



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

**RE: PART VIII - Refurbishment of the Alms House at No.2 St. Marys Lane for Office Use
Planning & Development Acts 2000-2019
Planning & Development Regulations 2001-2019**

Date: 10th February 2020.

Dear Councillor,

In accordance with Section 179 of the Planning & Development Act 2000, as amended, please find attached the Report of the Head of Finance, including the Planning Report, in relation to the public consultation process undertaken for the proposed refurbishment of the Alms House at No.2 St. Marys Lane for Office Use – this public consultation 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.

Third Party Submissions

No third party submissions have been received in relation to this application.

Colette Byrne,
Chief Executive.

KILKENNY COUNTY COUNCIL
Comhairle Chontae Chill Chainnigh



Chief Executives Report on the Consultation process
for the proposed Refurbishment of the Alms House
at No.2 St. Marys Lane for Office Use.



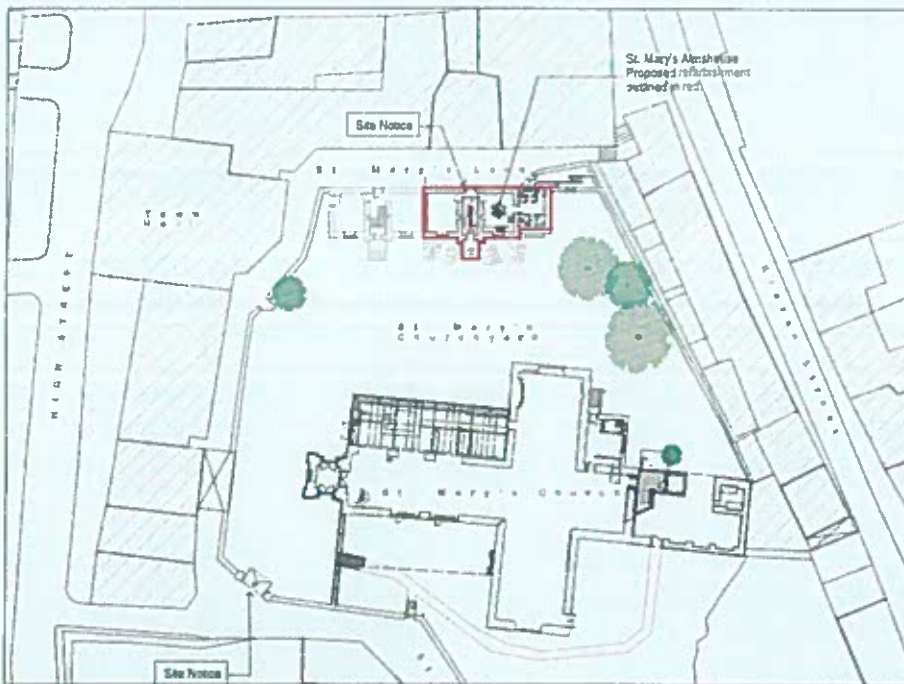
February 2020

1.0 INTRODUCTION

This document has been prepared in accordance with the requirements of Section 179 of the Planning & Development Act 2000 – 2019 and Part VIII of the Planning & Development Regulations, 2001 -2019. The proposed development will involve the refurbishment of the Alms House at No.2 St. Mary's Lane for Office use.

1.1 Public Consultation

Notice of the proposed development was advertised by Notice in the Kilkenny People newspaper published on Friday 13th December 2019. Public Notice was also erected on St. Marys Building on 13th December 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 Friday 13th December 2019 until Thursday 23rd January 2020 at the following locations:

- Planning Department, County Hall, John St., Kilkenny.
- Carnegie Library, Johns Quay, Kilkenny.
- www.kilkennycoco.ie
- <https://consult.kilkenny.ie/>

Submissions and observations were invited with respect to the proposed development dealing with the proper planning and sustainable development of the area in which the proposed development will be carried out, with a final date for receipt of submissions on Thursday 06th February 2020.

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:

- Part 8 Planning Explanatory Booklet
- Project Drawings
- Architectural Heritage Impact Assessment
- 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 St. Marys Lane, off High St., Kilkenny.

The Alms House at No. 2 St. Marys Lane is located within the grounds of St. Marys Church and Graveyard. The semi-detached building was originally constructed as an alms house, pre - 1841, as part of a pair. The building was abandoned for a number of years before being converted into 2 No. apartments in 2005 under Planning Reference Number 04990114.

The building is located within the City Centre Architectural Conservation Area and the zone of Archaeological potential for the City (KK019-026 'City').

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:

- Change of use to office use.
- Internal modifications to the building including :
 - Insertion of toilets and kitchen in the ground floor.
 - Removal of modern partition wall in the existing stairwell and provision of Building Regulations compliant balustrade (existing balustrade to be retained).
 - Decorative works including painting and carpeting.

2.2 DESIGN CRITERIA

The design of the proposed works to No.2 St. Marys Lane 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
- Architectural Heritage Protection Guidelines for Planning Authorities', DAHG 2004,

3.0 SUBMISSIONS RECEIVED

No submissions were received in relation to this application.

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


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 Planners 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

Proposed Development: Part VIII Proposal
The Refurbishment of the Alms House at No. 2 St. Mary's Lane for Office Use

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:



Martin Prendiville,
Head of Finance

Appendix 1

COPY OF PUBLIC NOTICE



Planning and Development Act 2000 - 2019

Planning and Development Regulations 2001 - 2019

NOTICE OF PROPOSED DEVELOPMENT BY A LOCAL AUTHORITY

**Refurbishment of Alms House at no. 2 St Marys Lane, Kilkenny
for use as offices.**

In accordance with Part 8, Article 81, of the above regulations, Kilkenny County Council hereby gives notice of its intention to refurbish the Alms House at no. 2 St Marys Lane (Eircode R95 ANW5) for use as offices.

The Alms House is a Protected Structure, Ref. RPS B193 (NIAH Ref. 12000129) located within the grounds of St Marys Church & Graveyard Recorded Monument (KK019-026115 & KK019-026156). It is located within the Kilkenny City Centre Architectural Conservation Area and within a zone of Archaeological Potential (KK019-026 'City')

The proposed development will consist of:

- Change of use to office use.
- Internal modifications to the building including :
 - Insertion of toilets and kitchen in the ground floor.
 - Removal of modern partition wall in the existing stairwell.
 - Decorative works including painting and carpeting.

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 Friday 13th December 2019 until Thursday 23rd January 2020, 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 (except Bank Holiday weekends).

Details of the proposed development can also be viewed at <https://consult.kilkenny.ie/> and 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 Stmarysalmshouseplanning@kilkennycoco.ie. The latest time and date for receipt of submissions on the development is 5.00pm on Thursday 6th February 2020. Submissions should be clearly marked "St Marys Alms House – Planning Submission"

In accordance with the requirements of Article 120(1)(a) of the Planning and Development Regulations 2001 (as amended) a preliminary examination has been made of the nature, size and location of the proposed development. This preliminary examination 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) 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.

Appendix 2

Senior Planner's Report

**Comhairle Chontae Chill Chainnigh
Kilkenny County Council
Planning Report**



To : Martin Prenderville, Head of Finance

From: Arlene O' Connor, Senior Executive Planner

Date: 7/2/2020

Part VIII Ref: P8/15/19

Re: Pre-planning report on proposed refurbishment of Alms House along with the change of use from storage to office use, no. 2 St. Mary's Lane, Kilkenny.

Part VIII Proposal

Under this Part VIII proposal, Kilkenny County Council are proposing the refurbishment of the Alms House at no. 2 St Marys Lane, Kilkenny and also to change the use of the building to office use.

The proposed development will consist of:

- Change the use of the building to office use.
- Internal modifications to the building which include the following works:
 - Insertion of toilets in the ground floor.
 - Removal of modern partition wall in the existing stairwell and provision of Building Regulations compliant balustrade (existing balustrade to be retained).
 - Decorative works including painting and carpeting.

Zoning

The site falls within a zoning of '*General Business*', within the Kilkenny City and Environs Development Plan 2014 – 2020, with an objective to provide for general business.

Offices are defined as a Permissible Use as defined under Section 3.4.5.4 of the City and Environs Development Plan.

Heritage

Protected Structure – B193 – St. Mary's Alms Houses, NIAH reference 12000128 and 12000129. House also backs onto protected structures, namely St. Mary's Church and graveyard, reference B192, NIAH reference 1200031 and 1200030

Recorded Monument – The property adjoins St. Mary's Church and graveyard, both recorded monuments, reference RMP KK019-026115 & KK019-026156.

ACA – The site falls within the City Centre Architectural Conservation Area.

SAC – The site is over 60 metres from the River Nore cSAC and a determination has been made in an Appropriate Assessment Screening Report carried out on this proposed Part VIII, that these works along with any cumulative impact will not impact on the River Nore SAC.

SPA – The River Nore SPA is a good distance to the east of this site.

pNHA – The site is not within any pNHA.

Zone of Archaeological Potential - The site is located within the Zone of Archaeological Potential for Kilkenny City, established under the National Monuments Act.

EIA Conclusion

A preliminary examination of the nature, size and location of the proposed development has been carried out which determines that there is no real likelihood of significant effects on the environment arising from the proposed development. It is therefore concluded that an EIAR is not required.

Relevant Planning Policy and Guidelines

- Kilkenny City and Environs Development Plan 2014 - 2020

Planning History

P.04/990114 – Permission granted to carry out the following works at St. Mary's Alms House (Protected Structure), for refurbishment of existing building and demolition of derelict outhouse and its replacement with single storey kitchen and bathroom, extension to accommodate two number apartments with associated drainage and site works.

Pre-Planning Advice

- In principle, there are no objections from a planning perspective to this property at no. 2 St. Mary's Lane being refurbished under this Part 8 proposal. However as this is a protected structure, it would be advisable to discuss this proposal with the Conservation Officer within the Council to get his input.
- There are no issues with the proposed use as offices, due to the zoning being general business, thus the office use is compatible with permissible uses within this zoning.
- Drawings of what is existing and what is proposed should be presented with this Part 8 proposal.
- As this is a protected structure, an Architectural Heritage Impact Assessment / photographic survey (to be confirmed by the Conservation Officer) should be presented with this proposal, to determine the impact of the proposed works on the fabric and character of the building.
- In relation to car parking spaces, for office use under current policy within the Kilkenny City and Environs Development Plan, there is a requirement of 1 no. space per 15m². If spaces cannot be provided on site, a justification of such should be provided within the documentation of the Part 8, which should take account of the city centre location and proximity to nearby car parks.
- Any signage for the new office use, should be indicated within the drawings, including full specifications, due to this being a protected structure. If not, this can be dealt with at a later stage by means of a Section 57 Declaration.
- The issue of waste and where bin storage is contained for this office should be indicated on any layout plan.

Third Party Submissions

This Part VIII proposal was placed on public display from Friday 13th December, 2019 to Thursday 6th February, 2020 and no submissions were received during this timeframe.

Internal and External Departmental Submissions

Area Engineer – No objections, subject to the contract for the works, including for the preparation of a detailed Construction and Environmental Management Plan (CEMP), which should include details of working hours, parking arrangements, materials / waste storage in addition to standard environmental mitigation and monitoring measures.

Conservation Officer – No objection to the proposed works, however recommends that the current stud partition dividing the flights of stairs be retained until a suitable solution is designed which respects the original design and age of the stairs. Details of same to be submitted to the Conservation Officer for agreement.

Department of Arts, Heritage, Regional Rural and Gaeltacht affairs – No report received.

An Taisce – No report received.

Assessment

Under this Part VIII, it is proposed to change the use of St. Mary's Alms House at no. 2 St.

Mary's Lane to office use. Internal modifications to the building are also proposed including;

- Insertion of toilets in the ground floor;
- Removal of modern partition wall in the existing stairwell and provision of Building Regulations compliant balustrade (existing balustrade to be retained); and
- Decorative works including painting and carpeting.

Due to the building being a protected structure and on the National Inventory of Architectural Heritage, an Architectural Heritage Impact Assessment was carried out on this proposed development. This assessment states that the development proposes to use the building in virtually unchanged state and any works that are proposed have minimal impact on the historic structure. This report concludes that strict conservation principles should be applied throughout the intended works and in all aspects of workmanship and that traditional materials where practical be used taking due regard to the status of the building. Observation notes and a photographic record should be maintained also throughout the project, which should be certified by a suitably qualified Conservation consultant on completion.

From a planning perspective, the works are not impacting on the external appearance of the structure, thus will not detract in any way from its surroundings, close to St. Mary's church in an Architectural Conservation Area. Internally, the works, due to the structure being a protected structure, should be carried out as per the conclusion of the Architectural Heritage Impact Assessment, whilst also taking heed of the advice from both the Area Engineer and the Conservation Officer.

Recommendation

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

Prior to any work commencing it is advised that a Construction and Environmental Management Plan (CEMP), which should include details of working hours, parking arrangements, materials / waste storage in addition to standard environmental mitigation and monitoring measures be submitted and agreed with the Area Engineer.

The advice as per Section 7.0 of the Architectural Heritage Impact Assessment shall also be adhered to throughout this development.

It is also advised that the current stud partition dividing the flights of stairs be retained until a suitable solution is designed which respects the original design and age of the stairs and agreed with the Conservation Officer.

Signed: 
Senior Executive Planner

Date: 7/2/2019

Signed: 
Senior Planner

Date: 10/2/2019

To: Martin Prenderville, Head of Finance
From: Arlene O' Connor, Senior Executive Planner
Proposal: Part VIII proposal – Refurbishment of Alms House at no. 2 St Marys Lane, Kilkenny and change of use to office use.
Re: Environmental Impact Assessment – Screening for Environmental Impact Assessment Report (EIAR).

Planning Legislation:

Planning and Development Regulations 2001-2019, Schedule 5, Part 1 and 2
European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018
Article 75 which amends Article 120 of the Planning and Development Regulations 2001
Planning and Development Act 2000 – 2019

Characteristics of Project

Under this Part VIII proposal, Kilkenny County Council are proposing the refurbishment of the Alms House at no. 2 St Marys Lane, Kilkenny and also to change the use of the building to office use.

The proposed development will consist of:

- Change the use of the building to office use.
- Internal modifications to the building which include the following works;
 - Insertion of toilets in the ground floor.
 - Removal of modern partition wall in the existing stairwell and provision of
 - Building Regulations compliant balustrade (existing balustrade to be retained).
 - Decorative works including painting and carpeting.

Location

The Alms House at no. 2 St. Mary's Lane is located along St. Mary's Lane, just west of St. Kieran's Street and to the north of St. Mary's Church and graveyard. It immediately adjoins another property, namely no. 1 St. Mary's Lane, a dwelling.

Type and characteristics of potential impact

From assessing the documentation associated with the proposed alterations and considering the extent of works are all internal modifications along with the use being changed to office, it is considered that the proposed development works are significantly below sub threshold Part 2 activities and having regard to the environmental sensitivities of this area and the potential impacts based on the following environmental factors;

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

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

An Appropriate Assessment Screening report was also carried out by the Planning Authority, in relation to the proposed Part VIII works at no. 2 St. Mary's Lane in Kilkenny city and these concluded that significant impacts on any Natura 2000 site can be ruled out therefore it was determined that a Natura Impact Assessment was not required.

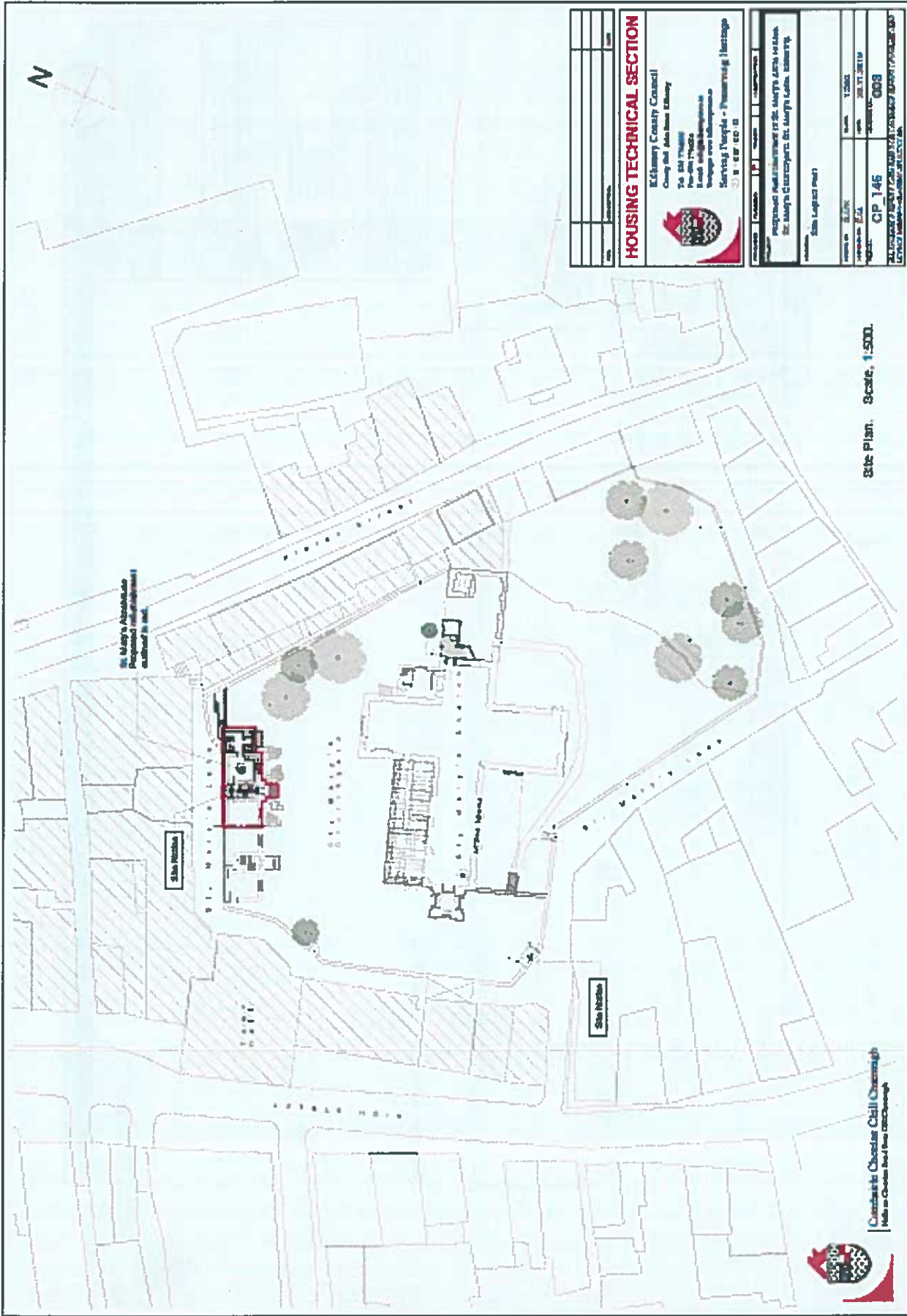
Conclusion

It is determined that based on the above preliminary examination, there is no real likelihood of significant effects on the environment arising from the proposed development works which are for the refurbishment of this property at no. 2 St. Mary's Lane in Kilkenny city and the changing of the building use to offices and therefore it is recommended that an Environmental Impact Assessment Report is not required for this Part VIII proposal at the Alms House, no. 2 St. Mary's Lane, Kilkenny.

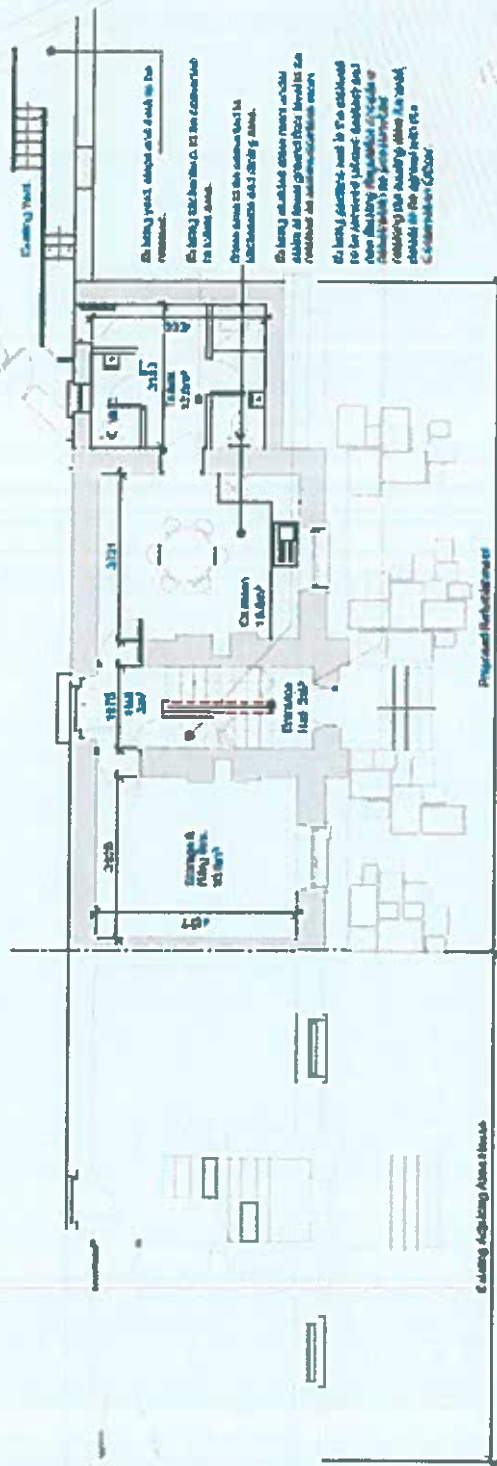
Signed: Arlene O' Connor,
Senior Executive Planner,
Kilkenny County Council.
10/12/2019

Appendix 3

Part 8 Scheme Drawings



S t . M a r y ' s L a n e



- to being used, enable and deck in the rear porch.
- to being used for the G. G. to be connected to existing area.
- to be used to the extent that it is necessary to be used.
- to being used for other uses which allow at least ground floor level to be retained in situ and not removed.
- to being used for the G. G. to be connected to existing area.
- to being used for other uses which allow at least ground floor level to be retained in situ and not removed.
- to being used for other uses which allow at least ground floor level to be retained in situ and not removed.

Lower Ground Floor Plan. Scale, 1:100.

Kilburn's Crown Glass
 Glass and Join Glass
 The Glass Centre
 100-110 Aylesbury Street
 London W1P 4PN
 Tel: 020 7090 0000
 Fax: 020 7090 0001
 Email: sales@kilburnsglass.com

HOUSING TECHNICAL SECTION

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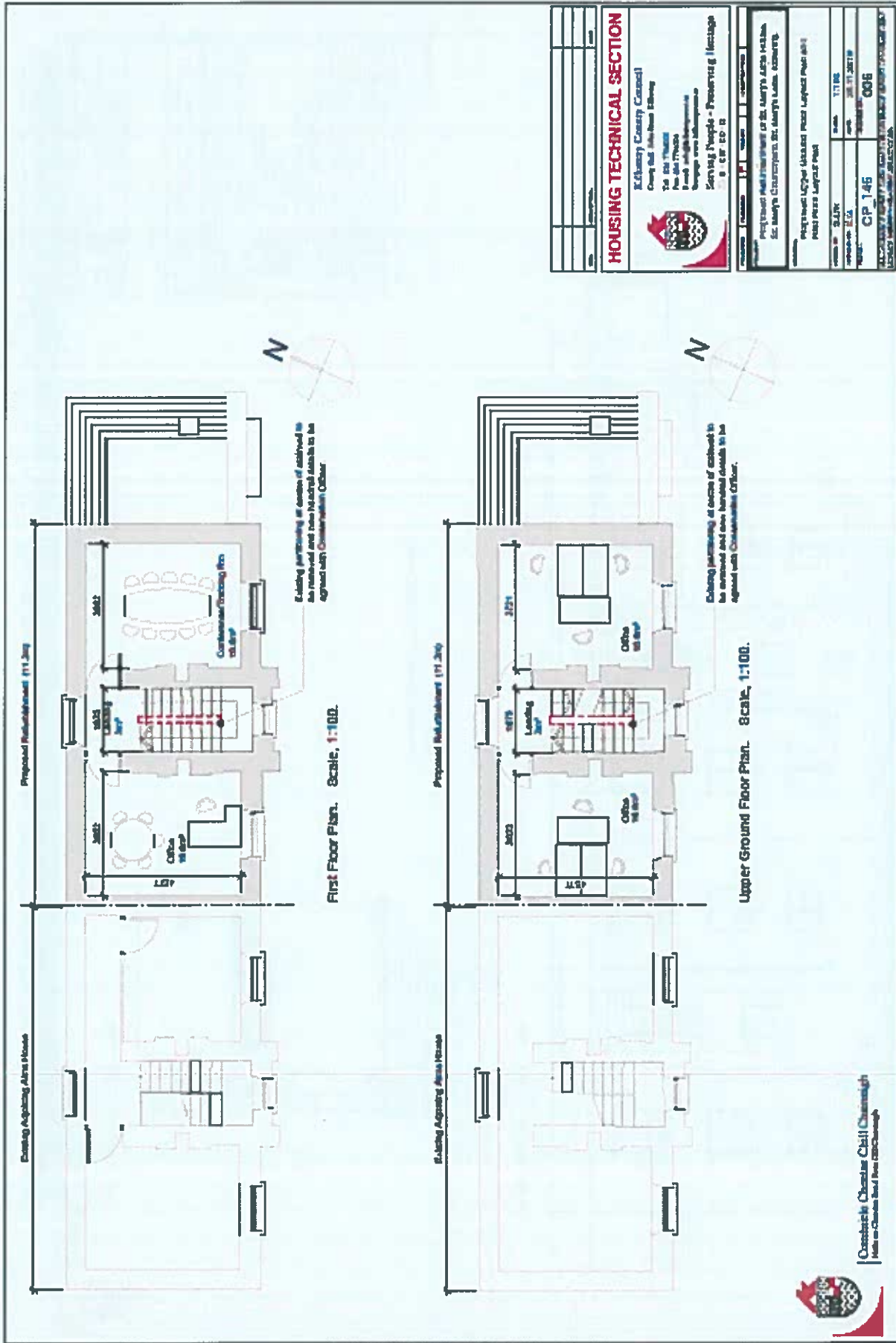
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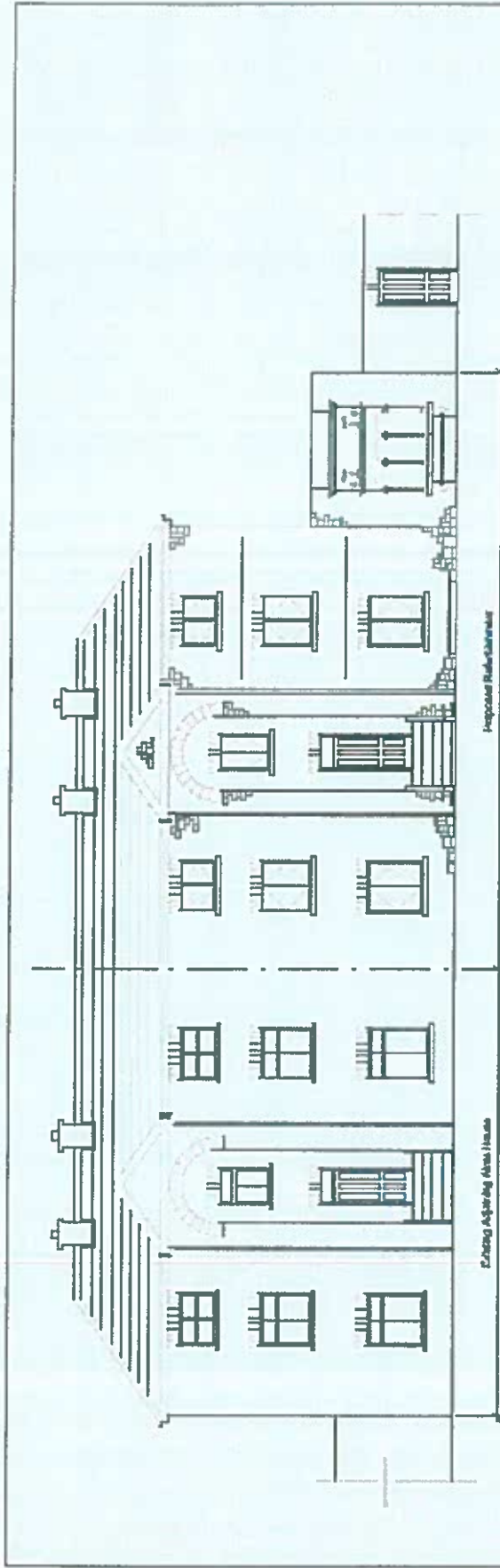
S t . M o r y ' s C h u r c h y a r d



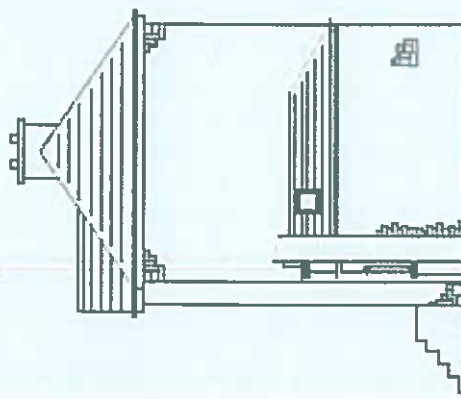
Courtesy of Creative Civil Construction
 Home Office and Fire Department



Conisbribe Charitable Child Charities
Halls on Church Road, Peterborough



Front Elevation. Scale, 1:100.



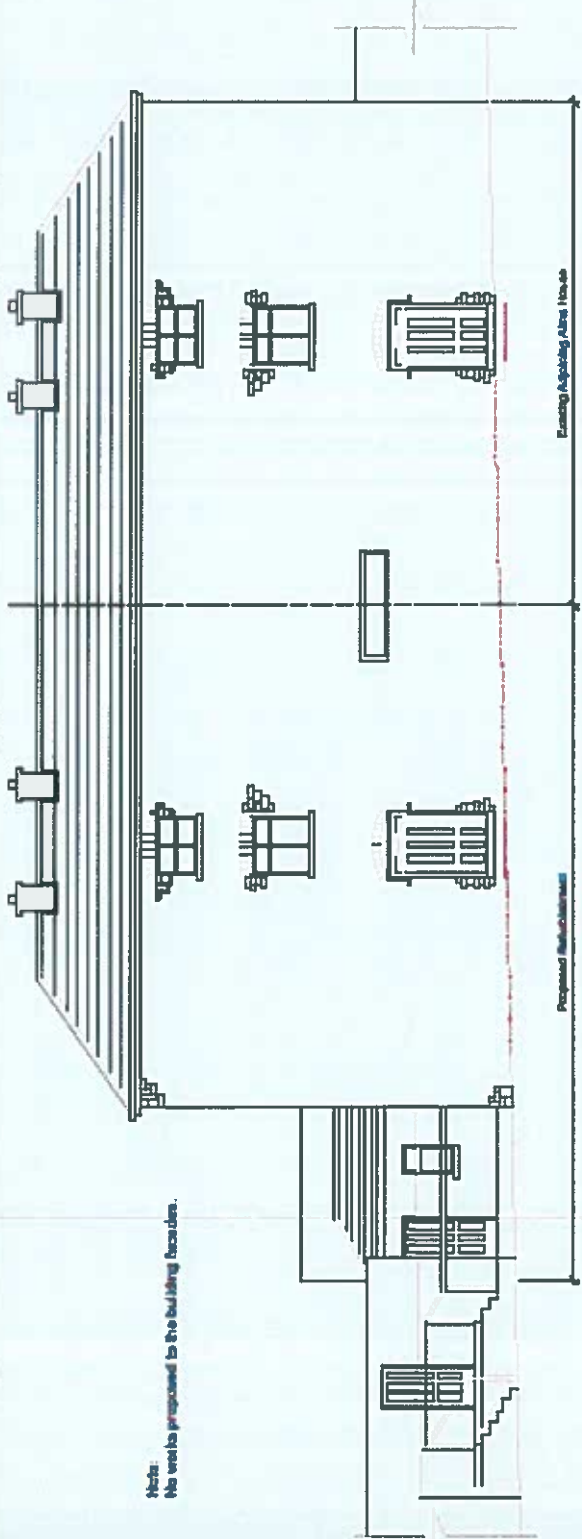
Side Elevation. Scale, 1:100.

Note
 No works proposed for the building facade

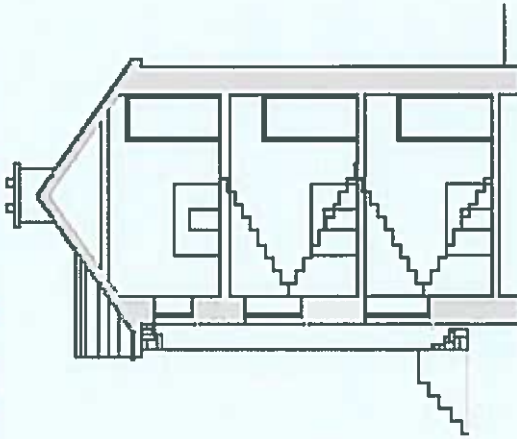
 Kildare County Council Corporate Administration 2nd Floor Kildare Town Hall Kildare, Co. Kildare Tel: 0454 674400 Fax: 0454 674401 Email: info@kildare.ie	
HOUSING TECHNICAL SECTION	
Project Name: St. Mary's Alms House - Chief Executives Report Client: St. Mary's Alms House - Chief Executives Report Date: 11/11/2019 Drawn: CP 146 Checked: 007 Scale: 1:100	Project No: 11/11/2019 Drawing No: 007 Scale: 1:100 Date: 11/11/2019 Drawn: CP 146 Checked: 007 Scale: 1:100



Note:
No work proposed to the building facade.



Rear Elevation (on St. Mary's lane). Scale, 1:100.



Section. Scale, 1:100.

NO.	DATE	REVISIONS

HOUSING TECHNICAL SECTION

Kilderry County Council
 County Hall, John Lane, Kilderry
 Tel: 045 274400
 Fax: 045 274400
 Email: info@kilderry.ie
 Website: www.kilderry.ie
 Serving People - Promoting Heritage
 0 69 60 00

PROJECT: REFURBISHMENT OF ST. MARY'S APTS, KILDERRY
 CLIENT: KILDERRY COUNTY COUNCIL, ST. MARY'S LANE, KILDERRY
 DRAWN: JCF
 DATE: 20-11-2010
 CHECKED: ELL
 DATE: 20-11-2010
 TITLE: CP 146
 DRAWING NO: 008
 PROJECT NO: 2007/2008/09/10/11/12/13/14/15/16/17/18/19/20/21/22/23/24/25/26/27/28/29/30/31/32/33/34/35/36/37/38/39/40/41/42/43/44/45/46/47/48/49/50/51/52/53/54/55/56/57/58/59/60/61/62/63/64/65/66/67/68/69/70/71/72/73/74/75/76/77/78/79/80/81/82/83/84/85/86/87/88/89/90/91/92/93/94/95/96/97/98/99/100



Caribairn Chartered Civil Engineers
 100-102, Church Street, Dublin 8, Co. Dublin