



KILKENNY COUNTY COUNCIL

REPORT - Dated 24th May, 2024

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

*RE: Refurbishment & subdivision of existing derelict
dwelling at No. 11 Tilbury Place, Kilkenny City.*

**For consideration by the Chief Executive
of Kilkenny County Council**

Structure of Report

1. Introduction
2. Description of proposed development
3. Application of S179A
4. Pre-planning consultations undertaken and advice received
5. Implications for the proper planning and sustainable development of the Area
6. Council's Intention regarding proposed development

Appendix A

Proposed architectural drawings prepared by
Kilkenny County Council Housing Capital

Appendix B

Proposed Public Notice

1. Introduction

This report has been prepared for consideration by the Chief Executive of Kilkenny County Council and contains information regarding the proposed development, as required in accordance with Section 179A of the Planning & Development Acts, 2000 as amended .

2. Description of Proposed Development

Kilkenny County Council acquired this derelict property through Kilkenny County Council Compulsory Purchase Order No. 03 of 2020.

The property was originally a single dwelling built over 25 years ago behind the Market Cross Multi-Storey Car Park Development, James' Street, Kilkenny. The property has been vacant for many years and has fallen into a serious state of disrepair following a fire and now stands as a roofless shell.

It is proposed to subdivide the property into two no. one-bedroom dwellings as part of the refurbishment of this property. One-bedroom dwellings are the preferred option for this location due to the high demand and the fact that this property does not have any private open space associated with it.

3. Application of S179A

		Yes / No	Comment
A	the land is owned by the local authority or another specified State Body;	Yes	
B	the land is zoned for residential development ;	Yes	

C	the proposed development does not materially contravene the development plan or local area plan for the area;	Yes
D	the proposed development is in accordance with the relevant local authority's housing strategy ;	Yes
E	the land is serviced or will be serviced with the necessary supporting infrastructure or facilities within the timeframe of the development;	Yes
F	the proposed development is not required to undergo environmental impact assessment (EIA) under the EIA Directive or appropriate assessment (AA) under the Habitats Directive; and	Yes
G	the development works in question are commenced by no later than 31 December 2024 .	Yes

4. Pre-planning

As part of the planning application process the Area Planner and was advised of planning requirements through a formal pre-planning submission prior to finalizing the details of the application.

The Planners comments to the initial proposal and responses are as follows in *italics*:

- 1) Provision of Private Open Space to meet the requirements of 'Sustainable Urban Housing: Design Standards for New Apartments - Guidelines for Planning Authorities, December 2022'

Options were investigated for the provision of Private Open Space for the two apartments, however and the car park to the rear of the dwelling is in private ownership and there is insufficient space at the front of the building to allow for the addition of any external balconies. The floor area is insufficient to allow for

the provision of inset balconies. We would note that the original dwelling had no associated private open space.

- 2) Requirement that minimum floor area and minimum storage space requirements of 'Sustainable Urban Housing: Design Standards for New Apartments - Guidelines for Planning Authorities, December 2022' must be complied with.

The minimum floor areas are achieved for each apartment and storage provision is increased in Apartment 11A by introducing a Store above the sloped bulkhead over the stair up from ground floor. This allows us to meet the minimum requirement of 3m² of storage space for a one-bedroom apartment.

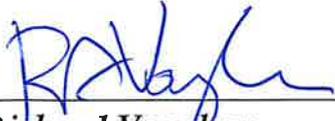
5. Implications for Proper Planning and Sustainable Development of the Area

The proposed development is consistent with the provisions of the Kilkenny City and County Development Plan 2021-2027 and is compatible with the proper planning and sustainable development for the area.

The Area Planner advised that Appropriate Assessment and an Environmental Impact Assessment is not required for this development and that the revised proposals are acceptable with no further comment.

Report prepared by:

SIGNED



Richard Vaughan
Executive Architect

6. Kilkenny County Council's Intention Regarding Proposed Development

Proposed Development: S179A Proposal
**Refurbishment and subdivision of
existing derelict dwelling at No. 11
Tilbury Place, Kilkenny City.**

I recommend that Kilkenny County Council proceed with the proposed development in accordance with the report and recommendation from the Housing Capital Section dated 24th May, 2024.

SIGNED


Mary J Mulholland
Director of Services

SIGNED:

Lar Power
Chief Executive

Appendix A

1. Proposed architectural drawings prepared by Kilkenny County Council Housing Capital.

Appendix B

1. Public Notice



**Planning and Development Act 2000, as amended
Planning and Development Regulations 2001, as amended**

**NOTICE OF INTENTION TO UNDERTAKE DEVELOPMENT
BY A LOCAL AUTHORITY UNDER SECTION 179A OF THE
PLANNING AND DEVELOPMENT ACT, 2000 (as amended)**

In accordance with the provisions of Section 179A of the Planning and Development Act 2000 (as amended) Kilkenny County Council gives notice of its intention to carry out the following development:

Refurbishment and simultaneous subdivision of existing derelict dwelling into two number, one-bedroom dwellings at No. 11 Tilbury Place, Kilkenny City.

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 Planning Dept., Kilkenny County Council, County Hall, John St., Kilkenny City from 9am to 1pm & 2pm to 4pm Monday to Friday (excluding weekends and Bank Holidays) and can be viewed online at <https://consult.kilkenny.ie/>

Screening Determination:- In accordance with the requirements of Article 120(1)(a) of the Planning and Development Regulations 2001 (as amended) the Planning authority has made a preliminary examination of the nature, size and location of the proposed development. The authority has concluded that there is no real likelihood of significant effects on the environment arising from the proposed development and a determination has been made that an Environmental Impact Assessment (EIA) is not required. The authority has concluded that there is no likelihood of significant effects on a European Site and that an Appropriate Assessment is not required. As per Article 120(3) of the Planning and Development Regulations 2001 (as amended), where any person considers that the development proposed to be carried out would be likely to have significant effects on the environment, he or she may, at any time before the expiration of 4 weeks beginning on the date of the publication of this updated 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.

Within a period of 8 weeks from the date of this notice any person may question the validity of any decision of the Planning Authority by way of an application for judicial review. The development will not commence until this period of 8 weeks has expired.

Mary Mulholland, Director of Services.

Date of Notice