



9th May 2023

An Bord Pleanála,
64 Marlborough Street,
Dublin 1
D01 V902

Re: Planning Application to An Bord Pleanála for approval under Sections 175 and 177AE of the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended) for proposed Flood Relief Works at Ballyhale and Kiltorcan (townlands), Co. Kilkenny.

Dear Sir/Madam,

Kilkenny County Council (in collaboration with the Office of Public Works (funder)) submits a planning application for approval under Sections 175 and 177AE of the Planning and Development Act (as amended) and the Planning and Development Regulations 2001 (as amended) for proposed development works for the Ballyhale Flood Relief Scheme in the townlands of Ballyhale and Kiltorcan, Co. Kilkenny.

In summary the proposed development incorporates the following elements:

- Proposal of embankments to prevent overland flooding;
- Flood wall to western perimeter of "Arrigle View";
- A section of new river channel re-connecting all outlets from the Chapel Lane bridge into the western river channel and removing the flow split. This will require excavation of the existing church pedestrian access and replacement via a new pedestrian connection which also serves to form a new bank to the redirected stream;
- Landscaping of eastern river channel to allow for a low flow channel to reflect reduced flow conditions;
- Flood Defences (wall and embankments) between the western channel and the properties at risk on Main St. Lands acquired for these flood defences will be landscaped to provide a riverside walkway/park;
- Removal of one of two existing minor private bridges providing access across the river to a private land parcel. Access to the parcel will be maintained by retrofitting the second bridge to flood defence level;
- Removal of a boundary wall spanning the watercourse;
- Removal of the existing weir and bridge at the Ballyhale Business Park access and replacement of bridge with clear span access with regrading of channel to improve channel capacity;
- Low flood wall alongside the road opposite Brookfield to prevent out of bank flows emerging onto the road surface;
- Provision of rock ramp to existing weir at Ballyhale Shamrocks access to improve fish pass conditions.
- Channel reprofiling at the existing Main St bridge to improve bridge inlet conditions.
- Provision of additional conveyance capacity to the Main Street Bridge. The additional conveyance will be provided by an additional bridge opening (box culvert) set at high level to provide capacity for extreme flood events;

- Provision of rock ramp to downstream face of the Main Street Bridge to improve fish pass conditions;
- Provision of a temporary construction compound; and
- Proposed Fencing, accommodation works and all site development and landscaping works.

The proposed development summarised above provides a range of interventions for the proposed flood relief scheme at Ballyhale, Co. Kilkenny. The intent of the works is to enhance the flow capacity and level of defence through the town and to alleviate the risk of flooding to the community of Ballyhale. A detailed outline of the proposed works is provided in the submitted drawings prepared by DBFL Consulting Engineers. The Office of Public Works will be the funding authority for this proposed flood relief scheme.

Environmental Impact Assessment Report (EIAR)

An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared and included as part of this application for approval in respect of the proposed development at Ballyhale, Co. Kilkenny.

McCutcheon Halley Planning Consultants prepared an EIA Screening Report on the basis that the proposal is identified as a class of development specified in Part 2, Schedule 5 Planning and Development Regulations. Following a review of the classes and thresholds set out in Part 1 and Part 2 of Schedule 5 of the Planning and Development Regulations 2001(as amended), it was considered that the development does not trigger the need for an EIA, however a sub-threshold EIAR has been prepared due to the characteristics of the project and the flood relief scheme will involve works impacting on the Ballyhale River which discharges to the River Barrow and River Nore SAC at the northern extent of the Flood Relief works.

Appropriate Assessment

Altemar Marine and Environmental Consultancy carried out a Screening for an Appropriate Assessment (AA) to assess whether the proposed development, individually or in combination with any other plans or projects, was likely to have a significant effect on any Environment site. The report concluded that a Stage 2 Appropriate Assessment was required and a Natura Impact Statement is included within the planning submission.

Planning Submission

The planning submission includes the following items, as required by the Planning and Development Act 2000 (as amended) and the Planning & Development Regulations 2001 (as amended)

- Copy of EIAR prepared by Design Team;
- Copy of NIS prepared by Altemar Marine and Environmental Consultancy;
- Copy of Newspaper Notice – The Irish Independent And The Kilkenny People published 3rd of May 2023;
- Copy of Letters to Prescribed Authorities;
- Copy of EIAR Portal Notification;
- Suite of Planning Drawings;
- Planning Application fee.

The prescribed fee of €30,000 was issued to An Bord Pleanála was issued on the 28th April 2023, with the accompanying reference 'Ballyhale 177AE'

The particulars of the development, together with the EIAR and NIS will be available for inspection within the period of 6 weeks from 16 May 2023 to 27 June 2023 (inclusive of both dates) at:

- The Planning Section of Kilkenny County Council, County Hall, John Street, Kilkenny City. R95 A39T between the hours 9am to 1pm & 2pm to 4pm Monday to Friday (Excluding Public Holidays),
- Thomastown Municipal District Office, Ladyswell, Thomastown, Co. Kilkenny R95 TX68, and Callan Municipal District Office, Clonmel Road, Callan, Co. Kilkenny, R95 RK06; from 9am to 1pm & 2pm to 5pm Monday to Friday (Except Public Holidays).
- The Offices of An Bord Pleanála, 64 Marlborough Street, Dublin 1, D01 V902 between 09:15am-5:30pm Monday to Friday (Excluding Public Holidays).

The plans and particulars of the proposed development together with the EIAR and NIS may also be inspected online at the following website: <https://www.kilkennycoco.ie/eng/services/roads/flood-relief/ballyhale-flood-relief-scheme/>

We trust this information is sufficient for the planning application, however, should you require any further information, please do not hesitate to contact the undersigned below.

Dated this 09/05/2023

Signed:



**Anne Maria Walsh,
County Secretary,
Kilkenny County Council.**