

APPENDIX 1:

STATEMENT ON ENVIRONMENTAL CONSIDERATIONS AND ASSESSMENTS

The Draft Abbey Quarter User Guide, which makes a number of recommendations to the original 2015 Abbey Quarter Masterplan on foot of a review. The Draft User Guide has been prepared in a way that ensures that the protection and management of the environment afforded by the existing planning framework (including both the current City and County Development Plan and the current Masterplan), which has already been subject to detailed environmental assessment, is retained.

The Draft User Guide will be updated following public display to take account of the findings of the public consultation exercise. It will then be used to inform a review of the Council's policy with respect to the proper planning and sustainable development of the Abbey Quarter – this will include a Proposed Variation to the current City and County Development Plan. This review, including the preparation of the Proposed Variation, will be subject to Screening for Appropriate Assessment¹ and Screening for Strategic Environmental Assessment². The Screenings will determine whether or not full assessments are required for this review and will be undertaken with in consultation with the prescribed environmental authorities³.

Signatory:



Date:

1st June 2023

¹ The European Habitats Directive provides legal protection for habitats and species of European importance. The overall aim of the Habitats Directive is to maintain or restore the “favourable conservation status” of habitats and species of European Community Interest. These habitats and species are listed in the European Habitats and Birds Directives with Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) designated to afford protection to the most vulnerable of them. These two designations are collectively known as European sites (also known as Natura 2000 sites). The River Nore at the Abbey Quarter is designated an SPA and is also part of the River Barrow and Nore SAC.

Appropriate Assessment (AA) is a focused and detailed impact assessment of the implications of a plan (or variation/amendment to a plan), alone and in combination with other plans and projects, on the integrity of a European Site (in view of its conservation objectives).

The European Habitats Directive has been transposed into Irish legislation through the European Communities (Birds and Natural Habitats) Regulations 2011 (SI No. 477 of 2011, as amended) and the Planning and Development Act 2000 (SI No. 30 of 2000, as amended).

² Strategic Environmental Assessment (SEA) is the formal, systematic evaluation of the likely significant environmental effects of implementing a plan (or variation/amendment to a plan) before a decision is made to adopt it. SEA aims to provide for a high level of protection of the environment and to contribute towards the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development. Environmental components covered comprise biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors.

Requirements relating to SEA are provided by the European SEA Directive, transposed into Irish legislation through the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (SI No. 435 of 2004, as amended) and the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (SI No. 436 of 2004, as amended).

³ These are currently the Environmental Protection Agency (in all cases), the Minister for Housing, Local Government and Heritage (all cases), the Minister for Housing, Local Government and Heritage (where there might be significant effects on architectural or archaeological heritage or nature conservation), the Minister for Agriculture, Food and the Marine and Minister for Environment, Climate and Communications (where there might be significant effects on sea fisheries or the marine environment) and any adjoining planning authority whose area is contiguous to the area of the planning authority. The Department of Housing, Local Government and Heritage's website (<https://www.gov.ie/en/publication/3539d-strategic-environmental-assessment-sea/>) provides the most up-to-date contact details for the environmental authorities that must be consulted during various stages of the SEA (including scoping), taking into account transfers of functions between Ministers since the SEA Regulations first identified the environmental authorities.



APPENDIX 2:

SUMMARY OF POLICY UPDATES

National Planning Framework (2018)

The National Planning Framework (NPF) is a high-level document that establishes an overarching framework for Ireland’s growth and development up to 2040. The NPF reflects lessons learned from the implementation of the previous National Spatial Strategy 2002-2022. It represents a shift from an uncoordinated “business as usual” approach to development and prioritises the compact growth and development of existing settlements in a coordinated and sustainable manner.

As a national framework document the NPF establishes a coherent direction for planning and development across Ireland. The NPF sets out 10 National Strategic Outcomes (NSOs) to guide development and investment across the next two decades. Subsequent regional and local planning documents and strategies must have regard to these NSO’s and related policy objectives under the NPF. The provisions of the Masterplan align with and address these strategic outcomes.



Of particular relevance are the principles of compact growth, sustainable mobility, enhanced amenity and heritage and economic growth and enterprise.

National Development Plan 2021-2030

The National Development Plan (NDP) sets out a national program of public investment to underpin the implementation of the NPF and support development in Ireland. The first NDP for 2018-2027 provided for an investment of €116 billion in capital spending to support development across different sectors. The NDP introduced four national funds to help support the delivery of objectives under the NPF:

- Rural Regeneration and Development Fund – to promote rural renewal and the regeneration of rural towns and villages.
- Urban Regeneration and Development Fund – to support major development and regeneration projects in Ireland’s urban centres.
- Disruptive Technologies Innovation Fund – to develop Ireland’s innovation ecosystem.
- Climate Action Fund – to support the transition to a low-carbon and climate-resilient society.

The NDP 2021-2030 sets out the next stage of public investment to underpin the implementation of the NPF up to 2030. It provides for €165 billion in funding to address issues around housing, urban and rural development, health and climate action and address new challenges and opportunities arising from COVID-19.

The 2021 NDP extends the URDF to 2030, providing additional investment to further support the compact growth and regeneration of Ireland’s towns and cities. This reflects Ireland’s experience of the Covid-19 pandemic, which has highlighted the importance of the quality of our urban living spaces and the URDF’s role as a catalyst for the economic recovery and social renewal of our towns and cities.

The NDP also provides enhanced support for social and affordable housing development and aims to deliver an average of 10,000 new social homes per annum up to 2030. It replaces the Served Site Fund with a Affordable Housing Fund to support the delivery of 54,000 affordable homes in the period up to 2030.



Urban Development and Building Heights Guidelines (2018)

The Urban Development and Buildings Heights Guidelines were published by DHLGH in 2018 to support the delivery of objectives under the NPF for the compact and sustainable growth of our towns and cities. The Guidelines encourage the provision of increased building heights in appropriate urban locations to help accommodate the needs of Ireland’s growing population.

The Guidelines promote increased building heights in Ireland’s cities and town centres and encourage a shift from generic building height limits previously applied in some Local Authority Development Plans to a criteria-based approach to evaluate building heights relative to their urban context. It is recommended that proposed developments with greater building heights must enhance the character of the existing public realm, in a manner that respects local culture and built heritage. They

Climate Action Plan (2021)

The Climate Action Plan (CAP) is a Whole-of-Government plan for Ireland to fulfil commitments in the Programme for Government and the Climate Action and Low Carbon Development Act 2021 to achieve a 51% reduction in overall greenhouse gas emissions by 2030 and net-zero emissions by 2050. The CAP is a living document and is updated annually to reflect progress made. The CAP’s 2023 update is the first to implement carbon budgets and sectoral emissions ceilings as agreed by the Irish Government in 2022.

The CAP commits Ireland’s public sector to lead by example in reducing carbon and greenhouse gas emissions. Local authorities are to play a key role in this transition:

“Local authorities, in particular, have a pivotal role to play in the decarbonisation transition, including through spatial planning, the provision of public housing and transport infrastructure, and the maintenance of biodiversity.”

The CAP highlights the important role spatial and planning policy will play in reducing carbon emissions and achieving our emissions targets. In line with policy direction established under the NPF, it promotes compact growth and higher density residential development in Ireland’s urban settlements to create vibrant and people-focused environments that reduce travel time and encourage active sustainable modes of travel.

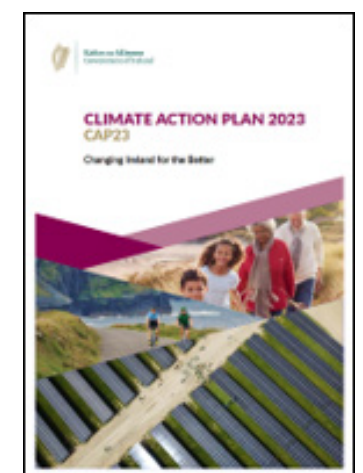
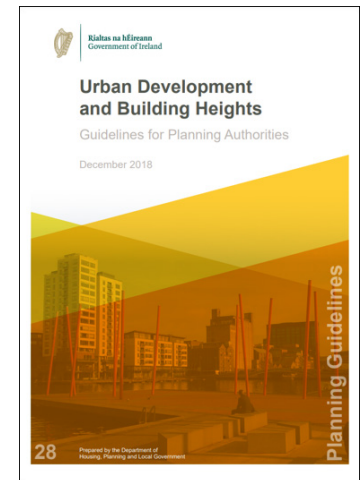
should create visual interest, help create and enhance public spaces and contribute to an appropriate mix of building uses and typologies. Further, the form, massing and height of proposed development should maximise access to natural daylight and minimise overshadowing.

This review of the Abbey Quarter Masterplan has accounted for and incorporated these criteria for greater building heights into recommended objectives and design proposals.

The CAP also highlights decarbonisation targets for our construction sector and built environment. In terms of new construction, the CAP seeks to achieve a decrease in embodied carbon of 10% by 2025 and 30% by 2030. This is to be achieved through reducing the clinker content of cement to reduce its carbon intensity without compromising its integrity, and further supporting the uptake of alternative construction materials such as timber.

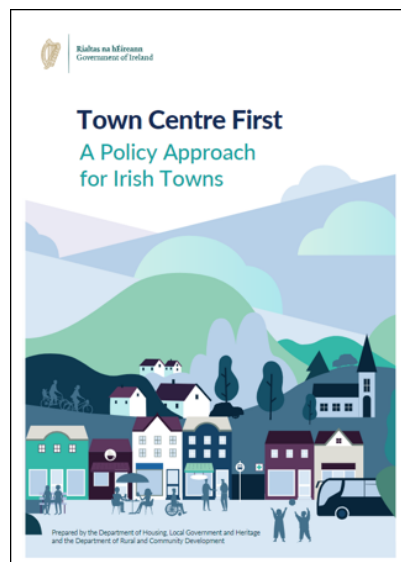
The revised Nearly Zero Energy Building (NZEB) Regulations introduced in 2019 will continue to drive the decarbonisation for Ireland’s built environment. The CAP establishes a target for the residential sector that all new dwellings designed and constructed to 2025 will achieve a NZEB standard, and that by 2030 all new dwellings will achieve a Zero Emission Building standard.

For non-domestic buildings, new builds are now required to achieve a reduction in carbon emissions of 60% compared to previous standards, and to meet at least 20% of their energy need through renewable sources.



Town Centre First (2022)

Ireland's Town Centre First (TCF) policy aims to support the development of town centres that are attractive and functional locations in which people can live, work and visit. The TCF policy reflects lessons learned during the COVID-19 pandemic and associated travel restrictions, which highlighted the role of town centres as local service providers and the importance of accessible public spaces for socialisation and recreation. It presents a strategic framework to help Ireland's towns become vibrant and sustainable hubs for social, economic and cultural activity.



“The Town Centre First policy aims to create town centres that function as viable, vibrant and attractive locations for people to live, work and visit, while also functioning as the service, social, cultural and recreational hub for the local community”

This framework for town centre development and revitalisation is based on four key pillars:

- Building capacity at the local level to drive town centre revitalisation forward.
- Improving the quality and availability of data on towns to lead to better understanding and development.
- Developing TCF Plans that evaluate the current position of a town and outline a vision for its future.
- The implementation of funding instruments and interventions to support town centre investment.

The TCF documents highlights Kilkenny's Abbey Quarter as a positive example of town centre regeneration, creating a vibrant new urban quarter that links with Kilkenny's existing medieval core.

Housing for All – A New Housing Plan for Ireland

Housing for All is the Government's ambitious plan for the development and delivery of housing in Ireland up to 2030. It is a multi-annual, multi-billion-euro plan that seeks to accelerate housing delivery and address issues around availability and affordability in Ireland's housing sector.

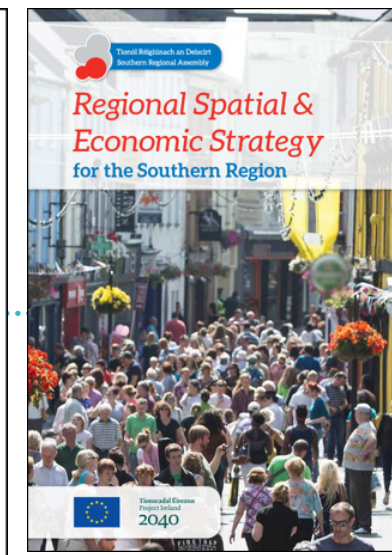
Housing for All establishes a target to deliver 33,000 new homes per annum, with over 300,000 homes to be delivered up to 2030. This includes both social and affordable housing units by public bodies, as well as private units delivered by the commercial sector. This target is to be achieved through four primary pathways that address different elements of Ireland's housing sector.

1. Supporting Homeownership and Increasing Affordability
2. Eradicating Homelessness, Increasing Social Housing Delivery and Supporting Social Inclusion
3. Increasing New Housing Supply
4. Addressing Vacancy and Efficient Use of Existing Stock

Pathway 1 sets targets for the delivery of affordable housing by Local Authorities, Approved Housing Bodies, the Land Development Agency and the State that will be made available to purchase or rent. The plan introduces the 'Local Authority Affordable Purchase Scheme'. Targeted primarily at first time buyers, this scheme seeks to make homes available at a reduced price by way of Local Authorities taking an equity stake in the home that is equivalent to a reduction from the prevailing market price for the property. The Plan sets a target for the delivery of 36,000 affordable purchase homes by 2030.

Housing for All also sees the formal introduction of 'Cost Rental' housing to the Irish market. This is a form of public housing tenure that is targeted at households that are above the social housing income limits but require some support in accessing viable and secure long-term rental options. Under Cost Rental tenure the rents charged will be set to cover the cost of financing, managing and maintaining the home. As such, rents will be lower than those in the private rental sector. The Plan sets a target for the delivery of 18,000 cost rental homes by 2030.

Pathway 2 of Housing for All also emphasises the commitment to deliver 90,000 social housing units by 2030. This will be facilitated through funding under the NDP, partnerships between Local Authorities and Approved Housing Bodies and Public Private Partnerships for new housing delivery.



Regional Spatial and Economic Strategy (2020)

The Regional Spatial and Economic Strategy for the Southern Region is a 12-year high-level plan that supports the implementation of the NPF by providing a strategic planning and economic framework for sustainable growth and development at the regional level.

The Vision for the RSES is to:

- “Nurture all our places to realise their full potential;
- Protect and enhance our environment;
- Successfully combat climate change;
- Achieve economic prosperity and improved quality of life for all our citizens;
- Accommodate expanded growth and development in suitable locations; and
- Make the Southern Region one of Europe's most creative, innovative, greenest and liveable regions.”

The RSES recognises Kilkenny as the fourth largest settlement in the southern region and a Key Town in the regions settlement hierarchy, i.e. a “Large population scale urban centre functioning as self-sustaining regional drivers.”

Under Regional Policy Objective 12 it seeks “To strengthen the role of Kilkenny City as a self-sustaining regional economic driver...” and to “To support urban generation through investment in the Abbey Quarter & other initiatives to improve the Public Realm and regenerate underused land in the City”.

Kilkenny City and County Development Plan 2021-2027

The Kilkenny City and County Development Plan (CCDP) 2021-2027 establishes a detailed direction for the spatial and economic development of Kilkenny City and County. The CDP reflects national priorities for compact growth, housing delivery, sustainable mobility and decarbonisation and translates these into detailed policy objectives for Kilkenny's development.

The CCDP comprises of two volumes.

Volume 1 sets out the overarching policy direction for the county as whole. Volume 2 provides granular detail on the context, ambitions and policy direction for Kilkenny City itself.

The CCDP identifies several key strategic priorities for the city's development, including:

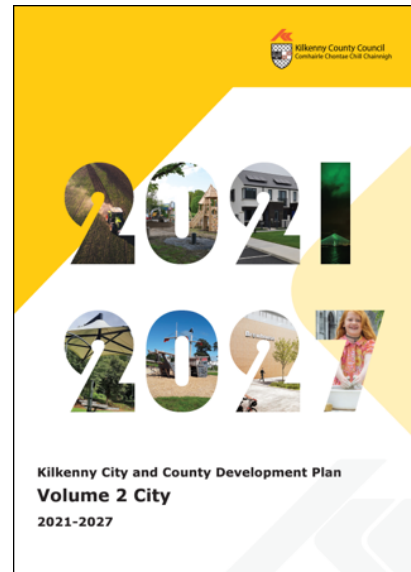
“To consolidate and strengthen the role of Kilkenny City as a self-sustaining Key Town and regional economic driver

To deliver compact growth in the expansion of the City with a minimum of 30% of the growth within the existing built up footprint of the City

To support urban regeneration through investment in the Abbey Quarter & other initiatives to improve the public realm and regenerate land and buildings in the City.

To deliver investment in sustainable transport measures through a Local Transport Plan including continued development of the city bus services with walking and cycling infrastructure in support of the compact '10-minute city' concept.”

The objectives and provisions of the Kilkenny CCDP have informed masterplan review, and will directly inform the evaluation of future development proposals for the Abbey Quarter.



Draft Planning Bill

In December 2022 the Government approved the Draft Planning and Development Bill 2022. Ireland's planning system is built on the Planning and Development Act 2000. Adopted in 2000, the Act has incorporated a number of amendments over the last two decades to reflecting changing priorities and legal obligations. The 2022 Bill aims to introduce changes that, if adopted, will overhaul Ireland's planning system. The Bill aims to bring greater clarity and certainty to Ireland's planning system, making it both more coherent and more user-friendly to prospective applicants and the general public.

The Bill includes several proposals and provisions that will impact planning and development in Ireland. Some key provisions include the following:

Extending the timeframe of City and County Development Plans from six to ten years, with a review to be undertaken after five years. There are also revised requirements for how such Plans are prepared, and they will have to provide greater detail and certainty as to what is planned and proposed for specific areas.

Giving enhanced legal footing to Ministerial Guidelines (such as the Building Heights Guidelines and policy directives. These will be updated to form 'National Planning Policy Statements', and there will be a material requirement for other plans to comply with their provisions.

The introduction of statutory mandatory timelines for all consent processes.

The restructuring of An Bord Pleanála, Ireland's national independent planning body, to better distinguish between its decision-making and corporate roles. The restructured organisation will be renamed An Coimisiún Pleanála.

The Bill will be brought before the Houses of the Oireachtas in 2023 before being considered for adoption.

The Abbey Quarter Masterplan provides a coherent but flexible framework for the development of the Abbey Quarter. Its implementation under KCCC will comply with anticipated changes under the Draft Planning and Development Bill 2022.

