



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

RE: PART VIII – Development of 2 apartments at the Old Fire Station, High St Graiguenamanagh in the townlands of Graiguenamanagh & Brandondale.

*Planning & Development Acts 2000 – 2018
Planning & Development Regulations 2001 – 2018*


Date: 22nd July 2019

Dear Councillor,

In accordance with Section 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 **Development of 2 apartments at the Old Fire Station, High St Graiguenamanagh in the townlands of Graiguenamanagh & Brandondale**, 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 the proper planning and sustainable development of the area and is consistent with the provisions of the 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 commitments and recommendations as outlined in the attached report.


Colette Byrne,
Chief Executive.



KILKENNY COUNTY COUNCIL

REPORT - Dated 22nd July 2019

In Accordance with Section 179 of the
Planning and Development Acts, 2000 as amended

Development of 2 apartments at the Old Fire Station, High St Graiguenamanagh
in the townlands of Graiguenamanagh & Brandondale [R95F886]

*For consideration by the Elected Members
of Kilkenny County Council
at special meeting to be held
on 26th July 2019*

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1. 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 as amended.

2. Description of Proposed Development

The proposal put forward on public display is for a residential development of 2 no apartments on an existing site at Graignamanagh Fire Station as follows:-

Unit	Type	Capacity
1	Ground Floor Apartment	1 bed 2 person
2	First Floor Apartment	1 bed 2 person

Construction of the 2 apartment will be achieved by:-

- Demolition of existing Fire Station Building and construction of a two storey building containing 1 ground floor and 1 first floor apartment.
- Associated site works

2 no. car parking spaces are to be provided and each apartment will have it their own defensible private amenity space.

The proposal was put forward having regard to the social housing demand in Graignamanagh, which is currently (first preference approved applications dated 8th Jan 2019):-

Graignamanagh		
1 bed	18	42%
2 bed	17	40%
3 bed	7	17%
4 bed	1	1%
Total	43	

The project has been granted funding under the Rebuilding Ireland programme.

3. Pre-planning

As part of the planning application process the Housing Section was advised of planning requirements through a formal pre-planning submission prior to lodging the application

4. Notice of Development

A notice describing the proposed development was placed in the Kilkenny People, week ending Friday 7th June, 2019. A Site Notice was displayed at the site location from Friday 7th June 2019.

5. Consultation

- a) Details of proposals were put on display on on the consult website:
<https://consult.kilkenny.ie> and at the Planning Department, Kilkenny
County Council

6. Details of Submissions Received

1 no valid submissions were received before the closing date as follows:-

Scott & Ciara Kennedy dated 17th July 2019

Issue:- Concern re detail of boundary wall.

Response:- Housing Section discussed issue with Ciara Kennedy and confirmed that new boundary wall will be provided, detail of which to be agreed at design / pre-tender stage. This was acceptable.

7. Implications for Proper Planning and Sustainable Development of the Area

The proposed development is consistent with the provisions of the Kilkenny City and Environs Development Plan 2014 - 2020 and is compatible with the zoning objectives and the Housing Strategy for the area.

Copy of a report the Area Planner is appended to this report. All conditions/comments in the Area Planners Report will be taken into account by the Housing Section when preparing the detailed tender drawings.

8. Kilkenny County Council's Intention Regarding Proposed Development

Proposed Development: Part 8 Proposal
Housing at Graignamanagh Fire Station,
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 proposed revisions to plans as outlined and the recommendations made by the Planning and other Service Departments.

SIGNED



Mary Mulholland
Director of Services

Appendix A –Planning Report

Comhairle Chontae Chill Chainnigh
Kilkenny County Council
Planning Report



To : Mary Mulholland, Director of Services, Housing

From: Arlene O' Connor, Senior Executive Planner

Date: 22/7/2019 Part VIII Ref: P8/8/19

Re: Demolition of Fire Station and construction of 2 no. 1 bed apartments, Brandondale, Graiguenamanagh, Co. Kilkenny.

Part VIII Proposal

This application relates to a Part VIII proposal for a housing development consisting of the following works;

Demolition of existing buildings on site;
Construction of 2 no. 1 bed apartments; and
Site clearance and site development works.

Location

The site is located on High Street in Graiguenamanagh, Co. Kilkenny and there is presently an old fire station on this site.

Heritage

Protected Structure – None on site or within the immediate area.

Recorded Monument – None on site or within the immediate area.

ACA – The site falls beyond any Architectural Conservation Area.

SAC – The site is approximately 80 metres from the River Barrow cSAC, however as per an Appropriate Assessment Screening Report, there are no impacts perceived to the Special Area of Conservation.

pNHA – The site is not within any pNHA.

Zone of Archaeological Potential - The site is located beyond any Zone of Archaeological Potential, established under the National Monuments Act.

Appropriate Assessment

The site has been screened in relation to the Habitats Directive Project Screening Assessment and there are no impacts determined on any Natura 2000 site.

Environmental Impact Assessment

An Environmental Impact Assessment Report (EIAR) is not required for this development as defined under Schedule 5 of the Planning and Development Regulations 2001 – 2018. Consideration was also given to the environmental sensitivities of the area and the potential effects of the development with regards a multitude of environmental factors and it was determined that no EIAR was required.

Relevant Planning Policy and Guidelines

- Kilkenny County Development Plan 2014 – 2020
- Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities (2009)
- Sustainable Urban Housing: Design Standards for new Apartments 2017

Planning History

None traceable on site.

Pre-Planning Advice

Roads Design had several issues of concern regarding parking layout and road markings.

Internal Departmental Reports

Roads – The recommendation of the Roads Section in creating a footpath adjacent to the apartment building with parallel parking and the creation of an uncontrolled crossing point connecting to the existing footpath on the opposite side of the street. Road markings to be delineated.

Environment – No comments submitted on this Part VIII proposal.

External Body Reports

Irish Water – No comments submitted on this part VIII proposal.

Third Party Submissions

This Part VIII proposal was placed on public display from Friday 7th June, 2019 to Friday 5th July, 2019 and during this timeframe 1 no. submission was received.

Submission Details	Response/Assessment
Name: Scott & Ciara Kennedy After demolition of current fire station our boundary wall at St. Jude's, High Street, Graignamanagh, Co. Kilkenny R95 P860 will be affected. We would like exact clarity on the new boundary wall, height, etc. along with guarantee that no windows will have visibility onto our property to maintain privacy please.	The property is located immediately to the east of the existing fire station. There are no windows in the eastern elevation of the proposed building. Therefore there will be no direct overlooking. Discussions have taken place between the Council's Housing Section and Scott & Ciara Kennedy and an agreed solution to the boundary treatment will be arrived at which will be satisfactory to the Council and the Kennedy's

Assessment

The proposed development is within the town of Graignamanagh and will represent the redevelopment of a brown field site in public ownership for housing. The proposed apartments comply with the requirements under the Design Standards for new Apartments 2017.

The bathroom at ground floor level has no window and this due to the topography of the site as there is an existing embankment to the rear which will act as a high level garden for the apartment at first floor level.

The recommendations of the Road Design Section for the creation of a footpath and uncontrolled crossing point to improve pedestrian connectivity is acceptable to the Housing Section and is in accordance with encouraging sustainable modes of transport.

Subject to agreement of the boundary treatment with the adjoining property to the east of the site [St. Jude's] the development can proceed as proposed.

Recommendation

In principle, the Planning Authority recommend that the Part 8 application be approved by Council.

Signed: _____
Senior Executive Planner

Date: 22/7/2019

Signed: Devin Nolan
Senior Planner

Date: 22/7/2019

Appendix B - AA Screening Report

To: Mary Mulholland, Director of Services, Housing

From: Catriona Bambrick, Executive Planner

Proposal: Part VIII proposal – Development of 2 apartments at the old Fire Station, High St., Graiguenamanagh in the townland of Graiguenamanagh & Brandondale

Re: Environmental Impact Assessment – Screening for Environmental Impact Assessment Report (EIAR).

Planning Legislation:

Planning and Development Regulations 2001-2018, Schedule 5, Part 1 and 2
European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018
Article 75 which amends Article 120 of the Regulations 2001
Planning and Development Act 2000 – 2018

Characteristics of Project

Under this Part VIII proposal, Kilkenny County Council are proposing to develop 2 no. apartments at the old fire station in High Street, Graiguenamanagh. The redevelopment of the building involves the following works;

- Construction of 2 x 1 bed apartments
- Demolition of existing buildings on site
- site clearance and site development works

Location

The site is located on High Street in Graiguenamanagh, Co, Kilkenny. There is presently an old fire station on site.

Type and characteristics of potential impact

From assessing the documentation associated with the proposed development, it is considered that the proposed development is significantly below sub threshold Part 2 activities and having regard to the environmental sensitivities of this area and the potential impacts based on the following environmental factors;

- Population and human health
- Biodiversity, with particular attention to special and habitats protected under the Birds and Habitats Directives
- Land, soil, water, air and the landscape
- Climate
- Interaction between above
- Expected effects from relevant major accidents and / or disasters

it is determined that no Environmental Impact Assessment Report is required.

An Appropriate Assessment Screening report was also carried out by the Planning Authority which concluded that significant impacts on any Natura 2000 site can be ruled out therefore it was determined that a Natura Impact Assessment was not required.

Conclusion

It is determined that based on the above preliminary examination, there is no real likelihood of significant effects on the environment arising from the proposed development works and therefore it is recommended that no Environmental Impact Assessment Report is required for this Part VIII proposal on the High Street in Graiguenamangh, Co. Kilkenny.

Signed: Catriona Bambrick,
Executive Planner,
Kilkenny County Council.
4/06/2019

Habitats Directive Project Screening Assessment

Table 1: Project Details

Development Consent Type	Part 8
Development Location	High Street, Graiguenamanagh, Co. Kilkenny
Part 8 Ref	Part 8:08/19
Description of the project	Development of 2 apartments and demolition of Old Fire Station

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.

		Y/N
1	ONE- OFF HOUSE /SMALL EXTENSION/ ALTERATION TO EXISTING BUILDING	Y
1a	<p>Is the development a one- off house/small extension/alteration 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>If the answer to the above question is: - 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>	No
2	DEVELOPMENTS OTHER THAN THOSE DESCRIBED IN 1 ABOVE	
2a	<p>Impacts On Freshwater Habitats <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>Sites to consider: Lower River Suir, River Barrow, River Nore.</p> <p>Habitats to consider: Alluvial Wet Woodland, (Lower River Suir), Dry Heath (some steep slopes along River Barrow and its tributaries) Rivers, Streams, Lakes and Lagoons, Old Oak Woodland, floating river vegetation,</p> <p>Species to consider: River Lamprey, Brook Lamprey, Freshwater Pearls Mussel, Nore Freshwater Pearl Mussel, Crayfish, Twaite Shad, Atlantic Salmon, Otter, Vertigo Moulinsiana,</p>	N/A
2b	<p>Impacts On Wetland Habitats <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>Sites to consider: Hugginstown Fen, Galmoy Fen, The Loughans, Flood Plain wetlands</p> <p>Habitats to consider: Bogs, Alkaline Fens (Hugginstown and Galmoy), Turloughs (The Loughans)</p>	N/A

		Y/N
2c	<p>Impacts on Intertidal and Marine Habitats <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>Sites to consider: Lower River Suir</p> <p>Habitats to consider: Atlantic Salt meadows, Mudflats, sandflats, saltmarsh, estuary</p> <p>Species to consider: Sea Lamprey, River Lamprey, Brook Lamprey, Freshwater Pearl Mussel, Crayfish, Twaite Shad, Atlantic Salmon, Otter.</p>	N/A
2d	<p>Impacts On Woodlands And Grasslands <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>Sites to consider: Spa hill and Clomantagh Hill, Cullahil Mountain, River Barrow, River Nore, Lower River Suir</p> <p>Habitats to consider: <i>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)</i></p> <p>Oak Woodlands in old estates next to the Nore and Barrow</p> <p>Species to consider: Greenwinged, Frog and Bee Orchids (Cullahill and Clomantagh Hill), Nettle Leaved Bellflower and Autumn Crocus</p>	N/A
2e	<p>Impacts On Birds <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>Sites to consider: River Nore</p> <p>Species to consider: River Nore: Kingfisher (<i>Alcedo Atthis</i>) – Nesting in river banks</p>	N/A

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.

1.	<p>Impacts on designated freshwater habitats (rivers, lakes streams and lagoons).</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/A
1.2	Abstraction from surfacewater or groundwater within 1km of SAC/SPA.	N/A
1.3	Removal of topsoil within 100 m of watercourses with potential for surface water runoff.	N/A
1.4	infilling or raising of ground levels within 100m of watercourses with potential for surface water runoff.	N/A
1.5	Construction of drainage ditches within 1km of SAC/SPA.	N/A
1.6	Construction within a floodplain or within an area liable to flood.	N/A
1.7	Crossing or culverting of rivers or streams within 1km of SAC/SPA.	N/A

1.8	Storage of chemicals hydrocarbons or organic wastes within 100 m of a watercourse.	N/A
1.9	Development of a large scale which involves the production of an EIS.	N/A
1.10	Development of quarries, particularly where abstraction is below water table.	N/A
1.11	Development of windfarms within 1km of an SAC or with the risk of runoff to an SAC/SPA, particularly during construction.	N/A
1.12	Development of pumped hydro electric stations.	N/A
2	<p>Impacts on designated wetland habitats (bog, heath, marsh, fen).</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/A
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/A
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/A
3	<p>Impacts on designated intertidal and marine habitats (mudflats, sandflats, estuaries, reefs and sea cliffs).</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/A
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/A
3.3	Dredging within 5km of a Natura 2000 site whose qualifying features include intertidal or marine habitats.	N/A
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/A
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/A
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/A
4	<p>Impacts on other designated woodlands and grasslands (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>	
4.1	Works within the boundary of a Special Area of Conservation whose qualifying interests include woodland or grassland habitat types.	N/A

4.2	Development within 200m of Natura 2000 site with woodland or grassland habitats.	N/A
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/A
5	Impacts on birds in SPAs <i>Please answer the following if the answer to question 2e in table 2 was yes.</i> <i>Does the development involve any of the following:</i>	
5.2	Erection of wind turbines within 1km of an SPA.	N/A
5.3	All construction works within 100m of SPA (River Nore), including the development of cycle ways or walking routes	N/A
5.4	Infilling of coastal habitats within 500m of intertidal SPA.	N/A
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/A

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 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.	Activities that interfere with river banks.	No
Atlantic Salmon	River Barrow River Nore Lower River Suir	Activities that interfere with water quality, levels or the river bed;	No
River Lamprey	River Barrow River Nore Lower River Suir	Activities that interfere with water quality, levels or the river bed;	No
Brook Lamprey	River Barrow River Nore Lower River Suir	Activities that interfere with water quality, levels or the river bed;	No
Sea Lamprey	River Barrow	Activities that interfere with water quality	No

Species	Relevant Sites	Activities which could have impacts on species	Possible Impacts Identified? Y/N
	River Nore Lower River Suir	or the river bed -- estuarine areas;	
Twaite Shad	Lower River Suir	Activities that interfere with water quality or the river bed -- estuarine areas;	No
Crayfish	Lower River Suir	Activities that interfere with water quality or the river bed;	No
Freshwater Pearl Mussel	River Barrow River Nore Lower River Suir	Activities that interfere with water quality, levels or the river bed ;	No
Nore Freshwater Pearl Mussel	River Nore	Activities that interfere with water quality, levels or the river bed ;	No

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.

Habitats Directive Screening Conclusion Statement

Development Type	Part 8
Development Location	High Street, Griaguenamanagh, Co. Kilkenny
Natura 2000 sites within impact zone	None
Part 8 Ref	Part 8:08/19
Description of the project	
Development of 2 apartments and demolition of Fire Station	
Describe how the project or plan (alone or in combination) could affect Natura 2000 site(s).	
None anticipated	
If there are potential impacts, explain whether you consider if these are likely to be significant.	
N/A	
<p>Conclusion of assessment Having regard to the precautionary principle, it is considered that:</p> <p><input checked="" type="checkbox"/> Significant impacts can be ruled out or AA not required (if project is directly connected or necessary to Management of Natura 2000 site (determined in consultation with NPWS).</p> <p>or</p> <p><input type="checkbox"/> Significant impacts are certain, likely or uncertain (cannot be ruled out), Natura Impact Statement (NIS) is required. Project must be subject to appropriate assessment.</p>	
Documentation reviewed for making of this statement.	
Appropriate Assessment Guidelines, 2009 / Kilkenny County Development Plan 2014 – 2020 / Graiguenamanagh, Local Area Plan / Part VIII documents	
Completed By	Catriona Bambrick, Executive Planner
Date	4/06/2019