence Kilkenny County Council will be responsible for the development, maintenance and public liability of the entire c22km rail corridor as a Greenway (i.e. Kilkenny County Council would not have the option to omit sections of the corridor from the licence agreement - for example if the Greenway were to divert off the rail corridor at any point.)

This section of proposed Greenway forms part of a larger proposed Greenway of some 22 km following the disused railway line, extending from Ferrybank, South Kilkenny to New Ross, Co. Wexford which is also currently under consideration by Kilkenny County Council.

This section of the route comprises 660 metres in length and will begin on the railway line at CH 11+900 adjacent to the railway bridge UBJ443 at local road LP 7515-19 at the townland of

Aylwardstown. The route continues along the disused railway line, adjacent to farm holdings to the level crossing, also at Aylwardstown, where a private laneway off local road no. L-7516-9, crosses the railway line at CH 12+500.

The proposal put forward provides for the following:

- The clearance of vegetation on the rail line corridor, retaining boundary hedgerows and boundary vegetation
- The lifting of the old rails.
- The laying of a 3 metre wide surface on a crushed stone base to form the cycle and footpath track
- Provision of accommodation works to be agreed with landowners at affected lands
- Repair and upgrade of existing drains
- The marking of the aforementioned cycle and footpaths
- The upgrade and repair of the existing bridge so as to accommodate the cycle /pedestrian route
- The installation of barriers for the safety of Greenway users
- Stock proof fencing

Background and reasons for scheme

Kilkenny County Council as the project promoter proposes to undertake the construction of a Greenway between Waterford and New Ross on the disused railway corridor. The purpose of these works is to provide a safe walking and cycling environment for local people and to facilitate cycle tourism in the region. The overall objective is that the development meets with the accepted definition of a Greenway, namely *“A Greenway is a recreational or pedestrian corridor **exclusively** for non-motorised journeys, developed in an integrated manner which enhances both the environment and quality of life of the surrounding area.”* (Department of Transport, Tourism and Sport)

This Part 8 planning process refers to a short section of this overall Greenway which was to originally be diverted onto a local road at Aylwardstown to avoid passing in close proximity to a working farm. Arising from the public consultation process, a number of significant concerns have been raised in relation to this diversion of the proposed Greenway at Aylwardstown on to the public road, which warranted further and more detailed analysis of the route options. To this end Kilkenny County Council engaged the services of an engineering team together with an agricultural consultant to prepare a report examining the available route options and to make recommendations for a preferred route at Aylwardstown. The report was submitted in December 2017 and Kilkenny County

Council accepted the recommended route option i.e. the route of the Greenway at Aylwardstown should be placed back on the disused railway line, with accommodation works to provide for local landowners to minimise impact on farming operations. This route option represented a material change in the original Part 8 Planning Application for the Greenway. This Part 8 Planning Application is as a result of this material change. Iarnród Éireann will provide a lease or licence agreement to Kilkenny County Council for the development of the entire route as a cycle and footpath on the disused railway line.

Accommodation works will be discussed and finalised with each individual landowner on this section of route at Aylwardstown in the same manner as with landowners along the entire 22 km route of the proposed Greenway.

The aim of the project can be summarised as follows:

- Provide a safe environment for cyclists and walkers
- Provide a high quality facility in accordance with the national cycle standards and the TII latest Publication on Rural Cycleway Design to encourage cycle tourism in the region
- Be a part of a co-ordinated network of Greenways in the South east region
- To encourage local economic development and support enterprises both existing and new.
- To conserve and upgrade the natural and built heritage of the area

The primary reasons for undertaking the project include: -

- Improved cyclist safety arising from the construction of a predominantly 'off road' cycle track between Waterford and New Ross.
- Improved recreational facilities for walking and cycling through the provision of the Greenway which provides an attractive environment and public space with safe road crossing points.
- On completion the Greenway will promote a sense of place, a new pride within the local rural community, encourage tourism in the area and support local commercial enterprises by encouraging locals and tourists alike to cycle and visit the area.
- Improve the connectivity between rural areas in south east Kilkenny and surrounding areas.
- Work towards the future connectivity to the Waterford Greenway and the Red Bridge walking route in New Ross and ultimately upstream to St Mullins to a possible future connection with the proposed Barrow Blueway and the navigable canal network leading to Dublin.

Greenways are a Proven Catalyst for Local Economic Development

For example, the 46km Great Western Greenway developed by Mayo County Council in partnership with Fáilte Ireland in 2011 has been a major success in helping to stimulate the economic development of the region. A Fáilte Ireland Report in 2012 found that in its first full year of operation the Greenway:

- attracted 80,000 visitors, of which 60% were local, 26% were from neighbouring counties, and 14% were overseas tourists.
- the Greenway resulted in additional expenditure €7.2m in the local economy. That spend supported the setting up of new businesses such as coffee shops, restaurants and bike hire companies, which in turn led to the creation of 38 new full-time jobs and sustaining a further 56 existing jobs.

By its fourth year of operation the Great Western Greenway attracted 300,000 visitors

The **National Outdoor Recreation Plan (ORP) 2017** reports that:

- 1.5Mn overseas visitors engage in outdoor recreational activities (e.g. hiking, cycling and walking) during their visit to Ireland. More will come if the infrastructure is provided.
- they spend €900Mn and they are typically higher value tourists – spending c40% more than the average visitor.
- almost a quarter of Irish people holidaying at home took part in outdoor recreational activities such as walking, hiking and cycling.
- the return on investment in Greenway infrastructure is less than 6 years as increased Exchequer revenue is generated mainly in the form of increased income tax and VAT receipts.
- outdoor recreation will contribute to the overall well-being of the population and help reduce healthcare costs.
- every €1m worth of tourism expenditure supports 29 tourism related jobs. (e.g. in pubs, restaurants, coffee shops, shops, bike hire, etc.)

In the 10 months from its official opening in March 2017 to the end of last year, the Waterford Greenway attracted almost 250,000 visitors. That equates to over €7Mn¹ spent in the local community, and supporting over 200 jobs².

¹ Extrapolated from the analysis undertaken in the National Outdoor Recreation Plan 2017

² Ditto

National Greenway Strategy

The Government will shortly publish a national Greenway Strategy. The draft was the subject of a public consultation in 2017. The main objective of the national strategy is to develop a regional/national network of Greenway arterial routes. These main arterial routes will then open up access to the landscape (e.g. Ireland's Ancient East). Further local trails and walks can then be linked to the arterial Greenway routes, bringing visitors to the towns, villages and attractions across the country. Greenways can therefore become an asset for local communities to exploit as a tool for rural development and regeneration. Greenways can provide a focus and locus for the regeneration of rural areas, connecting and galvanising local communities and providing a positive impact on the towns and villages along their routes. The 46km Waterford Greenway has transformed the county. The economic benefits are evident with coffee shops, hotels and other accommodation providers, bars, shops, restaurants, bike hire companies and more all reporting a boom in trade.

National Planning Framework (NPF)

The NPF launched last month prioritised investment in activity based tourism, including Greenways. The NPF states that funding of c€56 million will be made available in the capital plan from 2018-2021 for the development of Greenways under the National Greenway Strategy. The funding will be allocated on the basis of a competitive call, with priority placed on projects that can achieve maximum impact and connectivity at national and regional level.

Communication

If approved, it is proposed to put in place a Communications Plan for the Greenway to ensure there is ongoing engagement and consultation with stakeholders and interest groups to explain the next steps in the process and to ensure that they are fully informed and engaged throughout the planning and development of the Greenway. This will help ensure that information concerning the Greenway development is understood and that the overall vision of the project is clearly communicated. It is intended to engage with groups such as the IFA to consult with them on the detailed design and to minimise the impact of the Greenway on individual farms.

Design Criteria

The project is designed in accordance with the TII National Rural Cycle Scheme Design Document TD 300. A Preliminary Design has been carried out in accordance with this standard. Detailed design will involve detailed accommodation works and liaison with landowners and residents along the route in relation to boundaries, screening, security and access issues.

Environmental Reports

A number of environmental reports have been carried out to inform the larger Part VIII application over 22 km of which this section at Alywardstown forms part and to determine what, if any mitigation measures are required. The following reports were commissioned and are included in the Part 8 documentation:

EIA Screening - A screening report was submitted as part of the application and the Planning Department has determined an EIAR is not required

Appropriate Assessment Screening –

An AA Screening report was submitted as part of the application and the Planning Department has determined that there is no potential for short-term or long-term interference with the Lower River Suir SAC or the River Barrow and River Nore SAC or any other Natura 2000 site.

Ecological Impact Assessment (EclA) –

An ecological impact assessment was submitted with the application, the aim of which is to ensure that ecologically sensitive sites, habitats and/or species are assessed in advance so that the competent authority is aware of what those effects are likely to be. This will ensure that full consideration can be given to the impacts of the proposed development on strictly protected species listed on Annex IV of Council Directive 92/43/EEC (the Habitats Directive).

Public Consultation

Prior to the commencement of the Part 8 Planning process a series of public consultation workshops to discuss the development of the c22km Greenway with the local community took place in June and July 2016 and again in Feb 2017 once the plans were placed on public display. At these meetings the route of the proposed c22km Greenway was presented and interested landowners had a chance to discuss their particular situations, issues or concerns with officials.

Kilkenny County Council have met a number of times with a delegation from the IFA in relation to the development. While this was in the context of meetings with a farmer who will be impacted by the development of the Greenway, the IFA have confirmed that they are supportive in principle of the Greenway development. Notwithstanding, it is accepted that further consultation and engagement with stakeholders (in particular with landowners) will need to be undertaken as part of the detailed design to ensure insofar as practicable that the impact of the Greenway on individual farms is minimised.

It is also proposed to put in place a Communications Plan in conjunction with the Regional Greenway Project Office and to involve stakeholder groups such as the PPN and the Kilkenny LEADER Partnership (KLP) to explain the next steps in the process, and to ensure that interest groups are

fully informed and engaged throughout the planning and development of the Greenway. This will help ensure that information concerning the Greenway development is understood and that the overall vision of the project is clearly communicated. This will serve to stimulate greater community interest in the development and to strengthen public participation in the decision making and planning process. It also ensures that there is greater public understanding of, as well as greater transparency around the development.

Furthermore, as part of Kilkenny Leader Partnership's strategic objective to support the development of the Greenway, they plan to organise and deliver training programmes (e.g. to optimise job creation/employment opportunities) and to prepare stakeholders along the route. These additional approaches complement rather than diminish or substitute the statutory process.

A marketing initiative will be put in place as the development nears completion, to promote the Greenway as a 'destination' for activity/adventure and for culture and heritage tourism.

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

Notice of Development

A notice describing the proposed development was placed in the Kilkenny People, Munster Express, and New Ross Standard, week ending Friday the 12th of January, 2018. 3 no. site notices were displayed along the length of the site location at intersections with public roads.

Referrals

Date Referred		Name	Response Received
12/01/2018	1.	Roads	No response received
12/01/2018	2.	Environment	No response received
12/01/2018	3.	Area Engineer (Ian Gardner)	No response received
12/01/2018	4.	DOEHLG – Wildlife Natural Heritage	No response received
12/01/2018	5.	Southern Regional Fisheries Board	No response received
12/01/2018	6.	An Taisce	No response received
12/01/2018	7.	Fáilte Ireland	No response received
12/01/2018	8.	Waterford City & County Council	No response received
12/01/2018	9.	Wexford County Council	No response received
12/01/2018	10.	Iarnrod Éireann	No response received
12/01/2018	11.	Transport Infrastructure Ireland	Report received 30/01/18. No objection

Implications for Proper Planning and Sustainable Development of the Area

The proposed development is consistent with the provisions of the Kilkenny County Development Plan and the Ferrybank Belview Local Area Plan as adopted.

Appended to this report are reports from (see Appendix B):

- The Planning Department

All conditions/comments will be taken into account when preparing the detailed tender drawings.

Kilkenny County Council's Intention Regarding Proposed Development

Proposed Development: Part 8 Proposal
Waterford to New Ross Greenway at Aylwardstown,
Co. Kilkenny

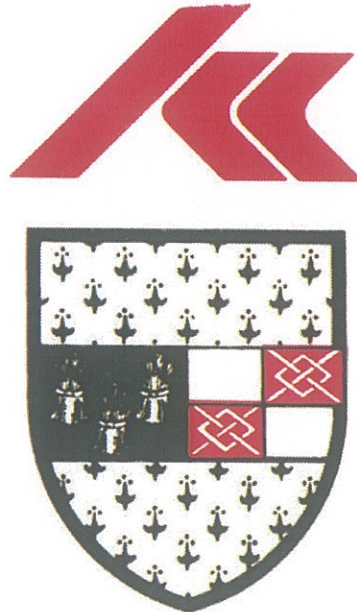
I recommend that Kilkenny County Council proceed with the proposed development in accordance with the plans made available for public inspection and taking into account the recommendations made by the Planning Department.

SIGNED



Sean McKeown
Director of Services

KILKENNY COUNTY COUNCIL
Comhairle Chontae Chill Chainnigh



Part 8 DISPLAY DOCUMENT
EXPLANATORY BOOKLET

Waterford to New Ross Greenway at
Aylwardstown
January 2018

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1.0 Introduction

This document has been prepared in compliance with Section 179 of the Planning and Development Act 2000-2016 and Part 8 of the Planning and Development Regulations 2000-2017.

The background and reason for the scheme in relation to proper planning and sustainable development are set out below and the description of the proposed improvement works associated with this scheme are set out in Section 2.

Brief description of the proposed works: -

The project involves the development of the disused railway line on lands at Aylwardstown, Glenmore as a cycle and pedestrian route. This section of proposed Greenway forms part of a larger proposed Greenway of some 22 km following the disused railway line, extending from Ferrybank, South Kilkenny to New Ross, Co. Wexford which is currently under consideration by Kilkenny County Council.

This section of the route comprises 660 metres in length and will begin on the railway line at CH 11+900 adjacent to the railway bridge UBJ443 at local road LP 7515-19 at the townland of Aylwardstown. The route continues along the disused railway line, adjacent to farm holdings to the level crossing, also at Aylwardstown, where a private laneway off local road no. L-7516-9, crosses the railway line at CH 12+500.

The proposal put forward provides for the following:

- The clearance of vegetation on the rail line corridor, retaining boundary hedgerows and boundary vegetation
- The lifting of the old rails.
- The laying of a 3 metre wide surface on a crushed stone base to form the cycle and footpath track
- Accommodation works consisting of screen walls, screen fencing, security fencing, agricultural crossings to facilitate landowners
- Repair and upgrade of existing drains
- The marking of the aforementioned cycle and footpaths
- The upgrade and repair of the existing bridge so as to accommodate the cycle /pedestrian route
- The installation of barriers for the safety of Greenway users
- Stock proof fencing

2.0 Background and reasons for scheme

Kilkenny County Council as the project promoter proposes to undertake the construction of a Greenway between Waterford and New Ross on the disused railway corridor. The purpose of these works is to provide a safe walking and cycling environment for local people and to facilitate cycle tourism in the region. This Part 8 planning process refers to a short section of this overall Greenway which was to originally be diverted onto a local road at Aylwardstown to avoid passing in close proximity to a working farm. Arising from the public consultation process, a number of significant concerns have been raised in relation to this diversion onto the public road, that warranted further and more detailed analysis of the route options. This Part 8 is a result of

that route options study which concluded that the Greenway should remain on the disused railway line with accommodation works to provide for local landowners to minimise impact on farming operations. Iarnród Éireann will provide a lease or licence agreement to Kilkenny County Council for the development of the entire route as a cycle and footpath on the disused railway line.

Accommodation works will be discussed and finalised with each individual landowner on this section of route at Aylwardstown as is the case with the larger 22 km proposed Greenway.

The aim of the project can be summarised as follows:

- Improved recreational facilities for walking and cycling through the provision of the greenway which provides an attractive environment and public space with safe road crossing points.
- Provide a high quality facility in accordance with the national cycle standards to encourage cycle tourism in the region as per The TII latest Publication on Rural Cycleway Design (Offline) published in April 2017.
- Improved recreational facilities for walking and cycling through the provision of the greenway which provides an attractive environment and public space with safe road crossing points.
- On completion the greenway it will promote a new sense of place around the disused railway line which was once a key feature connecting local communities.
- Encourage tourism in the area and support local commercial enterprises by encouraging locals and tourists alike to cycle and visit the area.
- Improve the connectivity between rural areas in south east Kilkenny and surrounding areas.

Project Benefits

- The proposed works will offer substantial benefits to the local community, local businesses and will increase the potential for tourism in the area.
- The provision of the greenway will provide a safe facility for people of all ages to walk and cycle safely between Waterford (Ferrybank) and New Ross.
- The improvements arising from the scheme will support the local business & commercial enterprises and will also promote tourism in the area.
- Future connectivity to the Déise Greenway and the Red Bridge walking route in New Ross is planned emphasising the regional nature of this project.

3.0 Design Criteria

The project is designed in accordance with the TII National Rural Cycle Scheme Design Document TD 300. A Preliminary Design has been carried out in accordance with this standard and is included in the appendices of this report.

The TII latest **Publication on Rural Cycleway Design (Offline)** published in April 2017.

It defines the following: Greenway - A cycleway that caters for pedestrian and cyclists in a recreational environment

4.0 Environmental Reports

A number of environmental reports have been carried out to inform the larger Part VIII application over 22 km of which this section at Alywardstown forms part, and to determine what, if any mitigation measures are required. The following reports were commissioned and are included in the Part 8 documentation:

EIA Screening

To determine if an Environmental Impact Assessment is required for the proposed scheme.

Appropriate Assessment Screening

An AA Screening report has been prepared to determine the potential effects, if any, of the proposed scheme on sites with European conservation designations, *i.e.* Natura 2000 sites located near the proposed route of the scheme.

Ecological Impact Assessment (EclA)

The aim of the EclA process is to ensure that projects that may potentially affect protected and/or ecologically sensitive sites, habitats and/or species are assessed in advance so that the competent authority is aware of what those effects are likely to be. To ensure that full consideration can be given to the impacts of the proposed development on strictly protected species listed on Annex IV of Council Directive 92/43/EEC (the Habitats Directive).

5.0 Funding

At the time of producing this explanatory document there is no funding commitment in place to enable the delivery of the proposals for which planning is being sought. However the Programme for Partnership Government includes a commitment to the development of a national greenway network and any planning consent for the Waterford to New Ross Greenway including the section at Alywardstown will enhance the funding opportunities for the delivery of the project. Funding will be required from a number of State Departments and State Agencies and Kilkenny County Council will seek funding from any such sources should a planning consent materialise for this project.

6.0 Public consultation

Plans and particulars of the proposed development will be available for inspection from **Friday the 12th of January, 2018 to Friday the 9th of February 2018 inclusive**, on the consult website : <https://consult.kilkenny.ie/en> , and at the following offices:

Location	Opening Hours
Planning Department, Kilkenny County Council, County Hall, John Street, Kilkenny	From 9am to 1pm & 2pm to 5pm Monday to Friday (Except Public Holidays)
Ferrybank Library, Ferrybank Shopping Centre, Ferrybank,	Tuesday, Thursday and Fridays From 10am to 1.30pm, 2.30pm to 5pm Wednesday 10am to 1.30pm, 2.30pm to 7pm

Co. Kilkenny	Saturday 9.30am to 1.30pm
Ferrybank Area Office, Ferrybank Shopping Centre, Ferrybank, Co. Kilkenny	From 9am to 1pm & 2pm to 5pm Monday to Friday (Except Public Holidays)
Kilkenny County Council, Ferrybank Area Office, Ferrybank, Co. Kilkenny	From 9am to 1pm & 2pm to 5pm Monday to Friday (Except Public Holidays)
Wexford County Council New Ross Municipal District Office, Quay Street, The Tholsel, New Ross, Co. Wexford	From 9am to 1pm & 2pm to 5pm Monday to Friday (Except Public Holidays)

7.0 Submissions

Submissions or observations with respect to the proposed development, dealing with the proper planning and sustainable development of the area in which the development will be carried out, may be made

- online at <https://consult.kilkenny.ie/en> or
- via email to GreenwayAylwardstown@kilkennycoco.ie
- in writing to the Planning Department, County Hall, John Street, Kilkenny

The latest date for receipt of submissions on the above scheme is **Friday the 23rd of February, 2018**.

Submissions should be clearly marked '**Aylwardstown Section - Waterford to New Ross Greenway**'.

Public Notice

Comhairle Chontae Chill Chainnigh

Kilkenny County Council



Proposed development by a Local Authority

Section 179 of the Planning and Development Act 2000-2016

Part 8 of the Planning and Development Regulations 2001-2017

Waterford to New Ross Greenway at Aylwardstown

In accordance with Part 8, Article 81 of the above Regulations, Kilkenny County Council as lead authority hereby gives notice of proposals pertaining to the following development:

The development of the disused railway line on lands at Aylwardstown, Glenmore as a cycle and pedestrian route. This section of proposed Greenway forms part of a larger proposed Greenway of some 22 km following the disused railway line, extending from Ferrybank, South Kilkenny to New Ross, Co. Wexford, currently under consideration by Kilkenny County Council.

This section of the route comprises 660 metres in length and will begin on the railway line at CH 11+900 adjacent to the railway under bridge UBJ443 at local road LP 7515-19 at Aylwardstown. The route continues along the disused railway line adjacent to farm holdings to the level crossing, also at Aylwardstown, where a private laneway off local road no. L-7516-9, crosses the railway line at CH 12+500.

The works will include the following:

- The clearance of vegetation on the rail line corridor, retaining boundary hedgerows and boundary vegetation
- The lifting of the old rails.
- The laying of a 3 metre wide bituminous surface on a crushed stone base to form the cycle and footpath track
- Accommodation works consisting of screen walls, screen fencing, security fencing, agricultural crossings to facilitate landowners
- Repair and upgrade of existing drains
- The marking of the aforementioned cycle and footpaths
- The upgrade and repair of the existing bridge so as to accommodate the cycle /pedestrian route
- The installation of barriers for the safety of Greenway users

- Stock proof fencing

Plans and particulars of the proposed development will be available for inspection from **Friday the 12th of January, 2018 to Friday the 9th of February 2018 inclusive**, on the consult website : <https://consult.kilkenny.ie/en> at the following offices:

Location	Opening Hours
Planning Department, Kilkenny County Council, County Hall, John Street, Kilkenny	From 9am to 1pm & 2pm to 5pm Monday to Friday (Except Public Holidays)
Ferrybank Library, Ferrybank Shopping Centre, Ferrybank, Co. Kilkenny	Tuesday, Thursday and Fridays From 10am to 1.30pm, 2.30pm to 5pm Wednesday 10am to 1.30pm, 2.30pm to 7pm Saturday 9.30am to 1.30pm
Ferrybank Area Office, Ferrybank Shopping Centre, Ferrybank, Co. Kilkenny	From 9am to 1pm & 2pm to 5pm Monday to Friday (Except Public Holidays)
Kilkenny County Council, Ferrybank Area Office, Ferrybank, Co. Kilkenny	From 9am to 1pm & 2pm to 5pm Monday to Friday (Except Public Holidays)
Wexford County Council New Ross Municipal District Office, Quay Street, The Tholsel, New Ross, Co. Wexford	From 9am to 1pm & 2pm to 5pm Monday to Friday (Except Public Holidays)

Submissions or observations with respect to the proposed development, dealing with the proper planning and sustainable development of the area in which the development will be carried out, may be made

- online at <https://consult.kilkenny.ie/en> or
- via email to GreenwayAylwardstown@kilkennycoco.ie
- in writing to the Planning Department, County Hall, John Street, Kilkenny

The latest date for receipt of submissions on the above scheme is **Friday the 23rd of February, 2018**.

Submissions should be clearly marked '**Aylwardstown Section - Waterford to New Ross Greenway**'.

Sean McKeown,
Director of Services,
Kilkenny County Council,
County Buildings,
John Street,
Kilkenny

Appendix B Planner's Report

Comhairle Chontae Chill Chainnigh
Kilkenny County Council
Part 8 Planning Report



Planning & Development Act 2000-2018
Planning & Development Regulations, 2001 - 2018

Part 8 Ref. No.: P8 01/18

Development: Waterford to New Ross Greenway at Aylwardstown, Co Kilkenny

1. Introduction

Waterford to New Ross Greenway at Aylwardstown

This Part 8 planning application refers to a short section of the overall Greenway which is to be diverted from a local road at Aylwardstown to within the railway corridor. The section of the route comprises 660 metres in length and will begin on the railway line at CH 11+900 adjacent to the railway under bridge UBJ443 at local road LP 7515-19 at Aylwardstown. The route continues along the disused railway line adjacent to farm holdings to the level crossing, also at Aylwardstown, where a private laneway off local road no. L-7516-9, crosses the railway line at CH 12+500.

The Greenway route alterations have come about having regard to

- submissions received during the public display period for the main Waterford to New Ross Greenway part 8 application
- a route selection study prepared by Kilgallen and Partners Consulting Engineers on behalf of Kilkenny County Council
- consultation with local landowners and Irish Farming Association (IFA)
- best practice national guidelines and meeting terms of 'Greenway' definition

1.1 Background

The proposal comprises a development of the disused railway line at Aylwardstown, Glenmore as a cycle and pedestrian route. This section of the proposed Greenway forms part of a larger proposed greenway of some 22km following the disused railway line, extending from Ferrybank, south Kilkenny to New Ross, County Wexford.

Pages 23 and 24 of the Preliminary Design Report by Roughan and O'Donovan on the larger 22km Greenway is now superseded by the report entitled Preliminary Design Report – Aylwardstown by Kilgallen and Partners

1.2 Description of Development

The works proposed at Aylwardstown include the following:

- The clearance of vegetation on the rail line corridor, retaining boundary hedgerows and boundary vegetation
- The lifting of the old rails.
- The laying of a 3 metre wide bituminous surface on a crushed stone base to form the cycle and footpath track
- Provision of Accommodation works to be agreed with landowners at affected lands including screen walls, screen fencing, security fencing and agricultural crossings
- Repair and upgrade of existing drains
- The marking of the aforementioned cycle and footpaths
- The upgrade and repair of the existing bridge so as to accommodate the cycle /pedestrian route
- The installation of barriers for the safety of Greenway users
- Stock proof fencing

1.3 C.I.E

Kilkenny County Council as project promoter of proposed Greenway development will formally enter into 20 year lease agreement with C.I.E (landowners of the existing railway line) in relation to proposed Greenway.

1.4 Site Location

The subject site is located in a rural unzoned area of the county in the rural townland of Aylwardstown, county Kilkenny. The section of the Greenway route comprises 660 metres in length of railway line located in a rural area which include a number of farm yard holdings in proximity to the site.

The Aylwardstown section of the Greenway route is not located in any special protected designated area i.e

- SAC,
- SPA,
- NHA,
- Geological,
- Flooding,
- protected view,
- Built heritage or
- Archaeology

1.5 Site History

No recent on-site history

1.6 Third Party Submissions

Submission No.	Submission By	Submission Details	Submission addressed in scheme review	Comments
1	Andy Dunne Agricultural Consultant on behalf of Andy and Mary Heffernan	<p>Explains current working farm operations.</p> <p>Permission was obtained by Mr. Heffernan Senior to cross the railway line in 1986</p> <p>Proposal to convert the line will have a significant impact on the farm business and for the users of the proposed Greenway. Potential impacts listed as: -</p> <ul style="list-style-type: none"> • The proposal to install a gated crossing will create an additional labour burden for the Heffernans. • Health and Safety concerns for cows in calf moving across the Greenway and interaction with Greenway users. • Slurry on the greenway • Bio-security from pets • Separate safe routes for cows moving from the yard to the paddocks <p>Disagrees with the conclusion of the route options study that Option 3, namely the rail corridor, provides the safest possible environment for Greenway users</p> <p>Only way to properly mitigate the risk of the Greenway continuing along the railway line is to completely separate the farm traffic from Greenway traffic. Preferred solution would be to provide an underground tunnel structure.</p>	Yes	Accommodation works will be agreed in consultation with the landowner as part of the detailed design to address concerns.
2	John Heffernan	<p>Has a severe visual impairment</p> <p>Can currently move independently on the farm in a familiar environment.</p> <p>Uses the level crossing regularly</p> <p>Any changes to the level crossings may be detrimental to his health and safety</p>		Kilkenny County Council acknowledges these concerns. Accommodation works will be agreed in consultation with the landowner as part of the detailed design to address concerns.
3	Imelda Walsh	<p>A verbal agreement was given that the Greenway would not pass her mothers or brothers residence</p>		Kilkenny County Council acknowledges these concerns. Accommodation works will be agreed in consultation with the landowner as

		<p>The stress has affected her mother's life and health Mother should be entitled to a stress free life Concerned about burglaries Similar to her brother John also has a visual impairment, this proposal will have a huge impact on them.</p>		<p>part of the detailed design to address concerns.</p>
4	Alice Heffernan	<p>A verbal agreement was given that the Greenway would not pass their residences. Health has been majorly affected due to stress and is suffering cardiac related issues. Concerns for personal safety with Garda stations so far away Two family members suffer a visual impairment and must be given consideration. They are currently familiar with the area. They must be considered as per the Disability Act if any changes are made. No toilet facilities available, people may request to use hers. Concerned about lack of privacy A recent article in the Dungarvan Observer showed greenway users were accessing private property. Grandchildren may not enjoy the freedom of the farm if these proposals go ahead. Greenway will devastate the viability of the farm.</p>		<p>Kilkenny County Council acknowledges these concerns. Accommodation works will be agreed in consultation with the landowner as part of the detailed design to address concerns.</p>
5	Mary and Andy Heffernan	<p>Children currently have freedom to play around the yards between the line. Proposals will limit this freedom. Cross the line frequently to go to work, shops etc. Does not want to have to open/close gates every time and impeded family and friends who visit regularly. Accommodation works will not guarantee the safety of their children. Guard dogs will be disturbed by numbers of people on the Greenway and will be constantly barking. Husband is away a lot of the day, alone with children. Fears for safety from unsavoury people potentially gaining access to the property. A verbal commitment was given that the proposed Greenway would not pass the farm or residence.</p>		<p>Kilkenny County Council acknowledges these concerns. Accommodation works will be agreed in consultation with the landowner as part of the detailed design to address concerns.</p>

		The proposed Greenway will have a massive impact on family and everyday life.		
6	Caroline Byrne	<p>Objection. Works with elderly and sees the fear the elderly experience after homes are broken into.</p> <p>Concerns her mother will have this fear every day as the proposed route passes her front door.</p> <p>Acknowledges the greenway is good for freedom of the general public walking and cycling, mother will be a prisoner in her own home.</p> <p>Mothers main love is gardening, she will not feel comfortable when people are constantly watching.</p> <p>The proposal is dismissive of concerns around privacy, safety, fear and activity.</p>		Kilkenny County Council acknowledges these concerns. Accommodation works will be agreed in consultation with the landowner as part of the detailed design to address concerns.
7	Martin Heffernan	<p>Objects to the proposal on behalf of mother Alice Heffernan and brother Andy Heffernan.</p> <p>Concerns regarding health and safety, noise, loss of privacy, disturbance and most importantly security.</p> <p>Greenway is an additional route that will not be patrolled by the Garda.</p> <p>Mother living on her own could be targeted. Added risks to brother's children and own daughter, nieces and nephews.</p> <p>Greenway proposal will bring added anxiety and stress</p> <p>Greenway proposal in theory is worthwhile but measures in place go nowhere near to addressing the security measures needed.</p>		Kilkenny County Council acknowledges these concerns. Accommodation works will be agreed in consultation with the landowner as part of the detailed design to address concerns.
8	Stephanie Power	<p>Objection to the proposals</p> <p>Mother is under extreme stress as Greenway passes buy her front door.</p> <p>Has required to attend Emergency dept in Waterford Hospital 3 times with cardiac related issues.</p> <p>Psychological stress and Cardiovascular disease are related.</p> <p>Who will take responsibility should a cardiac related condition occur to mother.</p> <p>Priority is mother's health.</p>		Kilkenny County Council acknowledges these concerns. Accommodation works will be agreed in consultation with the landowner as part of the detailed design to address concerns.
9	Ita Kelly	<p>Strongly objects on the following points: -</p> <ul style="list-style-type: none"> • Security 		Kilkenny County Council acknowledges these concerns. Accommodation works will be agreed in consultation with the landowner as

		<ul style="list-style-type: none"> • Vulnerability • Loss of privacy • Risk of burglary • Intimidation • Violation by intruders <p>Caused mother much stress and anxiety. Health has deteriorated Mother entitled to expect a peaceful and secure quality of life. Ms. Kelly works as a nurse in rural Wicklow and sees at first hand the impact of suspicious behaviour on an elderly person, they can become nervous, fearful and scared to leave their homes. They are terrified of intimidation, burglaries and anti social behaviour.</p>		part of the detailed design to address concerns.
10	Theresa Kehoe	<p>Objects to the proposed Greenway Concerned for her mother's health and safety Children use the railway line to go between two residences as the avenue is frequented by tractors and milk lorries As the children get older it will not be practical for them to have to be responsible for opening gates to gain access to either residence. Possibility of an accident occurring Responsibility of Kilkenny County Council to find a working solution to the proposed Greenway. Mother fears living so close to the Greenway Mother's health has deteriorated due to these fears.</p>		Kilkenny County Council acknowledges these concerns. Accommodation works will be agreed in consultation with the landowner as part of the detailed design to address concerns.
11	Martin Delahunty	<p>Development of this nature will directly affect day to day operations of a number of farmers at Aylwardstown Crossing required for livestock west of the bridge, one exists but not noted on the maps. Appropriate screening will be required to farmyard south of the railway line 2.5 metre fence required to screen the Greenway from adjoining landholding at CH12+100 to CH12 +200 Two automated parallel gated crossings will be required to give access to laneway and local road at CH12+200 and CH 12+300</p>		Kilkenny County Council acknowledges these concerns. Accommodation works will be agreed in consultation with the landowner as part of the detailed design to address concerns.

		Possibility of an underpass at CH12+500 for moving stock between fields either side of the track.		
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All submission were read and considered as part of the planning assessment. Concerns raised will be addressed as part of the detailed design and accommodating works with landowners along the route in relation to boundaries, screening, access issues and overall management and maintenance of the Greenway.

1.6. Policy

The following policy documents were considered in the assessment

- Strategy for the Future Development of Greenways Public Consultation Paper May 2017 – Department of Transport, Tourism and Sport
- National Trails Office – Guide to Planning and Developing Recreational Trails
- National Planning Framework 2040
- The South –East Regional Planning Guidelines 2010-2022
- Smarter Travel: A Sustainable Transport Future
- Waterford Planning and Land Use Transportation Study
- The National Cycle Policy Framework (NCPF)
- Kilkenny County Development Plan 2014 – 2020
- Ferrybank Belview Local Area Plan 2017
- Waterford City Development Plan 2013 – 2019 (extended)
- Waterford County Development Plan 2011 – 2017 (extended)
- New Ross Town and Environs Development Plan 2011 – 2017
- Draft Waterford City North Quays Master Plan (SDZ)

Kilkenny County Development Plan 2014-2020

The following county development plan policy relates to proposed greenway development.

- Chapter 11 Transport
 - 11.1 Sustainable Transport / Smarter Travel
 - 11.1.1 Cycling and walking
- Chapter 6 Rural Development
 - 6.2.3 Diversification
 - 6.6 Rural Transport
- Chapter 7 Recreation, Tourism & the Arts
 - 7.3.2 Walking and Cycling
- Chapter 8 Heritage
 - 8.2.2 Green Infrastructure

The proposed greenway complies with the policy objectives of the Kilkenny County Development Plan 2014-2020.

Ferrybank / Belview Local Area Plan 2017

It is a specific objective of the Ferrybank Belview Local Area Plan 2017 to provide for a Greenway between Waterford and New Ross in county Kilkenny under chapter Recreation, Tourism and the Art, as follows

8.1.1.1 Waterford to New Ross Greenway

A Preliminary Design Report for the Waterford to New Ross Greenway was carried out in 2014 and a Part 8 process is currently underway. The completed Greenway will provide a continuous and consistent two way cycling and walking route for 22 kilometres along the disused rail corridor between New Ross and Waterford which would also link into a number of regional cycling and walking routes in Waterford, Kilkenny and New Ross. The Council is committed to the development of the Greenway.....

It is an objective of the Council to complete the Greenway from Waterford to New Ross and to facilitate its connection and development to connect to the Waterford-Dungarvan greenway.

The Ferrybank Belview Local Area Plan supports cycling, walking and smarter travel projects. The proposed greenway section at Aylwardstown provides a sustainable transport mode and assists in delivering development plan objective consistent with wider strategic policies on promoting smarter travel and public transport options in the county. In the context of smarter travel and National policy, the greenway proposal does not compromise the reopening of the railway if considered viable in the longer term and is in accordance with proper planning and sustainable development.

1.7 Access and parking

This Aylwardstown section of the Greenway forms part of a larger proposed greenway of some 22km following the disused railway line, extending from Ferrybank, south Kilkenny to New Ross, County Wexford. Access and parking is covered under this part 8 planning application.

Ferrybank and New Ross urban areas will be the main access points to the Greenway. Existing car parking on the quay in New Ross will serve to facilitate greenway users and the future link to red bridge walking route around New Ross town. Similarly in Waterford a commitment has been given by Waterford city to provide car parking in the North Quay's upon finalisation of their plans for the Special Development Zone (SDZ)

It is the objective of the Ferrybank Belview Local Area Plan to consider future connectivity to the Greenway in the longer terms where appropriate as identified under the plan and Figure 2.4 Development Objectives.

1.8 Screening for Appropriate Assessment

An Appropriate Assessment Screening report was completed by the Planning Authority which showed that no significant environmental impact is likely on any Natura 2000 site. The AA Screening Report is accompanied with the Part 8 application and concludes that due to the distance of the proposed development from the Lower River Suir SAC and River Nore Barrow SAC and the nature of the works proposed there is no potential for significant environmental effects either alone or in combination with other plans / projects on any Natura 2000 site and its conservation objectives and qualifying interests.

1.9 Screening for EIA

A Screening exercise was completed by Roughan and O'Donovan on behalf of the Planning Authority which showed that EIA is not required. The EIA Screening Report is accompanied as part of the part 8 planning application documents.

1.10 Referrals

The following section/bodies were consulted as part of the part 8 application

Internal

- Roads Design - No observation received
- Environment - No observation received

- Area Engineer - No observation received

External

- DoEHLG – Wildlife Natural Heritage - No observation received
- Southern Regional Fisheries Board - No observation received
- An Taisce - No observation received
- Failte Eireann - No observation received
- Waterford City and County Council- No observation received
- Wexford County Council - No observation received
- Iarnrod Eireann - No observation received
- TII – One submission received. No objections expressed. The observation made in the initial submission remains the position of TII which support the project.

1.11 Conclusion and Recommendation

Overall, the Planning Authority supports proposed greenway project and considers that the proposed development is consistent with National and Regional policy and the policy objectives for the site and accords with the proper planning and sustainable development of the area. The re-use of the disused railway line for a walking and cycle greenway will have a significant positive impact for county Kilkenny, South East Region as a whole, create employment/jobs and promote smarter travel and sustainable development.

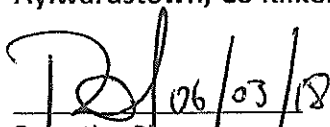
The development has been screened for EIA and Appropriate Assessment, which showed that no significant environmental impact is likely on any Natura 2000 site and for the area. It is considered that the development can therefore proceed to a formal Part 8 application.

Final details in relation to accommodating works along the railway line corridor shall be agreed with adjoining landowners prior to commencement of works to address the concerns raised.

Recommendations

I recommend that the project be progressed as proposed. All submissions have been considered as part of the assessment. All local technical issues at road crossing, gates, boundary and access along the route corridor shall be agreed in conjunction with adjoining landowner at designed construction stage

It is therefore recommended that the Part 8 application for the **Waterford to New Ross Greenway at Aylwardstown, Co Kilkenny**, be approved by Council subject to the following conditions.


Executive Planner

I agree 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 2017, Draft National Strategy for the Future Development of Greenways Guidelines 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 would accord with the proper planning and sustainable development of the area if constructed in accordance with the attached conditions.

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 except as otherwise required by the conditions of this permission.

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

2a) The accommodation works associated with the Greenway will be agreed in consultation with the landowner as part of the detailed design

Reason: To address third party submission concerns and comply with proper planning

3. The mitigation and management measures identified in the Ecological Impact Assessment submitted with the planning application shall be implemented.

Reason: In the interests of protection of the environment

4. 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.

Reason: In the interests of traffic safety and proper planning

