



## Comhairle Chontae Chill Chainnigh

Halla an Chontae Sraid Eoin Cill Chainnigh  
R95 A39T

Pobail agus Áiteanna Inbhuanaithe a Chruthú

## Kilkenny County Council

County Hall John Street Kilkenny  
R95 A39T



Creating Sustainable Communities and Places

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

**RE: S38 Road Traffic Act 1994,  
Fiddown Village Improvement Scheme 2023**

**DATE: 11<sup>th</sup> October 2023**

Dear Councillor,

Under Section 38 of the Road Traffic Act 1994, as amended by the Public Transport Regulation Act, 2009 (Section 46), Kilkenny County Council proposed to carry out village improvements in Fiddown, Co. Kilkenny. A public consultation was undertaken between 23<sup>rd</sup> August 2023 and 20<sup>th</sup> September 2023.

Works were proposed including bus stop relocation, junction tightening and pedestrian crossings to improve pedestrian connectivity, safety and comfort and to calm traffic through the village.

A number of submissions were received and these were examined by the Consulting Engineer and are listed in the attached report along with corresponding responses. This report also included scheme drawings.

I am satisfied having reviewed the documentation that the scheme as advertised, subject to the proposed amendments arising from the Public Consultation outlined in Section 8 of the attached Report, will provide a safer environment for pedestrians and all road users. It will promote sustainable transport through improved public transport and pedestrian facilities. It will enhance the appearance of the village and make it a better place to live, work and visit.

It is therefore recommended that the members approve the amended Fiddown Village Improvement Scheme 2023, in accordance with Section 38(4) of the Road Traffic Act 1994, as amended.

**Stan Cullen,  
Senior Executive Engineer**

**Seamus Kavanagh,  
Senior Engineer**

**Tim Butler  
Director of Services**



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

### **FIDDOWN VILLAGE IMPROVEMENTS WORKS 2023**

#### **1. Introduction**

Kilkenny County Council intends to introduce a improvements in Fiddown village comprising bus stop relocation, junction tightening and pedestrian crossings. The scheme comprises improvements over approximately 450m of the Main Street, Fiddown.

This report should be read in conjunction with the drawings prepared for a Public Consultation under Section 38 of the Road Traffic Act 1994, contained in Appendix A.

#### **2. Existing Conditions**

Fiddown Village has developed along the R698 Regional Road. The road is within a 50kph speed limit and typically carries 2,750 vehicles per day.

The Regional Road has priority throughout the village, with a number of priority junctions with side roads and multiple direct accesses. Sections of the village are served by existing footpaths, primarily along the eastern side of the road and some uncontrolled crossings are present t side road junctions.

Bus stops are presently located on a sharp bend at the junction of the R698 and LP3440 at Meade's Pub. There are no dedicated bus stop road markings, shelters, footpaths or pedestrian crossings to accommodate buses and their users. Advance visibility for vehicles at this location is limited. The current arrangements are substandard and unsafe.

There is a lack of continuous footpath facilities through the village and there are no pedestrian crossings provided to cross the R698.

85%ile speeds were measured at 58kph, exceeding the 50kph speed limit.

These factors combine to inhibit and discourage journeys on foot and by public transport for residents and visitors to Fiiddown.

#### **3. Proposed Improvements**

Kilkenny County Council proposes to relocate the bus stops to a safer location near Merry's Garage within the village with improved forward visibility, improved bus stop infrastructure and improved pedestrian connectivity.

Three raised crossing points are proposed to accommodate uncontrolled pedestrian crossings to significantly improve the safety, connectivity, and comfort of pedestrians and other footpath users. They will improve connectivity to the footpath linking Fiddown to

Piltown, link Merry's Garage to the bus stop facilities and the commercial area on the opposite side of the road and link residential areas on each side of the road.

Relocating the bus stop from the junction at Meade's Pub will enable that junction to be tightened and to provide a raised table junction to reduce vehicular speeds through the junction and to improve pedestrian facilities by reducing the distances of road crossings. This would provide full pedestrian connectivity through the junction and improve linkages with existing footpaths.

The Scheme has been designed in accordance with the Design Manual for Urban Roads and Streets prepared for the Department of Transport, Tourism and Sport and the Department of Housing, Planning and Local Government. The scheme provides comprehensive informal crossings with tactile paving at the designated crossing points and incorporates SUDS elements to promote biodiversity while accommodating public realm drainage.

#### **4. Scheme Benefits**

The delivery of the scheme will improve permeability and connectivity within the village and between the village and external destinations via access to safer bus stop facilities and existing footpaths.

The scheme improves safety for all road users by calming traffic through the use of raised crossings and junction table, by improving the continuity of pedestrian facilities, by modifying the junction at Meade's Pub to reduce turning speeds and pedestrian crossing distances and visibility and by relocating the bus stops to safer locations and formalising these facilities.

The public realm of the village will benefit by raising the profile of vulnerable road users through the use of traffic calming features and improved pedestrian facilities.

#### **5. Environmental Assessment**

The proposals were subjected to a Stage 1 Appropriate Assessment (AA) Screening Report to determine whether the Scheme required an Environmental Impact Assessment (EIA). The AA Screening Report was carried out in accordance with the requirements of Article 6 of the EU Habitats Directive (Directive 92/43/EEC), 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 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. The report is enclosed in Appendix B.

#### **6. Submissions and Observations**

In accordance with Section 38 of the Road Traffic Act 1994, Kilkenny County Council gave notice of its intention to carry out the Development and in accordance with the Act and Regulations made available for public inspections Plans and Particulars of the Scheme and invited submissions from the public. The public consultation commenced on 23<sup>rd</sup> August 2023 and the closing date for submissions was 20<sup>th</sup> September 2023 at 4pm.

A total of two submissions were received and these are listed in Table 6.1.

Copies of the submissions are provided in Appendix C and responses to these submissions are presented below.

Reference No.	Name	Date Received	Response provided
1	Ben Long	15/09/2023	Yes
2	Karen Brownrigg	18/09/2023	Yes

Table 6.1: List of Submissions

## **6.1 Submission 1 – Ben Long**

### **6.1.1 Summary of Submission**

Concern regarding the bus stop location opposite Merry's garage regarding forward visibility for traffic approaching from Piltown and proximity to traffic movements at Merry's Garage.

### **6.1.2 Response to Submission**

The proposed bus stops are intended to include bus shelters and kassel kerbing and are to be connected to key destinations in the village by accessible footpaths and road crossings.

To accommodate these elements and to ensure the bus stop locations best serve the passengers wishing to use them, a range of issues and potential locations were considered. The issues included the available width of the road, adjacent verges and footpaths to accommodate the bus stops, sight distance along the regional road to and from the bus stop locations, potential for incorporation of a pedestrian crossing in close proximity to the bus stops, proximity to main residential areas in Fiddown, convenience of the location in terms of how the bus stops would be accessed by passengers both on foot and in cars and proximity to Merry's Shop.

The proposed location adjacent to Merry's Garage was identified as the preferred location as it addresses the issues identified while limiting both modifications to the existing conditions and disruption to adjacent properties.

Sight lines to and from the proposed bus stop locations meet the requirements of the applicable design standards.

In addition, the provision of pedestrian crossings with raised tables at regular intervals through the village will serve to calm traffic and shall ensure speeds on approach to the bus stopping locations are appropriate.

## **6.2 Submission 2 – Karen Brownrigg**

### **6.2.1 Summary of submission**

Seeking clarification relating to construction of footpath in the vicinity of Meade's Pub and any connection between the footpaths and the existing pub structure.

Concern raised relating to impact of proposed scheme on building structure where the footpath is connected or where road levels are raised in front of the building



### *6.2.2 Response to Submission*

The proposed arrangement in the vicinity of Meade's Pub will not involve any buttressing against the building structure at that location and the pavement immediately in front of the property will not be modified.

Footpaths will be provided as part of the junction tightening with level differences limited in places to facilitate short duration vehicular access to the property as well as access for pedestrians at crossing locations.

New gullies will be provided at low points in the area where existing surface water flow lines are modified by the introduction of footpaths.

In addition, where paving is to be modified, a channel will be formed between the paving and the building at the edge of the paving to collect runoff from the pavement and footpath where necessary. This channel will outfall into gullies which will connect with the closed drainage network.

## **7. Additional Considerations**

Over the course of the public consultation, discussions with residents and businesses highlighted two issues that were considered following the publication of the public consultation.

Piltown Engineering secured planning approval under Planning Permission 17/295 (extended by 22/458) to widen the access to its premises on the western side of the village. The westernmost ramps was amended to facilitate this permission.

Morris Oil are serviced by HGV deliveries to its yard behind Meade's Pub on a regular basis. The junction tightening design was modified to incorporate an overrun area to accommodate this movement.

## **8. Proposed Amendments arising from Public Consultation**

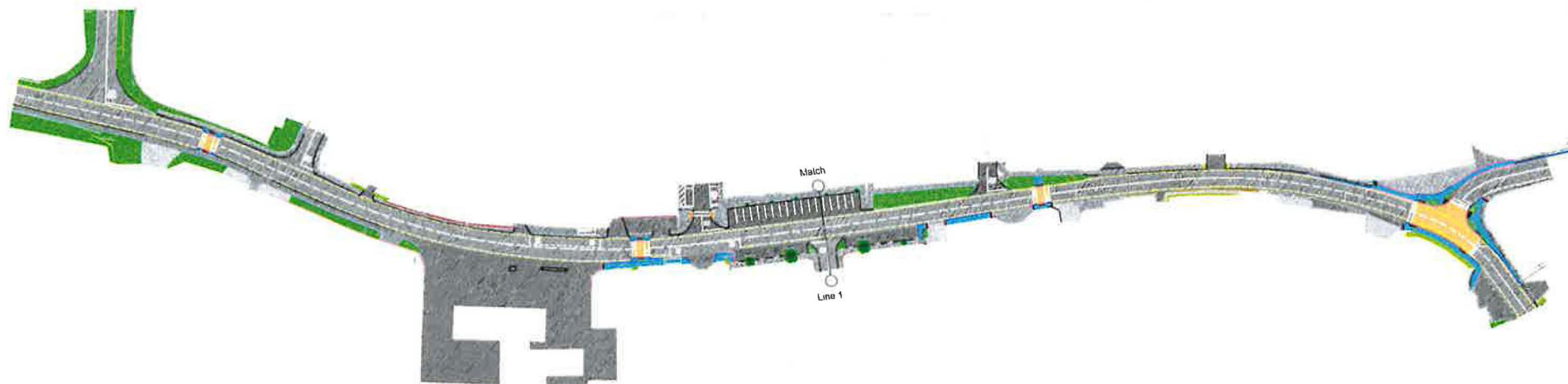
Having regard to the submissions received and discussions with residents and businesses Kilkenny County Council propose amending the scheme details as follows:

- Relocate the western ramp to avoid conflict with the approved access widening at Piltown Engineering;
- Modification of the junction tightening arrangements to facilitate HGV deliveries to Morris Oil;

Drawings showing the amended scheme are contained in Appendix D.

**Appendix A**

**Scheme Drawings for Public Consultation**



Éire 2040  
Ireland 2040



Kilkenny County Council  
County Hall,  
John Street, Kilkenny,  
Co. Kilkenny

Kilkenny County Council  
County Hall,  
John Street, Kilkenny,  
Co. Kilkenny

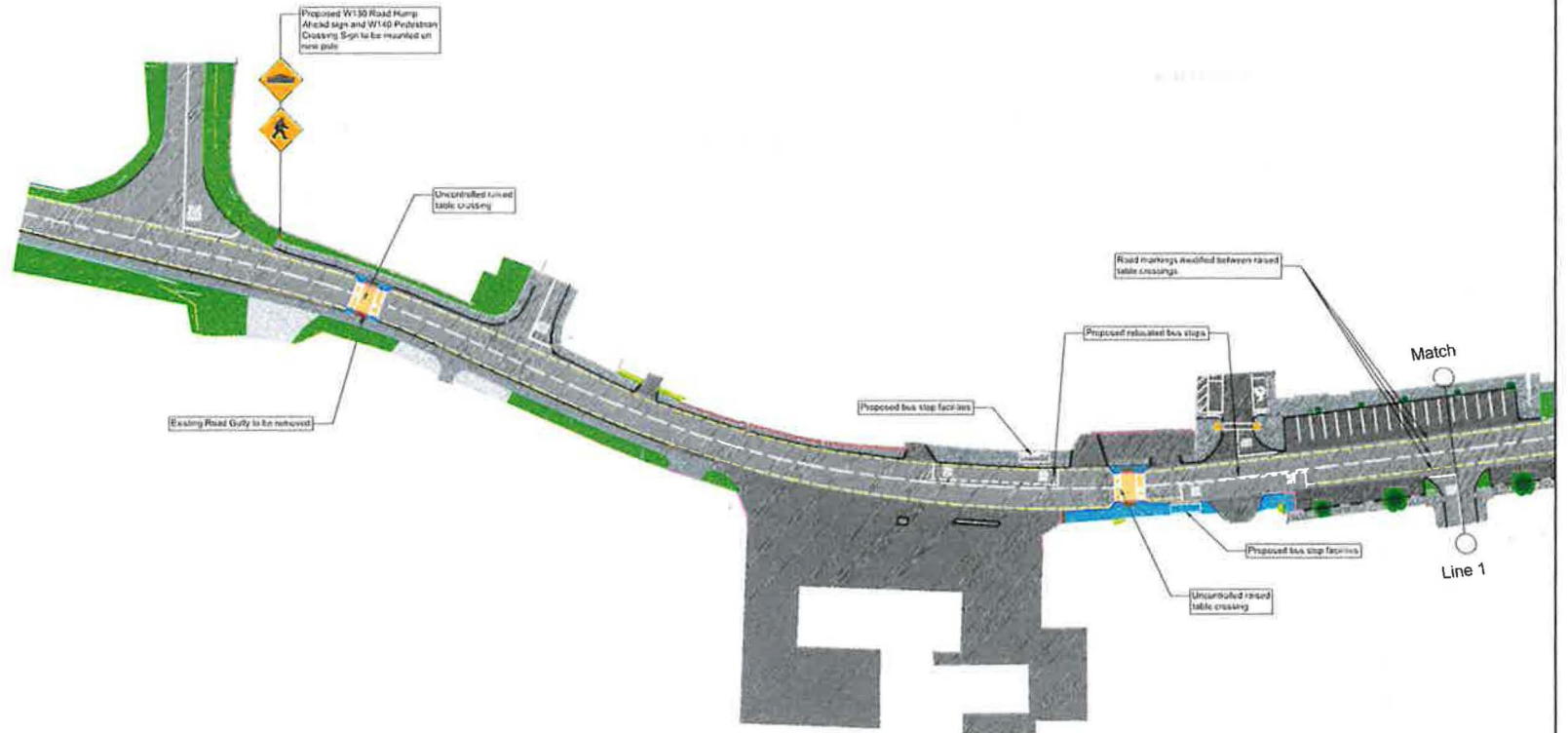


7 Ormonde Road,  
Kilkenny  
Tel: +353(0)567795800  
e-mail: info@roadplan.ie

#### LEGEND

**DRAFT 2**

Project Title			
FIDDOWN VILLAGE IMPROVEMENT WORKS			
Drawing Title			
Overall Layout			
Drawing No.		Sheet Size	Scale
FH		A1	1:750
Drawing Number		Date	
23085-01-0003		July '23	
Revision		Revision	



- LEGEND**
- Grass Verge
  - Proposed footpath
  - Carriageway
  - Existing Tarmac Footpath
  - Existing Concrete Footpath
  - Proposed kerbs
  - Proposed drop kerbs
  - Existing dropped kerb
  - Tactile Paving
  - Existing Road Gully to be removed
  - Proposed new sign and pole
  - Existing sign to be relocated
  - Proposed low level planting SuDS measures

**DRAFT 2**

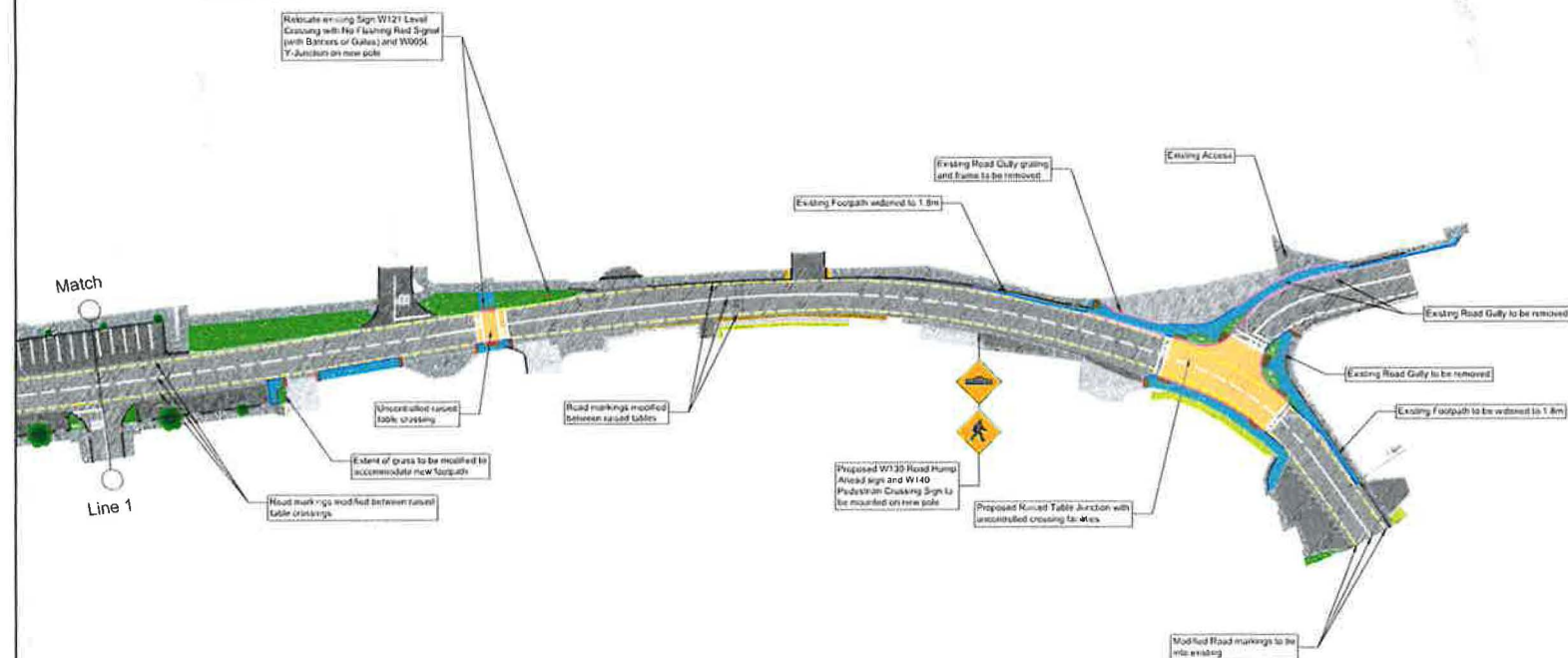
Project Title: **FIDDOWN VILLAGE IMPROVEMENT WORKS**

Drawing Title: **Proposed Layout - (Sheet 1 of 2)**

Drawn by: TGN Sheet Size: A1 Scale: 1:500 Date: July '23

Designed: AC Checked: GF Approved: DD Drawing Number: 23066-01-0004

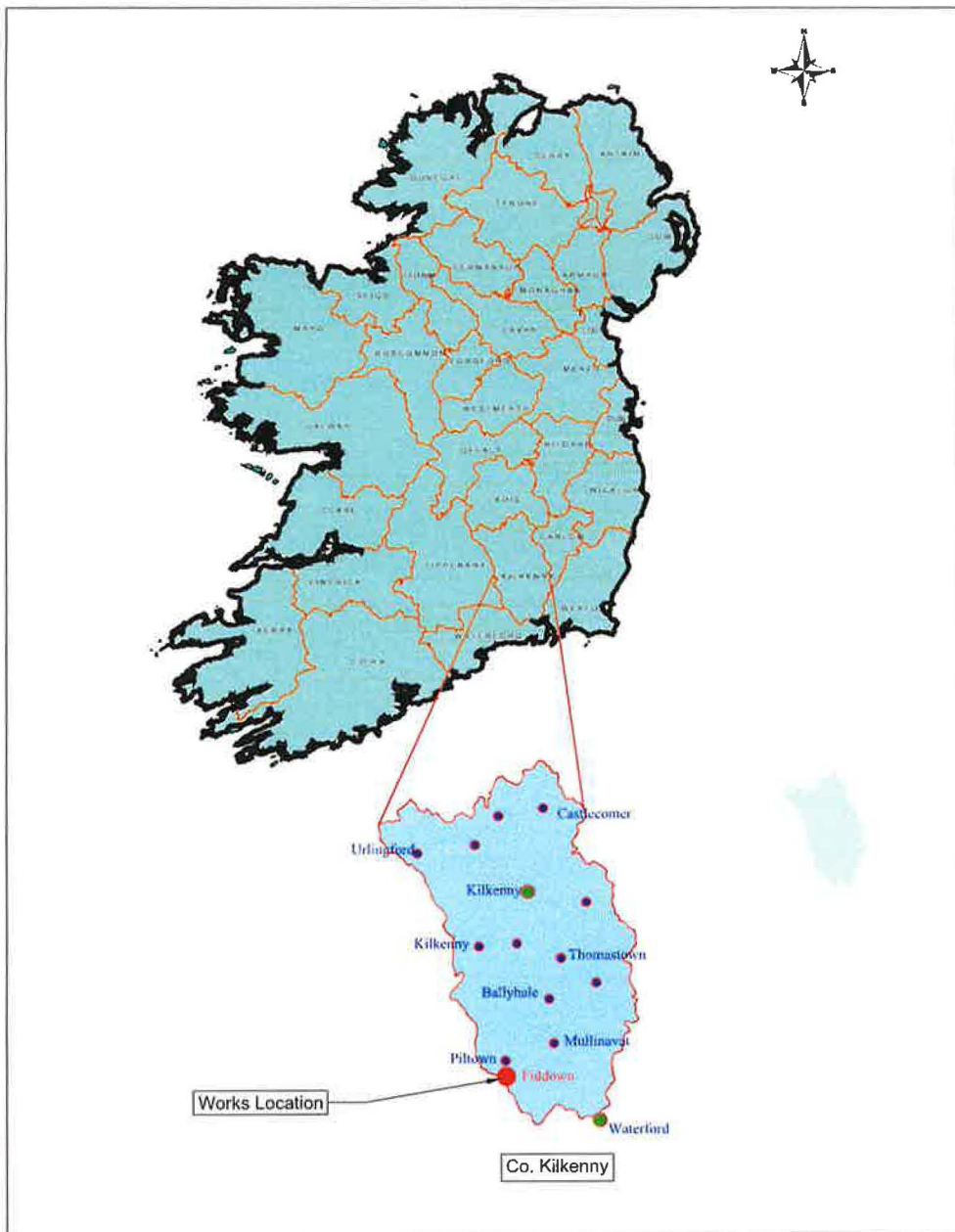
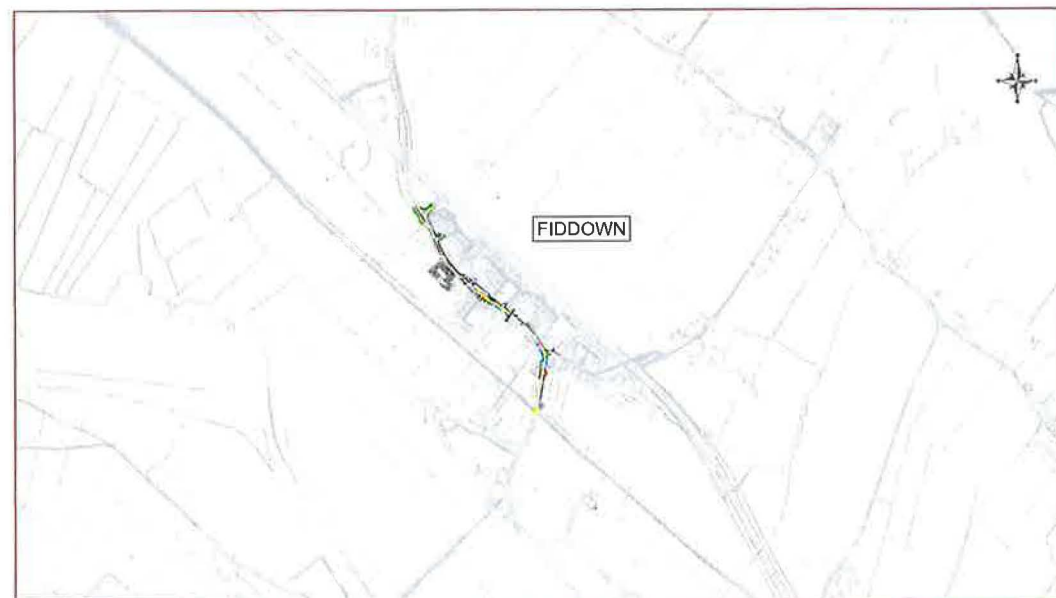




LEGEND	
	Grass Verge
	Proposed footpath
	Carriageway
	Existing Tarmac Footpath
	Existing Concrete Footpath
	Proposed kerbs
	Proposed drop kerbs
	Existing dropped kerb
	Tactile Paving
	Existing Road Gully to be removed
	Proposed new sign and pole
	Existing sign to be relocated
	Proposed low level planting SuDS measures



Proposed W130 Road Hump Ahead sign and W140 Pedestrian Crossing Sign to be mounted on new pole

SITE LOCATION  
NTSSITE LOCATION  
NTS

WORKS AT FIDDOWN  
SCALE 1:5000

**Appendix B**

**Appropriate Assessment Screening Report**



# AA: Screening Form

## STEP 1. Description of the project/proposal and local site characteristics:

(a) File Reference No:	Section 38 of the Road Act - Fiddown Improvement Works Municipal District Office referral
(b) Brief description of the project or plan:	<p>Fiddown Village Improvement Works</p> <p>Principal characteristics:</p> <ul style="list-style-type: none"> <li>• Bus Stops Relocated</li> <li>• 3 no. raised table pedestrian crossings provided</li> <li>• Junction at Meade's Pub tightened. Raised table provided across junction with pedestrian facilities</li> </ul>
(c) Brief description of site characteristics:	<p>Site is located in Fiddown Village along the existing road through the village. The site is located a minimum of approx. 290m from the Lower River Suit SAC.</p> <p>There is no direct hydrological connection between the works and Natura 2000 sites.</p> <p>As per the information submitted surface water runoff from the roads affected by the scheme discharges to a combined sewer which leads to the Fiddown Wastewater Treatment Plant, and all existing and proposed gullies have silt traps which captures the silt allowing it to be removed during routine maintenance.</p>
(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	n/a
(e) Response to consultation:	n/a

## STEP 2. Identification of relevant Natura 2000 sites using Source-Pathway-Receptor model and compilation of information on Qualifying Interests and conservation objectives.

Natura 2000 European Site	List of Qualifying Interest/Special Conservation Interest <sup>1</sup>	Distance from proposed development <sup>2</sup> (km)	Connections (Source- Pathway- Receptor)	Considered further in screening Y/N
See tables 2 and 3 below	See tables 2 and 3 below	See tables 2 and 3 below	No	No

<sup>1</sup> Short paraphrasing and/or cross reference to NPWS is acceptable – it is not necessary to reproduce the full text on the QI/SCI.

<sup>2</sup> If the site or part thereof is within the European site or adjacent to the European site, state here.

**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.

	<b><i>Using the Source – Pathway- Receptor model, please consider the following</i></b>	<b>Y/N</b>
<b>1</b>	<b>ONE- OFF HOUSE /SMALL EXTENSION/ ALTERATION TO EXISTING BUILDING</b>	
<b>1a</b>	<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><b>If the answer to the above question is:</b>  - 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
<b>2</b>	<b>DEVELOPMENTS OTHER THAN THOSE DESCRIBED IN 1 ABOVE</b>	
<b>2a</b>	<p><b>Impacts On Freshwater Habitats</b>  <i>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?</i></p> <p><b>Sites to consider:</b> Lower River Suir, River Barrow, River Nore. (these sites also include many tributaries – check on NPWS website)</p> <p><b>Habitats to consider:</b>  Alluvial Wet Woodland, (Lower River Suir and Nore), Dry Heath (some steep slopes along River Barrow and its tributaries) Rivers, Streams, Lakes and Lagoons, Old Oak Woodland, floating river vegetation,</p> <p><b>Species to consider:</b>  River Lamprey, Brook Lamprey, Freshwater Pearls Mussel, Nore Freshwater Pearl Mussel, Crayfish, Twaite Shad, Atlantic Salmon, Otter, Vertigo Moulinsiana,</p>	N
<b>2b</b>	<p><b>Impacts On Wetland Habitats</b>  <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><b>Sites to consider:</b> Hugginstown Fen, Galmoy Fen, The Loughans, Flood Plain wetlands</p> <p><b>Habitats to consider:</b>  Bogs, Alkaline Fens (Hugginstown and Galmoy), Turloughs (The Loughans), wet grassland and Marsh (river floodplains)</p>	N
<b>2c</b>	<p><b>Impacts on Intertidal and Marine Habitats</b>  <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><b>Sites to consider:</b> Lower River Suir</p> <p><b>Habitats to consider:</b> Atlantic Salt meadows, Mudflats, sandflats, saltmarsh, estuary</p> <p><b>Species to consider:</b> Sea Lamprey, River Lamprey, Brook Lamprey, Freshwater Pearl Mussel, Crayfish, Twaite Shad, Atlantic Salmon, Otter.</p>	N
<b>2d</b>	<p><b>Impacts On Woodlands And Grasslands</b>  <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><b>Sites to consider:</b> Spa hill and Clomantagh Hill, Cullahil Mountain, River Barrow, River Nore, Lower River Suir</p> <p><b>Habitats to consider:</b>  Alluvial Wet Woodlands (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><b>Species to consider:</b> Greenwinged, Frog and Bee Orchids (Cullahil and Clomantagh Hill), Nettle Leaved Bellflower and Autumn Crocus</p>	N
<b>2e</b>	<b>Impacts On Birds</b>	N



	<b>Using the Source – Pathway- Receptor model, please consider the following</b>	Y/N
	<p><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><b>Sites to consider:</b> River Nore</p> <p><b>Species to consider:</b>  <b>River Nore:</b> Kingfisher (Alcedo Atthis) – Nesting in river banks</p>	

**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.

	<b>Using the Source – Pathway- Receptor model, please consider the following- notwithstanding distance any direct link needs consideration</b>	
<b>1.</b>	<p><b>Impacts on designated freshwater habitats (rivers, lakes streams and lagoons).</b></p> <p><i>Please answer the following if the answer to question 2a in table 2 was yes.</i></p> <p><i>Does the development involve any of the following:</i></p>	
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
1.2	Abstraction from surfacewater or groundwater within 1km of SAC/SPA.	N
1.3	Removal of topsoil within 100 m of watercourses with potential for surface water runoff.	N
1.4	Infilling or raising of ground levels within 100m of watercourses with potential for surface water runoff.	N
1.5	Construction of drainage ditches within 1km of SAC/SPA.	N
1.6	Construction within a floodplain or within an area liable to flood.	N
1.7	Crossing or culverting of rivers or streams within 1km of SAC/SPA.	N
1.8	Storage of chemicals hydrocarbons or organic wastes within 100 m of a watercourse.	N
1.9	Development of a large scale which involves the production of an EIS.	N
1.10	Development of quarries, particularly where abstraction is below water table. Provision of process water silt management systems	N
1.11	Development of windfarms within 1km of an SAC or with the risk of runoff to an SAC/SPA, particularly during construction.	N
1.12	Development of pumped hydro electric stations.	N
<b>2</b>	<p><b>Impacts on designated wetland habitats (bog, heath, marsh, fen).</b></p> <p><i>Please answer the following if the answer to question 2b in table 2 was yes.</i></p> <p><i>Does the development involve any of the following:</i></p>	
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
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
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
<b>3</b>	<p><b>Impacts on designated intertidal and marine habitats (mudflats, sandflats, estuaries, reefs and sea cliffs).</b></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
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
3.3	Dredging within 5km of a Natura 2000 site whose qualifying features include intertidal or marine habitats.	N
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
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
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
4	<p><b>Impacts on other designated woodlands and grasslands</b> (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>	N
4.1	Works within the boundary of a Special Area of Conservation whose qualifying interests include woodland or grassland habitat types.	N
4.2	Development within 200m of Natura 2000 site with woodland or grassland habitats.	N
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
5	<p><b>Impacts on birds in SPAs</b></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
5.3	All construction works within 100m of SPA (River Nore), including the development of cycle ways or walking routes	N
5.4	Infilling of coastal habitats within 500m of intertidal SPA.	N
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

**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	Activities that interfere with river banks.	N

Species	Relevant Sites	Activities which could have impacts on species	Possible Impacts Identified? Y/N
	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.		
Atlantic Salmon	River Barrow River Nore Lower River Suir	Activities that interfere with water quality, levels or the river bed;	N
River Lamprey	River Barrow River Nore Lower River Suir	Activities that interfere with water quality, levels or the river bed;	N
Brook Lamprey	River Barrow River Nore Lower River Suir	Activities that interfere with water quality, levels or the river bed;	N
Sea Lamprey	River Barrow River Nore Lower River Suir	Activities that interfere with water quality or the river bed – estuarine areas;	N
Twaite Shad	Lower River Suir	Activities that interfere with water quality or the river bed – estuarine areas;	N
Crayfish	Lower River Suir	Activities that interfere with water quality or the river bed;	N
Freshwater Pearl Mussel	River Barrow River Nore Lower River Suir	Activities that interfere with water quality, levels or the river bed ;	N
Nore Freshwater Pearl Mussel	River Nore	Activities that interfere with water quality, levels or the river bed ;	N

**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.

### STEP 3. Assessment of Likely Significant Effects

(a) Identify all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project under the following headings:

#### Impacts:

#### Possible Significance of Impacts: (duration/magnitude etc.)

##### Construction phase e.g.

- Vegetation clearance
- Demolition
- Surface water runoff from soil excavation/infill/landscaping (including borrow pits)
- Dust, noise, vibration
- Lighting disturbance
- Impact on groundwater/dewatering
- Storage of excavated/construction materials
- Access to site
- Pests

Not anticipated to

##### Operational phase e.g.

- Direct emission to air and water
- Surface water runoff containing contaminant or sediment

None anticipated



<ul style="list-style-type: none"> <li>• Lighting disturbance</li> <li>• Noise/vibration</li> <li>• Changes to water/groundwater due to drainage or abstraction</li> <li>• Presence of people, vehicles and activities</li> <li>• Physical presence of structures (e.g. collision risks)</li> <li>• Potential for accidents or incidents</li> </ul>	
In-combination/Other	None anticipated

**(b) Describe any likely changes to the European site:**


Examples of the type of changes to give consideration to include: None anticipated

- Reduction or fragmentation of habitat area
- Disturbance to QI species
- Habitat or species fragmentation
- Reduction or fragmentation in species density
- Changes in key indicators of conservation status value (water or air quality etc.)
- Changes to areas of sensitivity or threats to QI
- Interference with the key relationships that define the structure or ecological function of the site

**(c) Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?**

No

**Step 4: Habitats Directive Screening Conclusion Statement**

<b>Conclusion:</b>		
	<b>Tick as Appropriate:</b>	<b>Recommendation:</b>
(i) It is clear that there is <b>no likelihood</b> of significant effects on a European site.	✓	The proposal can be screened out: Appropriate assessment not required.
(ii) It is <b>uncertain</b> whether the proposal will have a significant effect on a European site.	<input type="checkbox"/>	<input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
(iii) <b>Significant effects</b> are likely.	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
<b>Signature and Date of Recommending Officer:</b>	 17 <sup>th</sup> August 2023	

**Appendix C**  
**Submissions Received**



Submission 1 – Ben Long – Received 15/09/2023

"Fiddown Village Improvement Scheme 2023" 12th September 2023

Mr. Tim Butler, Director of Services. Kilkenny County Council.

Dear Sir,

First I would like to express my delight for the proposed improvements for Fiddown. This is great news. Most welcome.

I would like to submit one concern in relation to the Limerick to Waterford Fiddown bus stop.

As I see it, there is not a sufficient line of sight for traffic approaching from the Piltown direction. The bus would park in the road just after the blind turn. Any vehicles stopped behind the bus would be in a very vulnerable position in the path of further oncoming traffic.

In addition Merry's busy garage and filling station is directly across from where the bus would stop. Traffic exiting and entering could also add to the danger.

I respectfully ask that you would give consideration to the safety matters as outlined above.

Thank you.

Regards,

Ben Long. Fiddown.

[Redacted signature area]



Submission 2 – Karen Brownrigg – Received 18/09/2023

Dear Sirs,

The portal for submissions didn't work, so I have no option but to email you on this time sensitive issue.

I refer to Draft 2 proposed Layout (sheet 2 of 2) of the above proposed works for Fiddown, Co. Kilkenny and request further information in relation to the proposed footpath to be laid outside my business premises and my home, The Toll Bridge Tavern, more commonly known as Meade's.

As Stan Cullen is aware, the level of the existing road has already impacted negatively on my premises and I would like confirmation if the proposed footpath will be buttressed directly against my property, which is roadside. If this is the case, then I object, in principle, to the footpath being laid outside my premises, as another layer of tarmac/concrete would exacerbate an already existing problem.

I attach a copy of the report on a conservation survey undertaken on my property by ACP, and would draw your attention to pages 30 and 31 where it has been confirmed that the current level of the road is already too high. Adding any further height to the existing road surface would damage my protected structure even further.

## **Appendix D**

### **Scheme Drawing Post Section 38 Submissions**

