



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

**RE: PART VIII - POULANASSY WATERFALL VISITOR CARPARK AND  
WALKING TRAIL**

*Planning & Development Acts 2000 - 2019  
Planning & Development Regulations 2001 - 2019*

**DATE:** 5<sup>th</sup> June 2020

Dear Councillor,

In accordance with 179 of the Planning & Development Act 2000 as amended, please find attached Report of the Director of Services, including the Planning Report, in relation to the public consultation process undertaken for the proposed **Poulanassy Waterfall Visitor Carpark & Walking Trail**, which was undertaken in accordance with the requirements of Part VIII of the Planning & Development Regulations 2001, as amended,

I am satisfied that the proposed development is consistent with proper planning and sustainable development of the area and consistent with the provisions of Kilkenny 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 as outlined in the attached report.

  
**Colette Byrne**  
**Chief Executive**



**KILKENNY COUNTY COUNCIL**

**REPORT - Dated 5<sup>th</sup> June 2020**

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

**RE: POULANASSY WATERFALL VISITOR CARPARK AND  
WALKING TRAIL**

**For consideration by the Elected Members  
of Kilkenny County Council  
at monthly meeting to be held  
on 12<sup>th</sup> June 2020**

## **Structure of Report**

- Description of proposed development
- Notice of development
- Implications for proper planning and sustainable development of the area and copy of Planner's Report dated 5<sup>th</sup> June, 2020.
- Council's Intention regarding proposed development

## **Appendix A**

Poulanassy Part 8 Public Notice  
Part 8 Public Display Drawings

## **Appendix B**

Planning Report  
Appropriate Assessment Screening Report  
Screening for Environmental Impact Assessment report  
Ecological Assessment & Impact Report  
Part 8 Display Document Explanatory Booklet  
Outline Construction and Construction Waste Management Plan

## Introduction

This report has been prepared for submission to the elected members of Kilkenny County Council and contains information regarding the proposed development, issues raised following the erection of the public notice of the proposed development and the display for public inspection of the plans and particulars and other matters as required in accordance with Section 179 of the Planning & Development Acts, 2000-2019.

## Description of Proposed Development

The proposal put forward provides for a new vehicular access on Local Primary Road LP-1042, relocation of boundary hedge, an off-road visitor car park comprising 35 no. car parking spaces with associated hardstanding, kerbing and drainage system, a landscaped amenity area and upgrade of the existing trail leading to the Poulanassy Waterfall.,

The objective of the project is to provide dedicated parking facilities thereby removing current on-road parking and thus improving the safety of public road users and to enhance the accessibility to the natural amenity of Poulanassy Waterfall.

The proposed Poulanassy Waterfall Visitor Carpark & Walking Trail works comprise:

- Access from the public road to serve 35 no. car-parking bays on a macadam surface;
- Set-back of the existing roadside boundary treatment to provide unobstructed forward visibility for vehicles and public road users accessing and egressing from the new entrance;
- Precast concrete kerbing, drainage gullys and an on-site infiltration area with integrated bypass separator;
- A min 1.8m permeable hardstanding trail from the carpark to the existing walking trail shall be incorporated with upgrading the existing walking trail (97 linear metres);
- Pruning and clearance of vegetation;
- Landscaping and public seating.

## Notice of Development

A notice describing the proposed development was placed in the Kilkenny People dated 31<sup>st</sup> January, 2020. A Site Notice was displayed at the site location from 29<sup>th</sup> January, 2020 to 26<sup>th</sup> February, 2020 with a further 2 weeks for submissions to 11<sup>th</sup> March 2020.

## Referrals

Scheme details were referred to Conservation Officer, the Heritage Officer and the Parks Section in Kilkenny County Council, An Taisce and Department of Culture, Heritage & the Gaeltacht - National Parks & Wildlife Service.

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

The proposed development is consistent with the provisions of the County Development Plan 2014 - 2020 and is compatible with the proper planning and sustainable development for the area. The scheme is designed in accordance with the County Kilkenny Rural Design Guide. A copy of a report to this effect from the Planning Department is appended to this report.

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

- Planning Department;
- Appropriate Assessment Screening Report;
- Screening for Environmental Impact Assessment report;
- Ecological Assessment & Impact Report

All conditions/comments will be taken into account when preparing the detailed design and associated tender documentation.

## Submissions Received

2 no. valid Third Party submissions were received:

No.	Date Recd.	Name	Address
1	01/03/2020	Martin Morrissey	None given
2	11/03/2020	Anonymous	None given

## Post-Consultation Amendments

On foot of the submissions received under the consultation process, the following undertakings are proposed:

1. Drainage arrangements for the adjoining road and lands on the opposite side of the road shall be incorporated at detailed design stage;
2. Existing road pavement will be assessed and improvements incorporated at detailed design stage;
3. Traffic management arrangements, including signage and lining shall be addressed at detailed design stage;
4. Bicycle parking will be provided in line with the requirements set-out in the Kilkenny County Development Plan 2014-2020 – Chapter 11 Transport to serve proposed development. Details of the number, type and location of these stands will be agreed as detailed design stage. The locations will not create any obstruction;
5. The provision of CCTV if deemed necessary will be subject to a Data Protection Impact Assessment;
6. The provision of bins will be considered as part of a maintenance plan for the facility;
7. The design of the stepped trail to provide a safe, slip-resistant and durable product for users of the trail including the proposed seating will be reviewed and agreed at detailed design with the Planning Authority;
8. Safety measures in the vicinity of the waterfall and watercourse shall be discussed with the various relevant state bodies and departments and incorporated at detailed design stage as appropriate;
9. A signage strategy shall be developed for the site in line with National Guidelines legislation;
10. Method statements for the construction of the pathway shall be carried out to demonstrate appropriate machinery and construction methodology to minimise interference with the sod and stone ditch, trees and ditches and their rootzone along the walking trail;
11. A final landscaping planting plan for the car park embankment area shall be agreed with the Parks Section at detailed design stage. This shall incorporate the recommendation from Parks Section and that contained in the ecological report;

12. The existing steps from the public road and stone plaque name plate shall be retained and/or reincorporated as part of the historical access to the waterfall in the detailed design;
13. The recommendation contained in The Ecological Assessment & Impact Report, prepared by Roger Goodwillie & Associates shall be followed in the scheme implementation. The Report shall be updated/revised to address the issue of protected species in the Poulanassy River in the vicinity of the site. Such revision shall inform the detailed design, best practice environmental measures in accordance with TII methodology, timing and scope of works;
14. All works shall be undertaken outside of the bird nesting season, i.e. works will only be undertaken from Sept to Feb, in accordance with the Wildlife (Amendment) Acts;
15. Best practice measures, to avoid impacts on key habitats and any protected species, shall be implemented;
16. All construction and environmental works pertaining to the proposed development shall be carried out in a manner that complies with the recommendations detailed in the outline construction and construction waste management plan submitted with the planning application documents;
17. The development works shall be designed and undertaken so as to facilitate the minimization of waste production. Any wastes to be removed from site (including waste subsoil, stone and rubble) shall only be removed by an Authorised Waste Contractor and shall be disposed of to an Authorised Recovery/Disposal Site.

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

**Proposed Development:**      Part 8 Proposal  
   Poulanassy Waterfall Visitor Carpark &  
   Walking Trail

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 and other Service Departments.

**SIGNED**

*Tim Butler*

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**Tim Butler**  
**Director of Services**



## Appendix A

# NOTICE OF PROPOSED DEVELOPMENT BY A LOCAL AUTHORITY

Comhairle Chontae Chill Chainnigh

Kilkenny County Council



**Proposed development by a Local Authority**

**Planning and Development Acts 2000-2018**

**Planning and Development Regulations 2001-2018**

## **Poulanassy Waterfall Visitor Carpark and Walking Trail**

In accordance with Section 179 of the Planning and Development Act 2000-2018 and Part 8, Article 81 of the Planning and Development Regulations 2001-2018, Kilkenny County Council as lead authority hereby gives notice of proposals pertaining to the following development:

Provision of a new vehicular access on Local Primary Road LP-1042, relocation of boundary hedge, an off-road visitor car park comprising 35 no. car parking spaces with associated hardstanding, kerbing and drainage system, a landscaped amenity area and upgrade of the existing trail leading to the Poulanassy Waterfall.,

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

As per Article 120(3) of the Planning and Development Regulations 2001 (as amended), where any person considers that the development proposed to be carried out would be likely to have significant effects on the environment, he or she may, at any time before the expiration of 4 weeks beginning on the date of the publication of this notice apply to An Bord Pleanála for a screening determination as to whether the development would be likely to have a significant effect on the environment.

Plans and particulars of the proposed development will be available for inspection from **29<sup>th</sup> January 2020 to 26<sup>th</sup> February 2020 inclusive**, at the following offices:

Planning Section,  
Kilkenny County Council,  
County Hall,

From 9am to 1pm & 2pm to 4pm  
Monday to Friday

John Street, Kilkenny City

Ferrybank Engineering Office,  
Kilkenny County Council,  
Ferrybank Shopping Centre,  
Ferrybank,  
Co. Kilkenny

From 9am to 1pm & 2pm to 5pm  
Monday to Friday

Mullinavat Community Centre,  
Mullinavat,  
Co. Kilkenny

From 9.30am to 12.30pm and 7pm to 9.30pm  
Monday to Friday

Details of the proposed development can be viewed at <https://consult.kilkenny.ie/> and [www.kilkennycoco.ie](http://www.kilkennycoco.ie).

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/>, in writing to **Planning Section, Kilkenny County Council, County Hall, John Street, Kilkenny** or sent to the following [planning@kilkennycoco.ie](mailto:planning@kilkennycoco.ie).

The latest date for receipt of submissions on the above scheme is **11<sup>th</sup> March 2020**. Submissions should be clearly marked '*Poulanassy Waterfall Visitor Carpark and Walking Trail*'.

**Tim Butler,  
Director of Services,  
Kilkenny County Council,  
County Hall,  
John Street,  
Kilkenny.**

## Appendix B