



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

**RE:** PART VIII - Change of House type for 2 no houses [No's 13 & 14] at Bolton, Callan, Co. Kilkenny from 2 storey 4 bed units to 1 storey 2 bed units.  
*Planning & Development Acts 2000 - 2018*  
*Planning & Development Regulations 2001 - 2018*

**DATE:** 14<sup>th</sup> January 2019


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 - Change of House type for 2 no houses [No's 13 & 14] at Bolton, Callan, Co. Kilkenny from 2 storey 4 bed units to 1 storey 2 bed units.**

I attach herewith Report of the Director of Services together with Planner's Report. 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 2014- 2020.

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

  
Colette Byrne  
Chief Executive





# KILKENNY COUNTY COUNCIL

REPORT - Dated 14<sup>th</sup> January 2019

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

Change of House type for 2 no houses [No's 13 & 14] at Bolton, Callan, Co. Kilkenny from 2 storey 4 bed units to 1 storey 2 bed units, as were previously granted on 20<sup>th</sup> Feb 2017 Part 8 ref 06/16 and all associated site development works

*For consideration by the Elected Members  
of Kilkenny County Council  
at monthly meeting to be held  
on 21<sup>st</sup> January 2019*



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## **1. Introduction**

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

## **2. Description of Proposed Development**

The proposal put forward on public display provided for change of house type of 2 no housing units on a site at Bolton, Callan from 2 x 2 storey 4 bedroom houses to 2 x 1 storey 2 bedroom houses in order to address concerns from local residents about the original proposal.

The type of units proposed is in accordance with the identified social housing need in Callan Town,

The houses have been designed by a design team lead by Reddy Architecture and Urbanism, Dean St, Kilkenny City.

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

## **3. Pre-planning**

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

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#### **4. Notice of Development**

A notice describing the proposed development was placed in the Kilkenny People, week ending Friday 16<sup>th</sup> November, 2018. A Site Notice was displayed at the site location from Friday 16<sup>th</sup> November 2018.

#### **5. Consultation**

- a) Details of proposals were put on display on on the consult website: <https://consult.kilkenny.ie> and at the Planning Department, Kilkenny County Council.
- b) Discussions took place with the owners of No. 4 and No. 5 Laurel Court, Callan which adjoins the site.

#### **6. Submissions Received**

There were no submissions received on the development.

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

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

Copy of a report the Area Planner is appended to this report.

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## 8. Kilkenny County Council's Intention Regarding Proposed Development

**Proposed Development:** Part 8 Proposal  
Change of House type for 2 no houses  
[No's 13 & 14] at Bolton, Callan, Co.  
Kilkenny from 2 storey 4 bed units to 1  
storey 2 bed units.

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**

  
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Mary Mulholland  
Director of Services



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## **Appendix A – Planning Report**



**Comhairle Chontae Chill Chainnigh  
Kilkenny County Council  
Part 8 Planning Report**



**Planning & Development Act 2000-2018  
Planning & Development Regulations, 2001 - 2018**

**Part 8 Ref. No.:** 09/18

**Development:** Change of house type for 2no. houses (No. 13 and 14) from 2-storey, 4-bed units to 1-storey, 2-bed units, from that as previously granted under Part 8 06/16, and all associated site development works at Bolton, Callan, Co. Kilkenny.

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**Site Location and Description**

The site is located at Bolton, Callan accessed via Fair Green Lane in Callan town. A Part 8 housing development has been granted on this site under Part 8 reference 06/16.

**Planning History on site:**

Part 8 – 06/16

**Details of Proposal:**

The development involves the following:

Change of house types on sites 13 and 14 from 2-storey, 4-bed units to 1-storey, 2-bed units.

**Referrals:**

None required.

**Screening for Appropriate Assessment**

Assessed as part of original Part 8 proposal for this housing development under Part 8 ref 06/16.

**Third Party Submissions**

None on file

**Assessment**

The proposed development is for the change of house type from 2no. two storey 4-bed units to 2no. 1-storey 2-bed units at sites 13 and 14, Bolton, Callan, Co. Kilkenny.

**Zoning**

The site is zoned 'New residential' in the Draft Callan Local Area Plan 2019 - 2025. The proposed change of house type is acceptable in principle and complies with the zoning objective for the area.

**Conclusion and Recommendation:**

Part 8 (09/18)

The Planning Authority considers that the principle of the proposed development is consistent with the zoning objectives for the site and accords with the policies and objectives of the current and Draft Callan Local Area Plans, the Kilkenny County Development Plan 2014 - 2020 and 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 the adjoining Natura 2000 site.

It is therefore recommended that the Part 8 application for change of house type from 2-storey, 4-bed units to 1-storey, 2-bed units at sites 13 and 14 Bolton, Callan, Co. Kilkenny, be approved by Council.



Deirdre Breen  
Executive Planner

Date 08/01/19

I agree with the above report.



Arlene O'Connor  
Senior Executive Planner

Date 8/1/19

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## **Appendix B – AA Screening Report**



# Habitats Directive Project Screening Assessment

**Table 1: Project Details**

Development Consent Type	Part 8
Development Location	Bolton, Callan, Co. Kilkenny
Planning File Ref	Part 8 -09/18
Description of the project	Change of house types for houses 13 and 14 at Bolton, Callan

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

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

**Table 3: Determination of possible impacts on Natura 2000 sites.**

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

1.	<p><b>Impacts on designated freshwater habitats (rivers, lakes streams and lagoons).</b></p> <p><i>Please answer the following if the answer to question 2a in table 2 was yes.</i></p> <p><i>Does the development involve any of the following:</i></p>	
1.1	Impacts on watercourses (tributaries, streams, drains) which are remote from the SAC/SPA but may still impact on the SAC/SPA by reason of the nature or quantity of the discharge	
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).  <i>Please answer the following if the answer to question 2b in table 2 was yes.</i>  <i>Does the development involve any of the following:</i>	
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).  <i>Please answer the following if the answer to question 2c in table 2 was yes.</i>  <i>Does the development involve any of the following:</i>	
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).  <i>Please answer the following if the answer to question 2d in table 2 was yes.</i>  <i>Does the development involve any of the following:</i>	
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 <i>Please answer the following if the answer to question 2a in table 2 was yes.</i> <i>Does the development involve any of the following:</i>	
5.2	Erection of wind turbines within 1km of an SPA.	
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	Activities which could have impacts on species	Possible Impacts Identified? Y/N
Otter	River Nore River Barrow Lower River Suir  Note: Otters are a strictly protected species. All breeding sites and resting places are protected regardless of whether or not they are within or external to Special Areas of Conservation.	Activities that interfere with river banks	
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	Activities 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 8
Development Location	Bolton, Callan
Natura 2000 sites within impact zone	Kings River SAC approx 400m north of subject site
Planning File Ref	Part 8 - 09/18
Description of the project	
Change of house types on sites 13 and 14 at Bolton, Callan	
Describe how the project or plan (alone or in combination) could affect Natura 2000 site(s).	
None anticipated	
If there are potential impacts, explain whether you consider if these are likely to be significant.	
None anticipated	
<p><b>Conclusion of assessment</b>          Having regard to the precautionary principle. It is considered that:</p> <p><input checked="" type="checkbox"/> Significant impacts can be ruled out or AA not required (if project is directly connected or necessary to Management of Natura 2000 site (determined in consultation with NPWS)).</p> <p>or</p> <p><input type="checkbox"/> Significant impacts are certain, likely or uncertain (cannot be ruled out), Natura Impact Statement (NIS) is required.          Project must be subject to appropriate assessment.</p>	
Documentation reviewed for making of this statement.	
GIS and Part 8 pre planning documents	
Completed By	<i>D. Green</i>
Date	08/01/2019