Comhairle Chontae Chill Chainnigh
Halla an Chontae, Sráid Eoin, Cill Chainnigh, R95 A39T.

Kilkenny County Council
County Hall, John Street, Kilkenny, R95 A39T.

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

RE: **PART VIII – GREENSBRIDGE HOUSE, NEW ROAD, KILKENNY CITY**
Planning & Development Acts 2000 – 2017
Planning & Development Regulations 2001 - 2017

DATE: **12th September, 2017**

Dear Councillor,

In accordance with 179 of the Planning & Development Act 2000 as amended and Part VIII of the Planning & Development Regulations 2001, as amended, Kilkenny County Council hereby gives notice of its intention to carry out the following development:

Part VIII – Greensbridge House, New Road, Kilkenny City

I attach herewith report of the Director of Services, with Planner's Report attached. I am satisfied that the proposed development is consistent with proper planning and sustainable development of the area and consistent with the provisions of the County Development Plan. The site falls within a zoning of Existing Residential, within the Kilkenny City and Environs Development Plan 2014 – 2020.

I recommend for your consideration that the proposed scheme is progressed on the basis of the attached report.

Colette Byrne

Colette Byrne
Chief Executive

Guthán/Telephone: 056 7794000 Faics/Fax: 056 7794004
R-post/Email: info@kilkennycoco.ie Gréasán/Webpage: www.kilkennycoco.ie

KILKENNY COUNTY COUNCIL

REPORT – Dated 8th September, 2017

In Accordance with Section 179 of the Planning and Development Acts, 2000-2017

Refurbishment of a house and B&B and associated site works at Greensbridge House, New Road, Kilkenny City

For consideration by the Elected Members of Kilkenny County Council at monthly meeting to be held on 18th September, 2017

Contents

1. Introduction

This report has been prepared for submission to the elected members of Kilkenny County Council and contains information regarding the proposed development, issues raised following the erection of the public notice of the proposed development and the display for public inspection of the plans and particulars and other matters as required in accordance with Section 179 of the Planning & Development Acts, 2000-2017.

2. Description of Proposed Development

The proposal put forward provides for 5 no 1 bedroom self contained own door units to serve a need for smaller social housing units in Kilkenny City.

This is to be achieved by:

- the conversion of an existing B&B and adjoining house,
- the construction of an external shed to contain bin store and services
- the regularisation of the entrance to the site to maximise sightlines.
- Associated Site Works

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

As at 1st September 2017 there are 6 homeless individuals in hotel or B&B accommodation. Greensbridge House is intended to directly address this specific housing need in the short term.

3. Pre-planning

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

4. Notice of Development

A notice describing the proposed development was placed in the Kilkenny People, week ending Friday 7th July, 2017. A Site Notice was displayed at the site location from Friday 7th July 2017.

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

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

The Housing Strategy states that "a mixture of residential unit types and sizes are developed to reasonably match the requirements of different categories of households within the city and county". These units address a specific requirement for transitional accommodation within the city.

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

6. Submissions Received

1 no. valid Third Party submission was received from Denis and Gemma Loli , letter received on 16/08/2017. The submission outlined (1) concerns regarding potential

overlooking of their property to the rear of the building and (2) existing issues with the maintenance of the gutters of the B&B which overhang her property. In response the housing section has undertaken to (1) install obscure glass in the windows overlooking the Loli property and (2) meet with Gemma and Denis Loli to agree how maintenance of the gutters will be dealt with going forward. This has been confirmed to them in writing.

7. Kilkenny County Council's Intention Regarding Proposed Development

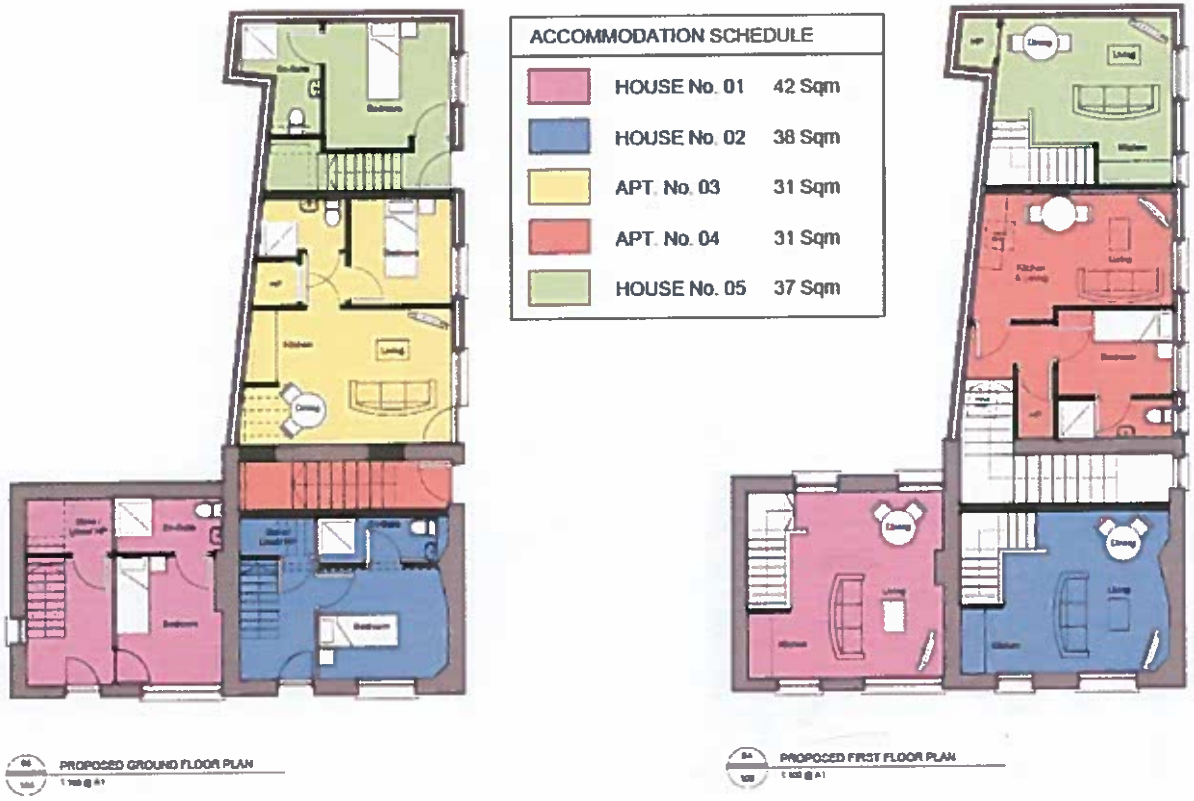
Proposed Development: Part 8 Proposal
Refurbishment of a house and B&B and associated site works at Greensbridge House, New Road, Kilkenny City

I recommend that Kilkenny County Council proceed with the proposed development in accordance with the plans made available for public inspection and taking into account the recommendations made by the Planning and other Service Departments.

SIGNED

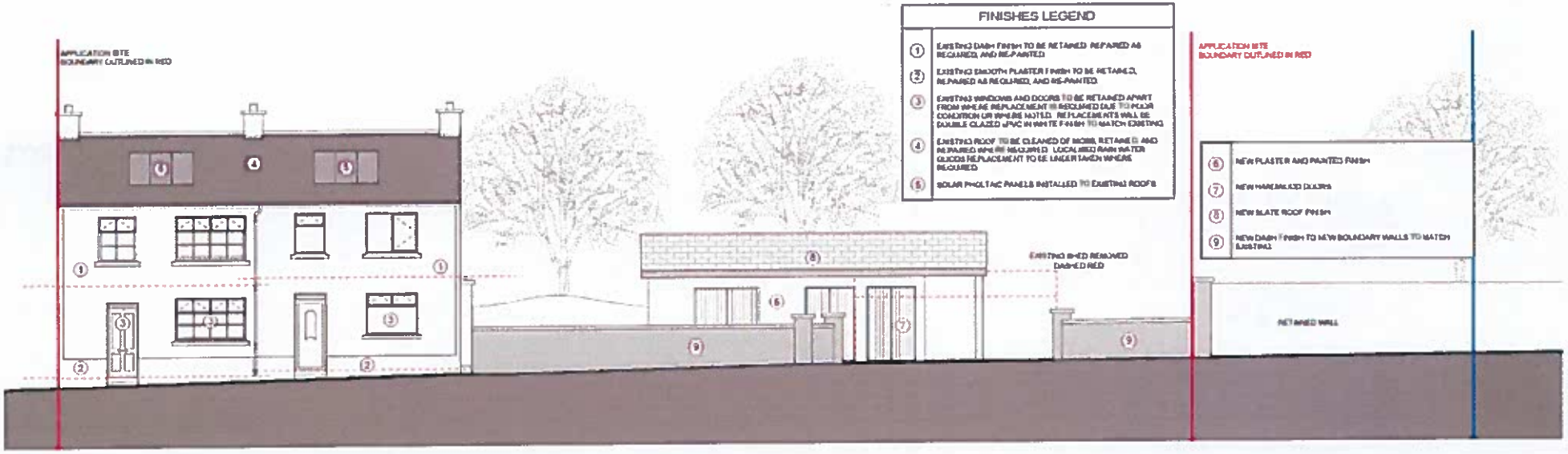
Simon Walton
A/Director of Services

Appendix A - Project Details



Floor Plan

Elevations


APPLICATION SITE
BOUNDARY OUTLINED IN RED
FINISHES LEGEND
1 EXISTING DASH FINISH TO BE RETAINED, REPAIRED AS REQUIRED, AND RE-PAINTED
2 EXISTING SMOOTH PLASTER FINISH TO BE RETAINED, REPAIRED AS REQUIRED, AND RE-PAINTED
3 EXISTING WINDOWS AND DOORS TO BE RETAINED APART FROM WHERE REPLACEMENT IS REQUIRED DUE TO POOR CONDITION OR WHERE NOTED. REPLACEMENTS WILL BE DOUBLE GLAZED uPVC IN WHITE FINISH TO MATCH EXISTING
4 EXISTING ROOF TO BE CLEANED OF MOSS, RETAINED AND REPAIRED WHERE REQUIRED. LOCALISED RAIN WATER GOODS REPLACEMENT TO BE UNDERTAKEN WHERE REQUIRED
5 SOLAR PHOLTAIC PANELS INSTALLED TO EXISTING ROOFS
APPLICATION SITE
BOUNDARY OUTLINED IN RED
6 NEW PLASTER AND PAINTED FINISH
7 NEW HARDWOOD DOORS
8 NEW SLATE ROOF FINISH
9 NEW DASH FINISH TO NEW BOUNDARY WALLS TO MATCH EXISTING
EXISTING SHED REMOVED
DASHED RED
RETAINED WALL


Greens Bridge House
New Rd
Greens Bridge
Green St
Graveyard
Greensbridge
Green's Hill
Lovers Ln
Kilkenny
KILKENNY

Location

Appendix B – Part 8 Planning Report

Comhairle Chontae Chill Chainnigh

Kilkenny County Council

Part 8 Planning Report

To : **Simon Walton, D.o.S. Housing.**

From: **Arlene O' Connor, Senior Executive Planner**

Date: **6/9/2017** **Part VIII Ref:P8/2/17**

Re: **Planning report on proposed Part VIII proposal to include the refurbishment of existing buildings, construction of an external shed and associated site works to result in 5 no. housing units at Greensbridge House on New Road in Kilkenny City.**

Part VIII Proposal

The proposal is to refurbish Greensbridge House, an existing 7 bed B&B on New Road in Kilkenny along with an adjoining one bed house, to provide 5 no. 1 bedroom self contained own door units to service a need for short term accommodation for homeless single women inKilkenny City. It is intended that this accommodation be provided for a number of months but for a maximum of 2 years. Currently the women are being housed in emergency hotelaccommodation. This location is preferred due to it being within walking distance of the citycentre, as many of the women do not have private transport and thus rely on services beingwithin walking distances.

Zoning
The site falls within a zoning of Existing Residential, within the Kilkenny City and Environs Development Plan 2014 – 2020. Thus the proposed refurbishment works to create 5 no. 1 bed self contained residential units is acceptable within this zoning.

Heritage
Protected Structure – Neither property is a protected structure nor are they bounding one.
Recorded Monument – Not applicable.
ACA – The western half of the site falls within the Michael Street / Wolfe Tone Street ACA. However it is not anticipated that the proposed refurbishment would affect the character of this ACA.

SAC – The site falls beyond the River Nore cSAC.
SPA – The site falls beyond the River Nore SPA.
pNHA – The site is located over ½ mile from the closest pNHA, Newpark Marsh.

Relevant Planning Policy and Guidelines
Kilkenny City and Environs Development Plan 2014 – 2020
Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities (2009)

Planning History
P.14/448 – Eamonn Cleere granted planning permission for a 2-storey dwelling in the side garden adjoining the parking area for this property.
P. 92990089 – John Cleere granted permission for a new door to replace a window on this property.
P.99990068 – Patrick and Eamonn Cleere granted planning permission for alterations, renovations and a new extension including signage on this property.

Pre-Planning Advice
It is advisable that any future proposal for the refurbishment of Greensbridge House and the adjoining one bed house into 5 no. 1 bedroom self contained own door units show on a site layout plan the following;

- The number and location of parking spaces proposed for the units on site, whether it be for occupants or visitors.
- Show bin storage areas for the units
- Indicate if there is a play space / open space to be provided for the occupants and where it/they are located.
- Drawings should the building as is and outline clearly what changes are to be made.

In principle the change of use is accepted, however for the purpose of displaying as a Part VIII proposal the above issues need to be addressed.

Internal Departmental Reports
Irish Water – No returned report to date.
Area Engineer – No returned report to date.
Road Design – No returned report to date.

Third Party Submissions

Submission By	Submission Details	Submission addressed in scheme review	Comments
Denis and Gemma Loli, 6 Greensbridge Court, Kilkenny.	• Concerns with regard to the negative impact the proposed development will have on their residential amenity. • Question the validity of this proposal as not all elevations for houses are submitted.	In part	There are 2 no. existing windows that may overlook onto this couples property. However there may be benefit to replacing the clear glass with obscure glazing. Whilst there are 2 elevations missing, the western and rear elevation, there are no changes to either of these elevations as can be seen in the layout plans on file.

	• House no. 1 has windows at first floor level which will impact and potentially overlook this couple's property.		There are 2 no. existing first floor windows which potentially overlook this property and it may be beneficial to replace the glazing from clear glass to obscure glazing.
	• Gutters serving this property currently overhang onto this couples site and there are no arrangements in place regarding the maintenance of these gutters or finishes on the wall. In the past there have been issues with water egress onto no. 6 Greensbridge Court from roofs and gutters of this property.		This is an issue which will have to be addressed by the Council during renovation works and prior to occupation of this property.
	• This development proposed and the impact of increased overlooking will devalue this couple's property.		This building is already in existence and there are very little external changes proposed, apart from solar panels to roof and a window ope being replaced by a doorway at ground floor level, thus it is not determined that these works will devalue any surrounding property.

Screening for Appropriate Assessment
A Screening exercise was completed, which showed that no significant environmental impact is likely on the closest Natura 2000 site, the River Nore SAC.

Assessment
The zoning at this location is suitable for the proposal and it is also determined that there will be no impact on the ACA, within which half of this site is contained.
In relation to the 5 no. residential units to be provided, car parking spaces are provided on site. Under policy a total of 7.5 spaces would be required for the 5 no. residential units, however taking into account the location proximate to the town centre, the proposed 4 no. parking spaces is acceptable.
A new shed is indicated on site and this contains bin storage areas for the units, ESB, gas and water meters for the units. The height will not impact on any bounding property, as it is a single storey structure.
In relation to issues raised in the received submission, the proposed development is not altering externally the main footprint of the structure and in terms of opes is only changing a side window facing the proposed car park at ground floor level to a doorway. Solar panels

are also being introduced to the roof at front and rear elevation, however these will not create any negative impact.
The Planning Authority are concerned with issues raised regarding overlooking from 2 no. windows to the rear at first floor level of apartment no. 1 and also issues regarding guttering. The issue of overlooking has been discussed between the couple who lodged the submission and a representative from the housing section of the Council. It was agreed between both parties that the 2 no. clear glass windows serving unit no. 1 at first floor level to the rear of apartment no. 1 will be replaced with opaque glazing.
There was also an issue raised by the couple who lodged the submission regarding guttering encroaching onto their property and issues with water egress. This matter should be discussed and a solution agreed upon by both parties, during renovation works and prior to occupation of this premises.

Recommendation
In principle there are no objections to this proposal from a planning perspective, and overall, the Planning Authority considers that the proposed development is consistent with the zoning objectives for the site and accords with the proper planning and sustainable development of the area. The development has been screened for Appropriate Assessment, which showed that no significant environmental impact is likely on any Natura 2000 site.

It is therefore recommended that the Part 8 application for the refurbishment of existing buildings, construction of an external shed and associated site works to result in 5 no. housing units at Greensbridge House on New Road in Kilkenny, be approved by Council subject to the following:

1. Prior to commencement of development, Kilkenny County Council engages with the adjoining landowner regarding the issue of overhanging guttering and possible water egress and maintenance arrangements going forward.
2. The two windows at first floor level to the rear of Unit 1 shall be replaced with frosted glazing.

Signed: _____ Date: 6/9/2017
Senior Executive Planner

Signed: _____ Date: 6/9/2017
Senior Planner

Appendix C – AA Screening Report

Habitats Directive Project Screening Assessment

Table 1: Project Details

Development Consent Type	Part VIII Application
Development Location	Glenisheelye House Near Lisdoonvarna
Planning File Ref	Part 8. 132/17
Description of the project	Refurbish Glenisheelye House to provide 5 no self-contained over night units.

Table 2: Identification of Natura 2000 sites (SACs and SPAs) which may be impacted by the proposed development

Please answer the following five questions in order to determine whether there are any Natura 2000 sites which could potentially be impacted by the proposed development. If the answer to all of these questions is no, significant impacts can be ruled out for habitats and bird species. No further assessment is required. Please refer to tables 3 and 4 where the answer to any of these questions is yes

		Y/N
1	**ONE- OFF HOUSE /SMALL EXTENSION/ ALTERATION TO EXISTING BUILDING**	Y
1a	Is the development a one- off house/small extension/alternation to existing building within an SAC/SPA or within 100m of an SAC/SPA and likely to discharge pollutants or nutrients of a significant nature and amount to surface water within catchments of and SAC/ SPA as part of its construction or operational phase (including the installation of waste water treatment systems, percolation areas, septic tanks within SAC/SPA or very close proximity)? If the answer to the above question is: - no, then no appropriate assessment required - yes, then an appropriate assessment is required - not sure, then an appropriate assessment is required in accordance with the precautionary principle	N
2	**DEVELOPMENTS OTHER THAN THOSE DESCRIBED IN 1 ABOVE**	
2a	Impacts On Freshwater Habitats *Is the development within a Special Area of Conservation whose qualifying interests include freshwater habitats, or in the catchment of same and does the development propose to discharge water to or abstract water from the habitat?* Sites to consider: Lower River Suir, River Barrow, River Nore Habitats to consider: Alluvial Wet Woodland, (Lower River Suir). Dry Heath (some steep slopes along River Barrow and its tributaries) Rivers, Streams, Lakes and Lagoons. Old Oak Woodland, floating river vegetation Species to consider: River Lamprey, Brook Lamprey, Freshwater Pearls Mussel, Nore Freshwater Pearl Mussel, Crayfish, Twaite Shad, Atlantic Salmon, Otter, Vertigo Moulinsiana	
2b	Impacts On Wetland Habitats *Is the development within a Special Area of Conservation whose qualifying interests include wetland habitats, or likely to discharge water to or abstract water from the wetland?* Sites to consider: Huggenstown Fen, Gainoy Fen, The Loughans, Flood Plain wetlands Habitats to consider: Bogs, Alkaline Fens (Huggenstown and Gainoy), Turloughs (The Loughans)	

		Y/N
2c	**Impacts on Intertidal and Marine Habitats** *Is the development located within a Special Area of Conservation whose qualifying interests include intertidal and marine habitats and species, or within the catchment of same and likely to discharge water to or abstract water from the habitats.* **Sites to consider:** Lower River Suir **Habitats to consider:** *Atlantic Salt meadows, Mudflats, sandflats, saltmarsh, estuary* **Species to consider:** Sea Lamprey, River Lamprey, Brook Lamprey, Freshwater Pearl Mussel, Crayfish, Twaite Shad, Atlantic Salmon, Otter.	
2d	**Impacts On Woodlands And Grasslands** *Is the development within a Special Area of Conservation whose qualifying habitats include terrestrial habitats, or in close proximity to same with a likely ecological impact?.* **Sites to consider:** Spa hill and Clomantagh Hill, Cullahil Mountain, River Barrow, River Nore, Lower River Suir **Habitats to consider:** *Alluvial Wet Woodlands* (River Nore below Inistioge and River Suir at Fiddown Island and Carrick on Suir), Eutropic tall herb vegetation (River Suir at Fiddown Island and Carrick on Suir), and grasslands (Spa hill and Clomantagh Hill, Cullahil Mountain) Oak Woodlands in old estates next to the Nore and Barrow **Species to consider:** Greenwinged, Frog and Bee Orchids (Cullahill and Clomantagh Hill), Nettle Leaved Bellflower and Autumn Crocus	
2e	**Impacts On Birds** *Is the development within a Special Protection Area, or likely to discharge water to same or likely to have another significant impact on the habitats of Birds in same?.* *Sites to consider: River Nore* **Species to consider:** River Nore: Kingfisher (Alcedo Atthis) – Nesting in river banks	

Table 3: Determination of possible impacts on Natura 2000 sites.
Where it has been identified in table 2 that there is a Natura 2000 site within the potential impact zone of the proposed development, it is necessary to try to determine the nature of the possible impacts. Please answer the following questions as appropriate.

1.	**Impacts on designated freshwater habitats (rivers, lakes streams and lagoons).** *Please answer the following if the answer to question 2a in table 2 was yes.* *Does the development involve any of the following:*	
1.1	Impacts on watercourses (tributaries, streams, drains) which are remote from the SAC/SPA but may still impact on the SAC/SPA by reason of the nature or quantity of the discharge	
1.2	Abstraction from surfacewater or groundwater within 1km of SAC/SPA.	
1.3	Removal of topsoil within 100 m of watercourses with potential for surface water runoff.	
1.4	Infilling or raising of ground levels within 100m of watercourses with potential for surface water runoff.	
1.5	Construction of drainage ditches within 1km of SAC/SPA.	
1.6	Construction within a floodplain or within an area liable to flood	

1.7	Crossing or culverting of rivers or streams within 1km of SAC/SPA.	
1.8	Storage of chemicals hydrocarbons or organic wastes within 100 m of a watercourse.	
1.9	Development of a large scale which involves the production of an EIS.	
1.10	Development of quarries, particularly where abstraction is below water table.	
1.11	Development of windfarms within 1km of an SAC or with the risk of runoff to an SAC/SPA, particularly during construction.	
1.12	Development of pumped hydro electric stations.	
2	**Impacts on designated wetland habitats (bog, heath, marsh, fen).** *Please answer the following if the answer to question 2b in table 2 was yes.* *Does the development involve any of the following:*	
2.1	Impacts on watercourses (tributaries, streams, drains) which are remote from the SAC/SPA but may still impact on the SAC/SPA by reason of the nature or quantity of the discharge.	
2.2	Construction of roads or other infrastructure on peat habitats within 1km of a Natura 2000 site of which qualifying interests include peat, fen or marsh. (Only Peat habitat at Bruckana – consider Galmoy fen – impact unlikely	
2.3	Development of a large scale within 1km within a Natura 2000 site, whose qualifying features include fen or marsh, which involves the production of an EIS.	
3	**Impacts on designated intertidal and marine habitats (mudflats, sandflats, estuaries, reefs and sea cliffs).** *Please answer the following if the answer to question 2c in table 2 was yes.* *Does the development involve any of the following:*	
3.1	Impacts on intertidal and marine habitats from potential development which are remote from the SAC/SPA but may still impact on the SAC/SPA by reason of the nature or quantity of the discharge	
3.2	Development of piers, slipways, marinas, pontoons or any other infrastructure within 5km of a Natura 2000 site whose qualifying features include intertidal or marine habitats.	
3.3	Dredging within 5km of a Natura 2000 site whose qualifying features include intertidal or marine habitats.	
3.4	Impacts on watercourses (tributaries, streams, drains) which are remote from the SAC/SPA but may still impact on the SAC/SPA by reason of the nature or quantity of the discharge.	
3.5	Removal of topsoil or infilling within 100m of Natura 2000 sites whose qualifying features include intertidal or marine habitats where potential for surface water runoff exists.	
3.6	Development of a large scale within 1km of Natura 2000 sites whose qualifying features include intertidal or marine habitats, which involves the production of an EIS.	
4	**Impacts on other designated woodlands and grasslands (woodland, upland grassland, lowland grassland, coastal grassland including dunes).** *Please answer the following if the answer to question 2d in table 2 was yes.* *Does the development involve any of the following:*	
4.1	Works within the boundary of a Special Area of Conservation whose qualifying interests include woodland or grassland habitat types.	
4.2	Development within 200m of Natura 2000 site with woodland or grassland habitats.	

4.3	Development of a large scale within 1km of Natura 2000 site with woodland, grassland or coastal habitats which involves the production of an EIS.	
5	Impacts on birds in SPAs *Please answer the following if the answer to question 2e in table 2 was yes.* *Does the development involve any of the following:*	
5.2	Erection of wind turbines within 1km of an SPA.	
5.3	All construction works within 100m of SPA (River Nore), including the development of cycle ways or walking routes	
5.4	Infilling of coastal habitats within 500m of intertidal SPA.	
5.5	Works within 1km of coastal SPA which will result in discharges to rivers or streams that are directly connected to designated sites.	
5.6	.	

Conclusion: If the answer to question 1 and 2a-e are no or n/a, significant impacts on habitats within Natura 2000 sites and on SPAs can be ruled out. No further assessment is required in relation to habitats or birds. If the answer to any question in table 2 is yes, you may require further information, unless you are satisfied that the project proponents have incorporated adequate mitigation into their design to avoid impacts on the Natura 2000 site (eg water pollution protection measures). Such information should be provided in the form of a Natura Impact Statement which should address the particular issues of concern as identified through the above.

Table 4: Consideration of potential impacts on protected species

Many of our Special Areas of Conservation are designated for species as well as for habitats. These are listed below, alongside the sites for which they are designated. Included is a short list of the types of activities which could have an impact on these species. Please tick if you are concerned that the proposed development could have an impact on these species.

Species	Relevant Sites	Activites which could have impacts on species	Possible impacts identified? Y/N
Otter	River Nore River Barrow Lower River Suir Note: Otters are a strictly protected species. All breeding sites and resting places are protected regardless of whether or not they are within or external to Special Areas of Conservation.	Activities that interfere with river banks.	
Atlantic Salmon	River Barrow River Nore Lower River Suir	Activities that interfere with water quality, levels or the river bed;	
River Lamprey	River Barrow River Nore Lower River Suir	Activities that interfere with water quality, levels or the river bed;	
Brook Lamprey	River Barrow River Nore Lower River Suir	Activities that interfere with water quality, levels or the river bed;	
Sea Lamprey	River Barrow River Nore	Activities that interfere with water quality or the river bed – estuarine areas;	

Species	Relevant Sites	Activites which could have impacts on species	Possible Impacts Identified? Y/N
	Lower River Suir		
Twaite Shad	Lower River Suir	Activities that interfere with water quality or the river bed – estuarine areas;	
Crayfish	Lower River Suir	Activities that interfere with water quality or the river bed;	
Freshwater Pearl Mussel	River Barrow River Nore Lower River Suir	Activities that interfere with water quality, levels or the river bed ;	
Nore Freshwater Pearl Mussel	River Nore	Activities that interfere with water quality, levels or the river bed ;	

Conclusion: If the answer to all of the above is no, significant impacts on species can be ruled out. If the answer to any of the above is yes, then further information is likely to be required in relation to potential for impact on that particular species. Where potential impacts are identified on Otters or on Bats outside designated sites, then further information should be sought in the form of a species specific survey. In these cases, appropriate assessment is not required.

Habitats Directive Screening Conclusion Statement

Development Type	Part VIII proposal
Development Location	Greenstreet House, Iona Road, Kilkenny
Natura 2000 sites within impact zone	
Planning File Ref	Part 8 02/17

Description of the project: Refurbishment of Greenstreet House to provide 5 no. 1 bedroom self contained units over door units

Describe how the project or plan (alone or in combination) could affect Natura 2000 site(s): No Impact due to refurbishment works predominately

If there are potential impacts, explain whether you consider if these are likely to be significant: No Impacts determined

Conclusion of assessment

Having regard to the precautionary principle, it is considered that

☒ Significant impacts can be ruled out or AA not required (if project is directly connected or necessary to Management of Natura 2000 site (determined in consultation with NPWS))

or

☐ Significant impacts are certain, likely or uncertain (cannot be ruled out). Natura Impact Statement (NIS) is required. Project must be subject to appropriate assessment

Documentation reviewed for making of this statement: EPA Guidance document 2009 + Kilkenny City + Environs Development Plan 2014-2020

Completed By	[signature] SEP
Date	7/9/17