



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

**RE: PART VIII - Redevelopment of the Mayfair Building on the former  
Smithwicks Brewery (Abbey Quarter) site for reuse as the Kilkenny City Library.**

**Planning & Development Acts 2000 - 2018**

**Planning & Development Regulations 2001 - 2018**

Date: 9<sup>th</sup> 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 redevelopment of the Mayfair Building on the former Smithwicks Brewery (Abbey Quarter) site for reuse as the Kilkenny City Library, 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 City & Environs 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  
Comhairle Chontae Chill Chainnigh



Chief Executives Report on the Consultation process  
for the proposed development of the Kilkenny City Library in the Mayfair Building.



July 2019



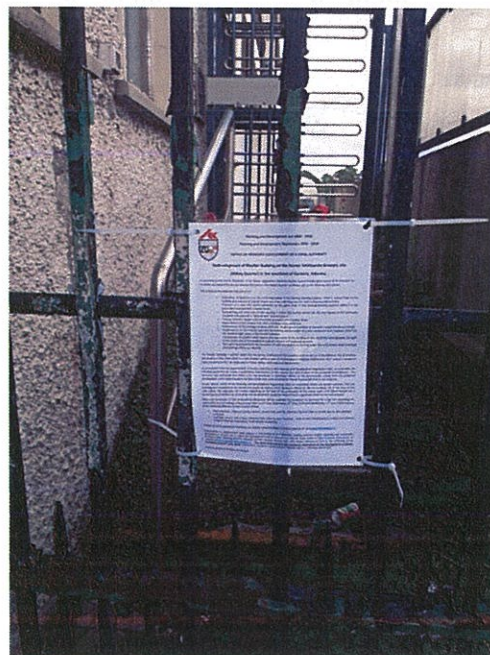
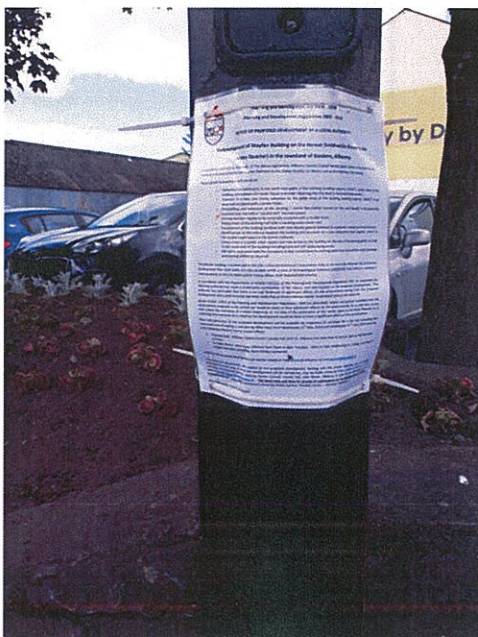
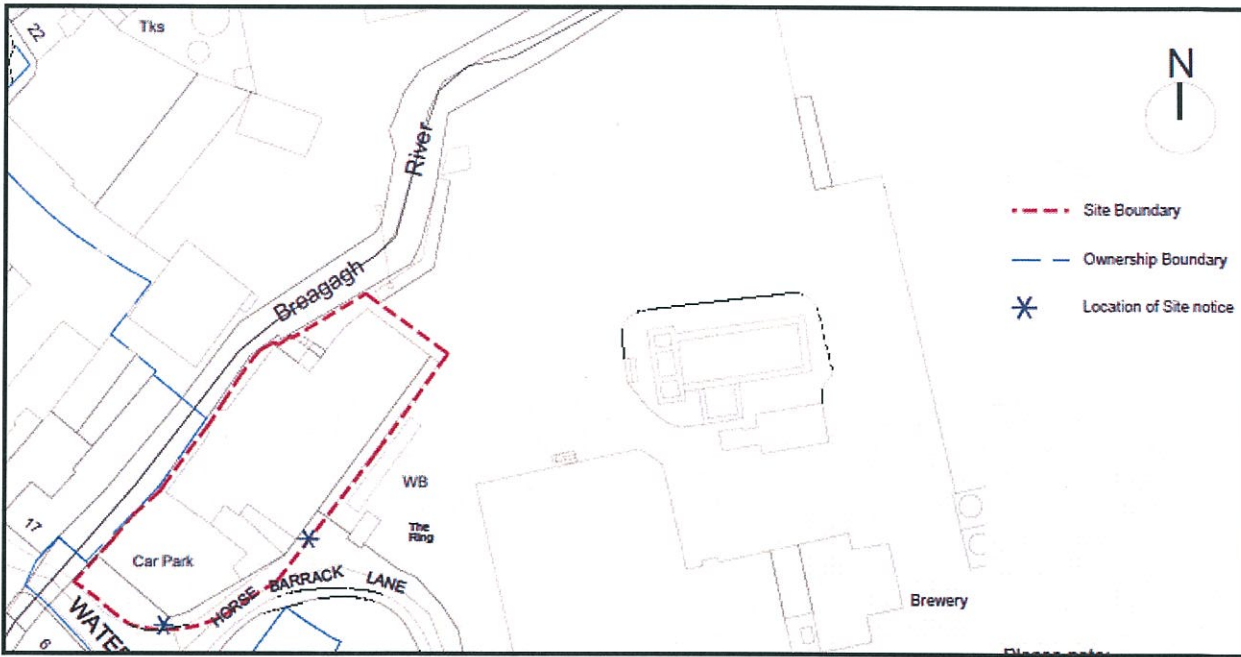
## 1.0 INTRODUCTION

This document has been prepared in accordance with the requirements of Part XI of the Planning & Development Act 2000 – 2018 and Part VIII of the Planning & Development Regulations, 2001 -2018.

The proposed development will involve the redevelopment of the Mayfair Building on the former Smithwicks Brewery site (Abbey Quarter) for re-use as the Kilkenny City Library.

### 1.1 Public Consultation

Notice of the proposed development was advertised by Notice in the Kilkenny People newspaper published on Wednesday 15<sup>th</sup> May 2019. Public Notices were also erected on the Mayfair Building on 15<sup>th</sup> May 2019.





A copy of the notice is provided in Appendix 'A'.

Details of the proposed scheme were also advertised via the Kilkenny County Council Public Consultation Portal <http://consult.kilkenny.ie/> and via Kilkenny County Council social media accounts including Facebook and Twitter

Plans and particulars for the proposed Scheme were available for inspection from Wednesday 15<sup>th</sup> May 2019 to Wednesday 12<sup>th</sup> June 2019 at the following locations:

- Planning Dept., County Hall, John St., Kilkenny.
- Carnegie Library, Johns Quay, Kilkenny.
- [www.kilkennycoco.ie](http://www.kilkennycoco.ie)
- <https://consult.kilkenny.ie/>

In addition, a public information evening was held in the Maltings Building on Tilbury Place on Thursday 30<sup>th</sup> May 2019 from 4pm to 8pm. Details of the proposed development were on display for the public information evening and Kilkenny County Council staff attended to answer any queries from members of the public in relation to the proposed development.

Submissions and observations were invited with respect to the proposed development dealing with the proper planning and development of the area in which the proposed development will be carried out, with a final date for receipt of submissions on Wednesday 26<sup>th</sup> June 2019.

The following Statutory Bodies were invited to make submissions on the scheme:

- An Taisce
- Department of Culture, Heritage & The Gaeltacht.

The documents on public display were as follows:

- Project Drawings
- Architectural Report
- Archaeological Impact Assessment
- Conservation Report
- Civil & Structural Engineering Report
- Mechanical & Electrical Engineering Report
- Appropriate Assessment Screening
- Environmental Impact Assessment Screening

## 2.0 Brief description of the proposed works

### 2.1 Existing site

The site of the proposed development is located at Horse Barrack Lane, off Parliament St., Kilkenny.

The old Mayfair Ballroom is located within the former Smithwicks Brewery (Abbey Quarter) site and has most recently been used by Diageo for offices, canteen and changing facilities. The building was originally constructed as a Ballroom and first opened on St Stephens night, 1943. It continued in use as a Ballroom until 1973 and shortly thereafter the building was acquired by the brewery and was converted into offices, canteen etc. A number of extensions have been made to the building over time.

The building is located within the City Centre Architectural Conservation Area and the zone of Archaeological potential for the city. The Mayfair Building is immediately adjoining the City Walls, a National Monument as outlined in the National Policy on Town Defences published by the Dept. of the Environment, heritage & Local Government 2008.

In July 2016, planning consent was approved for the redevelopment of the Mayfair Building for office use, in accordance with the provisions of Part VIII of the Planning & Development Regulations 2001, as amended.

In the meantime, some aspects of this proposed development for office use have been progressed with the demolition of some of the as hoc extensions to the building and the construction of a switch room / sub station for electrical supply at the eastern elevation of the building.

### 2.2 DESCRIPTION OF THE PROPOSED DEVELOPMENT.

The details of the proposed development as presented in the Planning Notice for the development are as follows:

- Demolition of extensions to the north-east gable of the existing building (approx. 102m<sup>2</sup>), access steps to the building and removal of a boiler house and steps adjoining the City Wall (a National Monument).
- Provision of a new two storey extension to the gable ends of the existing building (approx. 884m<sup>2</sup>) to be externally insulated with a render finish.
- Remodelling and extension of the existing 2 storey flat-roofed section on the east façade to be externally insulated and clad with a “second-skin” louvred system.
- Existing northern façade to be externally insulated with a render finish.
- Replacement of the existing roof with a standing seam metal roof.



- Replacement of the existing windows with new double-glazed windows in a powder coated aluminium frame.
- Modifications to the internal layout of the building and provision of a new mezzanine level (approx. 142m<sup>2</sup>) in the double-height space of the former ballroom.
- Construction of a public urban square and new access to the building on the site of the existing public car park to the south west of the building including hard and soft landscaping works.
- Site works associated with the formation of new connections to existing public foul and surface water drainage and existing utilities as required.

### 2.3 DESIGN CRITERIA

The design of the proposed works to the Mayfair Building has taken into consideration the requirements of the following Regulations and Policy Documents:

- Building Regulations.
- Planning & Development Act 2000, as amended.
- Planning & Development Regulations, 2001 as amended.
- Kilkenny City & Environs Development Plan 2014-2020
- Abbey Quarter Masterplan
- Abbey Quarter Urban Design Criteria and Development Code.
- *Archaeology & Development : Guidelines for Good Practice for Developers* prepared for the Heritage Council by the ICOMOS Irish Committee Consortium.
- *Policy and Guidelines on archaeological excavation* (DAHG)
- *Framework and Principles for the Protection of Archaeological Heritage* (DAHG)
- National Monuments Acts 1930 (as amended)
- *Architectural Heritage Protection Guidelines for Planning Authorities*, DAHG 2001,

### 3.0 SUBMISSIONS RECEIVED

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The submissions received are summarised in the following Table.

No.	Name
1	Liam Minogue
2	An Taisce
3	Kilkenny Archaeological Society
4	Katharine Larkin
5	Jim Gilligan
6	

7	Dept. of Culture, Heritage & Gaeltacht
8	Conservation Officer, KCC
9	

Full copies of the submissions received are provided in Appendix 4. The particular issues raised in the submissions are outlined and considered in the Senior Planner's Report, presented in Appendix 2.



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#### 4. IMPLICATIONS FOR THE PROPER PLANNING AND SUSTAINABLE DEVELOPMENT OF THE AREA

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The Planning Authority has determined that the proposed development is consistent with the proper planning and sustainable development of the area of the proposed development (see Senior Planner's Report in Appendix. 2) the proposed development is consistent with the provisions of the Kilkenny City & Environs Development Plan 2014 - 2020.

#### KILKENNY COUNTY COUNCILS INTENTION WITH REGARD TO THE PROPOSED DEVELOPMENT

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Proposed Development: Part VIII Proposal

Redevelopment of the Mayfair Building on the former Smithwicks Brewery (Abbey Quarter) site for reuse as the Kilkenny City Library.

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

Signed :



Mary Mulholland.  
Director of Services.

## **Appendix 1**

### **COPY OF PUBLIC NOTICE**





**Planning and Development Act 2000 - 2018**  
**Planning and Development Regulations 2001 - 2018**  
**NOTICE OF PROPOSED DEVELOPMENT BY A LOCAL AUTHORITY**

**Redevelopment of Mayfair Building on the former Smithwicks Brewery site  
(Abbey Quarter) in the townland of Gardens, Kilkenny.**

In accordance with Part 8, Article 81, of the above regulations, Kilkenny County Council hereby gives notice of its intention to renovate and extend the former Mayfair Ballroom in the Abbey Quarter for library use as the Kilkenny City Library.

The proposed development will consist of:

- Demolition of extensions to the north-east gable of the existing building (approx. 102m<sup>2</sup>), access steps to the building and removal of a boiler house and steps adjoining the City Wall (a National Monument).
- Provision of a new two storey extension to the gable ends of the existing building (approx. 884m<sup>2</sup>) to be externally insulated with a render finish.
- Remodelling and extension of the existing 2 storey flat-roofed section on the east façade to be externally insulated and clad with a “second-skin” louvred system.
- Existing northern façade to be externally insulated with a render finish.
- Replacement of the existing roof with a standing seam metal roof.
- Replacement of the existing windows with new double-glazed windows in a powder coated aluminium frame.
- Modifications to the internal layout of the building and provision of a new mezzanine level (approx. 142m<sup>2</sup>) in the double-height space of the former ballroom.
- Construction of a public urban square and new access to the building on the site of the existing public car park to the south west of the building including hard and soft landscaping works.
- Site works associated with the formation of new connections to existing public foul and surface water drainage and existing utilities as required.

The Mayfair building is located within the City Centre Architectural Conservation Area as set out in the Kilkenny City & Environs Development Plan 2014-2020. It is also located within a zone of Archaeological Potential (KK019-026 ‘City’) and it is located in close proximity to the City Walls and St Francis Abbey, both National Monuments.

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 or purchase for a fee not exceeding the reasonable cost of making a copy during office hours from Wednesday 15<sup>th</sup> May 2019 until Wednesday 12<sup>th</sup> June 2019 inclusive, at the following Kilkenny County Council offices:

- Planning Dept., Kilkenny County Council, County Hall, John St., Kilkenny City from 9am to 1pm & 2pm to 4pm Monday to Friday.
- Carnegie Library, Johns Quay, Kilkenny from 10am to 8pm Tuesdays, 10am to 5pm Wednesday to Friday, and 10am to 1:30pm Saturdays (excluding Bank Holiday weekends).

Details of the proposed development can also 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 the Planning Section, Kilkenny County Council, County Hall, John Street, Kilkenny or sent to the following e-mail address [MayfairLibrary@kilkennycoco.ie](mailto:MayfairLibrary@kilkennycoco.ie). **The latest time and date for receipt of submissions on the development is 5.00pm on Wednesday 26<sup>th</sup> June, 2019.** Submissions should be clearly marked “Mayfair Library – Planning Submission”

Mary Mulholland, Director of Services.

## **Appendix 2**

### **Senior Planner's Report**

ComhairleChontae Chill Chainnigh

Kilkenny County Council

Planning Report



To: Mary Mulholland, Director of Services

From: Denis Malone, Senior Planner

Date: 8/7/2019

Part VIII Ref:P.07/19

Re: Redevelopment of Mayfair Building on the former Smithwick's Brewery site.

**Part VIII Proposal**

The details of the proposed development as presented in the Planning Notice for the development are as follows:

- Demolition of extensions to the north-east gable of the existing building (approx. 102m<sup>2</sup>), access steps to the building and removal of a boiler house and steps adjoining the City Wall (a National Monument).
- Provision of a new two storey extension to the gable ends of the existing building (approx. 884m<sup>2</sup>) to be externally insulated with a render finish.
- Remodelling and extension of the existing 2 storey flat-roofed section on the east façade to be externally insulated and clad with a "second-skin" louvred system.
- Existing northern façade to be externally insulated with a render finish.
- Replacement of the existing roof with a standing seam metal roof.
- Replacement of the existing windows with new double-glazed windows in a powder coated aluminium frame.
- Modifications to the internal layout of the building and provision of a new mezzanine level (approx. 142m<sup>2</sup>) in the double-height space of the former ballroom.
- Construction of a public urban square and new access to the building on the site of the existing public car park to the south west of the building including hard and soft landscaping works.



- Site works associated with the formation of new connections to existing public foul and surface water drainage and existing utilities as required.

### **Site Location**

The building is located off Horse Barrack Lane within the former Smithwicks Brewery site.

The site extends into the existing public car park along Parliament St at the entrance to the Brewery site.

### **Zoning**

The site falls within a zoning of '*General Business*', within the Kilkenny City and Environs

Development Plan 2014 - 2020. Thus the proposed usage of the building for a public library is an acceptable use within that zoning.

### **Heritage**

**Protected Structure** -The building is not a protected structure but is located within the zone of archaeological potential in Kilkenny city reference KK019-026 'City' The site is located within the city centre Architectural Conservation Area.

**SAC** - The site is not located within the River Nore cSAC but is immediately adjacent to the River Bregagh which is to the north west of the building. It is separated from the building by the City Wall which is a recorded monument.

**SPA** - The site is not located within the River Nore SPA.

### **Appropriate Assessment**

A number issues arise in relation to the potential of discharges to the River Bregagh from the site during construction and the diversion of surface water from the eastern portion of the site from the combined sewer to an existing surface water sewer with petrol interceptor.

Having considered the issues raised the design proposal has been modified to maintain the disposal of foul and surface water from the building to the combined sewer. The design now proposes no change to this arrangement.

Surface water from the western side of the existing building currently disposes to Bregagh at an outfall south west of the building. It is proposed to maintain that arrangement and dispose of the water run off from the western roof area and the pedestrian paved area in front of the main entrance through this outfall.

### **Determination for Environmental Impact Assessment**

Having regard to the extent and nature of the proposed development and having regard to Schedules 5, 6 & 7 of the Planning and Development Regulations 2001 - 2018 an Environmental Impact Assessment Report (EIAR) is not required for this

development. This determination was also carried out prior to the commencement of the public display period.

### **Relevant Planning Policy and Guidelines**

Kilkenny City and Environs Development Plan 2014 - 2020, the Abbey Quarter Masterplan 2015 and the Abbey Quarter Urban Design Code 2017.

### **Planning History**

Part 8 approval was previously approved by Kilkenny County Council for the redevelopment of the Mayfair as an office building in 2016

### **Referrals**

The application was referred to the Department of Arts Heritage and the Gealtacht, and An Taisce.

The application was also referred to the Council's Conservation Officer.

### **Third Party Submissions**

The Part VIII proposal was placed on public display from Wednesday 15<sup>th</sup> May 2019 to Wednesday 12<sup>th</sup> June 2019 at the following locations:

- Planning Dept., County Hall, John St., Kilkenny.
- Carnegie Library, Johns Quay, Kilkenny.
- [www.kilkennycoco.ie](http://www.kilkennycoco.ie)
- <https://consult.kilkenny.ie/>

In addition, a public information evening was held in the Maltings Building on Tilbury Place on Thursday 30<sup>th</sup> May 2019 from 4pm to 8pm.

Submissions and observations were invited with respect to the proposed development dealing with the proper planning and development of the area with a final date for receipt of submissions on Wednesday 26<sup>th</sup> June 2019.

Four submissions were received from third parties including the Kilkenny Archaeological Society.

The following table provides a list of the submissions and summaries the issues raised outlines a response to the issues raised.

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Submission Details	Response/Assessment
<p><b>Liam Minogue</b></p> <p>a) Considers that the proposed library is a great use for the Mayfair Building.</p> <p>b) Concern raised in relation to parking spaces for staff and public including accessible spaces and electrical charging. With its potential as an event and meeting space, provisions for movement and parking of passenger vehicles, light goods vehicles and a set down area are not apparent.</p> <p>c) Observation is relation to level of sanitary provisions. While they appear to be broadly in line with the requirements of Part M and BS6465-1:2006+A1:2009, it is arguable that they are sufficient for the normal running of the library. Queries whether the number of toilets provided will be sufficient for events, exhibitions and meetings where there are larger numbers of people.</p>	<p>a) Noted and agreed.</p> <p>b) The original part VIII planning for the renovation of the Mayfair Building for office use provided for the opening of a new car park in the area immediately adjoining the Watergate Theatre as a public car park (it was formerly a private car park used by the Brewery). This car park was opened on foot of the original part VIII planning consent. It is intended that accessible spaces and charging points will be incorporated into this car park prior to the opening of the Mayfair Building. The city centre location of the Mayfair Building will allow for visitors to the library using existing parking facilities within the city centre. It is noted that the Abbey Quarter Masterplan provides for the area immediately adjoining the Mayfair Building to be developed as an area of pedestrian and cyclist priority.</p> <p>c) The Library inclusive of the exhibition centre has been designed in accordance with Part M and the relevant BS codes and it has sufficient facilities for both staff and library users.</p> <p>Allowances have been provided</p>



	<p>within the design to cater for the exhibition space and meeting rooms based on the projected numbers users of these spaces.</p> <p>The design for the sanitary facilities has catered for the overall building occupancy, gender and ratio. These consideration alongside the diversity of building user established the range, location, and type of facilities that were deemed necessary for the normal everyday function of the building. The building will be subject to the requirements of the Building Control regulations and will be subject to Disability access Certificate.</p>
<p><b>An Taisce</b></p> <p>a) Welcomes the following features of the development</p> <ul style="list-style-type: none"> <li>• Central location for the city library</li> <li>• Retention of the two storey scale</li> <li>• Retention of the double gabled form to the east and west extensions.</li> </ul> <p>b) Design and materials of the south east façade gives cause for concern. Notes the importance of this façade as a key entrance to the Abbey Quarter, requiring a design of distinction. States that it is desirable that the design reflects the character of Kilkenny architecture rather than global</p>	<p>a) Noted and Agreed.</p> <p>b) The importance of the South East façade in the context of the entrance to the Abbey Quarter from Parliament Street is noted and agreed. The façade is a relevant design feature, inherent to the Library scheme and creating an alternative materiality to contrast with the Abbey. The façade manifests and projects the former dilapidated</p>

<p>architecture. Suggests that the use of the multicoloured ceramic baguettes bears no relationship to the traditional architecture of Kilkenny and represents a globalization of architecture without reference to local character.</p> <p>Suggests that the reconstruction of this disjointed façade, redesign of the fenestration and use of traditional building materials such as stone (as in the Carnegie) or decorative brick (as in Talbots Inch Village) or modern recessed brick design with colour reference to the Brewhouse would result in a cohesive south east façade. Design of the building should not ignore future maintenance costs.</p>	<p>Mayfair building as a contemporary addition to the new abbey quarter. The coloured louvres will provide a distinctive feature to the park while complementing the and contrasting against the natural beauty of the of the Historic St Francis Abbey. This is in line with the building design guidance of the Urban Design Code 2017 (Section 2.10). The new façade will be of high quality attractive contemporary louvres. The provisions of the façade will improve the appearance to the area while providing a contemporary addition to the built form in the abbey Quarter.</p>
<p><b>Kilkenny Archaeological Society</b></p> <p>a) Notes that the outstanding feature of the Abbey Quarter is the ruin of the 13c. St Francis Abbey.</p> <p>b) Notes that the proposed development removes a number of disfiguring extensions and features, and converts it into a coherent, functional and attractive building.</p> <p>c) Disagrees with the proposed 'colourful...vertical ceramic baguettes' on the south east façade. Questions the need to create a competing disjointed feature so close to the abbey. Suggests that the design of the building is relatively simple and coherent in design</p>	<p>a) Noted and agreed. The overall development of the Abbey Quarter will be centred around St Francis Abbey and the Abbey Quarter Masterplan provides for the development of a large urban park around the Abbey, thus showcasing the Abbey in its urban setting.</p> <p>b) Noted.</p> <p>c) The various past uses of the building, has resulted in a very modified elevation over the years creating a disjointed façade, with nine differently sized openings along the façade. The symmetry of the facade in the original ballroom design was also lost in these modifications. The</p>

<p>and is harmonious to its surroundings, obviating the need for a new distracting and irrelevant feature.</p> <p>d) Whilst noting that the gap between the northern façade and the Town Wall is very narrow, suggests that it be made accessible for access by relevant persons such as an archaeologist or engineer.</p>	<p>proposed ceramic baguettes are proposed to provide a coherent elevation along this façade of the building. A key element of this project is the retention and renovation of the original ballroom building. The proposed vertical louvers will provide a uniform façade along this key elevation</p> <p>d) Noted and agreed.</p>
<p><b>Katharine Larkin</b></p> <p>a) Welcomes the proposal to adapt &amp; extend the existing Mayfair Structure to house a new library building.</p> <p>b) Requests that provision be made for a full size broadleaf tree between the library and Irishtown/High Street.</p> <p>c) Notes that no library use plan or strategy is included in the document or rationale for the arrangements proposed.</p> <p>d) Requests that internal arrangements for the building should be reviewed in consultation with the library using public and library front line staff.</p>	<p>a) Noted.</p> <p>b) The proposed planting in this area will be considered at detailed design stage, noting that the trees should be suitable for their city centre location.</p> <p>c) The design was informed by a range of relevant national and local strategies including the national strategy for public libraries - My Public Libraries 2022, Public Library Standards and Benchmarks and the Kilkenny County Council Cultural Strategy- Arts, Heritage and Libraries 2018-2022 which informs current and future developments in public libraries . The design brief caters for the varied and extended usage of library services within appropriately located spaces within the building.</p> <p>d) The proposed design was influenced from its very inception by the library service itself and by the various national and local strategies referred</p>



<p>e) Suggests that the library should be open after school to benefit young people who have adverse study conditions at home.</p> <p>f) Notes that it should be possible to get direct access to the exhibition area, segregated from the library.</p>	<p>to in c) above.</p> <p>e) It is proposed that the library will operate as an 'Open Library' with 24 hour access for library users. This will include provision of students to study.</p> <p>f) The proposal provides for direct access from the street to the exhibition area. The exhibition area can operate as an integrated part of the library space or alternatively as a separate space, depending on the particular event.</p>
<p><b>Jim Gilligan</b></p> <p>a) Notes that the area identified in the site layout drawing as being in the ownership of Kilkenny County Council includes an area which Mr Gilligan claims to own. This area is located on the opposite side of the river Breaghagh to the proposed development, to the rear of Mr Gilligans property at 17 Irishtown.</p>	<p>a) The area referred to was included in the area of land purchased by Kilkenny County Council from Diageo Ireland. The area of land in question is not required for the redevelopment of the Mayfair Building and is located on the opposite side of the River Breaghagh to the Mayfair Building.</p> <p>This issue can be addressed directly with Mr Gilligan without impinging on the project.</p>
<p><b>Dept. of Culture Heritage &amp; the Gaeltacht</b></p> <p><b>Archaeology</b></p> <p>a) The Dept. concurs with the archaeological mitigation strategy as outlined in the Archaeological Impact Assessment and recommends that items 1-8 inclusive on pages 41-43 are included as conditions</p>	<p>a) Noted and agreed.</p>

of the Part VIII permission.

**Nature Conservation**

- b) Notes that the report prepared for the AA Screening notes that there will be no discharges from the development site to the Breagagh River during the construction phase, but does not outline how this will be achieved.

- b) The existing foul drainage from the Mayfair Building discharges to the public combined sewer network and thus does not discharge to the River Breagagh. The surface water from the roof of the eastern side of the building currently discharges to the combined sewer. This will be remain unchanged now and will not discharge to the Bregagh.

The surface water from the western half of the building currently discharges to the Bregagh through a sealed drainage system (ie no gullies etc). It is intended to maintain that arrangement and drain the extended roof area and the raised paved area to the front of the entrance to that existing outfall. This is in accordance with the GSDSDS Regional Drainage Policies - Volume 3 Environmental Management, Section 3.3.2 Table 7 - Pollutant Types

Given the potential volume of water from these extra areas the inert nature of the surfaces being drained and the flows within the Bregagh itself and the distance to the River Nore from the outfall ( 200m ) to the River Nore SAC it is considered that significant impacts on the SAC can be ruled out.

There is no drainage connection from the existing car park to the west of the Mayfair to the River Breagagh. The site of the proposed development has

c) Notes that the same AA Screening report does not address the issue of soil contamination and resultant risk of exposure of such contaminated soil in the course of construction works, which remove the hard standing.

d) Notes that the same AA Screening report does not refer to the use of the existing outfall to the southwest of the site on which there is no petrol/oil interceptor.

e) No details are provided on the functioning or capacity of the existing petrol/oil interceptor for the construction and operation phase of the project.

f) No details have been provided of the

a permanent barrier between it and the river Bregagh in the form of the existing City Wall. The City wall is an impermeable barrier and no liquids can pass through into the Bregagh therefore there will be no discharges from the development site to the Bregagh.

c) The proposed development does not include for the permanent removal of any area of hard standing within the former Brewrey site. Any removal of the hard standing will be temporary in nature to facilitate the excavation of limited areas of new foundations and new services. Such excavations will be of short duration.

d) The AA Screening report has been updated to specifically refer to this outfall, the maintenance of the combined sewer system for the project instead of diverting to the existing surface water sewer as proposed in the original design.

e) The design now proposes to omit the diversion of surface water to the petrol interceptor and retain the combined sewer system currently in use in the building. Therefore details of petrol/oil interceptor are not required.

The AA Screening report has been updated to specifically refer to these design changes..

f) There is very limited soft landscaping associated with the proposed



landscaping plan for the project and no assessment has been made of its impacts on the nearby European sites, in particular in relation to invasive and non native species.

**Matters relating to Biodiversity**

- g) Notes that Bat species are strictly protected under Annex IV of the Habitats Directive.
  
- h) Notes that the proposed development will include the demolition of buildings, the replacement of the entire roof area of the building and the removal of trees which may directly impact on bat species. The development also includes artificial illumination.
  
- i) The Dept. advises that an assessment of the impacts of the proposed development on bats is carried out (including full bat activity surveys)
  
- j) Notes that any clearance of vegetation from the site should only be carried out outside the bird breeding season (ie from Sept. to Feb. inclusive)

development. The details of such landscaping will be considered at detailed design stage, with specific consideration to avoiding the use of invasive and non native species.

Having considered the updated AA Screening report, the Planning Authority has re-confirmed the conclusion that significant impacts can be ruled out.( see attached determination)

- g) Noted and agreed. The bat assessment will be undertaken to inform the detailed design of the proposed development, incorporating any required mitigation measures. ( not associated with SAC)
  
- h) Noted and agreed
- i) Noted and agreed.
- j) Noted and agreed

<p><b>KCC Conservation Officer</b></p> <p>a) All mitigation measures as included in the Archaeological Report shall be adhered to, while all methodologies, vibration monitoring systems, and monitoring reports to be submitted to the Planning Authority for record purposes.</p> <p>b) All signage including lighting for the building shall be agreed with the Planning Authority prior to undertaken works.</p> <p>c) Historical signage for the city wall and Irishtown Gate shall be part of the project. It is recommended that suitably qualified illustrator, designer, and archaeologist co-ordinate with relevant staff in Kilkenny County Council for the installation of an interpretive sign in the public realm area to the front of the building. This interpretative signage shall match the design, style and presentation of the previous City wall sign at Talbots Tower and the former St. James Gate sites.</p>	<p>a) Noted and agreed</p> <p>b) Noted and agreed</p> <p>c) Noted and agreed</p>
--	--

### **Assessment**

The proposed development is located within the Abbey Quarter Masterplan area. The Masterplan was adopted by the Council in 2015. Further advance planning was carried out in the form of an Urban Design Development Code which was adopted by the Council in 2017.

The proposal is to bring an important civic use in the form of the public library to the area. This will be a significant civic use and is seen as a positive for the development of the abbey Quarter as a whole. In particular the proposal is in compliance with the overall vision of the Abbey Quarter Masterplan and the Urban Design Code aligning with the scale and mix of the uses envisaged in the code.

The proposal is to re use an existing building in the area which is considered a more sustainable approach to urban development where it is feasible.

It is a design that will express a diversity of architecture and architectural style providing a contemporary design and style while reflecting the past history of the building through the maintenance of its built form.

It expresses a distinctive building design as a large block within the Masterplan area. It maintains a strong roof form reflective of the original Mayfair Ballroom profile.

In relation to appropriate assessment a number of issues arose from the Department of Arts Heritage and the Gealtacht.

These related to the potential discharge from the site during construction, the proposal to separate surface water from the existing combined sewer to a separate surface water sewer with a petrol interceptor and the issue of soil contamination from areas where hard standing is being removed.

In response to these issues it is now proposed to maintain the existing drainage arrangements for the building, retaining the combined drainage system for foul and the majority of the surface water.

It is also proposed to maintain the existing discharge to the river Bregagh for the roof on the western side of the building with the addition surface water from the small pedestrian area in front of the entrance.

This is in accordance with the GSDS Regional Drainage Policies - Volume 3 Environmental Management, Section 3.3.2 Table 7 - Pollutant Types.

This is considered reasonable and appropriate given the potential volume of water from these extra areas, the inert nature of the surfaces being drained and the flows within the Bregagh itself and the distance to the River Nore from the outfall ( 200m ) to the River Nore SAC

In relation to the removal of hard standing the proposed development does not include for the permanent removal of any area of hard standing within the former Brewrey site. Any removal of the hard standing will be temporary in nature to facilitate the excavation of limited areas of new foundations and new services. Such excavations will be of short duration and it is considered will not cause any risk to the SAC due to the temporary nature of the work and the limited area involved.

A revised appropriate assessment determination is provided as part of this report.

## Recommendation

Having regard to the details submitted with the Part 8 application, the revisions to the scheme in terms of drainage and disposal of foul and surface waters, the impermeable barrier created by the existing City wall along the entire boundary of the site with the River Bregagh the revised AA screening document dated the 9<sup>th</sup> July 2019 , the provision the Abbey Quarter Master Plan 2015 and the Abbey Quarter Urban Design Code it is considered that the redevelopment of Mayfair Building on the former Smithwick's Brewery site, can be recommended for approval under the Part 8 process subject to the commitments outlined in the response to the issues raised. .

Signed:   
Denis Malone  
Senior Planner

Date: 9/7/2019



**Appropriate Assessment Screening Determination  
Under Section 177U of the Planning and Development Act 2000 (as amended)  
for the Thomastown Local Area Plan 2019**

An Appropriate Assessment (AA) Screening determination is being made by Kilkenny County Council pursuant to Article 6(3) of the Habitats Directive as to whether or not a plan or project would adversely affect the integrity of a European site and Section 177U of the Planning and Development Act 2000 (as amended) regarding the re-development of the Mayfair building on the former Smithwick's brewery site .

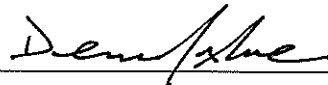
In carrying out this AA Screening, the Council is taking into account the following:

- The proposed development as presented for public display on the 30<sup>th</sup> May 2019
- The submissions received by the local authority during the period stated in the public notice.
- The revisions to the design of the drainage layout now proposed to address the issues raised.
- The revised screening report dated 9<sup>th</sup> July 2019.

All of the above have been carefully considered.

Having regard to the nature and scale of the proposed development, the revised drainage arrangements, maintaining the combined sewer system for foul and surface water from the building and its surrounds, the impermeable barrier that the existing city wall creates between the site and the River Bregagh, the inert nature of the surfaces to be drained for surface water into the Bregagh river the level of flow in the river Bregagh, the distance of the outfall from the River Nore SAC and SPA it is considered that the re-development of the Mayfair building will not result in any significant effects either alone or in combination with other projects on the conservation objectives of any European Natura 2000 site.

Signed:



Denis Malone,  
Senior Planner

Date: 9/7/2019

• 11/10/18

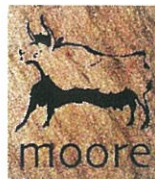
Report for the purposes of  
Appropriate Assessment Screening

as required under Article 6(3) of the Habitats Directive  
(Council Directive 92/43/EEC)

Proposed Refurbishment and Extension  
of the Mayfair Building  
Horse Barrack Lane, Kilkenny






Prepared by: Moore Group – Environmental Services

9<sup>th</sup> July 2019



On behalf of  
Kilkenny County Council

<b>Project Proponent</b>	Kilkenny County Council
<b>Project</b>	Proposed Refurbishment and Extension of the Mayfair Building Horse Barrack Lane, Kilkenny
<b>Title</b>	Report for the purposes of Appropriate Assessment Screening Proposed Refurbishment and Extension of the Mayfair Building Horse Barrack Lane, Kilkenny

<b>Project Number</b>	19089	<b>Document Ref</b>	19089 Mayfair Building AAS1 Rev4.docx
<b>Revision</b>	<b>Description</b>	<b>Author</b>	<b>Date</b>
Rev0	Issued for client review	G. O'Donohoe 	1 <sup>st</sup> May 2019
Rev1	Revised Methods	G. O'Donohoe 	3 <sup>rd</sup> May 2019
Rev2	Revised Methods	G. O'Donohoe 	1 <sup>st</sup> July 2019
Rev3	Peer Reviewed	G. O'Donohoe 	5 <sup>th</sup> July 2019
Rev4	Updated SW Drainage	G. O'Donohoe 	9 <sup>th</sup> July 2019
<b>Moore Archaeological and Environmental Services Limited</b>			



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### Appendix A – Finding of No Significant Effects Report

## Abbreviations

AA	Appropriate Assessment
EEC	European Economic Community
EPA	Environmental Protection Agency
EU	European Union
GIS	Geographical Information System
NHA	Natural Heritage Area
NIS	Natura Impact Statement
NPWS	National Parks and Wildlife Service
OSI	Ordnance Survey Ireland
pNHA	proposed Natural Heritage Area
SAC	Special Area of Conservation
SPA	Special Protection Area
SuDS	Sustainable Urban Drainage System

# 1. Introduction

## 1.1. General Introduction

This report contains information required for the competent authority to undertake screening for Appropriate Assessment (AA) on the potential for the proposed refurbishment and extension of the Mayfair Building, Horse Barrack Lane, Kilkenny (hereafter referred to as the proposed Project) to significantly affect European sites.

Screening is the process that addresses and records the reasoning and conclusions in relation to the first two tests of Article 6(3):

- I). whether a plan or project is directly connected to or necessary for the management of the site, and
- II). whether a plan or project, alone or in combination with other plans and projects, is likely to have significant effects on a Natura 2000 site in view of its conservation objectives.

Also, having regard to the provisions of the Planning and Development Act 2000 (section 177U and 177V). The purpose of a screening exercise under section 177U of the PDA 2000 is to determine whether it is necessary to carry out an “appropriate assessment” of the implications for a European site of the proposed project. The trigger for the requirement for an “appropriate assessment” is that the project, either individually or in combination with other plans or projects, is “likely to have a significant effect” on the European site.

When screening the project, there are two possible outcomes:

- the project poses no risk of a significant effect and as such requires no further assessment; and
- the project has potential to have a significant effect (or this is uncertain) and AA of the project is necessary.

This report has been prepared by Moore Group - Environmental Services for Kilkenny County Council and assesses the potential for the proposed Project to impact on sites of European-scale ecological importance in accordance with Articles 6(3) and 6(4) of the Habitats Directive. The report was compiled by Ger O’Donohoe (B.Sc. Applied Aquatic Sciences (GMIT, 1993) & M.Sc. Environmental Sciences (TCD, 1999)) who has 25 years’ experience in environmental impact assessment and has completed numerous Appropriate Assessment Screening Reports and Natura Impact Statements on terrestrial and aquatic habitats.

The report assesses the potential for the proposed Project to impact on sites of European-scale ecological importance. It is necessary that the proposed Project has regard to Article 6 of the Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (as amended) (referred to as the Habitats Directive). This is transposed into Irish Law by the European Communities (Birds and Natural Habitats) Regulations, 2011 (S.I. 477) (referred to as the Habitats Regulations).

## 1.2. Legislative Background - The Habitats and Birds Directives

The Habitats Directive (Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora) is the main legislative instrument for the protection and conservation of biodiversity in the European Union (EU). Under the Directive, Member States are obliged to designate Special Areas of Conservation (SACs) which contain habitats or species considered important for protection and conservation in a EU context.

The Birds Directive (Council Directive 79/409/EEC and Council Directive 2009/147/EC on the Conservation of Wild Birds), is concerned with the long-term protection and management of all wild bird species and their habitats in the EU. Among other things, the Directive requires that Special Protection Areas (SPAs) be established to protect migratory species and species which are rare, vulnerable, in danger of extinction, or otherwise require special attention.

Special Areas of Conservation (SACs) designated under the Habitats Directive and Special Protection Areas, designated under the Birds Directive, form a pan-European network of protected sites known as Natura 2000. The Habitats Directive sets out a unified system for the protection and management of SACs and SPAs. These sites are also referred to as European sites.

Articles 6(3) and 6(4) of the Habitats Directive set out the requirement for an assessment of proposed plans and projects likely to affect Natura 2000 sites.

Article 6(3) establishes the requirement to screen all plans and projects and to carry out a further assessment if required (Appropriate Assessment (AA)):

*Article 6(3): "Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subjected to an appropriate assessment of its implications for the site in view of the site's conservation objectives. In light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public."*

*Article 6(4): "If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature, Member States shall take all compensatory measures necessary to ensure that the overall coherence of the Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted. Where the site concerned hosts a priority natural habitat type and/or a priority species the only considerations which may be raised are those relating to human health or public safety, to the beneficial consequences of primary importance*



*for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest.”*

## 2. Methodology

The Commission’s methodological guidance (EC, 2002) promotes a four-stage process to complete the AA and outlines the issues and tests at each stage. An important aspect of the process is that the outcome at each successive stage determines whether a further stage in the process is required.

Stages 1 and 2 deal with the main requirements for assessment under Article 6(3). Stage 3 may be part of Article 6(3) or may be a necessary precursor to Stage 4. Stage 4 is the main derogation step of Article 6(4).

**Stage 1 Screening:** This stage examines the likely effects of a project either alone or in combination with other projects upon a Natura 2000 site and considers whether it can be objectively concluded that there are not likely to be significant effects on a Natura 2000 site. Mitigation measures (i.e., measures intended to avoid or reduce the harmful effects of the project on the site concerned) cannot be taken into account at this stage.

**Stage 2 Appropriate Assessment:** In this stage, there is a consideration of the impact of the project with a view to ascertain whether there will be any adverse effect on the integrity of the Natura 2000 site either alone or in combination with other projects or plans, with respect to the site’s structure and function and its conservation objectives. Additionally, where there are predicted impacts, an assessment of the potential mitigation of those impacts is considered.

**Stage 3 Assessment of Alternative Solutions:** This stage examines alternative ways of implementing the project that, where possible, avoid any adverse impacts on the integrity of the Natura 2000 site.

**Stage 4 Assessment where no alternative solutions exist and where adverse impacts remain:** Where imperative reasons of overriding public interest (IROPI) exist, an assessment to consider whether compensatory measures will or will not effectively offset the damage to the sites will be necessary.

To ensure that the proposed Project complies fully with the requirements of Article 6 of the Habitats Directive and all relevant Irish transposing legislation, Moore Group compiled this report to inform the screening for AA of the proposed Project to be undertaken by the competent authority to determine if the next stage (Stage 2) of the AA process is required.

### 2.1. Guidance

This report has been compiled in accordance with guidance contained in the following documents:

- Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities. (Department of Environment, Heritage and Local Government, 2010 rev.).

- Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities. Circular NPWS 1/10 & PSSP 2/10.
- Assessment of Plans and Projects Significantly Affecting Natura 2000 sites: Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC (European Commission Environment Directorate-General, 2002); hereafter referred to as the EC Article Guidance Document.
- Managing Natura 2000 Sites: The Provisions of Article 6 of the Habitat's Directive 92/43/EEC (EC Environment Directorate-General, 2000); hereafter referred to as MN2000.
- Managing Natura 2000 Sites: The Provisions of Article 6 of the Habitat's Directive 92/43/EEC (EC, 2018).

## 2.2. Data Sources

Sources of information that were used to collect data on the Natura 2000 network of sites, and the environment within which they are located, are listed below:

- The following mapping and Geographical Information Systems (GIS) data sources, as required:
  - National Parks & Wildlife (NPWS) protected site boundary data;
  - Ordnance Survey of Ireland (OSI) mapping and aerial photography;
  - OSI/Environmental Protection Agency (EPA) rivers and streams, and catchments;
  - Open Street Maps;
  - Digital Elevation Model over Europe (EU-DEM);
  - Google Earth and Bing aerial photography 1995-2019;
- Online data available on Natura 2000 sites as held by the National Parks and Wildlife Service (NPWS) from [www.npws.ie](http://www.npws.ie) including:
  - Natura 2000 - Standard Data Form;
  - Conservation Objectives;
  - Site Synopses;
- National Biodiversity Data Centre records;
  - Online database of rare, threatened and protected species;
  - Publicly accessible biodiversity datasets.
- Status of EU Protected Habitats in Ireland. (National Parks & Wildlife Service, 2013); and
- Relevant Development Plans and Local Area Plans in neighbouring areas;
  - Kilkenny City Development Plan 2014-2020

### 3. Description of the proposed Project

This report presents a screening assessment for a proposed Project consisting of the refurbishment and extension of the Mayfair Building Horse Barrack Lane, Kilkenny, for re-use as a library. There is to be an increase in the floor area of the proposed building, with extensions to the south west and north east and the inclusion of a mezzanine. All works are to take place within the development boundary indicated, see Figure 1.

Details of the design are as follows:

- Demolition of extensions to the north-east gable of the existing building including removal of a boiler house and steps adjoining the City Wall (a National Monument).
  - Demolition works to take place on the landward side of the wall with no discharges to the river.
  - Herbicide treatment of tree roosts will be limited to the landward side of the wall.
  - All construction waste to be disposed to a licenced facility.
- Provision of a new two storey extension to the gable ends of the existing building to be externally insulated with a render finish.
- Remodelling and extension of the existing 2 storey flat-roofed section on the east façade to be externally insulated and clad with a “second-skin” louvred system.
- Existing northern façade to be externally insulated with a render finish.
- Replacement of the existing roof with a standing seam metal roof.
- Replacement of the existing windows with new double-glazed windows in a powder coated aluminium frame.
- Modifications to the internal layout of the building and provision of a new mezzanine level in the double-height space of the former ballroom.
- Construction of a public urban square and new access to the building on the site of the existing public car park to the south west of the building.
- Associated Services

The existing building is currently served by means of a mains foul gravity sewer which is directed to the Kilkenny City and Environs WWTP. The receiving WWTP is licenced by the EPA and the most recent Annual Environmental Report outlined the capacity of the plant as capable of assimilating the increase in load (IW, 2017). This Annual Environmental Report was prepared for D0018-01, Kilkenny City and Environs, in County Kilkenny, in accordance with the requirements of the wastewater discharge licence for the agglomeration. The agglomeration is served by a wastewater treatment plant with a Plant Capacity PE of 77000. The Collected Load (PE) is recorded as 35,772 and the Remaining Capacity is 41,228.

The proposed development does not include for the permanent removal of any area of hard standing within the former Brewrey site. Any removal of the hard standing will be temporary in nature to facilitate the excavation of limited areas of new foundations and new services. Such excavations will be of short duration.

The only external demolition works are in the area of the current boiler house and steps both of which are attached to the city walls. As a result the proposed demolition works will be undertaken using hand tools and will not result in significant dust generation. Small amounts of water will be used as necessary for dust suppression during the demolition works. The amounts used will not be sufficient to create run-off. Any rainwater during the works will be conveyed to the foul sewer system.

There is very limited soft landscaping associated with the proposed development. The details of such landscaping will be considered at detailed design stage, with specific consideration to avoiding the use of invasive and non-native species.

Figure 1 shows the proposed Project location and Figure 2 shows a detailed view of the proposed Project boundary on recent aerial photography. Figure 4 is a plan of the proposed Project.





Figure 1. Showing the proposed Project location in Kilkenny.





Figure 2. Showing the proposed Project location on recent aerial photography.



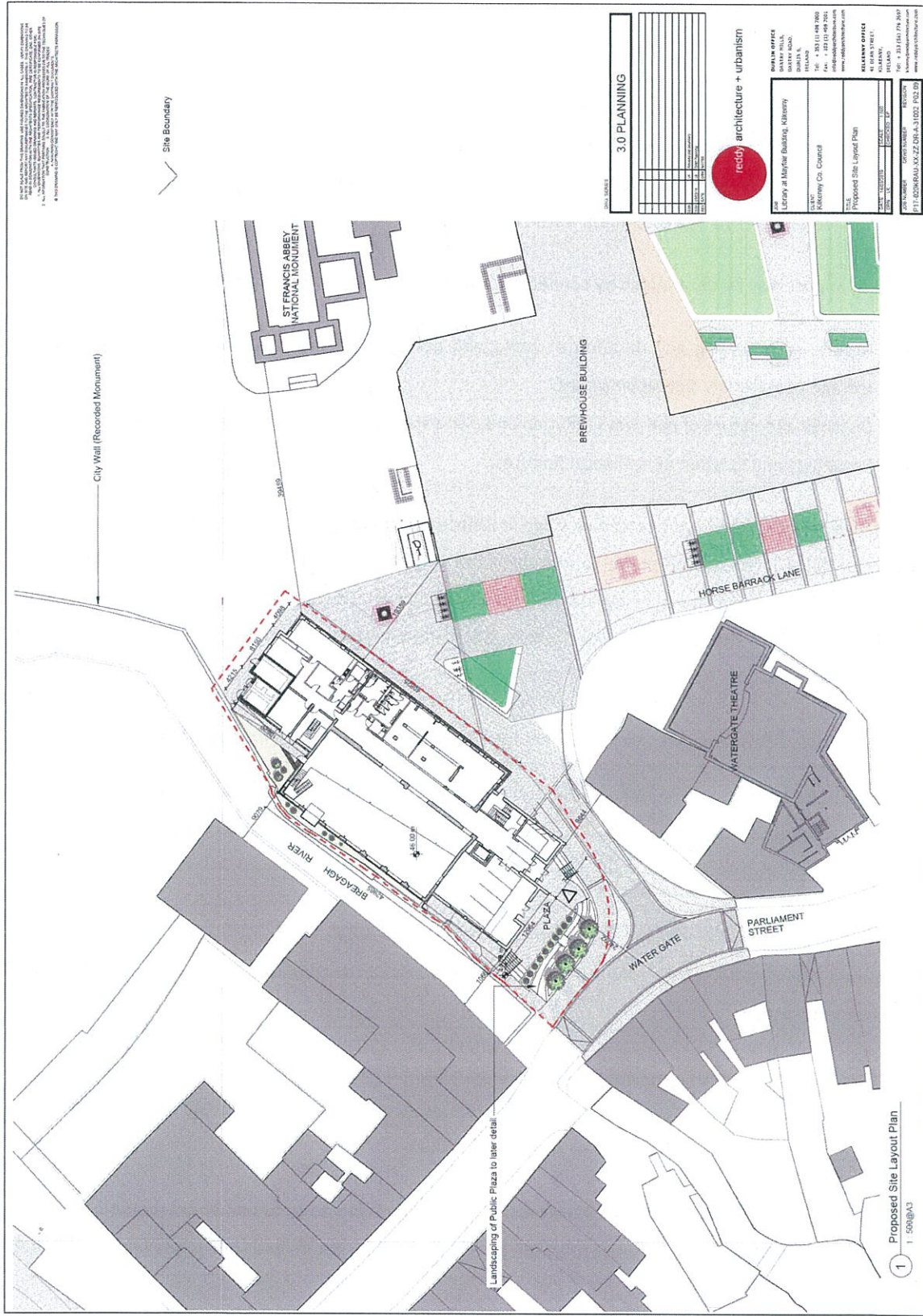


Figure 3. Plan of the proposed Project.

## 4. Identification of Natura 2000 Sites

### 4.1. Description of Natura Sites Potentially Affected

DoEHLG (2009) Guidance on Appropriate Assessment suggests an assessment of European sites within a zone of impact of 15 km. This distance is a guidance only and the zone of impact has been identified taking consideration of the nature and location of the proposed Project to ensure all European sites with connectivity to it are considered in terms of a catchment-based assessment.

The zone of impact may be determined by connectivity to the proposed Project in terms of:

- Nature, scale, timing and duration of works and possible impacts, nature and size of excavations, storage of materials, flat/sloping sites;
- Distance and nature of pathways (dilution and dispersion; intervening 'buffer' lands, roads etc.); and
- Sensitivity and location of ecological features.

The guidance provides that, at the screening stage, it is necessary to identify the sites and compile information on their qualifying interests and conservation objectives. In preparation for this, the potential for source pathway receptor connectivity is firstly identified and detailed information is then provided on sites with connectivity. European sites that are located within 15 km of the Project are listed in Table 1 and presented in Figures 4 and 5, below.

*Table 1 European Sites located within 15km or the potential zone of impact<sup>1</sup> of the Project.*

Site Code	Site name	Distance (km) <sup>2</sup>
002137	Lower River Suir SAC	45.3 km to river mouth
002162	River Barrow and River Nore SAC	0.14
004233	River Nore SPA	0.12

The proposed Project relates to the refurbishment and extension of an existing building located within the urban environment of Kilkenny.

The nearest European sites to the proposed Project are the River Barrow and River Nore SAC (Site Code 002162) and River Nore SPA (Site Code 004233) which are located respectively approximately 140 m and 120 m to the east at the confluence of the Breagagh River and the River Nore.

The Lower River Suir SAC (Site Code 002137) is located over 45 river km downstream at the mouth of the River Barrow. Significant effects on this site are ruled out given the enclosed nature and scale of the proposed Project

<sup>1</sup> All European sites potentially hydrologically connected irrespective of the nature or scale of the proposed Project.

<sup>2</sup> Distances indicated are the closest geographical distance between the proposed Project and the European site boundary, as made available by the NPWS. Connectivity along hydrological pathways may be significantly greater.

and the limited connectivity between the proposed Project and the River Suir; this connectivity takes place within the estuarine environment of the mouths of the rivers Suir and Barrow.

There are no ecological connectivity corridors to any other European sites.

Details of the qualifying interests of the River Barrow and River Nore SAC (Site Code 002162) and River Nore SPA (Site Code 004233) are listed in Tables 2 and 3 below, and Site Synopses are available from the NPWS website ([www.npws.ie](http://www.npws.ie)). Spatial boundary data on the Natura 2000 network was extracted from the NPWS website on the 17<sup>th</sup> of April 2019.



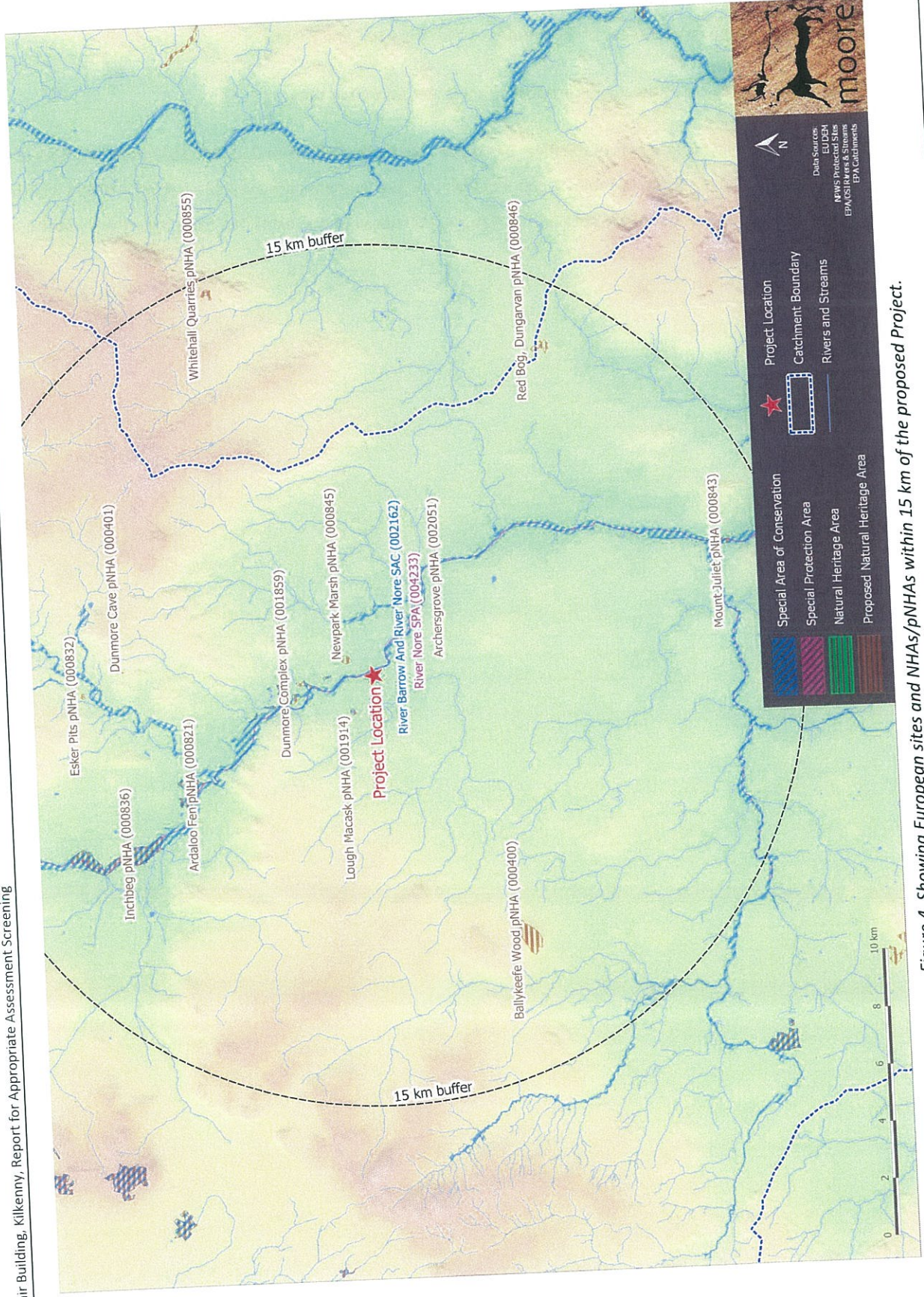


Figure 4. Showing European sites and NHAs/pNHAs within 15 km of the proposed Project.



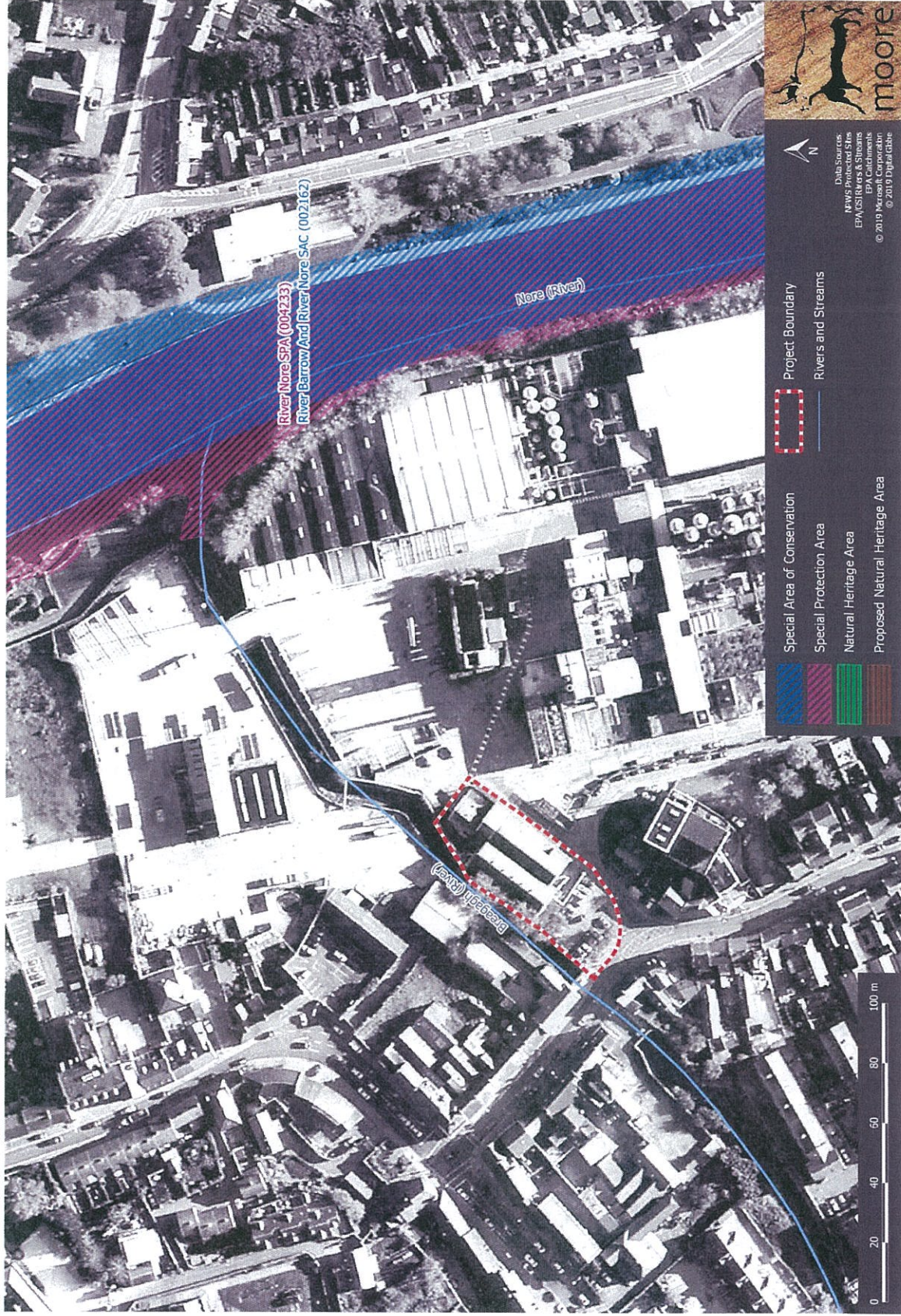


Figure 5. Detailed view of European sites and NHAs/pNHAs in the vicinity of the proposed Project.



Table 2 SACs located within the potential zone of influence of the Project (\*indicates priority habitat).

Site Code	Site Name	Qualifying Interests
002162	River Barrow and River Nore SAC	<p><b>Species:</b></p> <p>1016 Desmoulin's whorl snail <i>Vertigo moulinsiana</i></p> <p>1029 Freshwater pearl mussel <i>Margaritifera margaritifera</i></p> <p>1092 White-clawed crayfish <i>Austropotamobius pallipes</i></p> <p>1095 Sea lamprey <i>Petromyzon marinus</i></p> <p>1096 Brook lamprey <i>Lampetra planeri</i></p> <p>1099 River lamprey <i>Lampetra fluviatilis</i></p> <p>1103 Twaite shad <i>Alosa fallax</i></p> <p>1106 Atlantic salmon (<i>Salmo salar</i>) (only in fresh water)</p> <p>1355 Otter <i>Lutra lutra</i></p> <p>1421 Killarney fern <i>Trichomanes speciosum</i></p> <p>1990 Nore freshwater pearl mussel <i>Margaritifera durrovensis</i></p> <p><b>Habitats:</b></p> <p>1130 Estuaries</p> <p>1140 Mudflats and sandflats not covered by seawater at low tide</p> <p>1310 <i>Salicornia</i> and other annuals colonizing mud and sand</p> <p>1330 Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>)</p> <p>1410 Mediterranean salt meadows (<i>Juncetalia maritimi</i>)</p> <p>3260 Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation</p> <p>4030 European dry heaths</p> <p>6430 Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels</p> <p>7220 * Petrifying springs with tufa formation (<i>Cratoneurion</i>)</p> <p>91A0 Old sessile oak woods with Ilex and Blechnum in the British Isles</p> <p>91E0 * Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>)</p>

Table 3 SPAs located within the potential zone of influence of the Project (\*indicates priority habitat).

Site Code	Site Name	Qualifying Interests
004233	River Nore SPA	<p><b>Species:</b></p> <p>A229 Kingfisher <i>Alcedo atthis</i></p>

#### 4.2. Conservation Objectives of the Natura 2000 Sites

River Barrow and River Nore SAC (002062) - Version 1; 19<sup>th</sup> July 2011

The following Conservation Objectives are set out for the River Barrow and River Nore SAC. Specific attributes, measures and targets are presented in the relevant Conservation Objectives documents and will be addressed in more detail if required after potential impacts have been determined.

**1016 Desmoulin's whorl snail *Vertigo moulinsiana***

To maintain the favourable conservation condition of Desmoulin's whorl snail in the River Barrow and River Nore SAC.

**1029 Freshwater pearl mussel *Margaritifera margaritifera***

The status of the freshwater pearl mussel (*Margaritifera margaritifera*) as a qualifying Annex II species for the River Barrow and River Nore SAC is currently under review. The outcome of this review will determine whether a site-specific conservation objective is set for this species. Please note that the Nore freshwater pearl mussel (*Margaritifera durrovensis*) remains a qualifying species for this SAC.

**1092 White-clawed crayfish *Austropotamobius pallipes***

To maintain the favourable conservation condition of White-clawed crayfish in the River Barrow and River Nore SAC.

**1095 Sea lamprey *Petromyzon marinus***

To restore the favourable conservation condition of Sea lamprey in the River Barrow and River Nore SAC.

**1096 Brook lamprey *Lampetra planeri***

To restore the favourable conservation condition of Brook lamprey in the River Barrow and River Nore SAC.

**1099 River lamprey *Lampetra fluviatilis***

To restore the favourable conservation condition of River lamprey in the River Barrow and River Nore SAC.

**1103 Twaite shad *Alosa fallax***

To restore the favourable conservation condition of Twaite shad in the River Barrow and River Nore SAC.

**1106 Atlantic salmon (*Salmo salar*) (only in fresh water)**

To restore the favourable conservation condition of Salmon in the River Barrow and River Nore SAC.

**1130 Estuaries**

To maintain the favourable conservation condition of Estuaries in the River Barrow and River Nore SAC.

**1140 Mudflats and sandflats not covered by seawater at low tide**

To maintain the favourable conservation condition of the Mudflats and sandflats not covered by seawater at low tide in the River Barrow and River Nore SAC.

**1310 *Salicornia and other annuals colonizing mud and sand***

To maintain the favourable conservation condition of *Salicornia* and other annuals colonizing mud and sand in the River Barrow and River Nore SAC

**1330 *Atlantic salt meadows (Glauco-Puccinellietalia maritimae)***

To restore the favourable conservation condition of Atlantic salt meadows in the River Barrow and River Nore SAC.

**1355 *Otter Lutra lutra***

To restore the favourable conservation condition of Otter in the River Barrow and River Nore SAC.

**1410 *Mediterranean salt meadows (Juncetalia maritimi)***

To restore the favourable conservation condition of Mediterranean salt meadows in the River Barrow and River Nore SAC.

**1421 *Killarney fern Trichomanes speciosum***

To maintain the favourable conservation condition of Killarney Fern in the River Barrow and River Nore SAC.

**1990 *Nore freshwater pearl mussel Margaritifera durrovensis***

To restore the favourable conservation condition of the Nore freshwater pearl mussel in the River Barrow and River Nore SAC.

**3260 *Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation***

To maintain the favourable conservation condition of Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitriche-Batrachion* vegetation in the River Barrow and River Nore SAC.

**4030 *European dry heaths***

To maintain the favourable conservation condition of European dry heaths in the River Barrow and River Nore SAC.

**6430 *Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels***

To maintain the favourable conservation condition of Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels in the River Barrow and River Nore SAC.

**7220 \* Petrifying springs with tufa formation (Cratoneurion)**

To maintain the favourable conservation condition of Petrifying springs with tufa formation (*Cratoneurion*) in the River Barrow and River Nore SAC.

**91A0 Old sessile oak woods with Ilex and Blechnum in the British Isles**

To restore the favourable conservation condition of Old oak woodland with Ilex and Blechnum in the River Barrow and River Nore SAC.

**91E0 \* Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae)**

To restore the favourable conservation condition of Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (Alno-Padion, Alnion incanae, Salicion albae) in the River Barrow and River Nore SAC.

River Nore SPA (004233) - Generic Version 6.0; 21<sup>st</sup> of February 2018

The overall aim of the Habitats Directive is to maintain or restore the favourable conservation status of habitats and species of community interest. These habitats and species are listed in the Habitats and Birds Directives and Special Areas of Conservation and Special Protection Areas are designated to afford protection to the most vulnerable of them. These two designations are collectively known as the Natura 2000 network.

European and national legislation places a collective obligation on Ireland and its citizens to maintain habitats and species in the Natura 2000 network at favourable conservation condition. The Government and its agencies are responsible for the implementation and enforcement of regulations that will ensure the ecological integrity of these sites.

The maintenance of habitats and species within Natura 2000 sites at favourable conservation condition will contribute to the overall maintenance of favourable conservation status of those habitats and species at a national level.

Favourable conservation status of a habitat is achieved when:

- its natural range, and area it covers within that range, are stable or increasing, and
- the specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future, and
- the conservation status of its typical species is favourable.

The favourable conservation status of a species is achieved when:



- population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats, and
- the natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future, and
- there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

**Objective:** To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.

### 4.3. Assessment Criteria

#### 4.3.1. Examples of Direct, Indirect or Secondary Impacts

There are no construction phase or operational phase elements of this project that have potential to effect ecological processes. As previously established, any surface water runoff is currently directed to the combined sewer network and this will not change during construction or operation.

Wastewater from the Project will be directed to the municipal sewer and treated at the Kilkenny City and Environs WWTP which has the capacity to assimilate the load.

The only external demolition works are in the area of the current boiler house and steps both of which are attached to the city walls. As a result the proposed demolition works will be undertaken using hand tools and will not result in significant dust generation. Small amounts of water will be used as necessary for dust suppression during the demolition works. The amounts used will not be sufficient to create run-off. Any rainwater during the works will be conveyed to the foul sewer system

In order to identify those sites that could be potentially affected, it is necessary to describe the Natura 2000 site in the context of why it has been designated i.e. in terms of its Qualifying Interests and the environmental and ecological conditions that maintain the condition of these features. The underpinning conditions that are required to maintain the 'health' of these features are listed in Table 3 below.

The site was visited on a number of occasions by the author and it is confirmed that the main habitat present is 'Buildings and artificial surfaces' (Fossitt code; BL3). There are no Annexed habitats or species present on or adjacent to the proposed Project site. Kingfisher are known to pass up and down the River Nore c. 140 m downstream. There is no suitable Kingfisher nesting habitat on or adjacent to the proposed Project site. It is unlikely that the relatively low level of construction actively would affect commuting Kingfisher on the main channel of the River Nore.

Table 4 Qualifying Interests and Key environmental conditions supporting site integrity.

Qualifying Interests	Key environmental conditions supporting site integrity	Current Threats to Qualifying Interests	Potential Impacts
* Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> ( <i>Alno-Padion</i> , <i>Alnion incanae</i> , <i>Salicion albae</i> )	Riparian/lacustrine habitat prone to flooding.	Grazing, Invasive Species, Drainage, Planting of nonnative conifers, felling of native tree species.	This habitat does not occur in the zone of influence of the project and will not be affected.
Atlantic salt meadows ( <i>Glaucopuccinellietalia maritima</i> )	Marine and groundwater dependent. Medium sensitivity to hydrological change. Changes in salinity and tidal regime. Overgrazing, erosion and accretion.	Overgrazing; erosion; invasive species, particularly common cordgrass ( <i>Spartina anglica</i> ); infilling and reclamation.	This habitat does not occur in the zone of influence of the project and will not be affected.
Brook Lamprey ( <i>Lampetra planeri</i> )	Surface water dependent Highly sensitive to hydrological change.	Channel maintenance, barriers, passage obstruction, gross pollution and specific pollutants.	There will be no instream works and no direct impacts on this species. Potential indirect impacts are unlikely given the enclosed nature and small scale of the Project with no construction works discharges to the River Breagagh. There will be no impacts on water quality from dust or noise.
Desmoulin's whorl snail ( <i>Vertigo moulinsiana</i> )	Stable wetland water table. Emergent vegetation. Groundwater supply.	Climate Change, Flooding, Urbanisation (Habitat Encroachment, Pesticides, Fertilised, Grazing, Undergrazing, Afforestation, Stock Feeding, Burning, Peat Extraction, Communications Networks, Paths & Tracks, Walking/horse riding & non-motorised vehicles, Water Pollution, Landfill, Drainage, Modifying structures of inland watercourses.	This species does not occur in the zone of influence of the project and will not be affected.
Estuaries	Surface and marine water dependent. Low sensitivity to hydrological changes. Aquaculture, fishing and pollution.	Aquaculture, fishing, dumping of wastes and water pollution.	This habitat does not occur in the zone of influence of the project and will not be affected.
European dry heaths	Dry heaths occur on a range of slopes, in both upland and lowland areas, though most usually on slopes of 5-20° or more, often on upper slopes of hills and mountains, and are usually reported as being concentrated towards the drier south and east of the country.	Overgrazing, Abandonment of pastoral systems, General Forestry management, Forestry planting, Burning, Fertilisation, Agricultural improvement, Sand and gravel extraction	This habitat does not occur in the zone of influence of the project and will not be affected.
Freshwater Pearl Mussel	Surface water dependent Highly sensitive to	Poor substrate quality due to increased growth of algal and	There will be no instream works and no direct impacts

Qualifying Interests	Key environmental conditions supporting site integrity	Current Threats to Qualifying Interests	Potential Impacts
<i>(Margaritifera margaritifera)</i>	hydrological change Very highly sensitive to pollution.	macrophyte vegetation as a result of severe nutrient enrichment, as well as physical siltation.	on this species. Potential indirect impacts are unlikely given the enclosed nature and small scale of the Project with no construction works discharges to the River Breagagh. There will be no impacts on water quality from dust or noise.
Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels	Habitats are formed on gleyed soils, rich in nutrients, sand, silty and sand-silty ones with a high ground water level. Usually these nitrophilous communities are located in the form of the narrow strips near riverbeds and channels and occupy a small area.	Change of hydrological regime, adjustment of river channels, expansion of neophyte species, farming.	This habitat does not occur in the zone of influence of the project and will not be affected.
Killarney fern ( <i>Trichomanes speciosum</i> )	Sensitive to desiccation and are not adapted to reduce or control water loss.	Human disturbance, Grazing, Woodland clearance, Natural processes such as wind felling of trees, competition from other plants, unusual weather conditions such as a prolonged frost or drought, and rock falls, Modifications to hydrology, Water pollution by nitrogenous waste,	There will be no instream works and no direct impacts on this species. Potential indirect impacts are unlikely given the enclosed nature and small scale of the Project with no construction works discharges to the River Breagagh. There will be no impacts on water quality from dust.
Kingfisher ( <i>Alcedo atthis</i> )	Marine/freshwater food availability. Undisturbed soft substrate riparian nest sites. Regularity of extreme weather. Water quality.	Disturbance from riverside recreation, loss of nest sites due to bankside interference. Loss of riparian scrub and woodland.	There will be no instream works and no direct impacts on this species. Potential indirect impacts are unlikely given the enclosed nature and small scale of the Project. There will be no impacts on water quality from dust or noise.
Mediterranean salt meadows ( <i>Juncetalia maritimi</i> )	Marine and groundwater dependent. Sensitivity to hydrological change. Changes in salinity and tidal regime. Overgrazing, erosion and accretion	Overgrazing; erosion; invasive species, particularly common cordgrass ( <i>Spartina anglica</i> ); infilling and reclamation.	This habitat does not occur in the zone of influence of the project and will not be affected.
Mudflats and sandflats not covered by seawater at low tide	Surface and marine water dependent. Low sensitivity to hydrological changes. Aquaculture, fishing and pollution.	Aquaculture, fishing, dumping of wastes and water pollution.	This habitat does not occur in the zone of influence of the project and will not be affected.
Nore freshwater pearl mussel ( <i>Margaritifera durrovensis</i> )	Surface water dependent Highly sensitive to hydrological change Very highly sensitive to pollution.	Poor substrate quality due to increased growth of algal and macrophyte vegetation as a result of severe nutrient enrichment, as well as physical siltation.	There will be no instream works and no direct impacts on this species. Potential indirect impacts are unlikely given the enclosed nature and small scale of the Project with no construction works discharges to the River

Qualifying Interests	Key environmental conditions supporting site integrity	Current Threats to Qualifying Interests	Potential Impacts
			Breagagh. There will be no impacts on water quality from dust or noise.
Old sessile oak woods with Ilex and Blechnum in the British Isles	Changes in management. Changes in nutrient or base status. Introduction of alien species.	The introduction of alien species; sub-optimal grazing patterns; general forestry management; increases in urbanisation and human habitation adjacent to oak woodlands; and the construction of communication networks through the woodland.	This habitat does not occur in the zone of influence of the project and will not be affected.
Otter ( <i>Lutra lutra</i> )	Prey availability. Water Quality. Riparian vegetation for breeding sites. Unhindered passage along waterways.	Decrease in water quality: Use of pesticides; fertilization; vegetation removal; professional fishing (including lobster pots and fyke nets); hunting; poisoning; sand and gravel extraction; mechanical removal of peat; urbanised areas; human habitation; continuous urbanization; drainage; management of aquatic and bank vegetation for drainage purposes; ; and canalization or modifying structures of inland water course.	There will be no instream works and no direct impacts on this species. Potential indirect impacts are unlikely given the enclosed nature and small scale of the Project with no construction works discharges to the River Breagagh. There will be no impacts on water quality from dust or noise.
* Petrifying springs with tufa formation (Cratoneurion)	Groundwater dependent. Highly sensitive to hydrological changes. Changes in nutrient or base status.	Peat or turf cutting; arterial drainage; local drainage; water abstraction and agricultural reclamation.	This habitat does not occur in the zone of influence of the project and will not be affected.
River Lamprey ( <i>Lampetra fluviatilis</i> )	Surface water dependent Highly sensitive to hydrological change.	Channel maintenance, barriers, passage obstruction, gross pollution and specific pollutants.	There will be no instream works and no direct impacts on this species. Potential indirect impacts are unlikely given the enclosed nature and small scale of the Project with no construction works discharges to the River Breagagh. There will be no impacts on water quality from dust or noise.
Salmon ( <i>Salmo salar</i> ) (only in fresh water)	Surface water dependent Highly sensitive to hydrological change	Numerous threats impact upon this species. Some of these include: cultivation, pesticides; fertilization; pollution; water pollution; biocenotic evolution; accumulation of organic material; eutrophication; over-fishing; forest-related pressures; parasites.	There will be no instream works and no direct impacts on this species. Potential indirect impacts are unlikely given the enclosed nature and small scale of the Project with no construction works discharges to the River Breagagh. There will be no impacts on water quality from dust or noise.

Qualifying Interests	Key environmental conditions supporting site integrity	Current Threats to Qualifying Interests	Potential Impacts
Sea Lamprey ( <i>Petromyzon marinus</i> )	Surface water dependent Highly sensitive to hydrological change.	Obstructions to movement; gross pollution; and specific pollutants.	There will be no instream works and no direct impacts on this species. Potential indirect impacts are unlikely given the enclosed nature and small scale of the Project with no construction works discharges to the River Breagagh. There will be no impacts on water quality from dust or noise.
<i>Salicornia</i> and other annuals colonizing mud and sand	Marine water dependent. Medium sensitivity to hydrological change. Changes in salinity and tidal regime. Infilling, reclamation, invasive species.	Invasive Species; erosion and accretion.	This habitat does not occur in the zone of influence of the project and will not be affected.
Twaiite shad ( <i>Alosa fallax</i> )	Surface water dependent Sensitive to hydrological change	Threats include: pesticides; fertilization; pollution; water pollution; accumulation of organic material; eutrophication; forest-related pressures.	There will be no instream works and no direct impacts on this species. Potential indirect impacts are unlikely given the enclosed nature and small scale of the Project with no construction works discharges to the River Breagagh. There will be no impacts on water quality from dust or noise.
Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation	Surface and groundwater dependent. Highly sensitive to hydrological changes. Highly sensitive to pollution.	Eutrophication; overgrazing, excessive fertilisation; afforestation; and the introduction of invasive alien species.	There will be no instream works and no direct impacts on this habitat. Potential indirect impacts are unlikely given the enclosed nature and small scale of the Project with no construction works discharges to the River Breagagh. There will be no impacts on water quality from dust.
White-clawed Crayfish ( <i>Austropotamobius pallipes</i> )	Surface water dependent. Highly sensitive to hydrological change, Very highly sensitive to pollution.	Introduction of diseases transmitted by introduced American crayfish.	There will be no instream works and no direct impacts on this species. Potential indirect impacts are unlikely given the enclosed nature and small scale of the Project with no construction works discharges to the River Breagagh. There will be no impacts on water quality from dust or noise.

### 4.3.2. Ecological Network Supporting Natura 2000 Sites

An analysis of the proposed Natural Heritage Areas and designated Natural Heritage Areas in terms of their role in supporting the species using Natura 2000 sites was undertaken. It was assumed that these supporting roles mainly related to mobile fauna such as mammals and birds which may use pNHAs and NHAs as “stepping stones” between Natura 2000 sites.

Article 10 of the Habitats Directive and the Habitats Regulations 2011 place a high degree of importance on such non-Natura 2000 areas as features that connect the Natura 2000 network. Features such as ponds, woodlands and important hedgerows were taken into account during the rest of the AA process.

There are a number of proposed Natural Heritage Areas designated downstream of the proposed Project, however, for the purposes of this screening report these areas are dealt with under their higher conservation status designations as European sites.

## 5 Identification of Potential Impacts & Assessment of Significance

The proposed Project is not directly connected with or necessary to the management of the sites considered in the assessment and therefore potential impacts must be identified and considered.

The proposed Project is not directly connected with or necessary to the management of the sites considered in the assessment and therefore potential impacts must be identified and considered.

Information on surface water drainage, surface areas and surface water calculations were provided by the Project Engineers MPA Consulting Engineers.

### 5.1. Potential Impacts

This section uses the information collected on the sensitivity of each European site considered and describes any likely significant effects of implementation of the Project. This assumes the absence of any controls, conditions or assumption mitigation measures.

The likely significant effects of the proposed Project are presented in Table 5, both in isolation and potentially in combination with other plans and projects.

There will be no direct impacts on the River Nore European sites and there will be no habitat loss or fragmentation as a result of the proposed Project.



A worst-case scenario may be considered whereby the Project would be the source of a significant detrimental change in water quality in the River Nore either alone or in combination with other projects or plans as a result of pollution. The effect would have to be considered in terms of changes in water quality which would affect the species and/or habitats or food sources for which the River Nore European site's species are designated. However, this is unlikely.

Although the proposed Project is located adjacent to the Breagagh River, it has been noted that there are to be no discharges from the proposed Project site to the Breagagh River during the construction phase of the proposed Project.

It has been determined that the proposed Project site is separated from the River Breagagh by the city wall. The wall forms an impermeable barrier and ground surface water is directed to the combined sewer.

The car park area to the northwest of the building does not have a drainage system and c. 57% of water is retained and is either assimilated by infiltration or lost by evaporation. The remaining 43% drains toward the combined sewer near the existing security building.

A section of the western side of the building roof collects rainwater which is discharged to the River Breagagh. Engineering calculations have determined that the proposed roof extension will increase the flow from c. 3 litres per second to 7 litres per second. This is not considered significant in terms of GSDS Regional Drainage Policies - Volume 3 Environmental Management. Additionally, this type of surface water does not require interception and it does not interact with hydrocarbons, GSDS Regional Drainage Policies: Section 3.3.2 Table 7 - Pollutant Types.

There will be no impacts on water quality from dust or noise. The only external demolition works are in the area of the current boiler house and steps both of which are attached to the city walls. As a result the proposed demolition works will be undertaken using hand tools and will not result in significant dust generation. Small amounts of water will be used as necessary for dust suppression during the demolition works. The amounts used will not be sufficient to create run-off. Any rainwater during the works will be conveyed to the foul sewer system.

It has also been noted that the proposed Project site is currently served by means of a mains foul gravity sewer and that the receiving WWTP has the capacity to assimilate future loading.

Having regard for the nature and scale of the proposed development, including the limited additional footprint of the proposed development and limited additional overall floor space, and the fact that the development is connected to the public foul drainage network, effects on the European sites considered are unlikely and significant effects can be ruled out.

## 5.2. Assessment of Potential In-Combination Effects

Cumulative impacts or effects are changes in the environment that result from numerous human-induced, small-scale alterations. Cumulative impacts can be thought of as occurring through two main pathways: first, through persistent additions or losses of the same materials or resource, and second, through the compounding effects as a result of the coming together of two or more effects.

As part of the Screening for an Appropriate Assessment, in addition to the proposed Project, other relevant plans and projects in the area must also be considered at this stage. This step aims to identify at this early stage any possible significant in-combination effects of the proposed development with other such plans and projects on European sites.

A review of data made available through the planning section of the Kilkenny County Council website indicates that, within the last three years, there have been 12 applications for planning granted permission in the vicinity of the proposed Project, details below.

Under **Planning Ref. 16294** Kilkenny County Council granted permission to carry out internal alterations to existing house and to erect of a two storey rear extension with attic conversion together with all associated site works on our property. The development site has an existing connection to the public sewer.

Under **Planning Ref. 15710** Kilkenny County Council granted permission for development consisting of renovation of existing retail and residential property including: subdivision of existing single residence at 1st and 2nd floor level into 2 no one bedroom apartments; elevational changes to front.

Under **Planning Ref. 16417** Kilkenny County Council granted permission for a 5 Year temporary permission for the construction of a private surface level car park, alteration of existing adjacent (Kilford Arms) carpark entrance to form combined entrance with the existing adjacent carpark along with lighting, control barriers. Surface water will be dealt with within the site through the use of permeable surfacing and soakaways to be sized in accordance with BRE Digest 365.

Under **Planning Ref. 1744** Kilkenny County Council granted permission for the following works on the land known as the Deanery Orchard which lies within the curtilage of the protected structures of St Canice's Cathedral and Tower (RPS No.s B17, B18) and the Deanery (RPS No. B22). The development is for the temporary change of use of part of the Deanery Orchard for controlled private parking for occasional parish use with reinforced grass paving for vehicular access and includes works to the existing breach in the wall at the top of Coach Road to form a vehicular access including adjustments to the pavement; fitting metal double gates and fitting a matching metal gate to the pedestrian gate on Coach Road; providing an archaeological interpretation area within the orchard and reinstating the general orchard area.

Under **Planning Ref. 17319** Kilkenny County Council granted permission for development for (1) demolition of the existing rear single storey extension, (2) construction of a two storey rear extension and all associated site works. All located within the Michael St, Architectural Conservation Area. Screening by Kilkenny County Council concluded that AA was not required.

Under **Planning Ref. 17434** Kilkenny County Council granted permission for a two storey extension to the rear and renovations to existing residence, to include landscaping, demolition of an existing single storey extension to the rear, removal of existing shed to the rear, removal of existing shed to the rear, replacement of PVC windows to the front elevation and for all ancillary and associated works (located in Michael Street/Wolfe Tone Street Architectural Conservation Area). Screening by Kilkenny County Council concluded that AA was not required.

Under **Planning Ref. 16515** Kilkenny County Council granted permission for to extend existing restaurant, involving the change of use of an existing bedsit unit to the rear and any associated and ancillary site works. The development site has an existing connection to the public sewer for foul water.

Under **Planning Ref. 17160** Kilkenny County Council granted permission for 1. Retention Permission for the demolition of existing extension 2. Retention Permission for laying of foundation and construction of blockwork 3. Planning Permission to build and complete extension to the rear of existing dwelling house and all associated site development works. Screening by Kilkenny County Council concluded that AA was not required.

Under **Planning Ref. 18133** Kilkenny County Council granted permission for 2 new single storey extensions to the rear and side of existing two storey dwelling and all site and ancillary works. Screening by Kilkenny County Council concluded that AA was not required.

Under **Planning Ref. 18309** Kilkenny County Council granted permission for the change of use of 2 no. rooms at first floor level from a place of worship to an office.

Under **Planning Ref. 1829** Kilkenny County Council granted permission for the following works at Basement Floor Level: 1) Change of use of existing storage room to proposed dormitory providing 4 no. bed spaces. 2) Change of use of existing lounge to proposed dormitory providing 2 no. bed spaces. 3) Alterations to existing toilets/staffroom providing shower room, WC, WC/Cloak room and accessible shower / WC. 4) Provide 2 no. new escape windows from proposed dormitories. Screening by Kilkenny County Council concluded that AA was not required.

Under **Planning Ref. 18855** Kilkenny County Council granted permission for a two storey extension to the rear and renovations to existing residence (located in Michael Street/Wolfe Tone Street Architectural Conservation Area), to include landscaping, demolition of an existing single storey extension to the rear, removal of existing shed to the rear, replacement of PVC windows to the front elevation and for all ancillary and associated works. Screening by Kilkenny County Council concluded that AA was not required.

The Abbeyquarter area is subject to various Part 8 planning applications from site demolition to refurbishment of the former brewery and a river walk included in an overall masterplan for the area.

An EIS for the Kilkenny Central Access Scheme was completed in 2011 and a Natura Impact Statement produced for the scheme. The Natura Impact Statement outlines a number of mitigation measures that need to be employed during the construction phase and the operation phase of the scheme. The NIS established that if those mitigation measures are employed; there should be no significant impact on the River Nore.

Kilkenny Co. Co. also plans to develop the riparian green corridor along the River Nore as an amenity area with low scale improvements to the existing amenity area. Moore Group undertook a Report for AA Screening and found that there would be no significant impacts from that proposed Project and therefore in-combination impacts with the proposed Project will not arise.

The development of the Brewhouse on the former brewery site on the southern side of the Breagagh River were the subject of separate AA Screening which found that there would be no significant impacts from either proposed Project and therefore in-combination impacts with the proposed Project will not arise.

The development of a Cinema with access from the Central Access Scheme was also considered under the requirements of the Habitats Directive and found that there would be no significant impacts from either proposed Project and therefore in-combination impacts with the proposed Project will not arise.

It is a prerequisite of sustainable development in the area that any developments granted will not have potential impacts on the River Nore and associated conservation areas.

There are no predicted in-combination effects given that, where appropriate, the above developments have been screened for potential significant effects on European sites and significant effect were ruled out.

There are no predicted in-combination effects given the nature and scale of the proposed development, including the limited additional footprint of the proposed development and limited additional overall floor space, and the fact that the development is connected to the public foul drainage network with no discharges to the Rivers Breagagh or Nore.

The Kilkenny City Development Plan in complying with the requirements of the Habitats Directive requires that all Projects and Plans that could affect the Natura 2000 sites in the same zone of impact of the Project site would be initially screened for Appropriate Assessment and if requiring Stage 2 AA, that appropriate employable mitigation measures would be put in place to avoid, reduce or ameliorate negative impacts. In this way any, in-combination impacts with Plans or Projects for the development area in which the development site is located, would be avoided.

Any new applications for the Project area will be initially assessed on a case by case basis by Kilkenny County Council which will determine the requirement for AA Screening as per the requirements of Article 6(3) of the Habitats Directive.

### 5.3 Summary of Potential Impacts

*Table 5 Outlining the potential impacts in the absence of mitigation of the Project.*

Site	Potential Direct Impacts e.g. Habitat Loss	Potential Indirect Impacts e.g. alteration to hydrological regime	Surface or Groundwater Contamination	Disturbance to Protected Species (Habitats Directive Annex II & IV)	Stage 2 AA Required
002162 River Barrow and River Nore SAC	No	No	No	No	No
004233 River Nore SPA	No	No	No	No	No

## 6. Conclusion

There will be no direct impacts on the River Nore European sites and there will be no habitat loss or fragmentation as a result of the proposed Project.

This assessment has considered direct and indirect effects to the ecological requirements and sensitivities to the QI and SCI species of the European sites and the services required to support them; considering the conservation objectives of each.

Although the proposed Project is located adjacent to the Breaghagh River, it has been noted that there are to be no discharges of contaminated water from the proposed Project site to the Breaghagh River during the construction phase of the proposed Project. There are will be no impacts from dust or noise during the construction phase.

It has also been noted that the proposed Project site is currently served by means of a mains foul gravity sewer and that the receiving WWTP has the capacity to assimilate future loading.

Having regard for the nature and scale of the proposed development, including the limited additional footprint of the proposed development and limited additional overall floor space, with no predicted impacts on water quality and the fact that the development is connected to the public foul drainage, effects on the European sites considered are unlikely and significant effects can be ruled out.

It has been objectively concluded by Moore Group Environmental Services that:

1. The proposed Project is not directly connected with, or necessary to the conservation management of the European sites considered in this assessment.
2. The proposed Project is unlikely to indirectly significantly affect the Qualifying interests or Conservation Objectives of the European sites considered in this assessment.
3. The proposed Project, alone or in combination with other projects, is not likely to have significant effects on the European sites considered in this assessment in view of their conservation objectives.
4. It is possible to conclude that there would be no significant effects, no potentially significant effects and no uncertain effects if the proposed Project were to proceed.

It is the view of Moore Group Environmental Services that it is not necessary to undertake any further stage of the Appropriate Assessment process.

Having considered the updated AA Screening report, the Planning Authority has reconfirmed the conclusion that significant impacts can be ruled out.

A finding of no significant effects report is presented in Appendix A in accordance with the EU Commission's methodological guidance (European Commission, 2002).

## 7. References

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European Commission (2000) Managing Natura 2000 sites: the provisions of Article 6 of the 'Habitats' Directive 92/43/EEC.

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NPWS (2011) Conservation Objectives: River Barrow and River Nore SAC 002162. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

NPWS (2013) The Status of EU Protected Habitats and Species in Ireland. National Parks and Wildlife Service, Department of the Environment, Heritage and Local Government, Dublin.

NPWS (2018) Conservation objectives for River Nore SPA [004233]. Generic Version 6.0. Department of Culture, Heritage and the Gaeltacht.

NPWS (2019) National Parks and Wildlife Service Metadata available online at <https://www.npws.ie/maps-and-data>.

# Appendix A

## FINDING OF NO SIGNIFICANT EFFECTS REPORT

### Finding no significant effects report matrix

#### Name of project or plan

Proposed Refurbishment and Extension of the Mayfair Building, Horse Barrack Lane, Kilkenny

#### Name and location of the Natura 2000 site(s)

The nearest European sites to the proposed Project are the River Barrow and River Nore SAC (Site Code 002162) and River Nore SPA (Site Code 004233) which are located respectively approximately 140 m and 120 m to the east at the confluence of the Breagagh River and the River Nore.

The Lower River Suir SAC (Site Code 002137) is located over 45 river km downstream at the mouth of the River Barrow. Significant effects on this site are ruled out given the enclosed nature and scale of the proposed Project and the limited connectivity between the proposed Project and the River Suir; this connectivity takes place within the estuarine environment of the mouths of the rivers Suir and Barrow.

#### Description of the project or plan

This report presents a screening assessment for a proposed Project consisting of the refurbishment and extension of the Mayfair Building Horse Barrack Lane, Kilkenny, for re-use as a library. There is to be an increase in the floor area of the proposed building, with extensions to the south west and north east and the inclusion of a mezzanine. All works are to take place within the development boundary indicated.

Details of the design are as follows:

- Demolition of extensions to the north-east gable of the existing building including removal of a boiler house and steps adjoining the City Wall (a National Monument).
  - o Demolition works to take place on the landward side of the wall with no discharges to the river.
  - o Herbicide treatment of tree roosts will be limited to the landward side of the wall.
  - o All construction waste to be disposed to a licenced facility.
- Provision of a new two storey extension to the gable ends of the existing building to be externally insulated with a render finish.
- Remodelling and extension of the existing 2 storey flat-roofed section on the east façade to be externally insulated and clad with a “second-skin” louvred system.
- Existing northern façade to be externally insulated with a render finish.
- Replacement of the existing roof with a standing seam metal roof.
- Replacement of the existing windows with new double-glazed windows in a powder coated aluminium frame.
- Modifications to the internal layout of the building and provision of a new mezzanine level in the double-height space of the former ballroom.
- Construction of a public urban square and new access to the building on the site of the existing public car park to the south west of the building.
- Associated Services

The existing building is currently served by means of a mains foul gravity sewer which is directed to the Kilkenny City and Environs WWTP. The receiving WWTP is licenced by the EPA and the most recent Annual Environmental Report outlined the capacity of the plant as capable of assimilating the increase in load (IW, 2017). This Annual Environmental Report was prepared for D0018-01, Kilkenny City and Environs, in County Kilkenny, in accordance with the requirements of the wastewater discharge licence for the agglomeration. The agglomeration is served

by a wastewater treatment plant with a Plant Capacity PE of 77000. The Collected Load (PE) is recorded as 35,772 and the Remaining Capacity is 41,228.

The proposed development does not include for the permanent removal of any area of hard standing within the former Brewrey site. Any removal of the hard standing will be temporary in nature to facilitate the excavation of limited areas of new foundations and new services. Such excavations will be of short duration.

The only external demolition works are in the area of the current boiler house and steps both of which are attached to the city walls. As a result the proposed demolition works will be undertaken using hand tools and will not result in significant dust generation. Small amounts of water will be used as necessary for dust suppression during the demolition works. The amounts used will not be sufficient to create run-off. Any rainwater during the works will be conveyed to the foul sewer system.

There is very limited soft landscaping associated with the proposed development. The details of such landscaping will be considered at detailed design stage, with specific consideration to avoiding the use of invasive and non-native species.

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**Is the project or plan directly connected with or necessary to the management of the site(s)**

No

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**Are there other projects or plans that together with the projects or plan being assessed could affect the site**

A review of data made available through the planning section of the Kilkenny County Council website indicates that, within the last three years, there have been 12 applications for planning granted permission in the vicinity of the proposed Project, details below.

This is based upon a search for planning applications which contain the following search terms in their address details: 'Abbeyquarter'.

Under **Planning Ref. 16294** Kilkenny County Council granted permission to carry out internal alterations to existing house and to erect of a two storey rear extension with attic conversion together with all associated site works on our property. The development site has an existing connection to the public sewer.

Under **Planning Ref. 15710** Kilkenny County Council granted permission for development consisting of renovation of existing retail and residential property including: subdivision of existing single residence at 1st and 2nd floor level into 2 no one bedroom apartments; elevational changes to front.

Under **Planning Ref. 16417** Kilkenny County Council granted permission for a 5 Year temporary permission for the construction of a private surface level car park, alteration of existing adjacent (Kilford Arms) carpark entrance to form combined entrance with the existing adjacent carpark along with lighting, control barriers. Surface water will be dealt with within the site through the use of permeable surfacing and soakaways to be sized in accordance with BRE Digest 365.

Under **Planning Ref. 1744** Kilkenny County Council granted permission for the following works on the land known as the Deanery Orchard which lies within the curtilage of the protected structures of St Canice's Cathedral and Tower (RPS No.s B17, B18) and the Deanery (RPS No. B22). The development is for the temporary change of use of part of the Deanery Orchard for controlled private parking for occasional parish use with reinforced grass paving for vehicular access and includes works to the existing breach in the wall at the top of Coach Road to form a vehicular access including adjustments to the pavement; fitting metal double gates and fitting a matching metal gate to the pedestrian gate on Coach Road; providing an archaeological interpretation area within the orchard and reinstating the general orchard area.

Under **Planning Ref. 17319** Kilkenny County Council granted permission for development for (1) demolition of the existing rear single storey extension, (2) construction of a two storey rear extension and all associated site works. All located within the Michael St, Architectural Conservation Area. Screening by Kilkenny County Council concluded that AA was not required.

Under **Planning Ref. 17434** Kilkenny County Council granted permission for a two storey extension to the rear and renovations to existing residence, to include landscaping, demolition of an existing single storey extension to the rear, removal of existing shed to the rear, removal of existing shed to the rear, replacement of PVC windows to the front elevation and for all ancillary and associated works (located in Michael Street/Wolfe Tone Street Architectural Conservation Area). Screening by Kilkenny County Council concluded that AA was not required.

Under **Planning Ref. 16515** Kilkenny County Council granted permission for to extend existing restaurant, involving the change of use of an existing bedsit unit to the rear and any associated and ancillary site works. The development site has an existing connection to the public sewer for foul water.

Under **Planning Ref. 17160** Kilkenny County Council granted permission for 1. Retention Permission for the demolition of existing extension 2. Retention Permission for laying of foundation and construction of blockwork 3. Planning Permission to build and complete extension to the rear of existing dwelling house and all associated site development works. Screening by Kilkenny County Council concluded that AA was not required.

Under **Planning Ref. 18133** Kilkenny County Council granted permission for 2 new single storey extensions to the rear and side of existing two storey dwelling and all site and ancillary works. Screening by Kilkenny County Council concluded that AA was not required.

Under **Planning Ref. 18309** Kilkenny County Council granted permission for the change of use of 2 no. rooms at first floor level from a place of worship to an office.

Under **Planning Ref. 1829** Kilkenny County Council granted permission for the following works at Basement Floor Level: 1) Change of use of existing storage room to proposed dormitory providing 4 no. bed spaces. 2) Change of use of existing lounge to proposed dormitory providing 2 no. bed spaces. 3) Alterations to existing toilets/staffroom providing shower room, WC, WC/Cloak room and accessible shower / WC. 4) Provide 2 no. new escape windows from proposed dormitories. Screening by Kilkenny County Council concluded that AA was not required.

Under **Planning Ref. 18855** Kilkenny County Council granted permission for a two storey extension to the rear and renovations to existing residence (located in Michael Street/Wolfe Tone Street Architectural Conservation Area), to include landscaping, demolition of an existing single storey extension to the rear, removal of existing shed to the rear, replacement of PVC windows to the front elevation and for all ancillary and associated works. Screening by Kilkenny County Council concluded that AA was not required.

The Abbeyquarter area is subject to various Part 8 planning applications from site demolition to refurbishment of the former brewery and a river walk included in an overall masterplan for the area.

An EIS for the Kilkenny Central Access Scheme was completed in 2011 and a Natura Impact Statement produced for the scheme. The Natura Impact Statement outlines a number of mitigation measures that need to be employed during the construction phase and the operation phase of the scheme. The NIS established that if those mitigation measures are employed; there should be no significant impact on the River Nore.

Kilkenny Co. Co. also plans to develop the riparian green corridor along the River Nore as an amenity area with low scale improvements to the existing amenity area. Moore Group undertook a Report for AA Screening and found that there would be no significant impacts from that proposed Project and therefore in-combination impacts with the proposed Project will not arise.

The development of the Brewhouse on the former brewery site on the southern side of the Breagh River were the subject of separate AA Screening which found that there would be no significant impacts from either proposed Project and therefore in-combination impacts with the proposed Project will not arise.

The development of a Cinema with access from the Central Access Scheme was also considered under the requirements of the Habitats Directive and found that there would be no significant impacts from either proposed Project and therefore in-combination impacts with the proposed Project will not arise.

It is a prerequisite of sustainable development in the area that any developments granted will not have potential impacts on the River Nore and associated conservation areas.

There are no predicted in-combination effects given that, where appropriate, the above developments have been screened for potential significant effects on European sites and significant effect were ruled out.

There are no predicted in-combination effects given the nature and scale of the proposed development, including the limited additional footprint of the proposed development and limited additional overall floor space, and the fact that the development is connected to the public foul drainage network with no discharges to the Rivers Breagh or Nore.

The Kilkenny City Development Plan in complying with the requirements of the Habitats Directive requires that all Projects and Plans that could affect the Natura 2000 sites in the same zone of impact of the Project site would be initially screened for Appropriate Assessment and if requiring Stage 2 AA, that appropriate employable

mitigation measures would be put in place to avoid, reduce or ameliorate negative impacts. In this way any, in-combination impacts with Plans or Projects for the development area in which the development site is located, would be avoided.

Any new applications for the Project area will be assessed on a case by case basis by Kilkenny County Council which will determine the requirement for AA Screening as per the requirements of Article 6(3) of the Habitats Directive.

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## ***THE ASSESSMENT OF SIGNIFICANCE OF EFFECTS***

**Describe how the project or plan (alone or in combination) is likely to affect the Natura 2000 site.**

There will be no direct impacts on the River Nore European sites and there will be no habitat loss or fragmentation as a result of the proposed Project.

A worst-case scenario may be considered whereby the Project would be the source of a significant detrimental change in water quality in the River Nore either alone or in combination with other projects or plans as a result of pollution. The effect would have to be considered in terms of changes in water quality which would affect the species and/or habitats or food sources for which the River Nore European site's species are designated. However, this is unlikely.

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**Explain why these effects are not considered significant.**

Although the proposed Project is located adjacent to the Breagagh River, it has been noted that there are to be no discharges from the proposed Project site to the Breagagh River during the construction phase of the proposed Project.

It has been determined that the proposed Project site is separated from the River Breagagh by the city wall. The wall forms an impermeable barrier and ground surface water is directed to the combined sewer.

The car park area to the northwest of the building does not have a drainage system and c. 57% of water is retained and is either assimilated by infiltration or lost by evaporation. The remaining 43% drains toward the combined sewer near the existing security building.

A section of the western side of the building roof collects rainwater which is discharged to the River Breagagh. Engineering calculations have determined that the proposed roof extension will increase the flow from c. 3 litres per second to 7 litres per second. This is not considered significant in terms of GSDS Regional Drainage Policies - Volume 3 Environmental Management. Additionally, this type of surface water does not require interception and it does not interact with hydrocarbons, GSDS Regional Drainage Policies: Section 3.3.2 Table 7 - Pollutant Types.

There will be no impacts on water quality from dust or noise. The only external demolition works are in the area of the current boiler house and steps both of which are attached to the city walls. As a result the proposed demolition works will be undertaken using hand tools and will not result in significant dust generation. Small amounts of water will be used as necessary for dust suppression during the demolition works. The amounts used will not be sufficient to create run-off. Any rainwater during the works will be conveyed to the foul sewer system.

It has also been noted that the proposed Project site is currently served by means of a mains foul gravity sewer and that the receiving WWTP has the capacity to assimilate future loading.

Having regard for the nature and scale of the proposed development, including the limited additional footprint of the proposed development and limited additional overall floor space, and the fact that the development is connected to the public foul drainage network, effects on the Europeans sites considered are unlikely and significant effects can be ruled out.

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**List of agencies consulted: provide contact name and telephone or e-mail address**

The requirement for Appropriate Assessment Screening was determined by Kilkenny County Council.

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**Response to consultation**

N/A.

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## DATA COLLECTED TO CARRY OUT THE ASSESSMENT

### Who carried out the assessment

Moore Group Environmental Services.

### Sources of data

NPWS database of designated sites at [www.npws.ie](http://www.npws.ie)

National Biodiversity Data Centre database <http://maps.biodiversityireland.ie>

### Level of assessment completed

Desktop Assessment.

### Where can the full results of the assessment be accessed and viewed

Kilkenny County Council Planning Section

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## OVERALL CONCLUSIONS

There will be no direct impacts on the River Nore European sites and there will be no habitat loss or fragmentation as a result of the proposed Project.

This assessment has considered direct and indirect effects to the ecological requirements and sensitivities to the QI and SCI species of the European sites and the services required to support them; considering the conservation objectives of each.

Although the proposed Project is located adjacent to the Breagagh River, it has been noted that there are to be no discharges from the proposed Project site to the Breagagh River during the construction phase of the proposed Project. There are will be no impacts from dust or noise during the construction phase.

It has also been noted that the proposed Project site is currently served by means of a mains foul gravity sewer and that the receiving WWTP has the capacity to assimilate future loading.

Having regard for the nature and scale of the proposed development, including the limited additional footprint of the proposed development and limited additional overall floor space, with no predicted impacts on water quality and the fact that the development is connected to the public foul drainage, effects on the Europeans sites considered are unlikely and significant effects can be ruled out.

It has been objectively concluded by Moore Group Environmental Services that:

1. The proposed Project is not directly connected with, or necessary to the conservation management of the European sites considered in this assessment.
2. The proposed Project is unlikely to indirectly significantly affect the Qualifying interests or Conservation Objectives of the European sites considered in this assessment.
3. The proposed Project, alone or in combination with other projects, is not likely to have significant effects on the European sites considered in this assessment in view of their conservation objectives.
4. It is possible to conclude that there would be no significant effects, no potentially significant effects and no uncertain effects if the proposed Project were to proceed.

It is the view of Moore Group Environmental Services that it is not necessary to undertake any further stage of the Appropriate Assessment process.

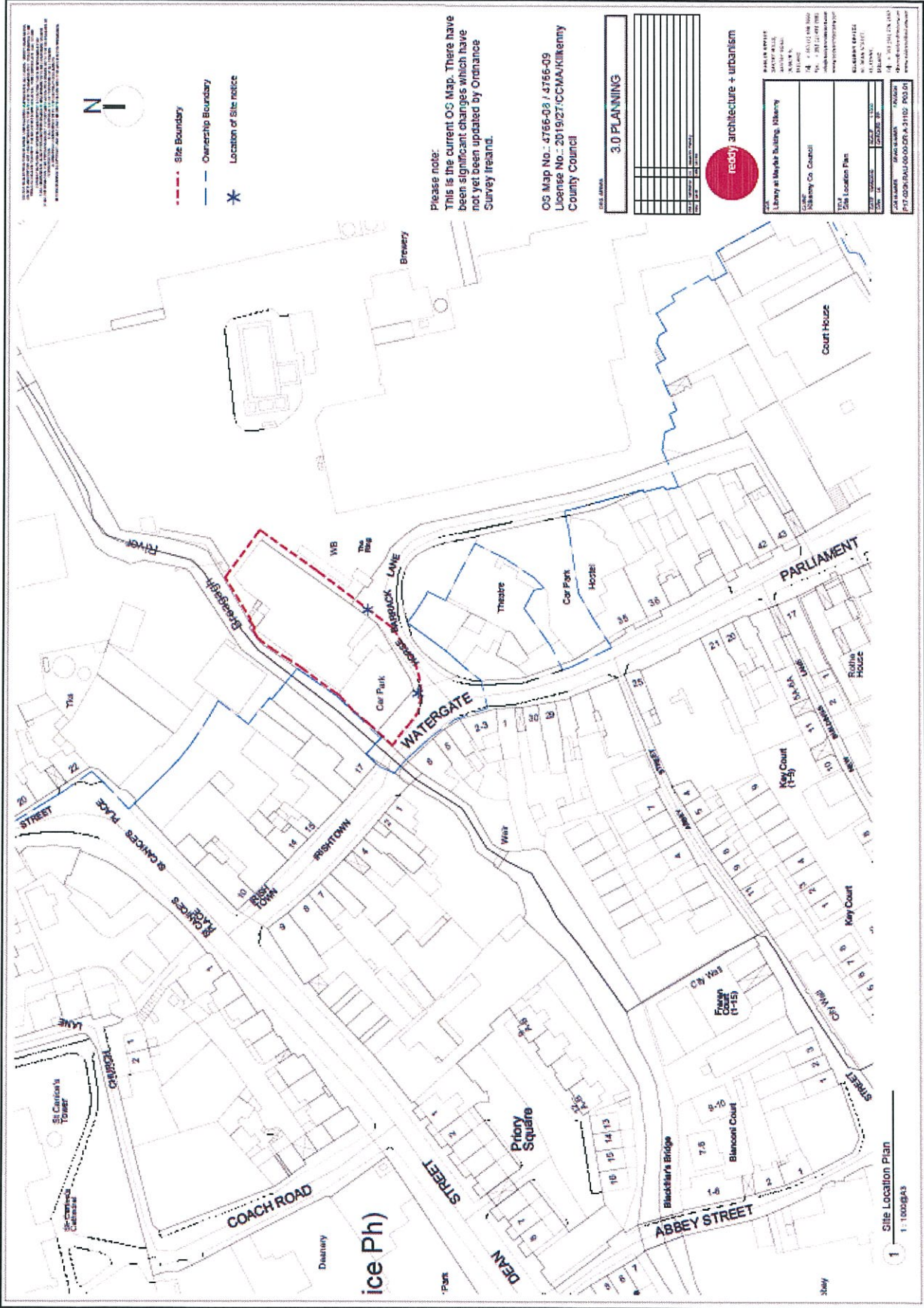
Having considered the updated AA Screening report, the Planning Authority has reconfirmed the conclusion that significant impacts can be ruled out.





## **Appendix 3**

### **Part 8 Scheme Drawing**



OS Map No.: 4756-02 / 4756-09  
 License No.: 2019/27/CMA/Kilkenny  
 County Council

- Site Boundary
- Ownership Boundary
- Location of Site notice

Please note:  
 This is the current OS Map. There have been significant changes which have not yet been updated by Ordnance Survey Ireland.

OS Map No.: 4756-02 / 4756-09  
 License No.: 2019/27/CMA/Kilkenny  
 County Council

3.0 PLANNING

NO.	DESCRIPTION	DATE
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**reddy architecture + urbanism**

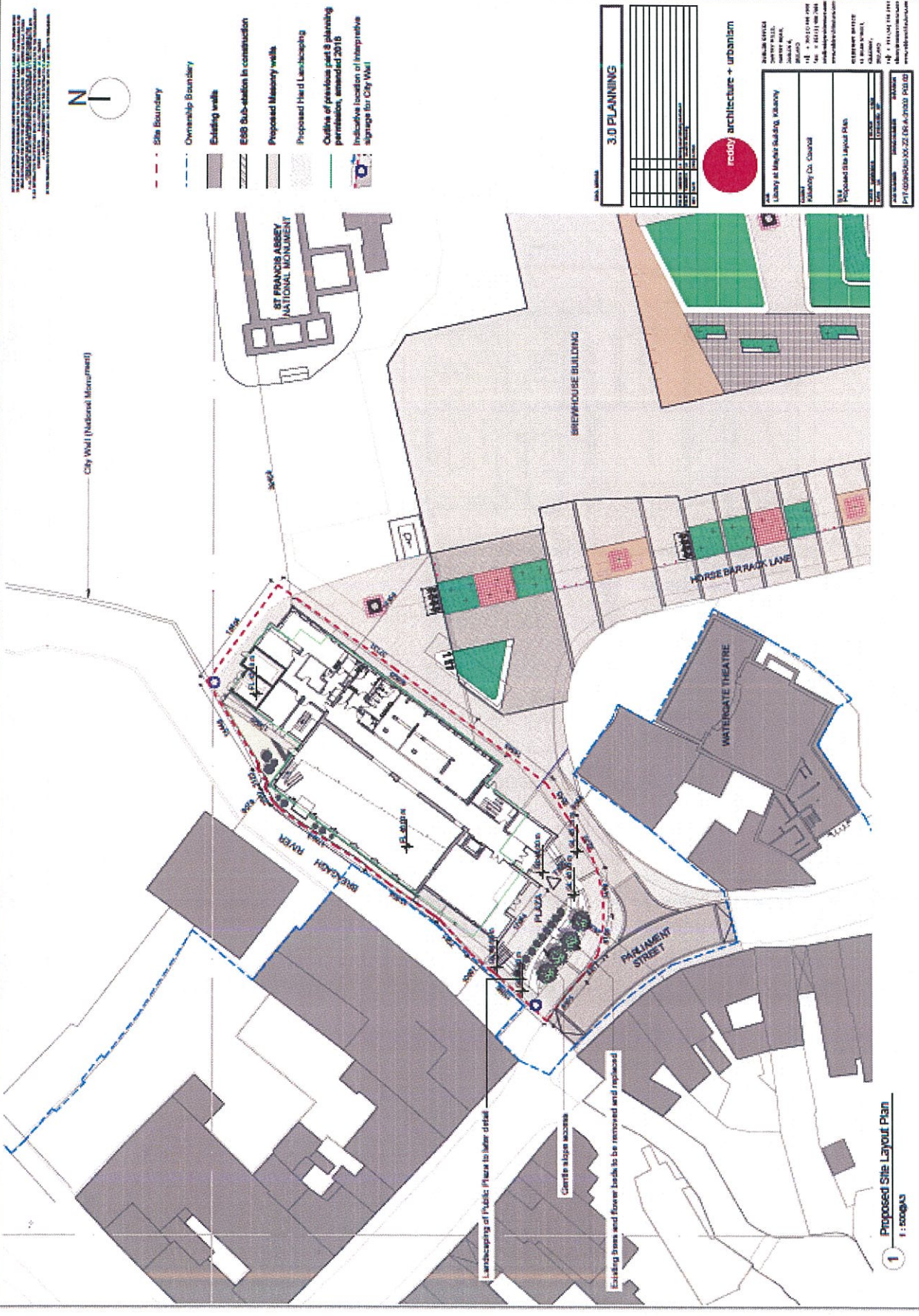
Library at Mayfair Building, Kilkenny  
 24, 25 & 26, Watergate  
 Kilkenny, Co. Wick  
 Tel: +353 (0) 87 494 800  
 Fax: +353 (0) 87 494 800  
 Email: info@reddy.com  
 www.reddy.com

Project No.: 44-224  
 Date: 20/09/23  
 Scale: 1:1000g3

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 All Rights Reserved

1 Site Location Plan  
 1:1000g3





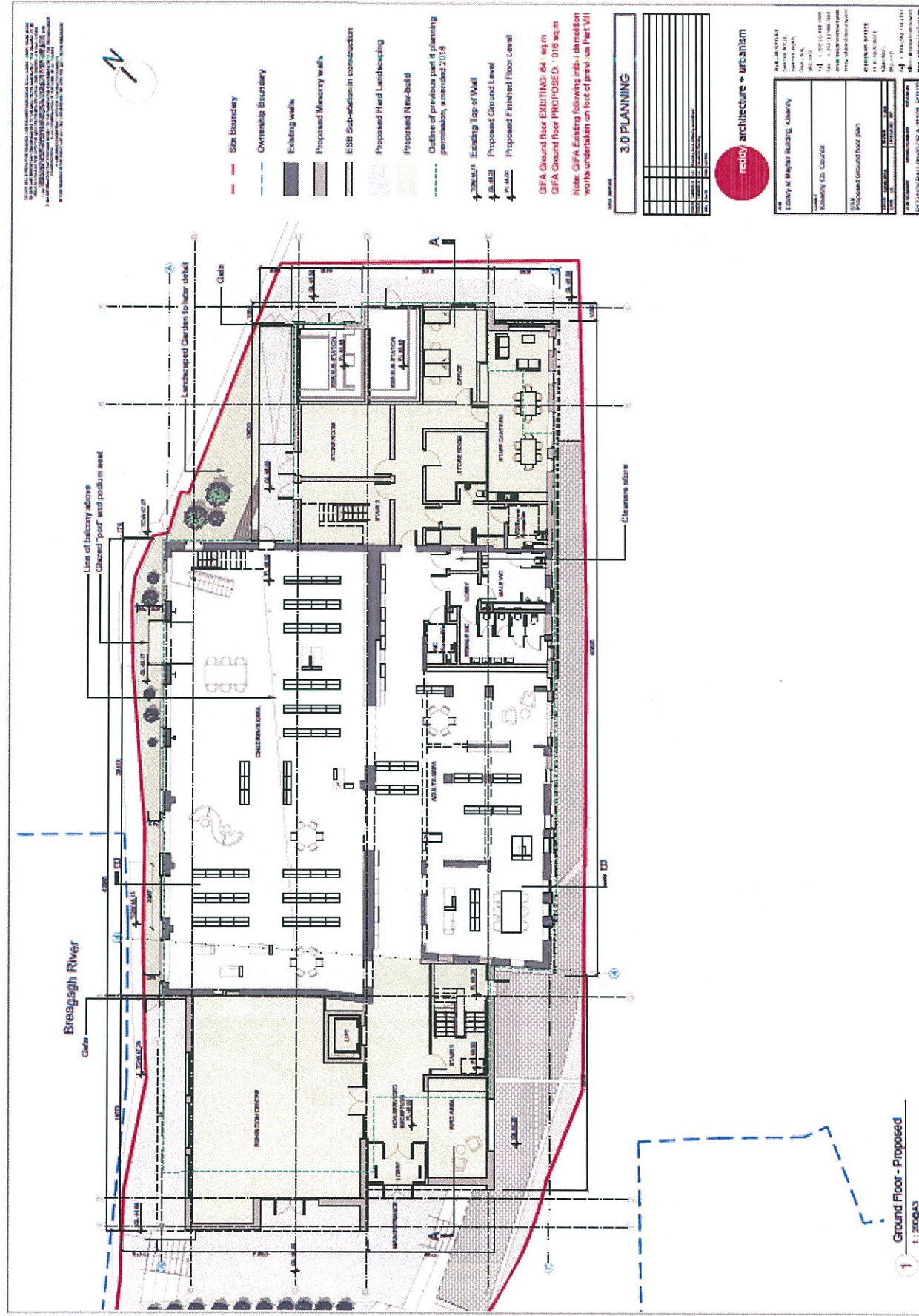
1 Proposed Site Layout Plan  
1 : 1000

Landscaping of Public Plaza to later detail

Grade slope access

Existing trees and flower beds to be removed and replaced









## Appendix 4

### Submissions received

1. This proposed development is very positive and a great use of the Mayfair building.

One practical concern—the proximity and numbers of parking spaces for staff and public, including accessible spaces and electrical charging are not apparent on the Part 8 drawings. Also, considering its potential as an event and meeting space, provisions for the movement and parking of passenger vehicles, light goods vehicles and a set-down area are not apparent. This may be already addressed in the overall plan, however it should be clarified that it has been resolved for this particular part of the overall area development.

2. This is a fantastic use of the Mayfair.

However, there is one functional observation on the detail of the layout regarding the levels of sanitary provisions—while the provisions appear broadly in line with the basic requirements of Part M and BS 6465-1:2006+A1:2009, it is arguable that they are sufficient only for the normal running of the library. From the proposal it is evident that there are ambitions for the use of the library for events, exhibitions and meetings. In the event of there being larger numbers of people, including children, in and around the building, which hopefully would be often, it is unlikely that the proposed provisions would be quite sufficient.

Liam Minogue



An Taisce welcome the opportunity to provide input in the development of the Mayfair Library. We welcome the proposal to restructure the building. Attractive features of the proposal include:

- The central location for the city library which will provide an important community focus.
- The retention of the two storey scale.
- The maintenance of the double gabled form to the east and west extensions.

However one aspect of the proposal gives cause for concern and it relates to the design and materials proposed for the south-east façade.

The location of the Mayfair building at a primary entrance to the Abbey Quarter requires a design of distinction especially on the south-east façade which is within the viewing fields of Parliament Street, St Francis Abbey and the Brewhouse. It is desirable that the design reflects the character of Kilkenny architecture rather than a global architecture. In the Kilkenny City Environs & Development Plan 2014-2020 emphasis is put on the preservation of the special character of the city centre area. This building has a façade on Parliament Street and is thus intimately linked to the City Centre Architectural Conservation Area.

#### Section 4.6: Materiality:

An Taisce acknowledge the value of retaining much of the material of the existing building but we express concern that the proposed louvre façade, possibly in multicoloured ceramic baguettes, on the south east facade of the flat roofed section is out of place. It bears no relationship to the traditional architecture of Kilkenny and represents a globalization of architecture without reference to local character. The use of ceramic louvers in other cities as in Canada, Germany and Denmark are in modernist settings, and the colourful ceramic facades of buildings in the Iberian peninsula suit a different light environment. Ceramic baguettes, while attention seeking, do not constitute sustainable architecture and become very dated.

A cohesive south-east façade on the Mayfair building could be achieved by reconstruction of this disjointed facade, redesign of the fenestration, and use of traditional building materials such as stone, as in the Carnegie library, or decorative brick as in Talbot's Inch Village, or a modern recessed brick design with some colour reference to the Brewhouse. While the architecture of this mid 19th century building is not significant some reference to a façade from this period would not be out of place in Kilkenny.

#### ***Main opinion:***

We believe that the Planning and Design stage of the project should not ignore future maintenance costs. It is important that the finished façade be low maintenance as the provision of future funding for the library service should be directed to resources for the library users. Over recent years the Kilkenny Library Service has been under-resourced relative to other County Libraries



## KILKENNY ARCHAEOLOGICAL SOCIETY

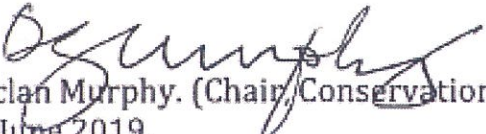
### Submission to Kilkenny County Council's notice of a proposed Part 8 re-development of the Mayfair Building in the Abbey Quarter.

Kilkenny Archaeological Society (KAS) welcomes the opportunity to make a submission regarding the proposed redevelopment. This submission was prepared by the Conservation Committee of KAS and the content discussed and agreed by the KAS Council.

We acknowledge the level of professional skills that has gone into the proposal, and are impressed by its thoroughness and integrity. We concur with the description of the present building (4.3) as 'of little architectural significance ...what merit the building has lies in its social heritage'.

The outstanding feature of the Abbey Quarter is the ruin of the 13<sup>c</sup>. St. Francis Abbey. It is a National Monument and lies approximately 40 m. due east of the Mayfair Building. The proposed redevelopment of the Mayfair removes a number of disfiguring extensions and features, and converts it into a coherent, functional and attractive building. However we disagree with the proposed 'colourful ...vertical ceramic baguettes' on the south-east façade facing the Abbey ruin. The rationale given for these intrusions is to convey to the observer 'a kinetic impression created by the rhythm of the louvres...and embody the movement and evolution from the Irishtown entrance into the heart of the Abbey Quarter'. We question the need to create a competing disjointed feature so close to the Abbey. The proposed new Mayfair will be relatively simple and coherent in design, and harmonious to its surroundings. That is a significant design success and obviates the need for a new distracting and irrelevant feature.

The remaining portion of the 13<sup>th</sup> c. town wall on the southern bank of the River Breagagh is also a National Monument. We recognize that the gap between the north façade of the Mayfair and the Town Wall is very narrow. Nevertheless it would admit one person (at least) to walk through it unimpeded. We suggest that it be made accessible for access by relevant persons (e.g. archaeologist, engineer). The surface could be graveled and have a small gate or barrier at each end for security.

  
Declan Murphy. (Chair, Conservation Committee, KAS).  
23 June 2019.



**From:** katharine larkin  
**Sent:** Wednesday 26 June 2019 15:57  
**To:** [mayfairlibrary@kilkennycoco.ie](mailto:mayfairlibrary@kilkennycoco.ie)  
**Subject:** Proposed Mayfair Library

Planning Section

Kilkenny County Council

Mayfair Library

Dear Sir or Madam,

I welcome the proposal to adapt and extend the existing Mayfair structure to house a new library building for Kilkenny. I find the exterior design of the building acceptable, including the pleasing use of colour, with the request that provision be made for a full size broadleaf tree between the library and Irish Town/High Street, and also seating suited to older persons. The location is accessible on foot from city schools and is convenient for use by people from across the County making multi-purpose trips to Kilkenny City, by public or private transport.

I note that no library use plan or strategy is included in the document or rationale for the arrangements proposed. This is a critical opportunity for Kilkenny to develop a key piece of social, cultural and community infrastructure, and a very precious resource the use of which should be optimised. A library strategy should carefully assess future needs for a variety of uses and types of space, including quiet and informal areas, storage, and a greatly increased capacity to store and display books. The current range of 6 computers is often fully used and waiting is required. I suggest that the computer stations should at least be tripled in number and a library/IT strategy developed. It should also set out a future library use for the Carnegie Library which is one of the only 5 remaining Carnegie Libraries world wide still in library use. Children's areas should be located with regard to noise disturbance and to be an attractive and enjoyable space.

I request that internal arrangements should be reviewed and that in depth consultation with the library-using public of different age groups, teachers, and other interested persons should be carried to develop discussion on these arrangements. I also request that the library front line staff and management should be consulted and made fully aware of the arrangements proposed perhaps demonstrated by a model and their suggestions taken on board. Library management of spaces requires separate quiet zones for research and study. The new library creates an opportunity for a quiet study area, which must be under visual supervision of librarians / passive surveillance from their desk and works stations. This facility should if possible be open in after school study hours to benefit young people who have adverse study conditions at home. It also creates an opportunity to provide a space for exhibitions and community meetings: it should be possible to get direct external access to this space, which can be segregated from the library proper, so that it can be used outside library hours.

I would be very happy, given the opportunity, to give further input into consultation on community and library staff strategy and optimisation of this very important new facility.

With regards,

Katharine Larkin

M. Phil Town Planning

Mr. Jim Gilligan,  
Silversprings House,  
Clonmel,  
Co. Tipperary

Planning Section,  
Kilkenny County Council,  
County Hall,  
John Street,  
Kilkenny

25 June 2019

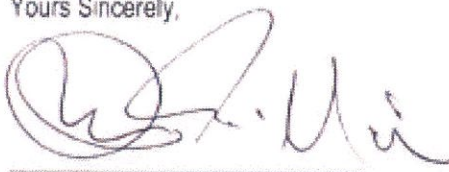
To whom it may concern,

**Re: Mayfair Library - Planning Observation Part VIII IR378**

I, Jim Gilligan, am making this observation on the above planning application for the Library to the Mayfair building. On review of the Planning Application, it would appear that that the area outlined as the Client's ownership boundary on Proposed site layout plan (Drawing No.: P17-020KRAU-XX-ZZ-DR-A-31002) incorporates the rear of my property at 17 Irishtown, Kilkenny.

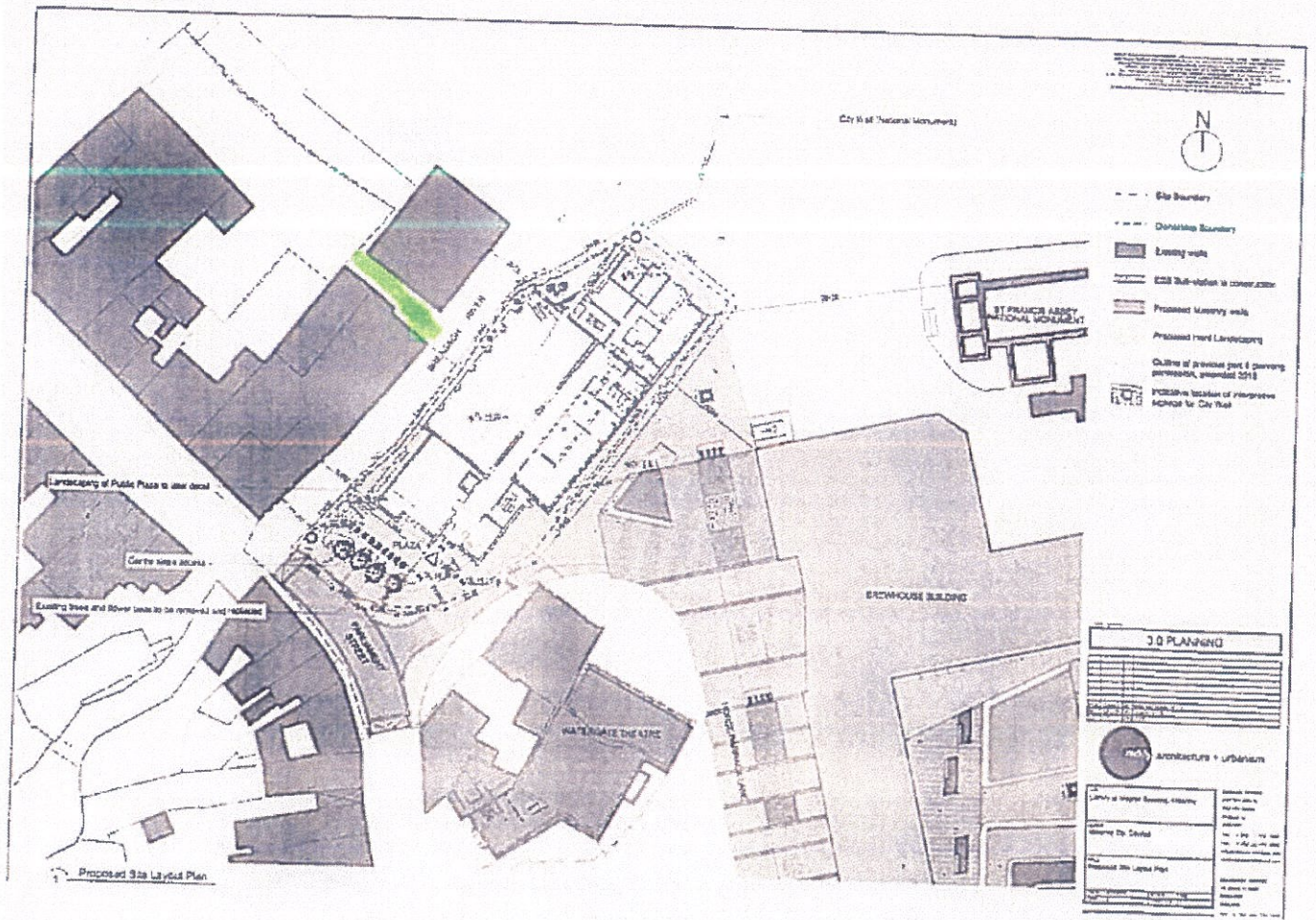
I enclose map showing the location of my yard, which is at the rear of my property and which has been shown as part of your ownership boundary for the Planning Application purposes. Can you please review the situation and confirm that Kilkenny County Council is aware that it does not own the yard in question? It would appear that in order to avoid any misunderstanding in relation to this matter, that you should lodge revised drawings with your Planning Application, excluding my yard. I look forward to hearing from you.

Yours Sincerely,



Jim Gilligan





An Roinn Cultúir,  
Oidhreacht agus Gaeltachta  
Department of Culture,  
Heritage and the Gaeltacht



Planning Ref: 07/19 Part 8  
(Please quote in all related correspondence)

26 June 2019

Director of Services - Planning  
Kilkenny County Council  
County Hall  
John Street  
Kilkenny

Via email to [planning@kilkennycoco.ie](mailto:planning@kilkennycoco.ie)

Re: Notification to the Minister for Culture, Heritage and the Gaeltacht under Article 28 (Part 4) or Article 82 (Part 8) of the Planning and Development Regulations, 2001, as amended.

**Proposed Development: Kilkenny County Council: Redevelopment of Mayfair Building on the former Smithwicks Brewery site**

A chara

On behalf of the Department of Culture, Heritage and the Gaeltacht, I refer to correspondence received in relation to the above.

Outlined below are heritage-related observations/recommendations of the Department under the stated heading(s).

#### Archaeology

The Department refers to the Council's notification in relation to the above-proposed development and the recent submission of an Archaeological Impact Assessment (AIA) in tandem with same (Dr Richard Clutterbuck, Archaeologist, Report dated May 2019. Report received this office 19-06-2019). On review of the Archaeological Impact Assessment, please find outlined below the archaeological recommendations of the National Monuments Service of the Department of Culture, Heritage and the Gaeltacht.

The Department concurs with the archaeological mitigation strategy as outlined in Dr Clutterbuck's report (pages 41-43 incl.) and therefore the Department recommends that Items 1-8 inclusive (p41-41) are included as conditions of Part 8 permission and are carried out exactly as detailed in this report.

Aonad na nIarratas ar Fhorbairt, Bóthar an Bhalle Nua, Loch Garman, Y35 AP90  
Development Applications Unit, Newtown Road, Wexford, Y35 AP90  
[manager.dau@chg.gov.ie](mailto:manager.dau@chg.gov.ie)  
[www.chg.gov.ie](http://www.chg.gov.ie)





Reason: To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.”

### Nature Conservation

The proposed development is adjacent to the Breaghagh River, a tributary of the nearby River Nore, which forms part of the River Barrow and River Nore Special Area of Conservation (Site Code 002162) and River Nore Special Protection Area (Site Code 004233).

A report for the purposes of Appropriate Assessment screening, prepared by Moore Group – Environmental Services (May 2019) states that there are to be no discharges from the proposed development site to the Breaghagh River during the construction phase, but no details are given as to how this will be achieved. Given the location of the proposed project and potential surface or groundwater flow pathways to the Breaghagh River or River Nore, the Department remains concerned that construction impacts from the project, in particular, mobilisation of silt and other contaminants during rainfall events (i.e. stormwater runoff), have not been adequately assessed in relation to the nearby European site’s water dependant qualifying interests. The Department notes that the report does not address the potential for soil contamination, given the location within the Smithwick’s Brewery complex, and the resultant risk of exposure of such contaminated soil in the course of the construction works, or any associated site works which remove hard standing.

The report for the purposes of Appropriate Assessment screening states that storm water from this site discharges to the Breaghagh River via an existing petrol/oil interceptor. However Drawing No. 171029/C/003 (proposed storm water layout) of the Water Infrastructure Design Report shows a second existing outfall to the south west of the site which appears to have no petrol/oil interceptor. In addition, no details are providing on the functioning or capacity of the existing petrol/oil interceptor for the construction and operation phase of the project.

No details have been given of the landscaping plan and no assessment has been made of its impacts on the nearby European sites, in particular in relation to invasive and non-native species.

The Department advises that Kilkenny Council reviews its Appropriate Assessment screening of the project in light of the above.

### Matter relating to biodiversity

Bat species are strictly protected under Annex IV of the Habitats Directive. The proposed development will involve demolition of buildings, the replacement of the entire roof area of the building and the removal of trees which may directly impact on bat species. The development will also involve artificial illumination (external lighting including uplighters and downlighters and the construction of a pop-out ‘glazed pod’ overlooking the Breaghagh

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River) which may interfere with bat roosts and restrict bat foraging and commuting. It should be noted that the building is intended for 24hour usage, necessitating night-time lighting which may also impact bat species. Given the nature of the development and its location adjacent to the Breaghagh River, and in compliance with Regulation 23 of the European Communities (Birds and Natural Habitats) Regulations 2011-2015<sup>1</sup>, as amended, the department advises that an assessment of the impacts of the proposed development on bats is carrying out (including full bat activity surveys).

Mitigation in relation to artificial lighting required to minimise the use of the area by bat species must be clearly outlined. As well as impacting on foraging and commuting bat species, artificial lighting can cause decline in insect populations. In assessing and mitigating impacts, the procedures outlined in '*Guidance Note 08/18 Bats and Artificial Lighting in the UK*'

([http://www.bats.org.uk/news.php/408/new\\_guidance\\_on\\_bats\\_and\\_lighting](http://www.bats.org.uk/news.php/408/new_guidance_on_bats_and_lighting)) and Eurobats '*Guidelines for Consideration of Bats in Lighting Projects*'

([http://www.eurobats.org/publications/eurobats\\_publication\\_series](http://www.eurobats.org/publications/eurobats_publication_series)) must be consulted. Guidance within these documents should be implemented where possible. Any proposed mitigation measures in the bat survey report must be adhered to.

Where it is not possible to identify a means of avoiding risk completely, consideration should be given as to whether a derogation licence from the Minister under Regulation 54 of the European Communities (Birds and Natural Habitats) Regulations 2011-2015 is required. Applications for a derogation licence should be made in writing, including survey results and proposed mitigation measures, to Wildlife Licensing Unit, National Parks and Wildlife Service, Department of Culture, Heritage and the Gaeltacht. An application for such a derogation licence should be made in advance of seeking planning permission for works. This will ensure that full consideration can be given to the impacts of the proposed project on the species and to avoid the possibility of delay to the proposed project or of a refusal of a derogation licence which would prevent the works being carried out as planned.

Any clearance of vegetation on the site, including trees, should only be carried out outside the main bird breeding season (i.e. from September to February inclusive).

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<sup>1</sup> Circular Letter NPWS 2/07: Guidance on Compliance with Regulation 23 of the Habitats Regulations 1997 – Strict Protection of Certain Species/Derogation Licences





Kindly forward a copy of your decision to the following address as soon as it issues:  
You are requested to send further communications to this Department's Development Applications Unit (DAU) via *eReferral*, where used, or to [manager.dau@chg.gov.ie](mailto:manager.dau@chg.gov.ie); if emailing is not possible, correspondence may alternatively be sent to:

The Manager  
Development Applications Unit (DAU)  
Department of Culture, Heritage and the Gaeltacht  
Newtown Road  
Wexford  
Y35 AP90

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A handwritten signature in black ink, appearing to read 'Diarmuid Buttiner', is written over a horizontal line.

Diarmuid Buttiner  
Development Applications Unit