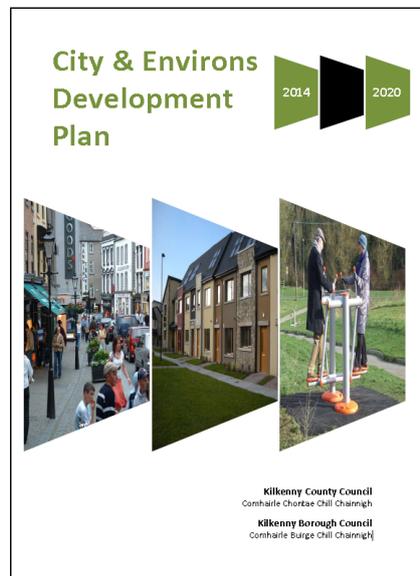


# Proposed Variation No. 1 of Kilkenny City & Environs Development Plan 2014-2020

Chief Executive's Report  
on Submissions received





**Kilkenny County Council  
July 2015**

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## List of Abbreviations

AA	Appropriate Assessment
AS	Central Access Scheme
ER	Environmental Report
NIR	Natura Impact Report
SEA	Strategic Environmental Assessment

## 1. Introduction

This report addresses the submissions received during the 4 week statutory public consultation period from the 23<sup>rd</sup> of June to the 21<sup>st</sup> of July 2015 in relation to the Proposed Variation No. 1 of the Kilkenny City and Environs Development Plan 2014-2020.

This report is being furnished to the Elected Members of Kilkenny County Council for their consideration in advance of the Special Council Meeting of the 31<sup>st</sup> of July 2015.

In accordance with Section 13(6) of the Planning and Development Acts, the Elected Members may by resolution adopt, amend or refuse the Variation.

### 1.1 Reasons for the Variation

In 2014, a Development Plan was made for Kilkenny City & Environs for the period 2014-2020. The Development Plan is a legal document that sets out the overall strategy for the development of the city up to the year 2020.

Further to Objective 3C of this Development Plan (*'To prepare a masterplan and urban design framework for the Smithwick's site and Bateman Quay during the lifetime of the Development Plan'*) it is now proposed to make a Variation to the same Development Plan to include 9 no. new development objectives for the masterplan area. The 9 objective and the accompanying map, Figure 3.4, are reproduced overleaf.

The reasons for the proposed Variation are:

- To ensure a statutory basis for high level principles which are required to underpin the future development of the former Smithwick's Brewery site, Bateman Quay/Market Yard and surrounding area which will consolidate the city centre and contribute towards its' vitality and viability.
- To maximise the benefit accruing from current funding and resource opportunities.

### 1.2 Content of the Variation

The documents placed on public display for the Proposed Variation are:

- Statutory Public Notice.
- Proposed Variation Text and Figure 3.4
- Strategic Environmental Assessment (SEA) Environmental Report
- Appropriate Assessment (AA) Screening Report

## Figure 1 – Text and Map of Proposed Variation

The proposed Variation to the Kilkenny City & Environs Development Plan 2014-2020 consists of 9 no. development objectives and a map (Fig 3.4) to be inserted into Chapter 3 of the Development Plan. These objectives will establish high level principles for the area covered by the Abbey Creative Quarter Masterplan which is also under preparation.

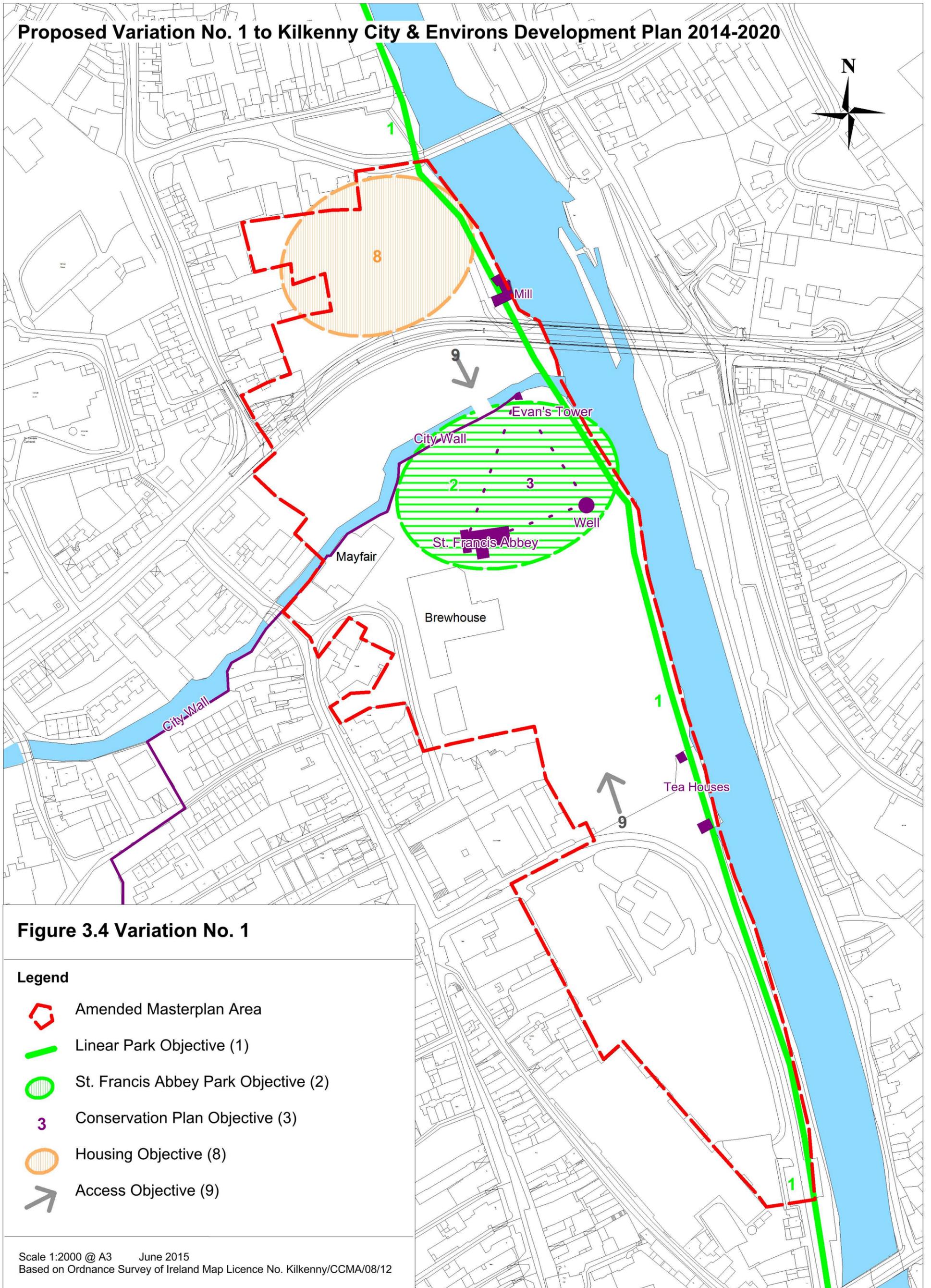
The text of the proposed Variation is:

It is an objective of the Council:

1. To provide for a linear park along the western bank of the River Nore connecting to the existing River Nore linear park north of Green's Bridge and the existing River Nore linear park south of the Masterplan area (Canal Walk) (as indicated on Fig 3.4) subject to compliance with the Habitats and Birds Directives and the provisions of the Abbey Creative Quarter Masterplan
2. To provide for an urban park in the vicinity of St. Francis Abbey (National Monument) incorporating Evan's Turret and St. Francis' Well taking into account the recommendations of the archaeological strategy developed in the preparation of the Abbey Creative Quarter Masterplan (as indicated on fig 3.4) and subject to compliance with the Habitats and Birds Directives and the provisions of the Abbey Creative Quarter Masterplan,
3. To prepare a Heritage Conservation Plan for St. Francis Abbey, Evans' Turret and St. Francis' Well in the context of the existing City Wall conservation plan in conjunction with the Heritage Council, the Office of Public Works, the National Monuments Service, the Department of Arts, Heritage and the Gaeltacht and other relevant stakeholders.
4. To prepare urban design criteria and recommendations and archaeological recommendations for the implementation of the Abbey Creative Quarter Masterplan.
5. To finalise and adopt the Abbey Creative Quarter Masterplan and to incorporate it into the Kilkenny City & Environs Development Plan 2014-2020.
6. To develop a low carbon energy strategy for the masterplan area and advance the provision of near zero energy buildings on site.
7. To provide for park and walk facilities for car and bus/coach parking at a site or sites in close proximity to the Abbey Creative Quarter Masterplan area to service both the masterplan area and the city centre generally.
8. To provide for housing within the masterplan in the area north of the Central Access Scheme as identified on fig 3.4
9. To provide for an urban street of pedestrian and cyclist priority between the Central Access Scheme and Bateman Quay crossing the River Breagagh at the existing bridge crossing. To provide for traffic management measures on the street such as to inhibit the flow of through traffic and heavy goods vehicles.

These objectives will be inserted into Chapter 3 of the Plan (Core Strategy) and re-numbered accordingly, i.e. 3H, 3I, 3J etc.

# Proposed Variation No. 1 to Kilkenny City & Environs Development Plan 2014-2020



**Figure 3.4 Variation No. 1**

## Legend

-  Amended Masterplan Area
-  Linear Park Objective (1)
-  St. Francis Abbey Park Objective (2)
-  Conservation Plan Objective (3)
-  Housing Objective (8)
-  Access Objective (9)

## 1. Process to Date

Since April 2012, when the announcement was made by Kilkenny Borough Council to purchase the Smithwick's Brewery site, the process of making a plan and consulting with the public and statutory authorities has been on-going.

The key dates and events over the last 3 years in this process are set out in the following table.

<b>Date</b>	<b>Action</b>
April 2012	Announcement made that Kilkenny Local Authorities had an agreement with Diageo to purchase the Smithwick's Brewery Site.
June 2012	A public meeting was held by the Mayor in the Town Hall. Approximately 100 people attended an open session to discuss the future of the site.
December 2012-February 2013	In conjunction with the Department of Arts Heritage and Gealtacht and the Royal Institute of Architects in Ireland (RIAI), a range of architects, planners and other property experts were invited to participate in a colloquium on the future of the site. An Urban Design Review Report was published as a result.
May 2013	A special Joint Meeting of Kilkenny Borough Council and Kilkenny County Council was held to outline the results of that Urban Design Review. Following the colloquium and urban design review, tenders for consultants to prepare a Masterplan were issued.
July 2013	Reddy Architecture and Urbanism were appointed to prepare the Masterplan.
	A joint meeting of the County Council and the Borough Council was held in July 2013 at which the decision to retain and refurbish the Mayfair and Brewhouse buildings and to temporarily retain the Maturation building was made to support early interest in business start-ups.
November 2013	A draft Masterplan document was published in November 2013 and submissions were received by the Council up to 13 <sup>th</sup> December. A public meeting was held in the Town Hall on the 5 <sup>th</sup> November presenting the draft Masterplan. 38 submissions were received to the initial draft Masterplan from members of the public and statutory authorities.
November 2014	Following these consultation events, a Chief Executive's report was brought to the County Council in November 2014. The Chief Executive's report recommended the retention of the Mayfair & Brewhouse buildings, the creation of a linear park by the river Nore, the creation of a street to link Bateman Quay and the Central Access Scheme and to engage in further public consultation to revision the Masterplan.

<p>January 2015</p>	<p>The Planning Department of Kilkenny County Council embarked on a public consultation exercise in January 2015 called 'The Brewery: Re-Visioning'. Members of the public were invited to attend a two-day public event to express their views and suggestions for the future development of the brewery site through a workshop format. Due to the high level of interest from members of the public, a second two-day workshop was organised. A half day workshop with Comhairle na nÓg was also held. 222 people participated in these workshops. The work focused on Visioning the area and Guidelines to implement the vision. The Council also received 71 written submissions during this consultation period.</p>
<p>March 2015</p>	<p>A Chief Executive's Report was published outlining the issues raised and the work carried out at the workshops. This is published on <a href="https://ourplan.kilkenny.ie">https://ourplan.kilkenny.ie</a>. A Vision Statement and suggested Guidelines were put forward as a direct result of the consultation workshops. The report also included a suite of recommendations on the process, such as completing a detailed archaeological strategy, environmental assessments and to hold a further feedback public event.</p>
<p>May 2015</p>	<p>Following completion of the Archaeological Strategy and the draft Environmental Reports, a Feedback and Public Engagement event was held on the 16<sup>th</sup> of the May 2015. A total of 54 people attended this follow-up session. An emerging draft Masterplan layout was presented having regard to the archaeological and environmental reports, and to the changes made on foot of the public consultation events. Members of the public carried out a SWOT analysis (Strengths, Weaknesses, Opportunities &amp; Threats) of the emerging Masterplan layout. A report outlining the work carried out at this event is also published on <a href="http://ourplan.kilkenny.ie">http://ourplan.kilkenny.ie</a></p> <p>A special Council meeting was held on the 27<sup>th</sup> of May to discuss the Draft Masterplan for the Abbey Creative Quarter. The Council approved the Draft Masterplan for public display. A proposed Variation to the Kilkenny City &amp; Environs Development Plan 2014-2020 to enshrine high level principles for the Masterplan area was approved to proceed to public consultation.</p>
<p>June/July 2015</p>	<p>The Proposed Variation and the Draft Masterplan were placed on public display on the 23<sup>rd</sup> June for a period of 4 weeks and circulated to statutory agencies, government departments and relevant stakeholders for consultation.</p> <p>An informal public information evening was held in The Maltings, Tilbury Place, Kilkenny on Thursday the 25<sup>th</sup> of June 2015 from 4pm–7pm where all the documentation was on public display and Council staff were present to answer queries.</p>

## 2. Statutory Consultation

The statutory consultation process for the proposed Variation<sup>1</sup> commenced on the 23<sup>rd</sup> of June and ran for a 4 week period until the 21<sup>st</sup> of July 2015.

A notice for the proposed Variation was published in the Kilkenny People on the 19<sup>th</sup> of June 2015 (copy overleaf- full page advertisement). A second replica notice was published in the Kilkenny People on the 26<sup>th</sup> of June 2015.

The plans and particulars for the proposed Variation were placed on public display at the following locations for the 4 weeks period:

- <http://consult.kilkenny.ie>
- The Planning Department, County Hall, Kilkenny.
- Carnegie Library, Johns' Quay, Kilkenny.

In addition:

- Display boards / Public notices were placed at two locations in County Hall - Ground Floor Reception and at the Planning Department Reception.
- A powerpoint presentation was shown on loop in the shop window of 76 John Street (formerly Meubles) and at the reception desk in County Hall.
- E-mail notification of the process was sent to all Elected Members, local Oireachtas Members, statutory authorities, all members of the Ourplan website and to those who registered to attend the public consultation workshops informing them of this process. Mid-way reminder notifications were also placed on Facebook and Twitter on the 6<sup>th</sup> of July 2015, and e-mails sent to Ourplan users on the 8<sup>th</sup> and 16<sup>th</sup> of July.
- An article about the Variation appeared in the Kilkenny People, dated 10<sup>th</sup> July 2015.

An informal public information evening was held in the Maltings in Kilkenny City on the 25<sup>th</sup> of June at which the documentation was placed on public display and members of Council staff were available to answer questions. Approximately 15 members of the public attended.

**Photo taken at Public Information evening Thursday 25<sup>th</sup> June 2015**



<sup>1</sup> In accordance with Section 13 of the Planning and Development Acts.

Notices Published in Kilkenny People on 19<sup>th</sup> of June 2015.

KILKENNY COUNTY COUNCIL

## Draft Masterplan for Abbey Creative Quarter

(Former Smithwick's Brewery site and Bateman Quay / Market Yard area)

In accordance with Objective 3C of the Kilkenny City & Environs Development Plan 2014-2020, Kilkenny County Council has prepared a Draft Masterplan for the Smithwick's site and Bateman Quay/Market Yard area.

The Draft Masterplan is a non-statutory document. The Draft Masterplan is accompanied by a Strategic Environmental Assessment (SEA) Environmental Report, Appropriate Assessment (AA) Natura Impact Report, Flood Risk Assessment (FRA) and Archaeological Strategy.

A copy of the Draft Masterplan and accompanying documentation may be inspected at the following locations for a 4 week period between Tuesday the 23<sup>rd</sup> June and Tuesday the 21<sup>st</sup> July 2015:

- Online at <http://consult.kilkenny.ie/> and <http://ourplan.kilkenny.ie>
- The Planning Department, Kilkenny County Council, John Street, Kilkenny during office opening hours of 9.00am to 1.00pm and 2.00pm to 4.00pm Monday to Friday.
- Carnegie Library, John's Quay, Kilkenny during opening hours of: Tuesdays and Wednesdays 10am to 1pm and 2pm to 8pm, Thursdays and Fridays 10am to 1pm and 2pm to 5pm, and Saturdays 10am to 1:30pm.

An informal public information evening will be held in The Maltings, Tilbury Place, Kilkenny on Thursday the 25<sup>th</sup> of June 2015 from 4pm-7pm where all the documentation will be on public display and Council staff will be present to answer any queries.

Written submissions or observations with respect to the Draft Masterplan, SEA Environmental Report, AA Natura Impact Report and accompanying documentation made to the Planning Authority within this period will be taken into consideration before the making of the plan. All submissions must be clearly marked 'Masterplan'. Submissions must be made online at <http://consult.kilkenny.ie>, or sent by email to [ourplan@kilkennycoco.ie](mailto:ourplan@kilkennycoco.ie) or in writing to Sean McKeown, Director of Services, Planning Department, Kilkenny County Council, John Street, Kilkenny. Submissions must be received by the Planning Authority by 5pm on Tuesday the 21<sup>st</sup> July 2015.

Sean McKeown  
Director of Services,  
Planning Department  
19<sup>th</sup> June 2015

KILKENNY COUNTY COUNCIL

## Variation No.1 to Kilkenny City & Environs Development Plan 2014-2020

In accordance with Section 13(3) of the Planning & Development Acts 2000-2014, notice is hereby given that Kilkenny County Council is proposing a Variation to the Kilkenny City & Environs Development Plan 2014-2020.

Further to Objective 3C of the Kilkenny City & Environs Development Plan 2014-2020 ('To prepare a masterplan and urban design framework for the Smithwick's site and Bateman Quay during the lifetime of the Development Plan'), Kilkenny County Council is now proposing to make a Variation to the same Development Plan to include 9 no. new development objectives for the masterplan area. The reasons for the proposed Variation are:

- To ensure a statutory basis for high level principles which are required to underpin the future development of the former Smithwick's Brewery site, Bateman Quay/Market Yard and surrounding area which will consolidate the city centre and contribute towards its vitality and viability.
- To maximise the benefit accruing from current funding and resource opportunities.

A copy of the Proposed Variation, including a Strategic Environmental Assessment (SEA) Environmental Report and Appropriate Assessment (AA) Screening Report, may be inspected at the following locations for a 4 week period between Tuesday the 23<sup>rd</sup> June and Tuesday the 21<sup>st</sup> July 2015:

- Online at <http://consult.kilkenny.ie/> and <http://ourplan.kilkenny.ie>
- The Planning Department, Kilkenny County Council, John Street, Kilkenny during office opening hours of 9.00am to 1.00pm and 2.00pm to 4.00pm Monday to Friday.
- Carnegie Library, John's Quay, Kilkenny during opening hours of: Tuesdays and Wednesdays 10am to 1pm and 2pm to 8pm, Thursdays and Fridays 10am to 1pm and 2pm to 5pm, and Saturdays 10am to 1:30pm.

An informal public information evening will be held in The Maltings, Tilbury Place, Kilkenny on Thursday the 25<sup>th</sup> of June 2015 from 4pm-7pm where all the documentation will be on public display and Council staff will be present to answer any queries.

Written submissions or observations with respect to the proposed Variation, SEA Environmental Report and AA Screening Report made to the Planning Authority within this period will be taken into consideration before the making of the Variation. All submissions must be clearly marked 'Variation'. Submissions must be made online at <http://consult.kilkenny.ie>, or sent by email to [ourplan@kilkennycoco.ie](mailto:ourplan@kilkennycoco.ie) or in writing to Sean McKeown, Director of Services, Planning Department, Kilkenny County Council, John Street, Kilkenny. Submissions must be received by the Planning Authority by 5pm on Tuesday the 21<sup>st</sup> July 2015.

Sean McKeown  
Director of Services, Planning Department  
19<sup>th</sup> June 2015

### 3. Statutory Content of Chief Executive's Report

In accordance with Section 13(4) of the Planning and Development Acts, the manager of the Planning Authority shall prepare a report on any submissions or observations received during the public consultation period referred to above. The report shall-

- (i) List the persons or bodies who made submissions or observations,
- (ii) Summarise the following from the submissions or observations made:
  - a. Issues raised by the Minister,
  - b. Issues raised by the Regional Authority , and
  - c. Thereafter, issues raised by other bodies or persons.
- (iii) Give the response of the manager to the issues raised, taking account of the proper planning and sustainable development of the area, the statutory obligations of any local authority in the areas and any relevant policies or objectives for the time being of the Government or of any Minister of the Government.

### 4. Submissions Received

In total, the Planning Department received submissions from 33 people/organisations. Below is a list of the submissions received.

Reference	Name	Page Number
V1	Minister for Environment, Community and Local Government	12
V2	Minister for Arts, Heritage and the Gaeltacht	12
V3	Southern Regional Assembly	18
V4	Liz O'Brien	18
V5	Darragh Byrne	20
V6	Kersty Evans	21
V7	An Taisce	24
V8	Lucy Glendinning	25
V9	Gladys Bowles	27
V10	Kilkenny Archaeological Society	29
V11	Cllr. Malcolm Noonan	30
V12	Des Doyle	31
V13	Irish Water	34
V14	Pauline Cass	34
V15	Yvonne Jenkinson	36
V16	Sheila Tuohy	37
V17	Caroline Jenkinson	40
V18	Ross Stewart	40
V19	Enya Kennedy	42
V20	Environmental Protection Agency	43
V21	Evelyn Smith	45
V22	Paddy O'Ceallaigh	46

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<b>V23</b>	Kay Brennan	49
<b>V24</b>	Turlough Kelly	50
<b>V25</b>	Christopher O'Keeffe	51
<b>V26</b>	Margaret O'Brien	52
<b>V27</b>	Terence Kelly	57
<b>V28</b>	S. O'Brien	58
<b>V29</b>	Aine Murphy	60
<b>V30</b>	Katharine Larkin	62
<b>V31</b>	Rosemarie Kelly	63
<b>V32</b>	Declan Murphy	64
<b>V33</b>	Ann Marie Swift	65

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## 5. Summary of the Issues Raised, Chief Executive's Response and Recommendations

### 5.1 Ministerial Submissions

Ref	Name	Summary
V1	<b>Department of Environment, Community &amp; Local Government</b>	<ol style="list-style-type: none"> <li>1. The proposed Variation is generally consistent with National, Regional and Local policy and concurs with the City and Environs Development Plan.</li> <li>2. The proposed Variation should incorporate an objective that all development within the Abbey Creative Quarter shall comply with 'The Planning System and Flood Risk Management Guidelines' and take account of the mitigation measures included in the Flood Risk Assessment for the Abbey Creative Quarter Masterplan (June 2015).</li> <li>3. The realisation of the Abbey Creative Quarter Masterplan objective will require a Variation in itself pursuant to Section 13 of the Planning and Development Acts.</li> </ol>
<b>Response</b> <ol style="list-style-type: none"> <li>1. Noted.</li> <li>2. It is considered prudent that the following additional text be included as a foot note to the objectives in the Variation: <i>'All development within the Abbey Creative Quarter shall comply with 'The Planning System and Flood Risk Management Guidelines' and take account of the mitigation measures included in the Flood Risk Assessment for the Abbey Creative Quarter Masterplan (June 2015)'</i>. This will supplement existing Development Plan Policy on Flooding, 8H<sup>2</sup>, and the Development Management Standard<sup>3</sup> for flooding.</li> <li>3. Noted.</li> </ol>		

Ref	Name	Summary
V2	<b>Department of Arts, Heritage &amp; Gaeltacht</b>	<b>Archaeology</b> <ol style="list-style-type: none"> <li>1. An underwater archaeological strategy should be addressed in any future revision to the overall archaeology Strategy to be contained in the Abbey Quarter Masterplan.</li> <li>2. The archaeological heritage of the Masterplan area relates to both upstanding/above ground structures and buried archaeological remains. It is imperative to mention this in Section 4.9.3 of the Environmental report.</li> <li>3. New views to and from National Monuments and significant historical sites and landmarks within the City will potentially be opened up and the protection and enhancement of this intervisibility should be a critical element of any landscape assessment.</li> </ol>

<sup>2</sup> 'To adopt a comprehensive risk-based planning approach to flood management to prevent or minimise future flood risk. In accordance with the Planning System and Flood Risk management Guidelines for Planning Authorities, the avoidance of development in areas where flood risk has been identified shall be the primary response'

<sup>3</sup> 'Where flood risk may be an issue for any proposed development, a flood risk assessment shall be carried out that is appropriate to the scale and nature of the development and the risks arising. This FRA shall be undertaken in accordance with the Flood Risk Management Guidelines'.

		<ol style="list-style-type: none"> <li>4. Objective 1 should include compliance with the archaeological strategy, including any underwater archaeology strategy, to be developed as part of the overall Masterplan.</li> <li>5. Objective 2 should also mention the inclusion of the associated city defences (city walls) in the urban park and the consideration of alternative approaches to interpretation and presentation of the historical structures and further archaeological remains discovered during the archaeological excavations in advance of the design of such an urban park.</li> <li>6. Objective 3: The Local Authority has stated in the SEA scoping document relating to the proposed Development Plan Variation No. 1 that there will be consultations with the Department of Arts, Heritage and the Gaeltacht and the Office of Public Works (OPW) <i>“to get available details with respect to the long-term conservation and management of St. Francis Abbey in the context of the Framework Plan”</i> and these details will be included in the final Framework Plan. Section 6 of the Revised Archaeology Strategy states that <i>“as St Francis’ Abbey is in state care it is presumed that conservation will be undertaken by the authorities as necessary.”</i> It is important that this matter be addressed in the final Framework Plan. The long-term conservation, interpretation and presentation of St. Francis Abbey and any additional masonry/archaeological remains uncovered during the proposed archaeological excavations within the Abbey precinct shall require a conservation and management plan in advance of any such works on site.</li> <li>7. The Local Authority needs to consider whether individual proposed developments within the Framework Plan area will be subject to Environmental Impact Assessment, as the redevelopment of this quarter could be characterised as an “urban development project”, as it is located within an urban landscape of “historical, cultural and archaeological significance” (see EIA Directive 2011/92/EU Annex II, 10 (b) and Annex III, 2(c)(viii) and successive 2014 legislation).</li> <li>8. Any archaeological strategy adopted as part of the final Framework Plan will need to outline a detailed step-by-step procedure to be followed by prospective individual developers/applicants and design teams when developing sites within the area. (The master plan area)</li> <li>9. Objective 5: It is imperative that the findings and recommendations of the archaeological strategy influence and inform the final design and development layout within the overall Framework Plan area. The Department of Arts, Heritage and the Gaeltacht has previously recommended and wishes to reiterate that the condition and load bearing capacity of the concrete slab will require assessment as will the nature and extent of archaeological remains surviving below the slab before any method of archaeological mitigation can be suggested and agreed with the relevant authorities. It cannot be assumed that the retention of the concrete slab and piling construction methods is the optimum solution until detailed and site specific archaeological assessments are carried out on each development site within the Framework Plan area.</li> <li>10. Apply appropriate archaeological assessment and mitigation to objectives 6, 7 &amp; 8 of the variation.</li> </ol>
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		<p>11. The Department is concerned regarding any potential visual impact the proposed ramped access from the Central Access Scheme (CAS) to the Framework Plan area may have on the setting and amenity of the adjacent National Monuments (St Francis Abbey and City Defences, Evans Tower) and the nearby St. Canice's Cathedral and ecclesiastical site. This matter should be addressed in any landscape assessment carried out as part of the Framework Plan. Details regarding any required Part 8 applications or other permissions should be provided in the final Framework Plan</p> <p>12. In the consideration of alternative scenarios regarding access for the Masterplan/Framework area, it has been noted that development options will be examined including for transport. It is important that the various options for proposed access points (i.e. road access, emergency access, pedestrian access, bridge, etc.) be archaeologically assessed to ensure that the access points and proposed roadways/streets within the Framework Plan area are positioned, designed and constructed to ensure the preservation and protection of both the amenity and physical remains (both above and below ground) associated with the National Monuments located within the Plan area.</p> <p><b>Nature Conservation</b></p> <p>13. This proposed variation is to allow for the proposed Masterplan for the Abbey Creative Quarter. The SEA is therefore similar to that for the proposed Masterplan and the natural heritage comments of this Department are therefore the same as outlined below. However while a NIR was produced for the proposed Masterplan only an appropriate assessment (AA) screening was carried out for the proposed variation.</p> <p>14. While overall the SEA is comprehensive with respect to the natural heritage it has unfortunately been restricted to looking at designated sites within a 15km radius, which is a rule of thumb often used for Plans but is not suitable for rivers, where a whole catchment may need to be included.</p> <p>15. The indicator for B1 in the SEA has been restricted to the article 17 reports of this Department which does not include birds. In addition objective B3 has only included compliance with the Wildlife Acts 1976-2010 with regard to the protection of species in schedule 5. This means that birds and plants have been omitted. All wild birds are protected under the Wildlife Acts and protected plants are listed in SI 274 of 1987.</p> <p>16. The SEA refers to a habitat survey which indicates the habitats to be impacted are "River Nore" and "grassy banks". The photographs in the Masterplan appear to indicate that some of the river is bounded by wall but that some still has riverbank vegetation. Such vegetated areas are important refuges for biodiversity and may be used by otters. Prior to any final design for the linear park, which is part of the proposed Variation 1, an ecological survey / ecological impact assessment (EclA), will be necessary to ensure no negative impacts on the ecological corridor or species such as otter and kingfisher, listed on the annexes of the Habitats and Birds Directives respectively.</p>
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		<p>17. Bats are protected under the Wildlife Acts and listed on annex IV of the Habitats directive. The SEA does not appear to have sourced any baseline data on bats.</p> <p><b>AA Screening</b></p> <p>18. AA screening has been restricted to looking at designated sites within a 15km radius which is a rule of thumb often used for Plans but is not suitable for rivers where a whole catchment may need to be included. This means that the Lower River Suir cSAC has been excluded. Cumulative impacts are examined in table 2-3. However, this does not include the linear parks already in existence which could have a cumulative impact with the new one proposed.</p> <p><b>NIR for the proposed Masterplan</b></p> <p>19. The NIR has concluded no significance adverse effect on the integrity of the Natura 2000 network, this has been done on the basis of mitigatory policies. Data on the use of the site by otters and kingfishers in the NIR which would lead to recommendations with regard to ecological constraints that may be present and could impact on the design of the linear park. Alternatively, an assumption that these species are present could have been made and a discussion included of the type of mitigation necessary to ensure no adverse impacts on these species, including their food source and the aquatic and terrestrial habitats they use. Prior to any final design for the linear park an ecological survey / EclA will be necessary to ensure no negative impacts on the qualifying interests for the Natura 2000 sites.</p>
<p><b>Response</b></p> <p>1. An underwater archaeological strategy will be devised as necessary and in response to the design and development proposals. The present framework report is a live document and as information becomes available it can be incorporated and responded to. To date the report details the historical importance and significance of the River Nore and Breagagh, how they contribute to the setting of the masterplan area and archaeological investigations that have taken place to date. Once information in relation to the detailed design is available and the impact to the underwater archaeological resource is fully understood, a strategy response will be designed and will form part of Objective 4 'To prepare an urban design and recommendations and archaeological recommendations for the implementation of the Abbey Creative Quarter Masterplan'.</p> <p>2. Noted This will be mentioned. <b>Recommendation:</b> Refer to both upstanding/above ground structures and buried archaeological remains in Section 4.9.3 of the Environmental report.</p> <p>3. The redevelopment of the masterplan area provides an opportunity for an integrated multi-disciplinary approach to improve the presentation, legibility and civic amenity of these monuments. Central to this process has been the need to protect and enhance the inter-visibility of cultural heritage assets where possible and to achieve a balance between the urban design process, growth of this historic city, quality of life and conservation values. A number of these views have already been identified in the masterplan and as the urban design guidance regard will be had to this intervisibility.</p> <p>4. Objective 1 will comply with the archaeological strategy to be developed. <b>Recommendation</b> Include a sentence to this effect in section 4.2.3 at the end of the second last bullet point as follows: Works associated with the development of the linear park will comply with the archaeological strategy.</p> <p>5. Agreed. <b>Recommendation:</b> Include reference to City walls in Objective 2.</p>		

6. The archaeological framework document was driven by the need to protect and understand the above ground structures and their setting including the extensive below ground archaeological remains and retain their significance within a newly architecturally designed quarter.
7. As development proposals come forward each proposal will be screened for Environmental Impact Assessment as is required under the Planning & Development Acts 2000 – 2014.
8. Noted and agreed.
9. The retention of the concrete slab will be assessed from an engineering and archaeological capacity so an integrated and best solution option can and will be based on the information gained. The framework report documents that 'Investigations into retaining the existing slab will be required to assess its load bearing capacity and effectiveness from an engineering point of view so the overall approach can be validated' (section 6.3). This will be carried out and can be specified in the archaeology guidelines prepared for the future development of the Masterplan area.
10. Comment noted. Appropriate archaeological assessment will be applied to the implementation of these objectives in accordance with the masterplan documentation and the City & Environs Development Plan.
11. The visual impact of the proposed access onto the CAS for the proposed urban street will be assessed during the detailed design process and at planning consent stage. Part 8 documentation has not been prepared for the access from the CAS to the proposed urban street.
12. The strategy report provides an understanding and background of all cultural heritage assets and their setting within and adjacent to the masterplan area in order to inform all potential design decisions. All proposed works within the plan area will have to comply with the archaeological strategy set out in the plan and further detailed recommendations to be developed as part of Objective four of the variation.
13. Noted. The screening process did not highlight the need for a stage 2 report.
14. Noted. Both AAs will be updated to demonstrate that the Variation will not impact upon downstream Natura 2000 sites including the Lower River Suir cSAC. **Recommendation:** Update AA for variation and AA for masterplan to demonstrate that the Variation will not impact upon downstream Natura 2000 sites including the Lower River Suir cSAC.
15. Noted. **Recommendation:** The indicator for SEO B1 will be updated in both SEA Environmental Reports to include birds and plants.
16. Contributions towards the protection of the ecology including corridors and species is facilitated under various Masterplan/ Proposed Variation / City and Environs Development Plan provisions<sup>4</sup>. Any additions/amendments based on the Department's recommendations would be likely to further contribute towards the protection that is already facilitated. **Recommendation:** insert the following at Section 4.4.4 of the Masterplan: 'The Appropriate Assessment for the linear park shall be informed by an ecological impact assessment which shall consider issues including ecological connectivity and species such as otters and kingfishers (including potential interactions with food sources and aquatic and terrestrial habitats) and bats (including potential interactions with roosts, foraging sites and lighting). The ecologist working on AA for the project shall be consulted at the start of the project so that any necessary mitigation or design changes can be incorporated early in the project'.
17. Annexed habitats and species have been integrated into the assessment criteria and baseline section of the SEA Environmental Report. Contributions towards the protection of ecology including

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<sup>4</sup> E.g.

Ensure that an ecological impact assessment is carried out for any proposed development likely to have a significant impact on rare and threatened species including those species protected by law and their habitats.

Ensure appropriate avoidance and mitigation measures are incorporated into development proposals as part of any ecological impact assessment.

Proposals must demonstrate that they will not adversely affect any habitats and/or species of interest or compromise the river's function as a green infrastructure corridor

To ensure the protection of the special character and setting of protected structures, ACAs and Recorded Monuments, and protected species when considering proposals for floodlighting.

Annex IV species is facilitated under various Masterplan/ Proposed Variation / City and Environs Development Plan provisions<sup>5</sup>. Any additions/amendments based on the Department's recommendation under no.16 above would be likely to further contribute towards the protection that is already facilitated. **Recommendation:** To note in the baseline section of both SEA Environmental Reports that: Contributions towards the protection of ecology including Annex IV species is facilitated under various Masterplan/ Proposed Variation / City and Environs Development Plan provisions. The Masterplan area may facilitate certain protected species such as otters, kingfishers and bats.

18. The SEA and AA processes have considered all potential downstream effects including those beyond the cited 15km radius. SEA and AA reports will be updated to make explicit reference to designated sites beyond the 15km radius which are downstream. **Recommendation:** Update AA for variation and AA for masterplan to demonstrate that the Variation will not impact upon downstream Natura 2000 sites including the Lower River Suir cSAC.

19. These species have been considered by the Appropriate Assessment and are listed in the documents. The AA has not identified any location-specific baseline data on certain species within the Masterplan area – this is consistent with the high level nature of the assessment provided by the AA. Lower tier AA is required to be undertaken as part of implementation of the Masterplan and Variation. Consistent with the established European principle of subsidiarity, lower tier AA will consider project level potential effects. The AA will be updated to identify the type of impacts that could occur on kingfisher and otter species if unmitigated and how these impacts will be mitigated. Note that contributions towards the protection of the ecology including protected species is facilitated under various Masterplan/ Proposed Variation / City and Environs Development Plan provisions<sup>6</sup>. Any additions/amendments based on the Department's recommendations would be likely to further contribute towards the protection that is already facilitated. **Recommendation:** The following text should be included in Section 4.4.4 of the Masterplan: 'The Appropriate Assessment for the linear park shall be informed by an ecological impact assessment which shall consider all relevant ecological issues including ecological connectivity and species such as otters and kingfishers (including potential interactions with food sources and aquatic and terrestrial habitats) and bats (including potential interactions with roosts, foraging sites and lighting). The ecologist working on AA for the project shall be consulted at the start of the project so that any necessary mitigation or design changes can be incorporated early in the project.'

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<sup>5</sup> E.g. ensure that an ecological impact assessment is carried out for any proposed development likely to have a significant impact on rare and threatened species including those species protected by law and their habitats.

Ensure appropriate avoidance and mitigation measures are incorporated into development proposals as part of any ecological impact assessment.

Proposals must demonstrate that they will not adversely affect any habitats and/or species of interest or compromise the river's function as a green infrastructure corridor

To ensure the protection of the special character and setting of protected structures, ACAs and Recorded Monuments, and protected species when considering proposals for floodlighting.

<sup>6</sup> E.g.

Ensure that an ecological impact assessment is carried out for any proposed development likely to have a significant impact on rare and threatened species including those species protected by law and their habitats.

Ensure appropriate avoidance and mitigation measures are incorporated into development proposals as part of any ecological impact assessment.

Proposals must demonstrate that they will not adversely affect any habitats and/or species of interest or compromise the river's function as a green infrastructure corridor

To ensure the protection of the special character and setting of protected structures, ACAs and Recorded Monuments, and protected species when considering proposals for floodlighting.

## 6.2 Southern Regional Assembly Submission

Ref	Name	Summary
V3	Southern Regional Assembly	<ol style="list-style-type: none"> <li>1. The Variation has been reviewed by the Assembly in conjunction with the <a href="#">South East Regional Planning Guidelines 2010-2020 (RPG's)</a> and relevant national policy.</li> <li>2. The Regional Assembly considers that the proposed Variation would provide for a comprehensive approach to the redevelopment of a strategic city centre site in Kilkenny, designated as a 'hub' in the RPG's for the South-East Strategic Planning Area of the Southern Region.</li> <li>3. The Variation incorporates objectives that demonstrate a strong commitment to urban design, heritage and conservation and low carbon development on a brown field city centre site that has potential to contribute to city centre vitality, an improve tourism offering and the provision of green infrastructure and health cities.</li> <li>4. The Variation would assist in implementing strategic goals A7<sup>7</sup> and B5<sup>8</sup>, and would be consistent with Critical Enabling Investment Priority 4<sup>9</sup>, of the RPG's.</li> <li>5. The Variation supports planning policy objectives (PPO's) in relation to sustainable transport, sustainable neighbourhoods, climate change and energy efficiency, protection of built and natural heritage, access to open space and natural amenities and flood risk.</li> <li>6. The Strategic Environmental Assessment, Flood Risk Assessment and Appropriate Assessment documents are noted.</li> <li>7. The Regional Assembly is satisfied that the proposed Variation is consistent with and would assist in the implementation of the strategic goals and planning policy objectives contained in the RPG's.</li> </ol>
<b>Response</b>		
1-7: The comments of the Southern Regional Assembly are welcomed and noted.		

## 6.3 All Other Submissions

Ref	Name	Summary
V4	Liz O'Brien	<ol style="list-style-type: none"> <li>1. The proposed variation is premature and it contravenes recommendation No. 5 of the <a href="#">Report on Public Consultation</a> published by the Council on the 30<sup>th</sup> March 2015. The masterplan should be finalised before the Variation is proposed.</li> <li>2. The linear park should be at least double the width proposed.</li> <li>3. The masterplan should include excavating and developing the archaeological finds at St. Francis Abbey into an open park with displays and interactive attractions based on the findings and history of Kilkenny as</li> </ol>

<sup>7</sup> 'Promoting tourism and attracting overseas and domestic visitors through promotion of diverse and well developed tourism sectors and highlighting the facilities for the business sector' (Section 3.2 RPG's).

<sup>8</sup> 'Promoting strategies to prioritise urban regeneration in order to improve and revitalise cities, towns and neighbourhoods and support local economies' (Section 3.2 RPG's).

<sup>9</sup> 'To foster urban regeneration and improved quality of life for all' (Section 10, RPG's).

		<p>part of a heritage conservation plan.</p> <ol style="list-style-type: none"> <li>4. The provision of park and ride facilities in the area will bring more traffic into the town. It would be better to provide parking on the outskirts with a regular bus service serving the central points of the town, small buses like the "Imps" used in Waterford.</li> <li>5. The design of the houses should be sympathetic to the Conservation Area. Access to the houses should be from Green Street/Vicar Street and not from the CAS.</li> <li>6. I am opposed to the objective for the street linking CAS to Bateman Quay as this will encourage HGV and other traffic into the area/rat run / traffic hazard.</li> <li>7. The whole plan should go back to public consultation, be re-assessed and finalised before any variations are made to the Development Plan.</li> </ol>
<p><b>Response</b></p> <ol style="list-style-type: none"> <li>1. The timeframe outlined in the report of March 30<sup>th</sup> was revised to facilitate early delivery of housing under the Governments social housing programme and to avail of funding opportunities through the Irish Strategic Investment Fund. The proposed variation establishes high level principles for the area which allow sufficient flexibility to take account of any provisions of the agreed masterplan.</li> <li>2. The plan area is located adjacent to the core of the City and the masterplan strives to find a balanced form of development. The linear park of approx 15m in width as proposed can accommodate footpath, cycle lane and areas for passive recreation which is considered reasonable. The linear park will link with the proposed park/landscaped area around St. Francis Abbey. Other uses such boating and a skate park will be incorporated at selected locations. The detailed design will protect the conservation objectives of the cSAC. The Appropriate Assessment for the linear park shall be informed by an ecological impact assessment which shall consider issues including ecological connectivity and species such as otters and kingfishers (including potential interactions with food sources and aquatic and terrestrial habitats) and bats (including potential interactions with roosts, foraging sites and lighting). The ecologist working on AA for the project shall be consulted at the start of the project so that any necessary mitigation or design changes can be incorporated early in the project. (See V2 No.16 ). This project will be subject to its own consultation and consent process.</li> <li>3. The recommendation of the Archaeological report makes provision for an archaeological investigation in the vicinity of the St Francis Abbey.</li> <li>4. The variation proposes the development of park and walk facilities in close proximity. The location of such facilities is undecided. The provision of park and ride facilities has been trialled at Christmas time locally. Experience to date has shown that a city the size of Kilkenny is too compact for such facilities.</li> <li>5. The design of houses will take account of the conservation objectives set out in the St Canice's Conservation Area. The urban design aspects of this area will be further examined to integrate the proposed housing area with Vicar Street and New Street.</li> <li>6. For permeability it is desirable to have a north/south link through the area. The street proposed is to be pedestrian priority with vehicular access for emergency and service vehicles. It will not result in a rat-run through the site.</li> <li>7. The masterplan process has gone through a number of different phases of public consultation which has resulted in significant changes. The variation to the development plan proposed allows for high level objectives which allow sufficient flexibility to take account of any provisions of the agreed masterplan (see 1 above).</li> </ol>		

Ref	Name	Summary
V5	Darragh Byrne	<ol style="list-style-type: none"> <li>1. The Masterplan and Variation processes should be separate. By integrating the masterplan into the Variation the process is flawed.</li> <li>2. The second reason for the Variation (funding and resource opportunities) is flawed as current funding, in particular from ISIF, has been falsely portrayed as time sensitive.</li> <li>3. The linear park should be 15m wider to facilitate wildlife.</li> <li>4. The Urban Park in Objective 2 should be larger to accommodate archaeological excavation around the Abbey. The demolition of the Mayfair and part of the Brewhouse would open up views of St. Canice's, the City Wall and St. Francis Abbey.</li> <li>5. The 'urban design criteria and archaeological recommendations' in proposed objective 4 are vague. There's no assurance that unsightly large scale office would not be built there.</li> <li>6. Objects to the proposed objective no. 5 as finalizing and adopting the Masterplan without signing off on the variations first makes a nonsense of all planning. The masterplan would then be binding from a statutory point of view.</li> <li>7. Objective 6 seems agreeable.</li> <li>8. Objective 7: A bus park is unsuited to the area. If another brewery built here then a bus park would be reasonable. Provision for smart cars and a bus scheme should be installed.</li> <li>9. Objective 8 is premature if cheaper and better housing can be provided elsewhere in the city. The area to the north of CAS could become a ghetto and unsafe with motorway traffic.</li> <li>10. Object to a road through the site as per proposed objection no. 9.</li> <li>11. The consultation process has been bogus. The Masterplan and Variation processes should be delayed until after the summer break as it is premature. The masterplan should be decided first and then the Variation.</li> <li>12. An exhaustive and complete archaeological report should be carried out; Re-instatement in the masterplan of 'medieval character of the streetscape'; No large road through the site; No office block; no car parks; 15-30m of wildlife between river and linear park; include a skatepark.</li> <li>13. There should be a new Variation to demolish the Mayfair and the Brewhouse which obscures St. Francis Abbey from being excavated.</li> </ol>

**Response**

1. The Variation process and masterplan process are being run concurrently. The current variation states as an objective "to finalise and adopt a masterplan and to incorporate" into the City Development Plan. The process is not flawed. The time frame outlined in the report of March 30<sup>th</sup> was revised to facilitate early delivery of housing under the Governments social housing programme and to avail of funding opportunities through the Irish Strategic Investment Fund. The proposed variation establishes high level principles for the area which allow sufficient flexibility to take account of any provisions of the agreed masterplan.
2. The ISIF fund was set up under the National Treasury Management Amendment Act 2014 and its remit is to stimulate employment and economic activity in the state. It is a working fund and as such it seeks to deliver early gains on behalf of the State. Its application to a city centre site in Kilkenny with multiple aims of urban development, job creation and enterprise activity is

- considered to be of significant benefit to the development of the area.
3. The plan area is located adjacent to the core of the City and the masterplan strives to find a balanced form of development. The linear park of approx 15m in width as proposed can accommodate footpath, cycle lane and areas for passive recreation which is considered reasonable. The linear park will link with the proposed park/landscaped area around St Francis Abbey. Other uses such boating and a skate park will be incorporated at selected locations. The detailed design will protect the conservation objectives of the cSAC. The Appropriate Assessment for the linear park shall be informed by an ecological impact assessment which shall consider issues including ecological connectivity and species such as otters and kingfishers (including potential interactions with food sources and aquatic and terrestrial habitats) and bats (including potential interactions with roosts, foraging sites and lighting). The ecologist working on AA for the project shall be consulted at the start of the project so that any necessary mitigation or design changes can be incorporated early in the project. This project will be subject to its own consultation and consent process.
  4. Park area has been proposed around the Abbey which has been highlighted as the area of greatest archaeological sensitivity and will facilitate archaeological investigation and open up expansive views of the Abbey from the north and east in particular. The Abbey is already visible from Irish town at the existing entrance to the area.
  5. The preparation of the urban design criteria and recommendations and archaeological recommendations is in order to guide the form of development that will occur in the area to ensure that archaeological concerns are addressed at design stage.
  6. The variation does not put the masterplan on a statutory footing. The masterplan will require its own separate variation to incorporate it into the City Development Plan (see V1 from DECLG above).
  7. Noted.
  8. The objective is for park and stride facilities in the area (not the masterplan area). This is in accordance with the principles of smarter travel.
  9. Housing on the site is considered appropriate and will be delivered through the Government's Social Housing Strategy. The form and shape of the housing will be subject to detailed design at a later stage.
  10. For permeability it is desirable to have a north / south link through the area. The street proposed is to be pedestrian priority with vehicular access for emergency and service vehicles. It will not result in a rat-run through the site.
  11. The process for the masterplan has been outlined in section 2 of this report.

Ref	Name	Summary
V6	Kersty Evans	<ol style="list-style-type: none"> <li>1. The Re-visioning document recommended that the variation to the plan would not commence until the Masterplan had been fully approved by the elected Members.</li> <li>2. Once Variation is approved, the Masterplan becomes statutory and cannot be changed. This is what happened with CAS, in spite of enormous opposition.</li> <li>3. The Council does not yet own the Brewery Site and so any vote is premature.</li> <li>4. New Chief Executive should be given time to learn about Kilkenny and ensure past mistakes don't happen again.</li> <li>5. The suggested variations do not comply with the public consultations. The vote will render the public consultation fairly meaningless.</li> </ol>

		<ol style="list-style-type: none"> <li>6. There is no rush to accept money from ISIF. If the Council is handing over the site to a Joint Venture Company, Kilkenny should be setting it own conditions.</li> <li>7. 7.4 billion euro has been made available from ISIF. Why has only 1.474 billion euros been committed so far? What are the conditions for this? Why does the Council not seize the opportunity to create something unique instead of handing the site to ISIF?</li> <li>8. Full archaeological assessment is a priority. This required the demolition of the Brewhouse and the Mayfair. Needs to be included in Masterplan (given recent finds in St. Mary's archaeological investigations).</li> <li>9. The Councillors should refer to people's comments at the public consultations and acknowledge these views.</li> <li>10. The Linear Park is a great idea but should be twice as wide and retain trees and wildlife along the river. This area must be protected without conditions attached.</li> <li>11. An Urban Park surrounding Francis Abbey and the City Walls would greatly enhance the area; archaeological investigation must be carried out first (see point 8, above). The Mayfair is blocking the view of St Francis Abbey.</li> <li>12. A Heritage Conservation Plan should include the whole area and should be done before plans for building on the site.</li> <li>13. The Urban Design Criteria is very premature, as full archaeological assessments and investigations need to be done first.</li> <li>14. Whilst developing a low carbon energy strategy is a good idea, it is very premature without archaeological investigations.</li> <li>15. Cannot finalise Masterplan without full archaeological investigations.</li> <li>16. No details on the plan as to where cars or buses should be parked. Refer to the public consultation report which said cars and parking should be kept to a minimum and a Bus/coach park was rejected.</li> <li>17. Housing is much needed and should be on the site. The proposed housing is too close to the CAS. A large road from the CAS to the housing area is likely to be expensive and not practical. Should extend housing into existing communities such as Greensbridge, Vicar Street and Irishtown.</li> <li>18. Council needs to refer to public consultation reports as people do not want a big road cutting through the area. The reports show there should be cycle lanes and footpaths, not a 14m spur road.</li> </ol> <p>(Remaining part of the submission refers to the Masterplan and is considered in a separate Report).</p>
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**Response**

1. The time frame outlined in the report of March 30<sup>th</sup> was revised to facilitate early delivery of housing under the Governments social housing programme and to avail of funding opportunities through the Irish Strategic Investment Fund. The proposed variation establishes high level principles for the area which allow sufficient flexibility to take account of any provisions of the agreed masterplan.
2. The plan will not become a statutory plan until such time as a separate Variation to the Development Plan.
3. Ownership of the site is not a reason for prematurity in this instance. As the Planning Authority for the city, it is prudent that the plans be in place for the proper planning and sustainable

- development of the area.
4. The making of a plan is a Reserved Function of the Council.
  5. Many positive changes were made to the masterplan as a result of the consultation, such as the inclusion of more open space and parkland around the Abbey, the removal of 'finger buildings', exclusion of bus parking and large scale car parking on site, altered layout to reflect the existing street patterns of the city and completion of a detailed archaeological strategy.
  6. The ISIF fund was set up under the National Treasury Management Amendment Act 2014 and its remit is to stimulate employment and economic activity in the state. It is a working fund and as such it seeks to deliver early gains on behalf of the State. Its application to a city centre site in Kilkenny with multiple aims of urban development, job creation and enterprise activity is considered to be of significant benefit to the development of the area.
  7. Negotiations are ongoing with Irish Strategic Investment Fund and no decision has been made on the form or structure of the governance of the area
  8. In terms of the archaeological investigation, excavation should be planned in a strategic manner in order to answer key research questions and respond to the proposed design layout and phasing of the development in order to gather information to appropriately conserve and protect monuments and assess the below ground archaeological potential. It is a step by step, focussed process. To make this an effective process an excavation design strategy needs to be devised that will concentrate on answering key questions in key areas of the masterplan site that will allow a fuller if not complete understanding of the site and how it was and is to be developed. Excavation should be timely and targeted informing conservation practices and detecting and understanding the below ground remains throughout the site. All future investigations will have to engage with the work that has already occurred on the site and the existing knowledge base. The strategy report has collated this information so it is available and can inform the process. This approach is in accordance with Objective 4 of the variation which has been agreed to by Department of Arts Heritage & the Gealteacht.
  9. The report on Public Consultation is published at:  
<http://ourplan.kilkenny.ie/ckfinder/userfiles/files/Consultation%20Report%20Final%20Version%2030-3-2015.pdf> . Parks, open space, housing, conservation of heritage assets and archaeological exploration were all suggested by members of the public during the public consultation workshops and these form part of the proposed Variation.
  10. The archaeological strategy proposed has been developed in conjunction with the Department of Arts Heritage and the Gealteacht and is reasonable and justifiable in the context of the historical evidence and the ambition to develop the area and at the same time protect the archaeological heritage
  11. The plan area is located adjacent to the core of the City and the masterplan strives to find a balanced form of development. The linear park of approx 15m in width as proposed can accommodate footpath, cycle lane and areas for passive recreation which is considered reasonable. The linear park will link with the proposed park/landscaped area around St Francis Abbey. Other uses such boating and a skate park will be incorporated at selected locations. The detailed design will protect the conservation objectives of the cSAC. The Appropriate Assessment for the linear park shall be informed by an ecological impact assessment which shall consider issues including ecological connectivity and species such as otters and kingfishers (including potential interactions with food sources and aquatic and terrestrial habitats) and bats (including potential interactions with roosts, foraging sites and lighting). The ecologist working on AA for the project shall be consulted at the start of the project so that any necessary mitigation or design changes can be incorporated early in the project. This project will be subject to its own consultation and consent process.
  12. The Heritage Conservation Plan will in the first instance concentrate on the upstanding heritage monuments as identified. The results of the archaeological investigation will be evaluated in conjunction with the relevant statutory authorities and decisions as to the appropriate measures

- for any archaeological discoveries will be taken at that time. The timing of the heritage plan will be decided in conjunction with the archaeological recommendations under objective 4.
13. Urban Design has a key role in creating new places. The public realm (i.e. streets, parks, squares, public spaces) will define the place and is hugely important to consider at the early stages of plan making. Archaeological considerations will be taken into account in all development.
  14. The proposed objective is considered to be a positive one.
  15. In terms of the archaeological investigation, excavation should be planned in a strategic manner in order to answer key research questions and respond to the proposed design layout and phasing of the development in order to gather information to appropriately conserve and protect monuments and assess the below ground archaeological potential. It is a step by step, focussed process. To make this an effective process an excavation design strategy needs to be devised that will concentrate on answering key questions in key areas of the masterplan site that will allow a fuller if not complete understanding of the site and how it was and is to be developed. Excavation should be timely and targeted informing conservation practices and detecting and understanding the below ground remains throughout the site. All future investigations will have to engage with the work that has already occurred on the site and the existing knowledge base. The strategy report has collated this information so it is available and can inform the process. This approach is in accordance with Objective 4 of the variation which has been agreed to by Department of Arts Heritage & the Gaeltacht.
  16. There are no large car parks or bus parks proposed within the plan area. Objective 7 of the variation provides for park and walk facilities outside of the plan area.
  17. Residential use is envisaged over the entire masterplan area. The area north of the CAS has been identified for community and social housing. The masterplan document in Section 4.3.10 states that further design work is required to finalise the most appropriate response to the area between the masterplan and Vicar Street /New Road/Green Street. This approach will allow for better integration of the area with Vicar Street and Green Street. Any issues arising from the location of housing along the CAS will be dealt with at the detailed design stage of the housing.
  18. Given the significant area of the masterplan, a north-south route linking Bateman Quay and the CAS through the site is considered appropriate as part of the movement strategy for the city and the masterplan to promote walking and cycling. The urban street linking Bateman Quay and the CAS will be pedestrian and cyclist priority. Vehicular access will be controlled to allow for service and emergency vehicles. It is considered that the detailed design of this street can achieve a design solution which will respect the Abbey and its new setting.

Ref	Name	Summary
V7	An Taisce	<ol style="list-style-type: none"> <li>1. Object to the masterplan being put on statutory basis. Consultation at each phase and the plan should be adjusted to take account of innovations.</li> <li>2. Heritage Conservation plan must be flexible to extent to other areas should archaeological investigations justify it.</li> <li>3. Object to the concept of finality of a long term masterplan. It should retain flexibility. Variations to the City Plan relating to Abbey Creative quarter should be introduced on a phased basis.</li> <li>4. The layout of the community housing is poorly planned.</li> <li>5. Object to the urban street allowing for vehicular traffic move through the Eastern precincts of the Abbey</li> </ol>
<p><b>Response</b></p> <p>1. The proposed variation inserts into the development plan the objective “to finalise and adopt the Abbey Creative Quarter masterplan and to incorporate it into the Kilkenny City &amp; Environs Development Plan 2014-2020.” The incorporation of the masterplan provisions will require a</p>		

separate variation process at a future date.

2. The Heritage Conservation Plan will in the first instance concentrate on the upstanding heritage monuments as identified. The results of the archaeological investigation will be evaluated in conjunction with the relevant statutory authorities and decisions as to the appropriate measures for any archaeological discoveries will be taken at that time.

3. The masterplan when inserted into the City development plan by variation will be subject to monitoring and will also be subject to the statutory review process of the City Development.

4. The layout shown in the masterplan is indicative only. Section 4.3.10 of the masterplan identifies this area for further work which will look at better integration of this area with Vicar Street and New Street.

5. The urban street linking Bateman Quay and the CAS will be pedestrian and cyclist priority and will have no buildings within the eastern precinct of the Abbey. It is considered that the detailed design of this street can achieve a design solution which will respect the Abbey and its new setting.

Ref	Name	Summary
V8	Lucy Glendinning	<ol style="list-style-type: none"> <li>1. Welcomes a linear park; however 15m is not wide enough to include native trees – needs to be at least double this, with provision for retaining the existing trees and habitat. A linear park should run along behind this existing area, without any “only if possible” conditions attached to protect this habitat.</li> <li>2. Welcome urban park in the vicinity of St Francis Abbey; however the Mayfair and at least part of the Brewhouse need to be removed to ensure meaningful archaeological investigations, open views and completion of the park surrounding the abbey and running the entire length of the city wall.</li> <li>3. A Heritage Conservation Plan is welcomed, but is too specific and limited - the entire area should be included; this should be done before any plans for parks, roads, buildings etc are even considered.</li> <li>4. Object to this variation; adopting it and incorporating it into a legally binding Development Plan would prevent full archaeological investigations; any changes required in the future would be almost impossible to implement - all flexibility would be lost.</li> <li>5. In favour of low energy buildings, but this is premature as archaeological investigations have not even been started and we do not know what buildings are to be situated on the site. Kilkenny currently has lots of empty retail and office space.</li> <li>6. Provision for cars should be kept on the periphery and absolutely to a minimum; a bus/coach park was rejected at the consultations. No details provided in this variation, which could include anything and could be placed anywhere, once adopted. Needs to be defined in detail for any consideration to be made on this matter.</li> <li>7. Housing is welcomed; however locating it all in one area, with access only from CAS is not practical or desirable. It's not cost-effective, safe or practical to build an extra road off CAS for 20 homes when there is suitable access from Greensbridge. Divide housing in two areas – as part of existing Greensbridge community and the other as part of the Vicar Street community, both with existing vehicular access.</li> <li>8. Urban street between CAS and Bateman Quay – refer to the public</li> </ol>

		<p>consultations - this was rejected. A 14m wide street limits the size of the linear park, the wildlife habitat and would bring traffic to a site that the public want car free, curtails any archaeological investigations, and the road would be close to the Abbey.</p>
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**Response**

1. The plan area is located adjacent to the core of the City and the masterplan strives to find a balanced form of development. The linear park of approx 15m in width as proposed can accommodate footpath, cycle lane and areas for passive recreation which is considered reasonable. The linear park will link with the proposed park/landscaped area around St Francis Abbey. Other uses such boating and a skate park will be incorporated at selected locations. The detailed design will protect the conservation objectives of the cSAC. The Appropriate Assessment for the linear park shall be informed by an ecological impact assessment which shall consider issues including ecological connectivity and species such as otters and kingfishers (including potential interactions with food sources and aquatic and terrestrial habitats) and bats (including potential interactions with roosts, foraging sites and lighting). The ecologist working on AA for the project shall be consulted at the start of the project so that any necessary mitigation or design changes can be incorporated early in the project. This project will be subject to its own consultation and consent process.
2. Archaeological investigation will be carried out in a strategic manner in order to answer key research questions and respond to the proposed design layout and phasing of the development. This approach has been agreed with the DAHG. The demolition of the Mayfair & Brewhouse is not required for this proposed strategy. The archaeological report does highlight the proximity of the Mayfair to the City Walls and recommends in line with the current City Wall Conservation Plan<sup>10</sup> to protect, maintain and encourage the enhancement and setting of the City Wall that creative architectural design solutions be sought that will enable this enhancement. This will be further investigated before a final decision is made on the future of the Mayfair<sup>11</sup>
3. The Heritage Conservation Plan will in the first instance concentrate on the upstanding heritage monuments as identified. The results of the archaeological investigation will be evaluated in conjunction with the relevant statutory authorities and decisions as to the appropriate measures for any archaeological discoveries will be taken at that time.
4. The proposed variation no.1 will not incorporate the masterplan into the City Development Plan. To put the masterplan on a footing in the City Development Plan will require a separate variation. Archaeological investigations will be conducted in line with the strategy proposed in the agreed Archaeological strategy.
5. The development of a low carbon energy strategy for the area can be completed prior to the archaeological investigations.
6. The objective states to provide for bus/car parking close to the masterplan area. This objective has come directly from the consensus at the public consultations not to have bus parking or large carparking areas on the masterplan area. The realisation of this objective will require further investigation before definite proposals can be brought forward.
7. Residential use is envisaged over the entire masterplan area. The area north of the CAS has been identified for social housing. The masterplan document in Section 4.3.10 states that further design work is required to finalise the most appropriate response to the area between the Masterplan and Vicar Street /New Road/Green Street. This approach will allow for better integration of the area with Vicar Street and Green St.
8. The urban street linking Bateman Quay and the CAS will be pedestrian and cyclist priority. Given the significant area of the masterplan, a north-south route through the site must be considered as

<sup>10</sup> Kilkenny Wall Conservation Plan

<sup>11</sup> Mayfair Part 8 has commenced. This review will take place before the Part 8 is brought to Council for decision.

part of the movement strategy for the city to promote walking and cycling. It is considered that the detailed design of this street can achieve a design solution which will respect the Abbey and its new setting. The linear park of approx 15m in width as proposed can accommodate footpath, cycle lane and areas for passive recreation along with soft landscaping which is considered reasonable. The linear park will link with the proposed park/landscaped area around St Francis Abbey. This project will be subject to its own consultation and consent process. (See No.1 above)

Ref	Name	Summary
V9	Gladys Bowles	<ol style="list-style-type: none"> <li>1. Partook in all workshops on the Brewery Revisioning, and was delighted to do so; and made submissions to the Masterplan – now believes this has been a waste of time. The people who took the time and effort to attend and submit have been ignored in the content of the proposed Variation No 1 – therefore strongly objects to the proposed variation.</li> <li>2. Entire variation is premature as the Abbey Creative Quarter Masterplan is (a) incomplete, (b) has not yet been adopted and (c) does not reflect the outcome of the public consultation process.</li> <li>3. Objective No1: (a) linear park is too small - it should be at least 30m wide, (b) objective should specifically include, in words, the retention of the wild habitat, extending the length of at least the line of the Poplar trees, and the bank from the river back up to the Poplar trees, and the trees themselves as a protected wild habitat.</li> <li>4. Objective No 2: Need a full archaeological excavation and survey of the entire site before the master plan is put out for adoption. All proposed planning and development must be generated by the results of a comprehensive and open archaeological on-site survey that has not yet happened; therefore this objective is flawed and premature.</li> <li>5. Re: Urban Park in the vicinity of the St. Francis Abbey - everything is subject consultations, and these consultation conclusions have been ignored. Why?</li> <li>6. Re: Urban design - unless a full Archaeological excavation commences, a preparation plan cannot determine what should be envisioned on the site. Please do the Excavation.</li> <li>7. The re-visioning document produced by the planning department states "The proposed Variation to the City and Environs Development plan will not commence until the Masterplan for the area has been finalised and approved by elected members of Kilkenny County Council". This has not been done!</li> <li>8. Re: A low carbon energy strategy for the Masterplan area - object to any plans being made before a full Archaeological (dig) excavation should be done first as a priority to determine what should be allowed on the site.</li> <li>9. Re: Parking for Cars, Bus/coach - object strongly to the provision anywhere near the Abbey Creative Quarter. At the consultations, parking of any kind in or around the Abbey Creative Quarter was strongly opposed.</li> <li>10. Welcome any form of housing, but have strong reservations on the location, between two bridges. Entrance should be from Greens bridge and from Vicar Street, with houses realigned to reflect this, this would assist with integration into an already existing community. This specific site is ideal for the setting of the Micro brewery which was proposed in the last round of submissions by two different companies (Costello's and O'Hara's) as this area is not part of the Diageo site but in close proximity to the site.</li> <li>11. Under no circumstances should any road (spur road) should be run from the</li> </ol>

		<p>CAS bridge to Batemans Quay, as this will create a rat run no matter what size it is and will create a danger to the cyclists and pedestrians you wish to prioritise.</p> <p>12. The proposed variations are premature and need to go back to public consultation. The public consultations must be taken into consideration, also the Masterplan needs to be voted on and adopted by all the councillors before any variations are proposed.</p>
<p><b>Response</b></p> <p>1. The public consultation proved to be a very worthwhile exercise as it allowed opinions on the future development of the area to be recorded. There was a significant level of engagement by the public at the various stages and significant level of resources invested by the Council into the process. Many positive changes were made to the draft masterplan as a direct result of public consultation such as the exclusion of 'finger buildings', inclusion of more open space and parkland around the Abbey, exclusion of bus parking and large scale car parking on site, altered layout to reflect the existing street patterns of the city, completion of a detailed archaeological strategy.</p> <p>4. Archaeological investigation will be carried out in a strategic manner in order to answer key research questions and respond to the proposed design layout and phasing of the development. This approach has been agreed with the DAHG. It is a step by step, focussed process which will gather information to appropriately conserve and protect monuments and assess the below ground archaeological potential. An excavation design strategy will be devised (as per objective 4) that will concentrate on answering key questions in key areas of the masterplan site that will allow a fuller understanding of the site and how it was and is to be developed. Excavation should be timely and targeted informing conservation practices and detecting and understanding the below ground remains throughout the site.</p> <p>5. The provision of an urban park around St, Francis Abbey was considered appropriate. The consultation conclusions have not been ignored.</p> <p>6. The archaeological strategy is outlined in No.4 above. The preparation of a Plan is not dependant on an archaeological excavation</p> <p>7. The change in momentum from the March 30<sup>th</sup> report arises from a formal letter of interest from the National Treasury Management Agency (NTMA) and notification of an allocation of €4.5 million for housing at Vicar Street, both of which are driven by Government policy. The funding secured from Bord Fáilte for the river garden project must be invested by the end of 2016 and this project must still go through the formal approval process (either a Part 8 or application to An Bord Pleanála). Furthermore, expressions of interest were received to start up new business and to avail of floor space in the refurbished Brewhouse or the Mayfair.</p> <p>8. The development of a low carbon energy strategy for the area can be completed prior to the archaeological investigations</p> <p>9. The objective states to provide for bus/car parking close to the masterplan area. This objective has come directly from the consensus at the public consultations not to have bus parking or large car parking areas on the masterplan area.</p> <p>10. Residential use is envisaged over the entire masterplan area. The area north of the CAS has been identified for social housing. The masterplan document in Section 4.3.10 states that further design work is required to finalise the most appropriate response to the area between the Masterplan and Vicar Street /New Road/Green Street. This approach will allow for better integration of the area with Vicar Street and Green St.</p> <p>11. The urban street linking Bateman Quay and the CAS will be pedestrian and cyclist priority. Given the significant area of the masterplan, a north-south route through the site is considered appropriate as part of the movement strategy for the city to promote walking and cycling. The urban street linking Bateman Quay and the CAS will be pedestrian and cyclist priority. Vehicular access will be controlled to allow for service and emergency vehicles.</p>		

12. The public consultations have been taken into account and have had a significant impact on the provisions of the masterplan and proposed variation. The draft masterplan will be considered by the Council and further variation will be required to incorporate it into the development plan.

Ref	Name	Summary
V10	Kilkenny Archaeological Society	<ol style="list-style-type: none"> <li>1. K.A.S. supports the majority of the proposed variation.</li> <li>2. Express considerable unease with Obj. 9. Refer to K.A.S. submission of Feb noting the near total opposition at public meeting to creation of a spur road between CAS and Bateman quay. This will compound the impact of CAS on the city's historic environment by providing another conduit for more traffic. The abbey quarter should instead be, as much as is practicable, a car-free space.</li> <li>3. Concerned the urban street will be used for vehicular traffic and could in the future be used as a 'rat run' from CAS to John's bridge, seriously injuring the ambience of the area to the east of the abbey.</li> <li>4. On the basis of the objectives of the CAS as expressly stated by Kilkenny County Council (see below) the traffic requirements of the city centre should be satisfied by CAS construction, which did not require the construction of a new vehicular road, if anything it advised exactly the opposite.</li> <li>5. If the design requirements are met by the CAS, no further road construction on the Abbey side is needed other than to facilitate quality vehicular access to the site itself and for non-vehicular amenity and tourist access. The urban street contravenes CAS objective for partial pedestrianisation of John St and High St and would make this harder to achieve.</li> <li>6. Council's CAS Objectives: Build a unified city centre with the River Nore at its heart, with strong connectivity between High St, the Old Mart and McDonagh Junction. <ul style="list-style-type: none"> <li>• Improve access to the city centre and provide for economic development;</li> <li>• <u>Reduce the impact of road traffic and private car domination on the city centre</u> [K.A.S. emphasis] and concentrate the city's traffic through Dean St and enable partial pedestrianisation of John's St and High St.</li> <li>• Improved accessibility for emergency services and access to health facilities and hospitals;</li> <li>• Make provision for a shopping centre development on the west side of the city without creating traffic problems in existing residential areas.</li> <li>• Provide access to the undeveloped "old Mart site".</li> </ul> </li> <li>7. Objective no.9 should be deleted or at least expressly state that the urban street between the CAS and Bateman quay would prohibit (<i>not</i> 'inhibit') through traffic and heavy goods vehicles.</li> <li>8. K.A.S.'s main submission is presented in response to the Draft Masterplan for the Abbey Creative Quarter.</li> </ol>
<p><b>Response</b></p> <ol style="list-style-type: none"> <li>1. Noted and welcomed</li> <li>2. The proposed street will be pedestrian and cyclist priority. Given the significant area of the masterplan a north-south route linking Bateman Quay and the CAS through the site is considered appropriate as part of the movement strategy for the city to promote walking and cycling. The urban</li> </ol>		

street linking Bateman Quay and the CAS will be pedestrian and cyclist priority. Vehicular access will be controlled to allow for service and emergency vehicles. It is considered that the detailed design of this street can achieve a design solution which will respect the Abbey and its new setting.

3. See no. 2 above

4. The proposed urban street is not required or intended to supplement traffic capacity on the Central Access Scheme. As with all urban areas, the masterplan area needs a network of streets to provide permeability and connectivity and ease of movement.

5. Access to the plan area is needed to facilitate service and emergency vehicular access to the site itself and for non-vehicular amenity and tourist access. It will be pedestrian and cyclist priority. It will not be a through route for vehicular traffic.

6. Noted. The CAS will facilitate those objectives.

7. See no 2 above

8. Noted.

Ref	Name	Summary
V11	Cllr. Malcolm Noonan	<p>1. Amend Objective 6 to read: To develop a Zero Carbon Energy Strategy for the Masterplan Area and advance the provision of Zero Energy and passivhaus standard buildings on site. All renewable energy generated on site shall be managed by Kilkenny County Council using and Energy Supply Company (ESCO) model. The site shall be designated a Sustainable Energy Zone within the City and Environs Plan and revenues accrued from energy generation shall be ring fenced for community projects within the City</p> <p>2. Remove Objective 7 and replace with: To pursue park and ride/park and stride opportunities off site and sites in close proximity to the Abbey Quarter Masterplan site but outside of the Architectural Conservation Areas (ACA's) and to advance plans for a 3 vehicle electric shuttle bus for service for the City to serve tourism and local commuter needs.</p> <p>3. Amend Objective 8 to read: To provide for housing: private, social/ local authority and cooperative within the Masterplan in suitable location based on Urban Design Principles and way form point sources of vehicle pollution and noise and the areas of the site that offer highest capacity for quality of life for residents</p> <p>4. Remove Objective 9 and replace with: To make the site subject to a 'Smarter Travel' Plan where pedestrian and cycle access and the provision of public transport infrastructure are prioritised over private car travel, to improve quality of life and to help the City meet emissions reduction set down by the EU. Local access road infrastructure will accommodate deliveries, residential, business and other activities. The site shall not be connected to the Kilkenny Central Access Scheme (KCAS) due to potential adverse impacts on traffic and mobility and distortion of the traffic projections envisaged in the parent approved scheme. Pedestrian and cycle access will link towards linear and provide routes to schools and work for residents</p> <p>5. Add Objective 10: Provision shall be made for the detailed suitable location and design of an all weather public skate park on the main master plan site and not adjacent to or under CAS Bridge.</p>

**Response**

1. Objective 6 of the variation is “to develop a low carbon energy strategy for the masterplan area and advance the provision of near zero energy buildings. The suggested detail can be explored as part of that objective.
2. The provision of any park and walk facilities must take account of the Council’s current and future mobility management plans for the City. This is the appropriate vehicle for addressing the wider issues. It is recommended to add “taking into account the mobility management plan for the City”
3. Residential use is envisaged over the entire masterplan area. The area north of the CAS has been identified for social housing. The masterplan document in Section 4.3.10 states that further design work is required to finalise the most appropriate response to the area between the Masterplan and Vicar Street /New Road/Green Street. This approach will allow for better integration of the area with Vicar Street and Green St. Objective 4 requires the development of urban design guidelines.
4. The mixed use approach envisaged for the plan area will in itself promote the idea of a compact city for Kilkenny and will promote sustainable travel patterns keeping travel between homes, work and other services within walking distance. The masterplan supports the objectives of the mobility management plan. Permeability within and through the site is a key urban design requirement. The permeability should be managed to ensure pedestrian and cyclist priority instead of prohibiting connections.
5. The provision of a skate park within the plan area is provided for in section 4.3.3 of the masterplan. The location of the skate park and the design of the linear park will be subject to its own consultation and consent process.

Ref	Name	Summary
V12	Des Doyle	<ol style="list-style-type: none"> <li>1. Resident of Kilkenny city since 2000, became aware of the need for increased civic engagement in the summer of 2014. The engagement process for the CAS project was not professionally managed, nor did it seek real engagement. Many opportunities existed for better engagement, to save the city money in the long run and given a better outcome in for design of the bridge, traffic management, protection of the built and natural environment and gain public trust.</li> <li>2. Attended all the workshops on the Brewery Quarter project and given feedback. Following the January 2015 workshops, is deeply disappointed at how feedback was recorded, and more importantly interpreted. It was a very subjective selection process and the information presented does not accurately reflect the outputs generated – question why outputs were selected in this manner.</li> <li>3. The brewery site is of prime strategic importance, and it’s positioning is unique in having access to the river, high street and the medieval buildings adjoining it.</li> <li>4. Need leadership, astute management and an ability to avoid groupthink and unhook the agendas of those who seek short-term profit. Poor planning and short-term thinking are squandering Kilkenny’s history. Discusses understanding good design.</li> <li>5. The citizen and enrichment of the city must be central. Cllrs. must represent the people and uphold decent, transparent decision-making. The Executive must provide Cllrs with correct, unabridged, unedited facts allowing for proper assesment. Refers to summer 2014 where necessary facts were in short supply and Cllrs were slow to search for them.</li> <li>6. There is no evidence that the decision making required on this site is time sensitive. Questions move to rush a decision, this will run into problems</li> </ol>

	<p>later. Cllrs shouldn't be railroaded into fast decision-making, and should question this. The new CEO should oversee the discussion around this plan as they will, have to manage the consequences of decisions made prior to their appointment.</p> <ol style="list-style-type: none"> <li>7. The Masterplan is not complete so a variation cannot be proposed until the Masterplan is deemed completed.</li> <li>8. To say the variations if voted in will become permanent directly contravenes the Council's own position that the Masterplan and variations should be separate. If the variations get voted in (under pressure of time and without facts being checked) they cannot be changed. These are important decisions for the city and should be taken seriously.</li> <li>9. The site has not been passed to the Council. It's a misconception that no breweries can establish on the site; the Council own other land on the site that could house breweries or related businesses, which would offer high quality employment, create local food, sustainable tourism &amp; fit with the identity of the site.</li> <li>10. The variations have removed the previously proposed Environmental Centre of Excellence and provision of the medieval streetscape. The streetscape of medieval nature is a key element in uniting modern and old.</li> <li>11. The site at the Market Yard was not discussed at the January consultations. It's highly unfair to include the space in the plans at this point without prior public discussion; this changes the dynamic of the site in a major way. The June presentations made no effort made to highlight that the Market Yard was not included in the January consultations; this is an oversight.</li> <li>12. The linear park is too generic and too small, and does not allow wildlife to flourish if pedestrians and dogs walk so close to their habitat; the park should be extended back much further from the riverbank to allow recreation and environment to co-exist.</li> <li>13. Opposed to urban park in the vicinity of St. Francis Abbey as the space is poorly planned; the inclusion of the Market Yard changes the possibilities of the site, a park in this area maybe a poor decision.</li> <li>14. Opposes more car parking spaces on or near the site, this will encourage more city centre traffic which is self defeating for attracting tourism. Most major cities are removing traffic; we are encouraging it. We should work to encourage walking and pedestrianise more streets.</li> <li>15. Opposes housing on the proposed area as it was suggested before the Market Yard site became part of the site being discussed. A terrace of housing could front the river at the current taxi rank or along the Quay. Proposed housing location slots buildings in where they can be serviced, rather than enhance an area and be focused on the needs of the occupants. The site (masterplan area) has not been fully assessed in its entirety as to the best place for housing.</li> <li>16. Opposed to the urban street between CAS and Bateman Quay as it is primarily to provide access to the planned housing which itself is not necessarily required in this area. If the new bridge does all it is supposed to do (doesn't believe it will) it will diminish the need for this road. Pedestrian and cyclist access can be best addressed with dedicated cycle and walking alleys into the site without the need for cars, as per towns in Holland.</li> </ol>
<p><b>Response</b> 1. Noted.</p>	

2. During the workshops the findings of day 1 were presented back to the participants on day 2 for further work. The report was published on March 30<sup>th</sup>. The process has moved on significantly since those workshops. The results of the workshops will be analysed for future public consultation to identify potential improvements.

3. Noted

6. The making of a plan (or a Variation of a Plan) is a Reserved Function of the Council. It is the Elected Representatives of the Council that ultimately decide whether or not to make the Variation.

7. The masterplan is a document which sets out a vision for the area. It is one stage of a continuous process. For example further work is required to develop the urban design and archaeological recommendations and the low carbon energy strategy and other projects. The variation number 1 is to place the nine proposed objectives into the City Development Plan. A separate variation will be required to insert the masterplan into the City Development Plan.

8. The variation if made by the Council will become part of the City Development Plan. Changes can be made at any time through further variations as the need requires.

9. Noted. The range of uses within the plan area allows for consideration of a brewery.

10. The sentence '*Extend the medieval character of the streetscape in the city centre into the site*' has not been removed from the masterplan. It is contained in Section 3.1.10 (Site Analysis-Tourism). However it is considered that this wording should reflect the vision statement which is "to plan the area as a seamless extension to the medieval city...".

The sentence '*Development of Kilkenny as Ireland's environmental centre of excellence through regeneration of the quayside quarter*' was removed as it was considered to be a duplication of "*Establishment of 'Green City' Kilkenny as a model for Irish and European cities and communities*" in Section 2.2.1 of the masterplan. **Recommendation:** Change fourth last bullet point in Section 3.1.10 from: Maintain the quality of the urban fabric of the city by extending the medieval character of the streetscapes in the city centre to the site to "*Maintain the quality of the urban fabric of the city by planning for the area as a seamless complement to the medieval city*"

11. The first Draft Masterplan for the Abbey Creative Quarter was prepared in November 2013. The plan area at that time included some land within the Market Yard (pumping station and some adjacent parking). In May 2014, the Kilkenny City & Environs Development Plan 2014-2020 was adopted by Kilkenny Borough and County Councils. In Figure 3.3 of that Plan the area of the masterplan was extended to include the Market Yard in its entirety. In response to issues raised about the plan area at the public consultation workshops in January 2015, the area of the masterplan was clarified in the Report on Public Consultation published in March.

12. The plan area is located adjacent to the core of the City and the masterplan strives to find a balanced form of development. The linear park of approx 15m in width as proposed can accommodate footpath, cycle lane and areas for passive recreation which is considered reasonable. The linear park will link with the proposed park/landscaped area around St. Francis Abbey. Other uses such as boating and a skate park will be incorporated at selected locations. The detailed design will protect the conservation objectives of the cSAC and will also protect habitats through an ecological impact assessment which shall consider all relevant ecological issues. This project will be subject to its own consultation and consent process.

13. The park at the location of St Francis abbey facilitates a number of complimentary objectives: (a) creates an urban park for enjoyment of citizens & tourists, (b) facilitates archaeological excavation (c) provides a setting for the abbey, (d) opens new vistas to the abbey from the north & east and is considered to be provide the most synergies at the Abbey.

14. Smarter Travel is a Government initiative which sets out policies for a more sustainable transport future. The objectives are to reduce overall travel demand, maximise the efficiency of the transport network, reduce transport emissions, and improve accessibility to transport. Through its Mobility management plan the council seeks to implement these objectives.

15. Residential use is envisaged over the entire masterplan area. The area north of the CAS has been identified for social housing. The masterplan document in Section 4.3.10 states that further design

work is required to finalise the most appropriate response to the area between the Masterplan and Vicar Street /New Road/Green Street. This approach will allow for better integration of the area with Vicar Street and Green St. Any issues arising from the location of housing along the CAS will be dealt with at the detailed design stage of the housing.

16 The urban street between CAS and Bateman Quay is to serve all land uses not just for housing. The street will be pedestrian and cyclist priority. Given the significant area of the masterplan a north-south route through the site is considered appropriate as part of the movement strategy for the city to promote walking and cycling. Vehicular access will be controlled to allow for service and emergency vehicles. It will not be designed as a through route for cars or commercial vehicles.

Ref	Name	Summary
V13	Irish Water	1. Irish Water invests in the development and expansion of water and wastewater infrastructure in line with its investment programme and connection policies which are subject to approval by the Commission for Energy Regulation (CER). The water service infrastructure required to service any redevelopment of these lands will be designed and developed in line with our statutory, regulatory and technical obligations and the evolving demand for water in the area.
<b>Response</b>		
1. Noted. Irish Waters requirements will be factored into any detailed as the development of the area progresses.		

Ref	Name	Summary
V14	Pauline Cass	<ol style="list-style-type: none"> <li>1. Attended workshops for the brewery re-visioning, and made submissions on the master Plan; It's clear now these were a waste of everyone's time. The citizen's opinions are being ignored again.</li> <li>2. Objects to the proposed variation. The entire variation is premature as the Abbey Creative Master-plan is incomplete and has not yet been adopted, and in no way reflects the outcome of the consultation process.</li> <li>3. The linear park is too small and should be at least 30m wide, and protect the wild habitat and the poplar trees.</li> <li>4. There should be a full archaeological excavation and survey of the entire site before the master plan is adopted; therefore objective is flawed and premature.</li> <li>5. At all consultation workshops the public overwhelming agreed to knock the Mayfair to open up the views of St. Francis Abbey, Evan's Turret and the City Walls. Are the wishes of the citizens being ignored here?</li> <li>6. A full archaeological excavation and survey needs to be done before any suitable design can be drawn up for the Abbey Creative Quarter Master plan.</li> <li>7. "The proposed Variation to the City and Environs Development plan will not commence until the Master plan has been finalized and approved by the elected members of Kilkenny County Council". This has not yet been done.</li> <li>8. A full archaeological survey needs to be completed to determine what buildings are suitable for site.</li> <li>9. At the consultation workshops there was an overwhelming objection to car parks and bus parks being put on site, again the public are being ignored.</li> <li>10. While housing is welcomed, the entrances should be off Vicar Street and Greens Bridge, so that these houses form part of established communities.</li> </ol>

		<p>11. Object to a road coming off the CAS bridge. Keeping traffic off site should be a priority; this will lead to a rat run.</p> <p>12. These variations are very premature. Why the rush? The ISIF has billions of euro. No decisions should be made until the new CEO and her team take up their positions. Please do not ignore the wishes of all the people who attended consultations and made submissions.</p>
<p>Response</p> <p>1. The public consultation proved to be a very worthwhile exercise as it allowed opinions on the future development of the area to be recorded. There was a significant level of engagement by the public at the various stages and significant level of resources invested by the Council into the process. Many positive changes were made to the draft masterplan as a direct result of public consultation such as the exclusion of 'finger buildings', inclusion of more open space and parkland around the Abbey, exclusion of bus parking and large scale car parking on site, altered layout to reflect the existing street patterns of the city.</p> <p>2. Noted.</p> <p>3. The plan area is located adjacent to the core of the City and the masterplan strives to find a balanced form of development. The linear park of approx 15m in width as proposed can accommodate footpath, cycle lane and areas for passive recreation which is considered reasonable. The linear park will link with the proposed park/landscaped area around St. Francis Abbey. Other uses such boating and a skate park will be incorporated at selected locations. The detailed design will protect the conservation objectives of the cSAC and will also protect habitats through an ecological impact assessment which shall consider all relevant ecological issues. This project will be subject to its own consultation and consent process.</p> <p>4. The Plan or Variation is not premature pending an archaeological investigation. In terms of the investigation, excavation should be planned in a strategic manner in order to answer key research questions and respond to the proposed design layout and phasing of the development in order to gather information to appropriately conserve and protect monuments and assess the below ground archaeological potential. It is a step by step, focussed process. To make this an effective process an excavation design strategy needs to be devised that will concentrate on answering key questions in key areas of the masterplan site that will allow a fuller if not complete understanding of the site and how it was and is to be developed. Excavation should be timely and targeted informing conservation practices and detecting and understanding the below ground remains throughout the site. All future investigations will have to engage with the work that has already occurred on the site and the existing knowledge base. The strategy report has collated this information so it is available and can inform the process.</p> <p>5. The demolition of the Mayfair was a view expressed at the public consultation and a review of the decision to retain the Mayfair building in the context of archaeological and environmental considerations was undertaken as part of the re-visioning exercise. The archaeological report does highlight the proximity of the Mayfair to the City Walls and recommends in line with the current City Wall Conservation Plan<sup>12</sup> to protect, maintain and encourage the enhancement and setting of the City Wall that creative architectural design solutions be sought that will enable this enhancement. This will be further investigated before a final decision is made on the future of the Mayfair<sup>13</sup></p> <p>6. A full archaeological excavation is not necessary before making a plan or design guidance. An archaeological strategy which will see excavation being planned in a strategic manner (see No.4 above).</p> <p>7. The change in momentum arises from a formal letter of interest from the National Treasury Management Agency (NTMA) and notification of an allocation of €4.5 million for housing at Vicar Street, both of which are driven by Government policy. The funding secured from Bord Fáilte for the</p>		

<sup>12</sup> Kilkenny Wall Conservation Plan

<sup>13</sup> Mayfair Part 8 has commenced. This review will take place before the Part 8 is brought to Council for decision.

river garden project must be invested by the end of 2016 and this project must still go through the formal approval process (either a Part 8 or application to An Bord Pleanála). Furthermore, expressions of interest were received to start up new business and to avail of floor space in the refurbished Brewhouse or the Mayfair.

8. A full archaeological excavation is not necessary before further design work (See Nos. 4 & 6 above).

9. This was noted from the public consultation. There are no carparks or bus parks proposed within the plan area.

10. Residential use is envisaged over the entire masterplan area. The area north of the CAS has been identified for social housing. The masterplan document in Section 4.3.10 states that further design work is required to finalise the most appropriate response to the area between the Masterplan and Vicar Street /New Road/Green Street. This approach will allow for better integration of the area with Vicar Street and Green St.

11. The street coming off the CAS will be pedestrian and cyclist priority. Given the significant area of the masterplan a north-south route through the site is considered appropriate as part of the movement strategy for the area to promote walking and cycling. Vehicular access will be controlled to allow for service and emergency vehicles. It will not be designed as a through route for cars or commercial vehicles. It will not be a rat run.

12. The making of a plan (or a Variation of a Plan) is a Reserved Function of the Council. It is the Elected Representatives of the Council that ultimately decide whether or not to make the Variation. The results of the public consultation and all the submissions have been considered. There have been significant changes made to the draft masterplan as a direct result of public consultation and the submissions made. The ISIF fund was set up under the National Treasury Management Amendment Act 2014 and its remit is to stimulate employment and economic activity in the state. It is a working fund and as such it seeks to deliver early gains on behalf of the State. Its application to a city centre site in Kilkenny with multiple aims of urban development, job creation and enterprise activity is considered to be of significant benefit to the development of the area.

Ref	Name	Summary
V15	Yvonne Jenkinson	<p>19. What is the rush to vote this in?</p> <p>20. Object to this vote because it is both premature &amp; at variance in some points with strong hopes of the people who attended the Brewery Re-visioning Consultations.</p> <p>21. ISIF is being touted as an urgent need to engage. The incoming Manager and team need time to review this future development. It was stated in March 2015 that the variation to the CEDP would not be introduced until Masterplan was complete. 9 objectives are being railroaded through in a hurry. Some are broad enough for manoeuvre, some are not.</p> <p>22. Re: Objective 1-Linear Park is too narrow for people and wildlife habitat area most people at Brewery consultations wanted.</p> <p>23. Re: Objective 8- some housing in northern quarter a welcome addition to revival of Irishtown, preferably accessed via Vicar St &amp; Green St. Recognising it is the most valuable real estate in Co. KK such value should be realised &amp; the return of the brewing industry (micro-brewery) would be compensation for KK.</p> <p>24. Re: Objective 9- 14m wide urban road running from CAS to Bateman Quay would encroach on Francis Abbey Park on one side &amp; hoped for Linear Park/wildlife habitat on other, plus walking/cycling path for people, is an invitation to heavy traffic into Brewery Quarter which is not part of future traffic plans for KK.</p>

**Response**

1. The change in momentum arises from a formal letter of interest from the National Treasury Management Agency (NTMA) and notification of an allocation of €4.5 million for housing at Vicar Street, both of which are driven by Government policy. The funding secured from Bord Fáilte for the river garden project must be invested by the end of 2016 and this project must still go through the formal approval process (either a Part 8 or application to An Bord Pleanála). Furthermore, expressions of interest were received to start up new business and to avail of floor space in the refurbished Brewhouse or the Mayfair.
2. The results of the public consultation and all the submissions have been considered. There have been significant changes made to the draft masterplan as a direct result of public consultation and the submissions made. As with any project it will not be possible to meet the aims and hopes of every individual and group.
3. The time frame has altered for the reasons outlined in No.1 above. The making of a plan (or a Variation of a Plan) is a Reserved Function of the Council. It is the Elected Representatives of the Council that ultimately decide whether or not to make the Variation. The objectives are high level and strategic for the site they allow flexibility in detail and identify further work to be carried out.
4. The plan area is located adjacent to the core of the City and the masterplan strives to find a balanced form of development. The linear park of approx 15m in width as proposed can accommodate footpath, cycle lane and areas for passive recreation along with soft landscaping which is considered reasonable. The linear park will link with the proposed park/landscaped area around St Francis Abbey. Other uses such boating and a skate park will be incorporated at selected locations. The detailed design will protect the conservation objectives of the cSAC and will also protect habitats through an ecological impact assessment which shall consider all relevant ecological issues. This project will be subject to its own consultation and consent process.
5. Residential use is envisaged over the entire masterplan area. The area north of the CAS has been identified for social housing. The masterplan document in Section 4.3.10 states that further design work is required to finalise the most appropriate response to the area between the Masterplan and Vicar Street /New Road/Green Street. This approach will allow for better integration of the area with Vicar Street and Green St.
6. The proposed street will be pedestrian and cyclist priority. Given the significant area of the masterplan a north-south route linking Bateman Quay and the CAS through the site is considered appropriate as part of the movement strategy for the city to promote walking and cycling. The urban street linking Bateman Quay and the CAS will be pedestrian and cyclist priority. Vehicular access will be controlled to allow for service and emergency vehicles. It is considered that the detailed design of this street can achieve a design solution which will respect the Abbey and its new setting.

Ref	Name	Summary
V16	Sheila Tuohy	<ol style="list-style-type: none"> <li>1. Proposed variations contradict much of what was openly discussed in great detail by a very participative group at consultation; disillusioned at the amount of energy and personal time that citizens of KK have invested in the process, seemingly to no avail. Concerned by the rush to push the process forward.</li> <li>2. Is premature considering the position &amp; significance of the entire brewery site in the centre of the city.</li> <li>3. Detailed archaeological study of site needed as a priority to form basis of subsequent development of the area.</li> <li>4. Slab of concrete over much of the brewery site is a time capsule requiring careful investigation. Recent finds at St. Mary's church is an indication of how lucky KK is to have abundance of surviving historical sites.</li> <li>5. Welcome a wide linear park along the western bank of the River Nore,</li> </ol>

		<p>maintaining much of the existing vegetation which softens the appearance of the river bank, most of which has been rendered sterile &amp; characterless in the rest of the city centre due to drainage scheme.</p> <ol style="list-style-type: none"> <li>6. Preservation of the existing wildlife habitat should be incorporated into any plan. Should be the necessary safety provisions but no barriers for the public to enjoy the river bank</li> <li>7. Agree with the proposal for an urban park in the vicinity of St Francis Abbey. Abbey should be focal point and Mayfair and other buildings should be removed to accommodate this.</li> <li>8. Welcome Heritage Conservation Plan, but this needs to cover the entire area and should be completed before plans for transport, offices, retail, housing etc are even considered. Kilkenny brewery site is an entirely different and needs to be treated with the careful consideration it deserves</li> <li>9. Urban Design Criteria; premature without first completing the archaeological investigations. Masterplan cannot be finalised as part of a variation before full archaeological investigations are carried out.</li> <li>10. To incorporate the current Masterplan into the development plan, making it legally binding, is the ultimate insult to the public who participated in the consultation process and ties the hands of public representatives for years to come. Appears nothing learned from CAS consultation &amp; dialogue process.</li> <li>11. A low carbon energy strategy will be pointless if cars in any volume are used through and around the site as the proposed road plan suggests. site should be carbon neutral, people centered, with public service vehicles only to the site periphery and limited residential development with incentives/provision for use of electric/hybrid vehicles.</li> <li>12. Use of site for more car parking / coach park was rejected at consultations. Clear that cars were to be kept to an absolute minimum in/ through the area and that it would not become a rat-run from CAS bridge to John's Bridge.</li> <li>13. Housing should be limited in scale, integrated into the site, not segregated to a concentrated area. Site needs centre not deserted after 6pm. Mix of housing type to cater for a varied demographic needed. Limited car access, for residents only but not to detriment of historical &amp; environmental preservation</li> <li>14. Urban Street between CAS and Bateman Quay spells disaster &amp; will draw traffic in and around the area. 14m wide will take up excessive area adjacent to the river. Consultation was clear that preference is to have the site car free with the exception of vehicles for those with special needs.</li> </ol>
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**Response**

1. The public consultation proved to be a very worthwhile exercise as it allowed opinions on the future development of the area to be recorded. There was a significant level of engagement by the public at the various stages and significant level of resources invested by the Council into the process. Many positive changes were made to the draft masterplan as a direct result of public consultation such as the exclusion of 'finger buildings', inclusion of more open space and parkland around the Abbey, exclusion of bus parking and large scale car parking on site, altered layout to reflect the existing street patterns of the city, completion of a detailed archaeological strategy.
2. Kilkenny County Council is the Planning Authority for the city and as such is obliged to provide for

the proper planning and sustainable development of the area. The area is of strategic importance to the city and it is considered prudent that the Planning Authority have in place a plan for the future development of this area.

3 & 4. In terms of the investigation, excavation will be planned in a strategic manner in order to answer key research questions and will respond to the proposed design layout and phasing of the development in order to gather information to appropriately conserve and protect monuments and assess the below ground archaeological potential. It is a step by step, focussed process. To make this an effective process an excavation design strategy will be devised in accordance with objective 4 that will concentrate on answering key questions in key areas of the masterplan that will allow a fuller understanding of the area and how it was and is to be developed. Excavation should be timely and targeted informing conservation practices and detecting and understanding the below ground remains throughout the site. All future investigations will have to engage with the work that has already occurred on the site and the existing knowledge base. The framework report has collated this information so it is available and can inform the process.

5 & 6. The plan area is located adjacent to the core of the City and the masterplan strives to find a balanced form of development. The linear park of approx 15m in width as proposed can accommodate footpath, cycle lane and areas for passive recreation along with soft landscaping which is considered reasonable. The linear park will link with the proposed park/landscaped area around St Francis Abbey. Other uses such boating and a skate park will be incorporated at selected locations. The detailed design will protect the conservation objectives of the cSAC and will also protect habitats through an ecological impact assessment which shall consider all relevant ecological issues. This project will be subject to its own consultation and consent process.

7. A review of the decision to retain the Mayfair building in the context of archaeological and environmental considerations was undertaken as part of the revisioning exercise. The archaeological report does highlight the proximity of the Mayfair to the City Walls and recommends in line with the current City Wall Conservation Plan<sup>14</sup> to protect, maintain and encourage the enhancement and setting of the City Wall that creative architectural design solutions be sought that will enable this enhancement. This will be further investigated before a final decision is made on the future of the Mayfair<sup>15</sup>

8. The Heritage Conservation Plan will in the first instance concentrate on the upstanding heritage monuments as identified. The results of the archaeological investigation will be evaluated in conjunction with the relevant statutory authorities and decisions as to the appropriate measures for any archaeological discoveries will be taken at that time.

9. Urban design criteria are not premature pending an archaeological excavation. See 3&4 above.

10. The proposed variation no.1 will not incorporate the masterplan into the City Development Plan. To put the masterplan on a footing in the City Development Plan will require a separate variation.

11. A low carbon energy strategy will be developed for the plan area.

12. The street coming off the CAS will be pedestrian and cyclist priority. Given the significant area of the masterplan a north-south route through the site is considered appropriate as part of the movement strategy for the area to promote walking and cycling. Vehicular access will be controlled to allow for service and emergency vehicles. It will not be designed as a through route for cars or commercial vehicles. It will not be a rat run.

13. Residential use is envisaged over the entire masterplan area. The vision for the area is to have a place for an intergenerational community to, work live and play with St Francis Abbey at its core.

14. The proposed street will be pedestrian and cyclist priority. Given the significant area of the masterplan a north-south route linking Bateman Quay and the CAS through the site is considered appropriate as part of the movement strategy for the city to promote walking and cycling. The urban

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<sup>14</sup> Kilkenny Wall Conservation Plan

<sup>15</sup> Mayfair Part 8 has commenced. This review will take place before the Part 8 is brought to Council for decision.

street linking Bateman Quay and the CAS will be pedestrian and cyclist priority. Vehicular access will be controlled to allow for service and emergency vehicles. It is considered that the detailed design of this street can achieve a design solution which will respect the Abbey and its new setting.

Ref	Name	Summary
V17	Caroline Jenkinson	<ol style="list-style-type: none"> <li>1. This is rushed addition to the Development Plan.</li> <li>2. Reminder of how CAS was voted on before the new council members could get a chance to have an impact on the plan, when they thought that they would have been able to.</li> </ol>
<p><b>Response</b></p> <p>1. The change in momentum arises from a formal letter of interest from the National Treasury Management Agency (NTMA) and notification of an allocation of €4.5 million for housing at Vicar Street, both of which are driven by Government policy. The funding secured from Bord Fáilte for the river garden project must be invested by the end of 2016 and this project must still go through the formal approval process (either a Part 8 or application to An Bord Pleanála). Furthermore, expressions of interest were received to start up new business and to avail of floor space in the refurbished Brewhouse or the Mayfair. The Variation puts the 9 proposed objectives into the City &amp; Environs Development Plan. The will require a separate variation process to make it part of the Development Plan.</p> <p>2. This comment is not directly related to the process of making this variation or approving the masterplan</p>		

Ref	Name	Summary
V18	Ross Stewart	<ol style="list-style-type: none"> <li>1. Proposed variations are at odd with the consensus of the public consultation. Public consultation was a token to pretend to listen to the citizens. If adopted the plan becomes legally binding- making a farce of the work that has been done to bring the public on side.</li> <li>2. There is no rush. This should be carefully planned along with communities of Kilkenny. Allowing a venture company to have control smacks of improper process.</li> <li>3. Full archaeological investigation needed before talks of offices/ access.</li> <li>4. Welcome linear park- needs to make provision to retain existing trees and habitat- there should be no "only if possible" condition attached to the protection of this area.</li> <li>5. Suggest an urban park in the vicinity of St Francis Abbey.</li> <li>6. Mayfair and Brewhouse need to be removed to allow archaeological investigations, open views and complete the park.</li> <li>7. Heritage conservation plan welcomed but is too specific making it limited.</li> <li>8. Urban design critical however are premature without archaeological investigations.</li> <li>9. Low carbon strategy should not be cancelled by promotion of car use- brewery site should be carbon neutral- no traffic.</li> <li>10. Car and bus parks should not be included-public consultations suggested provision of cars be kept on periphery.</li> <li>11. Housing should not be from a connecting road to CAS- splits site in two causes traffic and pollution. Housing could be designated in the area North of CAS bridge, along Bateman Quay, Housing for elderly and disabled to be</li> </ol>

		<p>provided with a view to bringing communities into the site centre</p> <p>12. Urban Street and CAS and Bateman Quay- (read notes public consultation re this issue) 14m wide road will cut through any park and limit size of linear park , limit wildlife habitat and bring cars to the area.</p>
<p><b>Response</b></p> <p>1. The public consultation proved to be a very worthwhile exercise as it allowed opinions on the future development of the area to be recorded. There was a significant level of engagement by the public at the various stages and significant level of resources invested by the Council into the process. Many positive changes were made to the draft masterplan as a direct result of public consultation such as the exclusion of 'finger buildings', inclusion of more open space and parkland around the Abbey, exclusion of bus parking and large scale car parking on site, altered layout to reflect the existing street patterns of the city.</p> <p>2. The altered time frame arises from a formal letter of interest from the National Treasury Management Agency (NTMA) and notification of an allocation of €4.5 million for housing at Vicar Street, both of which are driven by Government policy. The funding secured from Bord Fáilte for the river garden project must be invested by the end of 2016 and this project must still go through the formal approval process (either a Part 8 or application to An Bord Pleanála). Furthermore, expressions of interest were received to start up new business and to avail of floor space in the refurbished Brewhouse or the Mayfair. The governance of the site is separate to the masterplan process.</p> <p>3. A full archaeological excavation is not necessary before making a plan or design guidance. An archaeological strategy which will see excavation being planned in a strategic manner. Excavations will be planned in a strategic manner in order to answer key research questions and will respond to the proposed design layout and phasing of the development in order to gather information to appropriately conserve and protect monuments and assess the below ground archaeological potential. It is a step by step, focused process.</p> <p>4. The linear park of approx 15m in width as proposed can accommodate footpath, cycle lane and areas for passive recreation along with soft landscaping which is considered reasonable. The linear park will link with the proposed park/landscaped area around St Francis Abbey. Other uses such boating and a skate park will be incorporated at selected locations. The detailed design will protect the conservation objectives of the cSAC and will also protect habitats through an ecological impact assessment which shall consider all relevant ecological issues. This project will be subject to its own consultation and consent process.</p> <p>5. Noted. Urban park provided for.</p> <p>6. A review of the decision to retain the Brewhouse &amp; Mayfair buildings in the context of archaeological and environmental considerations was undertaken as part of the revisioning exercise. Given the results of the archaeological report and the sustainable principles of reuse of buildings and the architectural heritage value of the Brewhouse it is considered that retention and refurbishment of the Brewhouse is the recommended course of action.</p> <p>In relation to the Mayfair the archaeological assessment has highlighted the proximity of the Mayfair to the City Walls and recommends in line with the current City Wall Conservation Plan<sup>16</sup> to protect, maintain and encourage the enhancement and setting of the City Wall that creative architectural design solutions be sought that will enable this enhancement. This will be further investigated before a final decision is made on the future of the Mayfair<sup>17</sup></p> <p>7. The Heritage Conservation Plan will in the first instance concentrate on the upstanding heritage monuments as identified. The results of the archaeological investigation will be evaluated in conjunction with the relevant statutory authorities and decisions as to the appropriate measures for any archaeological discoveries will be taken at that time.</p>		

<sup>16</sup> Kilkenny Wall Conservation Plan

<sup>17</sup> Mayfair Part 8 has commenced. This review will take place before the Part 8 is brought to Council for decision.

8. Urban design criteria are not premature pending an archaeological excavation. Archaeological excavation will be planned in a strategic manner in order to answer key research questions and will respond to the proposed design layout and phasing of the development in order to gather information to appropriately conserve and protect monuments and assess the below ground archaeological potential. It is a step by step, focussed process.

9. A low carbon energy strategy will be developed for the plan area. Car usage is not promoted on the site.

10. The objective states to provide for bus/car parking close to the masterplan area. This objective has come directly from the consensus at the public consultations not to have bus parking or large carparking areas on the masterplan area. There are no car parks or bus parks proposed within the masterplan area.

11. Residential use is envisaged over the entire masterplan area. The area north of the CAS has been identified for social housing. The masterplan document in Section 4.3.10 states that further design work is required to finalise the most appropriate response to the area between the Masterplan and Vicar Street /New Road/Green Street. This approach will allow for better integration of the area with Vicar Street and Green St. Residential use is envisaged over the entire masterplan area. The area north of the CAS has been identified for social housing. The masterplan document in Section 4.3.10 states that further design work is required to finalise the most appropriate response to the area between the Masterplan and Vicar Street /New Road/Green Street. This approach will allow for better integration of the area with Vicar Street and Green St.

12. The street coming off the CAS will be pedestrian and cyclist priority. Given the significant area of the masterplan a north-south route through the site is considered appropriate as part of the movement strategy for the area to promote walking and cycling. Vehicular access will be controlled to allow for service and emergency vehicles. It will not be designed as a through route for cars or commercial vehicles. It will not be a rat run.

Ref	Name	Summary
V19	Enya Kennedy	<ol style="list-style-type: none"> <li>1. The process is flawed and the proposed Variation is premature. There should be no rush on this process.</li> <li>2. The Market Yard has only become part of this process very late and this needs further consideration before it is included in the Development Plan.</li> <li>3. Full archaeological investigation needs to be completed on the site not just specific areas. This work should then inform the variations.</li> <li>4. In Section 7.4.6 of the SEA ER, footnote 63 states "It is intended to place the abbey creative quarter masterplan on a statutory footing by way of variation No.1 to the city development plan (the draft masterplan and associated SEA and AA documents have been placed on public display at the same time as the proposed variation and its associated SEA and AA)". This places the Masterplan on a statutory footing and goes against the recommendations of the Planning Dept.</li> </ol>
<p><b>Response</b></p> <p>1. The change in momentum arises from a formal letter of interest from the National Treasury Management Agency (NTMA) and notification of an allocation of €4.5 million for housing at Vicar Street, both of which are driven by Government policy. The funding secured from Bord Fáilte for the river garden project must be invested by the end of 2016 and this project must still go through the formal approval process (either a Part 8 or application to An Bord Pleanála). Furthermore, expressions of interest were received to start up new business and to avail of floor space in the refurbished Brewhouse or the Mayfair.</p>		

2. The Market Yard has been included within the masterplan area since the adoption of the Kilkenny City & Environs Development Plan on the 16<sup>th</sup> of May 2015. This is already set out in Figure 3.3 of the Development Plan.
3. In terms of the archaeological investigation, excavation should be planned in a strategic manner in order to answer key research questions and respond to the proposed design layout and phasing of the development in order to gather information to appropriately conserve and protect monuments and assess the below ground archaeological potential. It is a step by step, focussed process. To make this an effective process an excavation design strategy needs to be devised that will concentrate on answering key questions in key areas of the masterplan site that will allow a fuller if not complete understanding of the site and how it was and is to be developed. Excavation should be timely and targeted informing conservation practices and detecting and understanding the below ground remains throughout the site. All future investigations will have to engage with the work that has already occurred on the site and the existing knowledge base. The strategy report has collated this information so it is available and can inform the process.
4. Footnote 63 of the SEA Environmental Report is incorrect and will be amended. The masterplan will not have a statutory footing until such time as a separate Variation process is completed with the masterplan as the subject. **Recommendation:** Amend Footnote 63 of SEA as follows: *It is intended to place the Abbey Creative Quarter masterplan on a statutory footing by way of ~~Variation No. 1~~ a separate and subsequent Variation to the City Development Plan 2014-2020.*

Ref	Name	Summary
V20	Environmental Protection Agency	<ol style="list-style-type: none"> <li>1. In seeking to develop the linear park, it is recommended that existing riparian habitats alongside the River Nore (SPA) / River Nore &amp; River Barrow (cSAC) are maintained (and where possible enhanced) to ensure ecological connectivity is maintained. It is also recommended that appropriate lighting should be considered to minimise disturbance to designated habitats / protected species.</li> <li>2. The Variation should ensure that any contaminated soils identified during the development of existing brownfield lands in the Plan area are remediated and managed appropriately. The Southern Regional Waste Management Plan should also be taken into account where relevant, in this regard.</li> <li>3. The Kilkenny City (Radestown) drinking water supply is currently listed on the EPA's most recent (Q1 of 2015) Drinking Water Remedial Action List due to the presence of elevated levels of trihalomethanes (THMs) above the drinking water regulations. The Plan should include a commitment to collaborate with Irish Water to ensure that drinking water treatment infrastructure is adequate and appropriate to support the continued development of the Plan area in a sustainable manner.</li> <li>4. We acknowledge that the flood risk assessment carried out has influenced the proposed development of the Plan area. We also note the extent to which objectives are included requiring compliance with the <i>Flood Risk Management Guidelines</i> (DEHLG/OPW, 2009).</li> <li>5. In Section 2 of the SEA ER, it may be useful to consider a reference to the following plans: Irish Water's Water Services Strategic Plan (WSSP) and the Southern Regional Waste Management Plan</li> <li>6. Table 7.5 in Section 7 of the SEA ER (Evaluation of Alternatives) clearly summarises the key identified issues to be taken into account, as well as the possible environmental benefits of implementing the preferred alternative.</li> </ol>

		<p>7. In relation to mitigation measures (Section 9 of the SEA ER) it should be ensured that no conflict arises between any measures proposed in the masterplan and the relevant policies/objectives in the City Development Plan.</p> <p>8. We acknowledge the proposed monitoring programme, which includes the frequency of environmental monitoring and which highlights the associated ownership of monitoring responsibilities in <i>Table 10.1 Selected Indicators, Targets and Monitoring Sources</i>.</p> <p>9. Where any future amendments are proposed to the Variation / Plan, these should be screened for likely significant effects in accordance with the SEA Regulations.</p> <p>10. Following adoption of the Plan, an SEA statement should be prepared and should summarise the following:</p> <ul style="list-style-type: none"> <li>• How environmental considerations have been integrated into the Plan;</li> <li>• How the Environmental Report, submissions, observations and consultations have been taken into account during the preparation of the Plan;</li> <li>• The reasons for choosing the Plan adopted in the light of other reasonable alternatives dealt with; and</li> <li>• The measures decided upon to monitor the significant environmental effects of implementation of the Plan.</li> </ul>
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**Response**

1. Contributions towards the protection of the ecology including protected species is facilitated under various Masterplan/ Proposed Variation / City and Environs Development Plan provisions<sup>18</sup>. Further additions based on the EPA's recommendations would be likely to further contribute towards the protection that is already facilitated. It is **recommended** to add the following text to Section 4.4.4 of the masterplan.

*The Appropriate Assessment for the linear park shall be informed by an ecological impact assessment which shall consider all relevant ecological issues including ecological connectivity and species such as otters and kingfishers (including potential interactions with food sources and aquatic and terrestrial habitats) and bats (including potential interactions with roosts, foraging sites and lighting). The ecologist working on AA for the project shall be consulted at the start of the project so that any necessary mitigation or design changes can be incorporated early in the project.*

2. The St. Francis Abbey Brewery which is located within the Masterplan area to which the Variation relates was operated by Diageo Global Supply until production activities ceased on 12<sup>th</sup> May 2014. With respect to the on-site condition of soils, the potential for contaminated land within the site was considered by the EPA in their Site Visit Report (March, 2015) which identifies that: *The condition of the site was assessed and it is the opinion of this inspector that the site of the activity was in a satisfactory state on the day of the site visit and it was considered unlikely to cause environmental pollution or to contain any potentially polluting residues.*

Regarding contaminated soils, the City Development Plan states that: Development will be encouraged and facilitated where it can be demonstrated that the development of the potentially

<sup>18</sup> E.g.

Ensure that an ecological impact assessment is carried out for any proposed development likely to have a significant impact on rare and threatened species including those species protected by law and their habitats.

Ensure appropriate avoidance and mitigation measures are incorporated into development proposals as part of any ecological impact assessment.

Proposals must demonstrate that they will not adversely affect any habitats and/or species of interest or compromise the river's function as a green infrastructure corridor

To ensure the protection of the special character and setting of protected structures, ACAs and Recorded Monuments, and protected species when considering proposals for floodlighting.

contaminated site will result in a recreational and social benefit to the local area/community provided that identified remediation measures for the lands are carried out. The Council will require that a detailed investigation is carried out and appropriate measures are taken to ensure that the land is treated properly before development takes place.

It is **recommended** to add the following text to Section 4.4.4 of the masterplan.

*Any contaminated soils identified during the development of existing brownfield lands shall be remediated and managed appropriately. The Southern Regional Waste Management Plan should also be taken into account as appropriate in this regard.*

3. The Kilkenny City (Radestown) drinking water supply is listed on the the EPA's most recent (Q1 of 2015) RAL. This is due to the presence of elevated levels of trihalomethanes (THMs) above the standard in the Drinking Water Regulations. Remedial action involves the development of a new well field, due to be completed by 2016<sup>19</sup>. This is the responsibility of Irish Water.

4-9. Noted.

10. Noted. An Environmental Statement will be prepared.

Ref	Name	Summary
V21	Evelyn Smith	<ol style="list-style-type: none"> <li>1. The Masterplan neither meets the Objectives of the County Development Plan and other strategy plans nor reflects the outcome of the public consultation process. Elected Members and Planning Department should be given more time to consider the submissions and to review the summary report on the public consultation process and consider does the revision incorporate the findings of same. Planning Office has 8 days to read, collate and decide. Hopes submissions will not simply be logged and dismissed.</li> <li>2. There was consensus on a number of fundamental issues such as phasing and priorities arising from the series of public consultation meetings. Was taken aback that submissions by the Heritage Council and other robust submissions did not inform the debate at the Visioning workshop.</li> <li>3. Council said development was to take place over 10-15 years and site has not yet been handed over.</li> <li>4. Decision to make Masterplan statutory should not be pushed by the Executive as it will be the most important vote the member will make and will have lasting repercussions.</li> <li>5. Supports the submissions made by Lucy Glendinning.</li> </ol>
<p><b>Response</b></p> <ol style="list-style-type: none"> <li>1. The mansterplan fulfills objective 3C of the City Development Plan and is consistent with the policies and objectives contained therein.</li> <li>2. The Chief Executive report of November 2014 reported on all submissions to the Draft Masterplan of November 2013. This report was available to the revisioning workshops.</li> <li>3. 10-15 years is an estimate of time. The time frame is dependent on economic activity and the level of investment</li> <li>4. The proposed variation no.1 will not incorporate the masterplan into the City Development Plan. To put the masterplan on a footing in the City Development Plan will require a separate variation.</li> <li>5. Noted.</li> </ol>		

<sup>19</sup> EPA Drinking Water Remedial Action List Q4 of 2015

Ref	Name	Summary
V22	Paddy O'Ceallaigh	<ol style="list-style-type: none"> <li>1. Objects to the adoption of the masterplan as ISIF funding is not predicated on adoption of the masterplan. Plenty of time and scope to apply to ISIF. Councillors should be aware of ISIF's three economic impact concepts: (a) Deadweight, (b) Displacement, (c) Additionality. What about existing empty space around the County.</li> <li>2. Objects to the adoption of the masterplan as the New HGV management plan has not been published.</li> <li>3. Objects in principle the masterplan seeks to impose preordained decisions: retention of the Mayfair, Brewhouse, malthouse and provision of an urban street.</li> <li>4. Objects in principle as the presentation of the masterplan and variation is contrary to 2.3.3 of the brewery re-invisioning (number 5)</li> <li>5. Objects in principle to adoption of the masterplan as the SEA and appropriate assessment are inherently flawed. The ECOFACT report on the river works associated with the CAS has not been taken into account<sup>20</sup>.</li> <li>6. Objects in principle to adoption of the masterplan as the Council has not taken possession of the site.</li> <li>7. Object to the adoption of the masterplan as he has no confidence in the EPA, noting that a claim that parts of the site are toxic by Mr. James Mary Kelly were never addressed by the Council. This could lead to exposure to an environmental and financial liability into the future.</li> <li>8. Objects in principle to the adoption of the masterplan as this crucial decision should be left to the incoming county manager.</li> <li>9. Welcomes the linear park but it should be significantly widened retaining existing trees and keeping various riparian issues in mind. SEA appears to have no understanding of cumulative impact having regard to ECOFACT report on the CAS last October.</li> <li>10. Welcomes urban park but retention of Mayfair will undermine opportunity to open up city walls and create new vistas for the site.</li> <li>11. Objective 3 noted but who are the stakeholders?</li> <li>12. Urban design makes no reference to continuing the medieval feel into the site. Urges best practice in other European Heritage cities of similar cities to be studied.</li> <li>13. Objective 5 runs contrary to wishes expressed at the public consultation. It will make statutory what is aspirational.</li> <li>14. Objective 6 welcomed.</li> <li>15. Public consultation was explicit that high volume of traffic was not to be encouraged into the site. Council should publish any agreements there is with Diageo regarding bus access to its brewery museum experience.</li> <li>16. There is scope to allow a small micro brewery in this section identified for social housing. Housing welcomed and has potential all over the site.</li> <li>17. Urban street is not wanted as per public consultation. No HGV plan. There is no evidence for the need for it. What is the estimated cost of the urban street.</li> </ol>
<p><b>Response</b></p> <ol style="list-style-type: none"> <li>1. It is a matter for ISIF</li> <li>2. The masterplan has been formulated on the basis of being pedestrian and cycle priority with the primary street being designed in accordance with Design Manual for Roads and Steets. The HGV</li> </ol>		

<sup>20</sup> Reference is also made in the submission to arbitration and contractual issues between KCC and the contractor and contractual issues. These issues are outside the scope of Variation & masterplan process.

management plan is intended to remove excessive HGV traffic from residential areas and reduce HGV traffic in the city centre.

3. A review of the decision to retain the Brewhouse & Mayfair buildings in the context of archaeological and environmental considerations was undertaken as part of the re-visioning exercise. Given the results of the archaeological report and the sustainable principles of reuse of buildings and the architectural heritage value of the Brewhouse it is considered that retention and refurbishment of the Brewhouse is the recommended course of action.

In relation to the Mayfair the archaeological assessment has highlighted the proximity of the Mayfair to the City Walls and recommends in line with the current City Wall Conservation Plan<sup>21</sup> to protect, maintain and encourage the enhancement and setting of the City Wall that creative architectural design solutions be sought that will enable this enhancement. This will be further investigated before a final decision is made on the future of the Mayfair<sup>22</sup>

4. The change in momentum arises from a formal letter of interest from the National Treasury Management Agency (NTMA) and notification of an allocation of €4.5 million for housing at Vicar Street, both of which are driven by Government policy. The funding secured from Bord Fáilte for the river garden project must be invested by the end of 2016 and this project must still go through the formal approval process (either a Part 8 or application to An Bord Pleanála). Furthermore, expressions of interest were received to start up new business and to avail of floor space in the refurbished Brewhouse or the Mayfair.

5. The assessments have considered the cited reports in relation to this area. The October ECOFACT report identifies that the river in proximity to the bridge works undertaken in 2014 was impacted. The ECOFACT report describes some of the works, which included major in-stream activities. The Masterplan has been developed in a way to avoid any necessity for any instream works during development of the site.

The SEA and AA have facilitated the integration of environmental considerations into the Draft Masterplan and associated Proposed Variation. This has included a number of requirements relating to lower tier environmental assessments (including Appropriate Assessments) that will facilitate contributions towards the protection of the Natura 2000 site.

The AA of the Proposed Variation has concluded, inter alia, that: "the Proposed Variation to the KCEDP has been formulated to ensure that uses, developments and effects arising from permissions based upon the Variation (either individually or in combination with other plans or projects) shall not give rise to significant effects on the integrity of any Natura 2000 sites<sup>23</sup>."

The AA of the Masterplan has concluded, inter alia, that: "Having incorporated these suggested mitigation measures; it is considered that the Masterplan will not have a significant adverse effect on the integrity of the Natura 2000 network<sup>24</sup>."

Therefore no impacts on the river are foreseen as a result of implementing the plan - therefore in-combination impacts should not arise. All lower level projects shall be subject to AA. This is reflected in the content of the SEA and AA documents.

Lower tier AA is required to be undertaken as part of implementation of the Masterplan and Variation. Consistent with the established European principle of subsidiarity, lower tier AA will consider project level potential effects.

It is **recommended** to reference the ECOFACT report in the AA and SEA documents and identify that:

<sup>21</sup> Kilkenny Wall Conservation Plan

<sup>22</sup> Mayfair Part 8 has commenced. This review will take place before the Part 8 is brought to Council for decision.

<sup>23</sup> Except as provided for in Section 6(4) of the Habitats Directive, viz. There must be:

(a) no alternative solution available;  
(b) imperative reasons of overriding public interest for the plan/programme/project to proceed; and  
(c) adequate compensatory measures in place.

<sup>24</sup> Except as provided for in Section 6(4) of the Habitats Directive, viz. There must be:

(a) no alternative solution available;  
(b) imperative reasons of overriding public interest for the plan/programme/project to proceed; and  
(c) adequate compensatory measures in place.

(a) - the river in proximity to the bridge works undertaken in October 2014 was impacted previously  
(b)- no impacts on the river are foreseen as a result of implementing the plan and therefore in-combination impacts should not arise.

(c)- All lower level projects shall be subject to AA.

It is **recommended** to reference the most recent available ecological report on these works undertaken in December 2014 which concludes that:

The works in the River Nore have resulted in a relatively small area at the site being denuded of natural substratum. This is now being re-colonised by macroinvertebrates.

It is not possible to determine to what extent silt generated by the works contributed to the silted substratum in the slack water immediately upstream of the weir. However, it must be borne in mind that conditions here would not be suitable for most protected aquatic species, apart from lamprey ammocoetes, for which a small amount of additional siltation would not be problematic.

Downstream of the weir, silt is absent from the substratum and the macroinvertebrate faunal composition does not show any indication of a siltation impact. The river here is at Q4, the same as upstream of the works. This indicates that any silt generated had only a temporary impact here. High flows in the River Nore in mid-November (see Appendix 4) would, presumably, have flushed silt deposits near the site of the works to more depositing locations farther downstream."

6. Kilkenny County Council is the Planning Authority for the city and as such is obliged to provide for the proper planning and sustainable development of its functional area. The area is of strategic importance to the city and it is considered prudent that the Planning Authority have in place a plan for the future development of this area irrespective of who the owner of the site is.

7. The EPA accepted on 29<sup>th</sup> May 2015 the surrender of the Industrial Emissions License held by E. Smithwick & Sons Ltd for the operation of the brewery on the site. The surrender of this license is a pre-condition of the sale of the property to Kilkenny County Council. The EPA accepted on 29<sup>th</sup> May 2015 the surrender of the Industrial Emissions License held by E. Smithwick & Sons Ltd for the operation of the brewery on the site. The surrender of this license is a pre-condition of the sale of the property to Kilkenny County Council.

8. The making of a plan (or a Variation of a Plan) is a Reserved Function of the Council. It is the Elected Representatives of the Council that ultimately decide whether or not to make the Variation. Similarly for the approval of the masterplan it is ultimately a decision for the Council as to whether or not to approve the masterplan.

9. The plan area is located adjacent to the core of the City and the masterplan strives to find a balanced form of development. The linear park of approx 15m in width as proposed can accommodate footpath, cycle lane and areas for passive recreation along with soft landscaping which is considered reasonable. The linear park will link with the proposed park/landscaped area around St Francis Abbey. Other uses such boating and a skate park will be incorporated at selected locations. The detailed design will protect the conservation objectives of the cSAC and will also protect habitats through an ecological impact assessment which shall consider all relevant ecological issues. This project will be subject to its own consultation and consent process (See EPA submission V20 point 2).

10. In relation to the Mayfair the archaeological assessment has highlighted the proximity of the Mayfair to the City Walls and recommends in line with the current City Wall Conservation Plan<sup>25</sup> to protect, maintain and encourage the enhancement and setting of the City Wall that creative architectural design solutions be sought that will enable this enhancement. This will be further investigated before a final decision is made on the future of the Mayfair<sup>26</sup>

11. The stakeholders are all statutory agencies with responsibility for heritage, NGO's and the public.

12. The urban design guidance and recommendations have to be developed for the plan area and

<sup>25</sup> Kilkenny Wall Conservation Plan

<sup>26</sup> Mayfair Part 8 has commenced. This review will take place before the Part 8 is brought to Council for decision.

have to deliver the vision in Section 2.2.1 of the masterplan: In developing guidance a wide range of examples will be studied.

13. The Abbey Quarter masterplan will not be placed on statutory footing by way of Variation number 1. The masterplan will require its own separate variation to incorporate it into the City Development Plan.

14. Noted.

15. The movement strategy for the masterplan is based on the principles of Smarter travel. (section 4.1) There is no agreement with Diageo regarding bus access to its brewery museum experience.

16. Residential use is envisaged over the entire masterplan area. The area north of the CAS has been identified for social housing. The masterplan document in Section 4.3.10 states that further design work is required to finalise the most appropriate response to the area between the Masterplan and Vicar Street /New Road/Green Street. This approach will allow for better integration of the area with Vicar Street and Green St. The masterplan is structured to allow a wide range of uses within the plan area. If a definite proposal is brought forward for a micro brewery this can be evaluated on its merits.

17. The masterplan has been formulated on the basis of being pedestrian and cycle priority with the primary street being designed in accordance with Design Manual for Roads and Steets.The HGV management plan is intended to remove excessive HGV traffic from residential areas and reduce HGV traffic in the city centre..

Ref	Name	Summary
V23	Kay Brennan	<p>Objects to the proposed variations on a number of grounds:</p> <ol style="list-style-type: none"> <li>1. Recommendation no. 5 of the Public Consultation Report states that the Variation to City &amp; Environs Development Plan will not commence until the Masterplan has been finalised and adopted by the members.</li> <li>2. Strongly objects to City and Environs Development Plan being lumped together and members voting on Masterplan and Variations together. The Plan is being rushed through.</li> <li>3. Two sections have been removed from the draft Masterplan, being 'Kilkenny as Environmental centre of excellence through regeneration of quayside quarter' and 'extending mediaeval streetscape into the quarter'.</li> <li>4. Objects to the late inclusion of the market yard into the plan as this needs further consultation.</li> <li>5. Elected members should be given more time to study and consider the Masterplan only and then, in a few months, a further period to consider the variations. Then bring it back to the public.</li> </ol>
<p><b>Response</b></p> <p>1. &amp; 2. The time frame outlined in the report of March 30<sup>th</sup> was revised to facilitate early delivery of housing under the Governments social housing programme and to avail of funding opportunities through the Irish Strategic Investment Fund. The proposed variation establishes high level principles for the area which allow sufficient flexibility to take account of any provisions of the agreed masterplan.</p> <p>3. The sentence 'Development of Kilkenny as Ireland's environmental centre of excellence through regeneration of the quayside quarter' was removed as it was considered to be a duplication of "Establishment of 'Green City' Kilkenny as a model for Irish and European cities and communities" in Section 2.2.1 of the masterplan.</p> <p>The sentence '<i>Extend the medieval character of the streetscape in the city centre into the site</i>' has not been removed from the masterplan. It is contained in Section 3.1.10 (Site Analysis-Tourism). However it is considered that this wording should reflect the vision statement which is "to plan the</p>		

area as a seamless extension to the medieval city..."

**Recommendation:** Change fourth last bullet point in Section 3.1.10 from: Maintain the quality of the urban fabric of the city by extending the medieval character of the streetscapes in the city centre to the site to *"Maintain the quality of the urban fabric of the city by planning for the area as a seamless complement to the medieval city"*.

4. The first Draft Masterplan for the Abbey Creative Quarter was prepared in November 2013. The plan area at that time included some land within the Market Yard (pumping station and some adjacent parking). In May 2014, the Kilkenny City & Environs Development Plan 2014-2020 was adopted by Kilkenny Borough and County Councils. In Figure 3.3 of that Plan the area of the masterplan was extended to include the Market Yard in its entirety. In response to issues raised about the plan area at the public consultation workshops in January 2015, the area of the masterplan was clarified in the Report on Public Consultation published in March.

5. The making of a plan (or a Variation of a Plan) is a Reserved Function of the Council. It is the Elected Representatives of the Council that ultimately decide whether or not to make the Variation. Similarly for the adoption/approval of the masterplan, it is a matter for the Council to decide whether or not to proceed.

Ref	Name	Summary
V24	Turlough Kelly	<ol style="list-style-type: none"> <li>1. The Masterplan for the Abbey Creative Quarter is flawed and has not taken into account any youth facilities.</li> <li>2. Green areas are too small and the linear park should be at least two and half time wider.</li> <li>3. Wild life has not been considered properly in this plan.</li> <li>4. The Variation should not be voted on before the masterplan has been passed.</li> <li>5. There is no rush on voting on these matters. The site has not been signed over to the city yet. The new County Manager should be given time before any vote is taken.</li> </ol>

**Response**

1. A dedicated consultation took place with Comhairle na nÓg in Feb 2015. As part of the linear park, a skate park and access into the river for water based sports will, subject to compliance with the Habitats Directive, be provided. The vision statement reflects that the area is to be a multi generational place for people to work, live and play.

2. The plan area is located adjacent to the core of the City and the masterplan strives to find a balanced form of development. The linear park of approx 15m in width as proposed can accommodate footpath, cycle lane and areas for passive recreation along with soft landscaping which is considered reasonable. The linear park will link with the proposed park/landscaped area around St Francis Abbey. Other uses such boating and a skate park will be incorporated at selected locations. The detailed design will protect the conservation objectives of the cSAC and will also protect habitats through an ecological impact assessment which shall consider all relevant ecological issues. This project will be subject to its own consultation and consent process.

3. This is incorrect. Both SEA and AA processes have dealt with environmental/natural heritage issues. Additional recommendations are included to ensure protection of biodiversity not mandatory under SEA & AA.

4. The time frame outlined in the report of March 30<sup>th</sup> was revised to facilitate early delivery of housing under the Governments social housing programme and to avail of funding opportunities through the Irish Strategic Investment Fund. The proposed variation establishes high level principles for the area which allow sufficient flexibility to take account of any provisions of the agreed masterplan.

5. The making of a plan (or a Variation of a Plan) is a Reserved Function of the Council. It is the Elected Representatives of the Council that ultimately decide whether or not to make the Variation. Similarly for the adoption/approval of the masterplan, it is a matter for the Council to decide whether or not to proceed.

Ref	Name	Summary
V25	Christopher O'Keefe	<p>Two separate submissions were received from Christopher O'Keefe in connection with the variation and these have been combined into one for the purposes of the report.</p> <ol style="list-style-type: none"> <li>1. The Council is responsible for the ongoing review of indicators and targets, collating existing relevant monitored data, the preparation of monitoring evaluation report(s), the publication of these reports and, if necessary, the carrying out of corrective action (Environmental report, section 6.1). There has been a loss of biodiversity and flora &amp; fauna but no objectives governing biodiversity and fauna were identified as being conflicted with.</li> <li>2. The SEA should :               <ol style="list-style-type: none"> <li>(a) describe and evaluate the likely significant effects on the environment of implementing the proposed variation and reasonable alternatives.</li> <li>(b) outline current knowledge and methods of assessment</li> <li>(c) outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken</li> </ol> </li> <li>3. Variations for the masterplan should not be developed until the masterplan has been finalised informed by archaeological investigation and a conservation plan.</li> <li>4. Archaeological investigation should be done first and create a conservation plan for the masterplan area. The archaeological investigation and guide the draft masterplan.</li> </ol>
<p><b>Response</b></p> <p>1. The SEA and AA have facilitated the integration of environmental considerations into the Draft Masterplan and associated Proposed Variation. This has included a number of requirements relating to lower tier environmental assessments (including Appropriate Assessments) that will facilitate contributions towards the protection of the Natura 2000 site.</p> <p>The AA of the Proposed Variation has concluded, inter alia, that: "the Proposed Variation to the KCEDP has been formulated to ensure that uses, developments and effects arising from permissions based upon the Variation (either individually or in combination with other plans or projects) shall not give rise to significant effects on the integrity of any Natura 2000 sites<sup>27</sup>."</p> <p>The AA of the Masterplan has concluded, inter alia, that: "Having incorporated these suggested mitigation measures; it is considered that the Masterplan will not have a significant adverse effect on the integrity of the Natura 2000 network<sup>28</sup>."</p> <p>Therefore no impacts on the river are foreseen as a result of implementing the plan - therefore in-combination impacts should not arise. All lower level projects shall be subject to AA. This is reflected in the content of the SEA and AA documents.</p> <p>Lower tier AA is required to be undertaken as part of implementation of the Masterplan and</p>		

<sup>27</sup> Except as provided for in Section 6(4) of the Habitats Directive, viz. There must be:

- (a) no alternative solution available;
- (b) imperative reasons of overriding public interest for the plan/programme/project to proceed; and
- (c) adequate compensatory measures in place.

<sup>28</sup> Except as provided for in Section 6(4) of the Habitats Directive, viz. There must be:

- (a) no alternative solution available;
- (b) imperative reasons of overriding public interest for the plan/programme/project to proceed; and
- (c) adequate compensatory measures in place.

Variation. Consistent with the established European principle of subsidiarity, lower tier AA will consider project level potential effects.

It is **recommended** to reference the ECOFACT report in the AA and SEA documents and identify that:

(a) - the river in proximity to the bridge works undertaken in October 2014 was impacted previously  
 (b)- no impacts on the river are foreseen as a result of implementing the plan and therefore in-combination impacts should not arise.

(c)- All lower level projects shall be subject to AA.

It is **recommended** to reference the most recent available ecological report on these works undertaken in December 2014 which concludes that:

The works in the River Nore have resulted in a relatively small area at the site being denuded of natural substratum. This is now being re-colonised by macroinvertebrates.

It is not possible to determine to what extent silt generated by the works contributed to the silted substratum in the slack water immediately upstream of the weir. However, it must be borne in mind that conditions here would not be suitable for most protected aquatic species, apart from lamprey ammocoetes, for which a small amount of additional siltation would not be problematic.

Downstream of the weir, silt is absent from the substratum and the macroinvertebrate faunal composition does not show any indication of a siltation impact. The river here is at Q4, the same as upstream of the works. This indicates that any silt generated had only a temporary impact here. High flows in the River Nore in mid-November (see Appendix 4) would, presumably, have flushed silt deposits near the site of the works to more depositing locations farther downstream."

2. This is provided at Sections 6, 7 and 8 of the SEA ER

3. & 4. In terms of the archaeological investigation, excavation should be planned in a strategic manner in order to answer key research questions and respond to the proposed design layout and phasing of the development in order to gather information to appropriately conserve and protect monuments and assess the below ground archaeological potential. It is a step by step, focussed process. To make this an effective process an excavation design strategy needs to be devised that will concentrate on answering key questions in key areas of the masterplan site that will allow a fuller if not complete understanding of the site and how it was and is to be developed. Excavation should be timely and targeted informing conservation practices and detecting and understanding the below ground remains throughout the site. All future investigations will have to engage with the work that has already occurred on the site and the existing knowledge base. The strategy report has collated this information so it is available and can inform the process. This approach is in accordance with Objective 4 of the variation which has been agreed to by Department of Arts Heritage & the Gaeltacht.

Ref	Name	Summary
V26	Margaret O'Brien	<p>1. Welcome opportunity to make submission &amp; acknowledge KCC's effort to encourage &amp; facilitate public consultation. Though Masterplan is an improvement on earlier drafts, many issues of concern voiced at public consultation meetings haven't been addressed at all or not adequately addressed in this draft.</p> <p>2. Entire variation process is premature, is contrary to or at variance with the Brewery Re-Visioning Report on Public Consultation (March 2015) because it is contrary to recommendation 5 of that report- "the proposed variation to City &amp; Environs Development Plan will not commence until the masterplan has been finalised &amp; adopted by the elected members..."</p> <p>a) Objective of this variation is to incorporate the Masterplan on a statutory basis into Development Plan.</p> <p>b) Masterplan has not been finalised or adopted and is a work in</p>

		<p>progress.</p> <ol style="list-style-type: none"> <li>3. Should be no finality to this Masterplan. It should evolve over the life of the development &amp; public should be consulted at end of each phase of development and be modified as required. The archaeological strategy does not reflect the overwhelming view of public consultation process that the results of archaeological excavation &amp; examination should shape &amp; lead Masterplan. Do not know what the archaeological investigations on site will reveal.</li> <li>4. New CEO in KCC waiting to take up appointment, variation is premature &amp; deprives the process of the benefit of another expert voice.</li> <li>5. Another variation is needed to allow for the demolition of the Mayfair, which was strongly demanded at public consultation. It blocks access to City Walls, impacts on line of sight between Vicar St entrance, Abbey, Evan's Tower and Canice's Cathedral &amp; is at variance with existing City Development Plan.</li> <li>6. Further variation needed to allow for partial demolition of Brewhouse, namely block closest to Abbey as interferes with Abbey curtilage.</li> <li>7. Impact of CAS has not been included in NIS, AA and SEA reports, which is unacceptable.</li> <li>8. Market Yard should be removed from this stage of the Masterplan, too little attention was given at earlier consultations.</li> <li>9. Require full investigation of a micro-brewery on site before any planning take place.</li> <li>10. Objective 1-Linear Park should be at least 30m wide. Objective should specifically include retention of the wild habitat, extending the length of line of Poplar trees and bank from river back up to Poplar trees, and trees themselves, as a protected wild habitat. All parks within the site should incorporate large trees.</li> <li>11. Objective 2-full archaeological excavation and site survey required before Masterplan is adopted or put out for adoption. All proposed planning and development must be generated by the results of this. This has not happened and this objective is flawed and premature.</li> <li>12. Objective 3-Welcome Conservation Plan for Heritage structures but plan ought to be expanded to incorporate entire site if the excavation works on other parts of the site. The choice of piled rather than traditional foundations for future buildings needs to be explained and justified. In case of Brewhouse, need to determine in advance of leasing or renting, what use or uses that this building will or can be put to as this is critical to the conservation of it.</li> <li>13. Objective 4 -Welcome change from mono block to mixed block design; though it is crucial that there is a common genre in block design.</li> <li>14. Objective 5 - premature &amp; at variance to Council's own Planning Department.</li> <li>15. Objective 6 - focus here is good up to a point, south facing façade alignment should be norm throughout.</li> <li>16. Objective 7 &amp; 9 -premature as HGV &amp; traffic management for city has not been completed. Do not know what guidelines or parameters we are working within. Parking &amp; types of vehicles allowed access site must be specified.</li> <li>17. Objective 8 – Unconvinced area designated for housing is appropriate.</li> </ol>
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		<p>It should be in two groups linked to existing communities. One group with access off Greensbridge, the other to existing Vicar Street community. Single access off CAS is problematic (social, health, environmental issues). The skate park should be reintroduced.</p> <p>18. Objective 9 - Road off CAS is unnecessary and contrary to stated intention of this &amp; other objectives if focus is on pedestrian and cycling as a priority. Considerable cost of road could be spent elsewhere, e.g. on archaeology. There are enough access points in to site without this. An additional road running north/south is contrary to stated recognition of following existing laneways and burgage plots, as it bisects them. Road will encourage traffic. Width of proposed road is out of scale as the bridge within the site is only 9 or 10m wide and therefore determines the max. width of any road.</p>
<p><b>Response</b></p> <p>1. Noted. Given the nature of plan making it is not always possible to accommodate all suggested objectives.</p> <p>2. The change in momentum arises from a formal letter of interest from the National Treasury Management Agency (NTMA) and notification of an allocation of €4.5 million for housing at Vicar Street, both of which are driven by Government policy. The funding secured from Bord Fáilte for the river garden project must be invested by the end of 2016 and this project must still go through the formal approval process (either a Part 8 or application to An Bord Pleanála). Furthermore, expressions of interest were received to start up new business and to avail of floor space in the refurbished Brewhouse or the Mayfair. The Abbey Quarter masterplan will not be placed on statutory footing by way of Variation no 1. The masterplan will require its own separate variation to incorporate it into the City Development Plan. The proposed variation no.1 will not incorporate the masterplan into the City Development Plan. To put the masterplan on a footing in the City Development Plan will require a separate variation.</p> <p>3. Over the life of the development the masterplan and the City Development plan will be subject to review and monitoring.</p> <p>4. In terms of the archaeological investigation, excavation should be planned in a strategic manner in order to answer key research questions and respond to the proposed design layout and phasing of the development in order to gather information to appropriately conserve and protect monuments and assess the below ground archaeological potential. It is a step by step, focussed process. To make this an effective process an excavation design strategy needs to be devised that will concentrate on answering key questions in key areas of the masterplan site that will allow a fuller if not complete understanding of the site and how it was and is to be developed. Excavation should be timely and targeted informing conservation practices and detecting and understanding the below ground remains throughout the site. All future investigations will have to engage with the work that has already occurred on the site and the existing knowledge base. The strategy report has collated this information so it is available and can inform the process. This approach is in accordance with Objective 4 of the variation which has been agreed to by Department of Arts Heritage &amp; the Gealteacht,</p> <p>5 &amp; 6. It is considered that a variation is not required to facilitate the demolition of the Mayfair. A review of the decision to retain the Brewhouse &amp; Mayfair buildings in the context of archaeological and environmental considerations was undertaken as part of the revisioning exercise. Given the results of the archaeological report and the sustainable principles of reuse of buildings and the architectural heritage value of the brewhouse it is considered that retention and</p>		

refurbishment of the Brewhouse is the recommended course of action.

In relation to the Mayfair the archaeological assessment has highlighted the proximity of the Mayfair to the City Walls and recommends in line with the current City Wall Conservation Plan<sup>29</sup> to protect, maintain and encourage the enhancement and setting of the City Wall that creative architectural design solutions be sought that will enable this enhancement. This will be further investigated before a final decision is made on the future of the Mayfair<sup>30</sup>

7. The SEA and AA have facilitated the integration of environmental considerations into the Draft Masterplan and associated Proposed Variation. This has included a number of requirements relating to lower tier environmental assessments (including Appropriate Assessments) that will facilitate contributions towards the protection of the Natura 2000 site.

The AA of the Proposed Variation has concluded, inter alia, that: "the Proposed Variation to the KCEDP has been formulated to ensure that uses, developments and effects arising from permissions based upon the Variation (either individually or in combination with other plans or projects) shall not give rise to significant effects on the integrity of any Natura 2000 sites<sup>31</sup>."

The AA of the Masterplan has concluded, inter alia, that: "Having incorporated these suggested mitigation measures; it is considered that the Masterplan will not have a significant adverse effect on the integrity of the Natura 2000 network<sup>32</sup>."

Therefore no impacts on the river are foreseen as a result of implementing the plan - therefore in-combination impacts should not arise. All lower level projects shall be subject to AA. This is reflected in the content of the SEA and AA documents.

Lower tier AA is required to be undertaken as part of implementation of the Masterplan and Variation. Consistent with the established European principle of subsidiarity, lower tier AA will consider project level potential effects.

It is **recommended** to reference the ECOFACT report in the AA and SEA documents and identify that:  
(a) - the river in proximity to the bridge works undertaken in October 2014 was impacted previously  
(b)- no impacts on the river are foreseen as a result of implementing the plan and therefore in-combination impacts should not arise.

(c)- All lower level projects shall be subject to AA.

It is **recommended** to reference the most recent available ecological report on these works undertaken in December 2014 which concludes that:

The works in the River Nore have resulted in a relatively small area at the site being denuded of natural substratum. This is now being re-colonised by macroinvertebrates.

It is not possible to determine to what extent silt generated by the works contributed to the silted substratum in the slack water immediately upstream of the weir. However, it must be borne in mind that conditions here would not be suitable for most protected aquatic species, apart from lamprey ammocoetes, for which a small amount of additional siltation would not be problematic.

Downstream of the weir, silt is absent from the substratum and the macroinvertebrate faunal composition does not show any indication of a siltation impact. The river here is at Q4, the same as upstream of the works. This indicates that any silt generated had only a temporary impact here. High flows in the River Nore in mid-November (see Appendix 4) would, presumably, have flushed silt deposits near the site of the works to more depositing locations farther downstream."

8. The first Draft Masterplan for the Abbey Creative Quarter was prepared in November 2013. The

<sup>29</sup> Kilkenny Wall Conservation Plan

<sup>30</sup> Mayfair Part 8 has commenced. This review will take place before the Part 8 is brought to Council for decision.

<sup>31</sup> Except as provided for in Section 6(4) of the Habitats Directive, viz. There must be:

(a) no alternative solution available;  
(b) imperative reasons of overriding public interest for the plan/programme/project to proceed; and  
(c) adequate compensatory measures in place.

<sup>32</sup> Except as provided for in Section 6(4) of the Habitats Directive, viz. There must be:

(a) no alternative solution available;  
(b) imperative reasons of overriding public interest for the plan/programme/project to proceed; and  
(c) adequate compensatory measures in place.

plan area at that time included some land within the Market Yard (pumping station and some adjacent parking). In May 2014, the Kilkenny City & Environs Development Plan 2014-2020 was adopted by Kilkenny Borough and County Councils. In Figure 3.3 of that Plan the area of the masterplan was extended to include the Market Yard in its entirety. In response to issues raised about the plan area at the public consultation workshops in January 2015, the area of the masterplan was clarified in the Report on Public Consultation published in March.

Section 4.3.10 of the masterplan outlines further design work required for Bateman Quay.

9. The masterplan is structured to allow a wide range of uses within the plan area. If a definite proposal is brought forward for a micro brewery this can be evaluated on its merits.

10. The plan area is located adjacent to the core of the City and the masterplan strives to find a balanced form of development. The linear park of approx 15m in width as proposed can accommodate footpath, cycle lane and areas for passive recreation along with soft landscaping which is considered reasonable. The linear park will link with the proposed park/landscaped area around St Francis Abbey. Other uses such boating and a skate park will be incorporated at selected locations. The detailed design will protect the conservation objectives of the cSAC and will also protect habitats through an ecological impact assessment which shall consider all relevant ecological issues. This project will be subject to its own consultation and consent process.

11. In terms of the archaeological investigation, excavation should be planned in a strategic manner in order to answer key research questions and respond to the proposed design layout and phasing of the development in order to gather information to appropriately conserve and protect monuments and assess the below ground archaeological potential. It is a step by step, focussed process. To make this an effective process an excavation design strategy needs to be devised that will concentrate on answering key questions in key areas of the masterplan site that will allow a fuller if not complete understanding of the site and how it was and is to be developed. Excavation should be timely and targeted informing conservation practices and detecting and understanding the below ground remains throughout the site. All future investigations will have to engage with the work that has already occurred on the site and the existing knowledge base. The strategy report has collated this information so it is available and can inform the process. This approach is in accordance with Objective 4 of the variation which has been agreed to by Department of Arts Heritage & the Gealteacht.

12. The Heritage Conservation Plan will in the first instance concentrate on the upstanding heritage monuments as identified. The results of the archaeological investigation will be evaluated in conjunction with the relevant statutory authorities and decisions as to the appropriate measures for any archaeological discoveries will be taken at that time.

13. Noted. The urban design criteria and recommendations are to be developed for the masterplan area.

14. The change in momentum arises from a formal letter of interest from the National Treasury Management Agency (NTMA) and notification of an allocation of €4.5 million for housing at Vicar Street, both of which are driven by Government policy. The funding secured from Bord Fáilte for the river garden project must be invested by the end of 2016 and this project must still go through the formal approval process (either a Part 8 or application to An Bord Pleanála). Furthermore, expressions of interest were received to start up new business and to avail of floor space in the refurbished Brewhouse or the Mayfair.

15. Noted

16. See POC no. 17

17. The area north of the CAS has been identified for social housing. The masterplan document in Section 4.3.10 states that further design work is required to finalise the most appropriate response to the area between the Masterplan and Vicar Street /New Road/Green Street. This approach will allow for better integration of the area with Vicar Street and Green St. A skate park is to be provided for. See Section 4.3.3 of the masterplan (other amenities).

18. Given the significant area of the masterplan a north-south route linking Bateman Quay and the

CAS through the site is considered appropriate as part of the movement strategy for the city and the masterplan to promote walking and cycling. The urban street linking Bateman Quay and the CAS will be pedestrian and cyclist priority. Vehicular access will be controlled to allow for service and emergency vehicles. It is considered that the detailed design of this street can achieve a design solution which will respect the Abbey and its new setting.

Ref	Name	Summary
V27	Terence Kelly	<ol style="list-style-type: none"> <li>1. The workshops were an exercise to pretend to listen in order to satisfy a legal obligation. The variation to the plan is premature and does not take into account the views of the public workshops.</li> <li>2. The linear park is too narrow. The area of the river bank where the swans nest should be left alone.</li> <li>3. The urban park should continue all the way to Irishtown along the city wall after the Mayfair building has been demolished. This section should include the whole site taking the city wall behind the Mayfair area.</li> <li>4. Objective 4 is premature as there was no proper excavation done.</li> <li>5. Objective 5 is premature.</li> <li>6. Objective 6 is welcomed.</li> <li>7. Objective 7- Details of parking are too vague.</li> <li>8. Would the area shown in objective 8 for housing be better served as a micro brewery?</li> <li>9. Objective 9: The street is too wide and it has the potential to become a HGV road.</li> </ol>

**Response**

1. The workshops were not required by any legal requirement. The public consultation proved to be a very worthwhile exercise as it allowed opinions on the future development of the area to be recorded. There was a significant level of engagement by the public at the various stages and significant level of resources invested by the Council into the process. Many positive changes were made to the draft masterplan as a direct result of public consultation such as the exclusion of 'finger buildings', inclusion of more open space and parkland around the Abbey, exclusion of bus parking and large scale car parking on site, altered layout to reflect the existing street patterns of the city, completion of a detailed archaeological strategy.
2. The plan area is located adjacent to the core of the City and the masterplan strives to find a balanced form of development. The linear park of approx 15m in width as proposed can accommodate footpath, cycle lane and areas for passive recreation along with soft landscaping which is considered reasonable. The linear park will link with the proposed park/landscaped area around St Francis Abbey. Other uses such boating and a skate park will be incorporated at selected locations. The detailed design will protect the conservation objectives of the cSAC and will also protect habitats through an ecological impact assessment which shall consider all relevant ecological issues. This project will be subject to its own consultation and consent process.
3. The archaeological assessment has highlighted the proximity of the Mayfair to the City Walls and recommends in line with the current City Wall Conservation Plan<sup>33</sup> to protect, maintain and encourage the enhancement and setting of the City Wall that creative architectural design solutions be sought that will enable this enhancement. This will be further investigated before a final decision is made on the future of the Mayfair<sup>34</sup>.
4. In terms of the archaeological investigation, excavation should be planned in a strategic manner

<sup>33</sup> Kilkenny Wall Conservation Plan

<sup>34</sup> Mayfair Part 8 has commenced. This review will take place before the Part 8 is brought to Council for decision.

in order to answer key research questions and respond to the proposed design layout and phasing of the development in order to gather information to appropriately conserve and protect monuments and assess the below ground archaeological potential. It is a step by step, focussed process. To make this an effective process an excavation design strategy needs to be devised that will concentrate on answering key questions in key areas of the masterplan site that will allow a fuller if not complete understanding of the site and how it was and is to be developed. Excavation should be timely and targeted informing conservation practices and detecting and understanding the below ground remains throughout the site. All future investigations will have to engage with the work that has already occurred on the site and the existing knowledge base. The strategy report has collated this information so it is available and can inform the process. This approach is in accordance with Objective 4 of the variation which has been agreed to by Department of Arts Heritage & the Gealteacht

5. The Abbey Quarter masterplan will not be placed on statutory footing by way of Variation no. 1. The masterplan will require its own separate variation to incorporate it into the City Development Plan.

6. Noted

7. The objective states to provide for bus/car parking close to the masterplan area. This objective has come directly from the consensus at the public consultations not to have bus parking or large carparking areas on the masterplan area. This will require further investigation before details are brought forward for consideration. There are no car parks or bus parks proposed within the masterplan area.

8. The area north of the CAS has been identified for social housing. The masterplan document in Section 4.3.10 states that further design work is required to finalise the most appropriate response to the area between the Masterplan and Vicar Street /New Road/Green Street. This approach will allow for better integration of the area with Vicar Street and Green St. The masterplan is structured to allow a wide range of uses within the plan area. If a definite proposal is brought forward for a micro brewery this can be evaluated on its merits.

9. The urban street linking Bateman Quay and the CAS will be pedestrian and cyclist priority. Given the significant area of the masterplan, a north-south route through the site is considered appropriate as part of the movement strategy for the city to promote walking and cycling. The urban street linking Bateman Quay and the CAS will be pedestrian and cyclist priority. Vehicular access will be controlled to allow for service and emergency vehicles.

Ref	Name	Summary
V28	S. O'Brien	<ol style="list-style-type: none"> <li>1. Object to vote on Masterplan &amp; object to variations to the County Development Plan- does not follow due process as set out in recommendations of Re-visioning document.</li> <li>2. Premature pending being signed off by EPA &amp; is therefore not decommissioned.</li> <li>3. Premature pending new CEO starting who needs opportunity to analyse and evaluate Masterplan as they are responsible for delivering the projects. Irresponsible of Councillors to vote at this stage.</li> <li>4. Premature pending adoption of Masterplan. Recommendation No. 5 of the Re-Visioning document states that the proposed variation to the Development Plan will not commence until the Masterplan has been finalised and approved by the elected members, this has not been followed and is therefore flawed and this recommendation should be followed.</li> <li>5. Footnote 63 of (SEA for) Proposed Variation No. 1 of Kilkenny City and Environs Development Plan 2014-2020 puts the Masterplan on a statutory footing and this is against recommendation No. 5 of the Re-Visioning</li> </ol>

		<p>document.</p> <p>6. Council's commitment to provide a rink as part of the plan needs to be explored further before the Masterplan is put on a statutory footing in the Development Plan.</p> <p>7. Full archaeological excavation is required as per the resounding public opinion at the consultations. However, the term of reference of the Archaeological Strategy set out by the Council Executive, falls far short and contains the excavation to 3 specific areas of the site. Comprehensive archaeological investigations should be completed at the first stage of the development to inform what construction could take place.</p> <p>8. The view from Michael Street to St Francis Abbey should be a protected view.</p> <p>9. It is premature to vote on this Masterplan. Should be deemed unwise &amp; irresponsible to vote on a plan of this scale which will have significant bearing on many generations, without more discussion, consultation and the exact implications of any such vote. Caution, due process, deep and careful consideration of the implications should be at forefront of Councillors minds before voting on this.</p>
<p><b>Response</b></p> <p>1. The change in momentum arises from a formal letter of interest from the National Treasury Management Agency (NTMA) and notification of an allocation of €4.5 million for housing at Vicar Street, both of which are driven by Government policy. The funding secured from Bord Fáilte for the river garden project must be invested by the end of 2016 and this project must still go through the formal approval process (either a Part 8 or application to An Bord Pleanála). Furthermore, expressions of interest were received to start up new business and to avail of floor space in the refurbished Brewhouse or the Mayfair.</p> <p>2. The EPA accepted on 29<sup>th</sup> May 2015 the surrender of the Industrial Emissions License held by E. Smithwick &amp; Sons Ltd for the operation of the brewery on the site. The surrender of this license is a pre-condition of the sale of the property to Kilkenny County Council.</p> <p>3. The making of a plan (or a Variation of a Plan) is a Reserved Function of the Council. It is the Elected Representatives of the Council that ultimately decide whether or not to make the Variation. Similarly for the approval of the masterplan it is ultimately a decision for the Council as to whether or not to approve the masterplan.</p> <p>4. Timeframe altered from that outlined on the 30<sup>th</sup> March. See No.1 above.</p> <p>5. The Abbey Quarter masterplan will not be placed on statutory footing by way of Variation no. 1. Footnote 63 of the Environmental Report is incorrect and will be amended accordingly. The masterplan will require its own separate variation to incorporate it into the City Development Plan</p> <p>6. The provision of a rink can be further examined.</p> <p>7. In terms of the archaeological investigation, excavation should be planned in a strategic manner in order to answer key research questions and respond to the proposed design layout and phasing of the development in order to gather information to appropriately conserve and protect monuments and assess the below ground archaeological potential. It is a step by step, focused process. To make this an effective process an excavation design strategy needs to be devised that will concentrate on answering key questions in key areas of the masterplan site that will allow a fuller if not complete understanding of the site and how it was and is to be developed. Excavation should be timely and targeted informing conservation practices and detecting and understanding the below ground remains throughout the site. All future investigations will have to engage with the work that has already occurred on the site and the existing knowledge base. The strategy report has collated this information so it is available and can inform the process. This approach is in accordance with Objective 4 of the variation which has been agreed to by Department of Arts Heritage &amp; the Gaeltacht.</p>		

8. The removal of the existing buildings and the provision of the park around the St. Francis abbey along with the changes made to the proposed draft since Nov 2013 will ensure significant views from the northern section of Michael Street.
9. A significant level of public engagement has occurred to date. The plan is an evolving document and as the process and projects evolve there will be further elements of public consultation and engagement.

Ref	Name	Summary
V29	Aine Murphy	<ol style="list-style-type: none"> <li>1. Plan and variations should not be rushed through.</li> <li>2. Feels history and heritage of the city is being ignored.</li> <li>3. Council should ask people in the street what they think.</li> <li>4. Objects to Variation 1 of city and Environs Development plan 2014-2020.</li> <li>5. Welcomes the linear park along the Western bank. Feels river is an asset that needs to be promoted and enhanced, but feels size of park should be increased in size to protect the wildlife that lives on the river bank.</li> <li>6. Welcomes the urban park but feels it would be hindered by the retention of the Mayfair and the Brewhouse.</li> <li>7. Heritage conservation plan is welcomed but far too specific thus limiting. Entire area should be included first and then parks roads, buildings should be considered.</li> <li>8. Archaeological assessment of the entire area should be done first, so the Abbey Creative Quarter Masterplan is premature as we do not know what lies underneath. Archaeology may limit the plans but the variation now would be legally binding and less easy to change.</li> <li>9. Welcomes the low energy strategy but variation is premature pending the archaeological study – no definitive plans yet for buildings and their uses.</li> <li>10. At public meetings in January people were against car/bus/coach park. Parking should be on city periphery providing pick up/set down. The point is too vague and needs clarification.</li> <li>11. Acknowledges importance of housing but not at the expense of quality of life and increased pollution in the area.</li> <li>12. Completely disagrees with the provision of the urban street, which will create a rat run. Linear park should be extended and the area pedestrianised with cycle tracks. Then there will be no need to go there.</li> <li>13. Has lack of faith in statement “traffic management measures on the street such as to inhibit the flow of through traffic and heavy goods vehicles” as this would endanger people, wildlife and ancient buildings.</li> </ol>

**Response**

1. The change in momentum arises from a formal letter of interest from the National Treasury Management Agency (NTMA) and notification of an allocation of €4.5 million for housing at Vicar Street, both of which are driven by Government policy. The funding secured from Bord Fáilte for the river garden project must be invested by the end of 2016 and this project must still go through the formal approval process (either a Part 8 or application to An Bord Pleanála). Furthermore, expressions of interest were received to start up new business and to avail of floor space in the refurbished Brewhouse or the Mayfair. The making of a plan (or a Variation of a Plan) is a Reserved Function of the Council. It is the Elected Representatives of the Council that ultimately decide whether or not to make the Variation.

Similarly for the approval of the masterplan it is ultimately a decision for the Council as to whether or not to approve the masterplan.

2. History and heritage has had a significant influence on the process of making the plan.

3. There has been a significant level of public engagement and as the plan and project progresses there will be further public engagement.
4. Noted
5. The plan area is located adjacent to the core of the City and the masterplan strives to find a balanced form of development. The linear park of approx 15m in width as proposed can accommodate footpath, cycle lane and areas for passive recreation along with soft landscaping which is considered reasonable. The linear park will link with the proposed park/landscaped area around St Francis Abbey. Other uses such boating and a skate park will be incorporated at selected locations. The detailed design will protect the conservation objectives of the cSAC and will also protect habitats through an ecological impact assessment which shall consider all relevant ecological issues. This project will be subject to its own consultation and consent process.
6. A review of the decision to retain the Brewhouse & Mayfair buildings in the context of archaeological and environmental considerations was undertaken as part of the revisioning exercise. Given the results of the archaeological report and the sustainable principles of reuse of buildings and the architectural heritage value of the Brewhouse it is considered that retention and refurbishment of the Brewhouse is the recommended course of action.  
In relation to the Mayfair the archaeological assessment has highlighted the proximity of the Mayfair to the City Walls and recommends in line with the current City Wall Conservation Plan<sup>35</sup> to protect, maintain and encourage the enhancement and setting of the City Wall that creative architectural design solutions be sought that will enable this enhancement. This will be further investigated before a final decision is made on the future of the Mayfair<sup>36</sup>
7. The Heritage Conservation Plan will in the first instance concentrate on the upstanding heritage monuments as identified. The results of the archaeological investigation will be evaluated in conjunction with the relevant statutory authorities and decisions as to the appropriate measures for any archaeological discoveries will be taken at that time.
8. In terms of the archaeological investigation, excavation should be planned in a strategic manner in order to answer key research questions and respond to the proposed design layout and phasing of the development in order to gather information to appropriately conserve and protect monuments and assess the below ground archaeological potential. It is a step by step, focused process. To make this an effective process an excavation design strategy needs to be devised that will concentrate on answering key questions in key areas of the masterplan site that will allow a fuller if not complete understanding of the site and how it was and is to be developed. Excavation should be timely and targeted informing conservation practices and detecting and understanding the below ground remains throughout the site. All future investigations will have to engage with the work that has already occurred on the site and the existing knowledge base. The strategy report has collated this information so it is available and can inform the process. This approach is in accordance with Objective 4 of the variation which has been agreed to by Department of Arts Heritage & the Gaeltacht.
9. Variation is not premature pending an archaeological excavation. See No. 8 above
10. The objective states to provide for bus/car parking close to the masterplan area. This objective has come directly from the consensus at the public consultations not to have bus parking or large carparking areas on the masterplan area. This will require further investigation before details are brought forward for consideration. There are no car parks or bus parks proposed within the masterplan area.
11. The urban design guidelines and recommendations and the provisions of the masterplan generally will strive to achieve a high quality of life.
- 12 & 13. Given the significant area of the masterplan a north-south route linking Bateman Quay and

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<sup>35</sup> Kilkenny Wall Conservation Plan

<sup>36</sup> Mayfair Part 8 has commenced. This review will take place before the Part 8 is brought to Council for decision.

the CAS through the site is considered appropriate as part of the movement strategy for the city and the masterplan to promote walking and cycling. The urban street linking Bateman Quay and the CAS will be pedestrian and cyclist priority. Vehicular access will be controlled to allow for service and emergency vehicles. It is considered that the detailed design of this street can achieve a design solution which will respect the Abbey and its new setting.

Ref	Name	Summary
V30	Katharine Larkin	<ol style="list-style-type: none"> <li>1. Supportive of linear park through town centre to connect Canal walk to the North of Greens Bridge by boardwalk or other linkage.</li> <li>2. Supportive of park at St. Francis Abbey. Full archaeological investigation with test trenches should however take place and findings considered before Masterplan is adopted.</li> <li>3. Supportive of variation objective 3.</li> <li>4. Urges that guidelines be adopted into Development Plan allowing for processes of public consultation.</li> <li>5. Guidelines required to protect Kilkenny's roof- and townscape, including views from Cathedral towers and Castle (interior and exterior).</li> <li>6. Pedestrian and cycle movements to be prioritised by way of design and through traffic should not be facilitated.</li> <li>7. Proposal for housing eats into flood plain and is thus inadvisable.</li> <li>8. Ground contamination study required for site. Ground samples to be taken and analysed/surveyed. Council should publish its own investigative results.</li> <li>9. Concurs with SEA that flood risk and Archaeological heritage are potential problems to be addressed.</li> </ol>

**Response**

1. Noted. The intention is to connection the linear park to existing river routes north and south of the master plan area as stated in the text of the variation.
2. In terms of the archaeological investigation, excavation should be planned in a strategic manner in order to answer key research questions and respond to the proposed design layout and phasing of the development in order to gather information to appropriately conserve and protect monuments and assess the below ground archaeological potential. It is a step by step, focussed process. To make this an effective process an excavation design strategy needs to be devised that will concentrate on answering key questions in key areas of the masterplan site that will allow a fuller if not complete understanding of the site and how it was and is to be developed. Excavation should be timely and targeted informing conservation practices and detecting and understanding the below ground remains throughout the site. All future investigations will have to engage with the work that has already occurred on the site and the existing knowledge base. The strategy report has collated this information so it is available and can inform the process. This approach is in accordance with Objective 4 of the variation which has been agreed to by Department of Arts Heritage & the Gaeltacht.
3. Support noted
4. The masterplan and guidelines need a separate variation to incorporate them into the city development plan.
5. Urban design guidelines and recommendations will be developed for the masterplan area in accordance with objective 4 of the variation.
6. The prioritisation of pedestrian and cycle movement is prioritised and through traffic will be inhibited.

7. The proposal for housing will be revised and any revisions will be required to satisfy justification test for areas at risk to flooding.
8. Kilkenny County Council has commissioned an Environmental Due Diligence Report, independent of the IPPC licence surrender process. The report which, inter alia, recommends long term monitoring of groundwater quality will be published very shortly.
9. Noted

Ref	Name	Summary
V31	Rosemarie Kelly	<ol style="list-style-type: none"> <li>1. The area is the diamond in the city and should be cherished.</li> <li>2. Plan has not taken into account suggestions of the people in the workshops.</li> <li>3. Green areas are too small and linear park should be wider.</li> <li>4. Wildlife not considered in the plan.</li> <li>5. Should not be voting on variation as the plan has not been passed. No rush site has not been signed over to city yet. The new County Manger should read the plan before any vote held.</li> <li>6. Objective 4 is premature as there was no proper excavation done.</li> <li>7. Objective 5 is premature.</li> <li>8. Objective 6 is welcomed.</li> <li>9. Objective 7- Details of parking are too vague.</li> <li>10. Would the area shown in objective 8 for housing be better served as a micro brewery?</li> <li>11. The street proposed in objective 9 is too wide and it has the potential to become a HGV road.</li> </ol>

**Response**

1. Noted. The area is seen as a significant opportunity for the City.
2. The public consultation proved to be a very worthwhile exercise as it allowed opinions on the future development of the area to be recorded. There was a significant level of engagement by the public at the various stages and significant level of resources invested by the Council into the process. Many positive changes were made to the draft masterplan as a direct result of public consultation such as the exclusion of 'finger buildings', inclusion of more open space and parkland around the Abbey, exclusion of bus parking and large scale car parking on site, altered layout to reflect the existing street patterns of the city, completion of a detailed archaeological strategy.
3. The park around St. Francis abbey is a significant area (1hectare approx.) which will be a mixture hard and soft landscaping. The linear park of approx 15m in width as proposed can accommodate footpath, cycle lane and areas for passive recreation along with soft landscaping which is considered reasonable. The linear park will link with the proposed park/landscaped area around St Francis Abbey. Other uses such boating and a skate park will be incorporated at selected locations. The masterplan strives to find a balanced form of development.
4. This is incorrect. The SEA environmental report & AA for the variation address biodiversity and conservation objective of the river Nore SAC. In addition text is recommended to be added to further enhance protection of the river bank environment (See EPA submission no.1).
5. The making of a plan (or a Variation of a Plan) is a Reserved Function of the Council. It is the Elected Representatives of the Council that ultimately decide whether or not to make the Variation. Similarly for the approval of the masterplan it is ultimately a decision for the Council as to whether or not to approve the masterplan.
6. In terms of the archaeological investigation, excavation should be planned in a strategic manner in order to answer key research questions and respond to the proposed design layout and phasing of the development in order to gather information to appropriately conserve and protect monuments and assess the below ground archaeological potential. It is a step by step, focused process. To make

this an effective process an excavation design strategy needs to be devised that will concentrate on answering key questions in key areas of the masterplan site that will allow a fuller if not complete understanding of the site and how it was and is to be developed. Excavation should be timely and targeted informing conservation practices and detecting and understanding the below ground remains throughout the site. All future investigations will have to engage with the work that has already occurred on the site and the existing knowledge base. The strategy report has collated this information so it is available and can inform the process. This approach is in accordance with Objective 4 of the variation which has been agreed to by Department of Arts Heritage & the Gaeltacht.

7. The Abbey Quarter masterplan will not be placed on statutory footing by way of Variation no. 1. The masterplan will require its own separate variation to incorporate it into the City Development Plan.

8. Noted.

9. The objective states to provide for bus/car parking close to the masterplan area. This objective has come directly from the consensus at the public consultations not to have bus parking or large carparking areas on the masterplan area. This will require further investigation before details are brought forward for consideration. There are no car parks or bus parks proposed within the masterplan area.

10. The area north of the CAS has been identified for social housing. The masterplan document in Section 4.3.10 states that further design work is required to finalise the most appropriate response to the area between the Masterplan and Vicar Street /New Road/Green Street. This approach will allow for better integration of the area with Vicar Street and Green St. The masterplan is structured to allow a wide range of uses within the plan area. If a definite proposal is brought forward for a micro brewery this can be evaluated on its merits.

12. The urban street linking Bateman Quay and the CAS will be pedestrian and cyclist priority. Given the significant area of the masterplan, a north-south route through the site is considered appropriate as part of the movement strategy for the city to promote walking and cycling. The urban street linking Bateman Quay and the CAS will be pedestrian and cyclist priority. Vehicular access will be controlled to allow for service and emergency vehicles.

Ref	Name	Summary
V32	Declan Murphy	<ol style="list-style-type: none"> <li>1. The master plan is premature and does not reflect the huge input by the public during the exemplary public consultation exercise</li> <li>2. To have the proposal adopted and included in the County Development Plan will put it on a statutory framework. It was not made clear to the public that such a rushed process was envisaged and that key widely accepted proposals arising from the public consultation would be ignored.</li> <li>3. There is no reason to adopt it in such a rushed manner. The plan should be delayed until the site has been fully investigated, debated and critical issues reflected on by all stake holders</li> <li>4. To adopt the plan now will risk all the goodwill and confidence of those who participated in the consultation process and jeopardise Kilkenny's potential to be a model of good planning and risk a repeat of last year's appalling negative publicity.</li> </ol>

**Response**

1. The public consultation proved to be a very worthwhile exercise as it allowed opinions on the future development of the area to be recorded. There was a significant level of engagement by the public at the various stages and significant level of resources invested by the Council into the process. Many positive changes were made to the draft masterplan as a direct result of public consultation such as the exclusion of 'finger buildings', inclusion of more open space and parkland around the Abbey, exclusion of bus parking and large scale car parking on site, altered layout to reflect the existing street patterns of the city, completion of a detailed archaeological strategy.
2. The Abbey Quarter masterplan will not be placed on statutory footing by way of Variation no. 1. The masterplan will require its own separate variation to incorporate it into the City Development Plan.
3. & 4. The making of a plan (or a Variation of a Plan) is a Reserved Function of the Council. It is the Elected Representatives of the Council that ultimately decide whether or not to make the Variation. Similarly for the approval of the masterplan it is ultimately a decision for the Council as to whether or not to approve the masterplan.

Ref	Name	Summary
V33	Anne Marie Swift	<ol style="list-style-type: none"> <li>1. I think all future developments in Kilkenny should have ongoing and meaningful public consultation at their core, thus making development as democratic a process as possible.</li> <li>2. The Variation to the Development Plan is premature.</li> <li>3. I object to proposed objective no. 9 as I don't want a spur road from CAS that traverses the site. There should be peace and quiet around Francis Abbey, the city wall, the well and Evan's Turret.</li> <li>4. I object to proposed objective no. 5. The draft masterplan does not reflect the wishes of the people (spur road, retention of Mayfair in particular).</li> <li>5. I object to proposed objective 8 and to putting houses between two busy roads as it would not be a pleasant place to live.</li> <li>6. Whilst the Variation is premature, I support objective 6 (low carbon energy strategy).</li> <li>7. I agree with the objective 3 (Heritage Conservation Plan).</li> <li>8. Proposed objective 1 and 2- the concept of a linear park and park around the abbey is good, however the specific detail shown in the masterplan does not reflect the wishes of the public at the public consultation. Linear park should be wider. Abbey park should not have a road going through it.</li> </ol>

**Response**

1. Future plans and projects by Kilkenny county Council will be subject to ongoing and meaningful public consultation.
2. The variation is not considered premature.
- 3 Given the significant area of the masterplan a north-south route linking Bateman Quay and the CAS through the site is considered appropriate as part of the movement strategy for the city and the masterplan to promote walking and cycling. The urban street linking Bateman Quay and the CAS will be pedestrian and cyclist priority. Vehicular access will be controlled to allow for service and emergency vehicles. . It is considered that the detailed design of this street can achieve a design solution which will respect the Abbey and its new setting.
4. The Abbey Quarter masterplan will not be placed on statutory footing by way of Variation no.1. The masterplan will require its own separate variation to incorporate it into the City Development Plan.

5. Residential use is envisaged over the entire masterplan area. The area north of the CAS has been identified for social housing. The masterplan document in Section 4.3.10 states that further design work is required to finalise the most appropriate response to the area between the Masterplan and Vicar Street /New Road/Green Street. This approach will allow for better integration of the area with Vicar Street and Green St . Any issues arising from the location of housing along the CAS will be dealt with at the detailed design stage of the housing.

6. Noted

7. Noted

8. Support for the park noted. The development of the park will be subject to its own public consultation and Part 8 or application to An Bord Pleanála. The detail for the park in the masterplan is indicative. The linear park of approx 15m in width as proposed can accommodate footpath, cycle lane and areas for passive recreation along with soft landscaping which is considered reasonable. The linear park will link with the proposed park/landscaped area around St Francis Abbey. Other uses such boating and a skate park will be incorporated at selected locations.

## 6. Recommendations

It is recommended that the following changes be made to the Variation and to the Draft Masterplan:

**VR1:** The following additional text to be included as a foot note to the objectives in the Variation: *'All development within the Abbey Creative Quarter shall comply with 'The Planning System and Flood Risk Management Guidelines' and take account of the mitigation measures included in the Flood Risk Assessment for the Abbey Creative Quarter Masterplan'.* (Sub V1)

**VR2:** Reference to be made to both *'upstanding/above ground structures and buried archaeological remains'* in Section 4.9.3 of the Environmental Report. (Sub V2)

**VR3:** Insert in section 4.2.3 at the end of the second last bullet point as follows: *'Works associated with the development of the linear park will comply with the archaeological strategy'*

**VR4:** Include reference to City Walls in Objective 2 of the Variation as follows:

To provide for an urban park in the vicinity of St. Francis Abbey (National Monument) incorporating the **City Walls**, Evan's Turret and St. Francis' Well taking into account the recommendations of the archaeological strategy developed in the preparation of the Abbey Creative Quarter Masterplan (as indicated on fig 3.4) and subject to compliance with the Habitats and Birds Directives and the provisions of the Abbey Creative Quarter Masterplan,

**VR5:** Update AA for Variation and AA for Masterplan to demonstrate that the Variation will not impact upon downstream Natura 2000 sites including the Lower River Suir cSAC. (Sub V2).

**VR6:** In both SEA Environmental Reports, the indicator for SEO B1 will be updated to include birds and plants.

**VR7:** Insert the following at Section 4.4.4 of the Masterplan: *'The Appropriate Assessment for the linear park shall be informed by an ecological impact assessment which shall consider issues including ecological connectivity and species such as otters and kingfishers (including potential interactions with food sources and aquatic and terrestrial habitats) and bats (including potential interactions with roosts, foraging sites and lighting). The ecologist working on AA for the project shall be consulted at the start of the project so that any necessary mitigation or design changes can be incorporated early in the project.'*

**VR 8:** To note in the baseline section of both SEA Environmental Reports that: *'Contributions towards the protection of ecology including Annex IV species is facilitated under various Masterplan/ Proposed Variation / City and Environs Development Plan provisions. The Masterplan area may facilitate certain protected species such as otters, kingfishers and bats'.*

**VR9:** Change fourth last bullet point in Section 3.1.10 in the Draft Masterplan from: *'Maintain the quality of the urban fabric of the city by extending the medieval character of the streetscapes in the city centre to the site'* to *"Maintain the quality of the urban fabric of the city by planning for the area as a seamless complement to the medieval city"* (Sub V12 no.10)

**VR10:** Amend footnote 63 in SEA as follows: *It is intended to place the Abbey Creative Quarter masterplan on a statutory footing by way of ~~Variation No. 1~~ a separate and subsequent Variation to the Kilkenny City & Environs Development Plan 2014-2020.*

**VR11:** Add the following text to Section 4.4.4 of the masterplan: *'Any contaminated soils identified during the development of existing brownfield lands shall be remediated and managed appropriately. The Southern Regional Waste Management Plan should also be taken into account as appropriate in this regard'. (Epa sub v20)*

**VR12:** To reference the ECOFACT report in the AA and SEA documents and identify that:  
*(a) - The river in proximity to the bridge works undertaken in October 2014 was impacted previously*  
*(b)- No impacts on the river are foreseen as a result of implementing the plan and therefore in-combination impacts should not arise.*  
*(c) All lower level projects shall be subject to AA (Sub v22 no.5)*

**VR13:** In the SEA and AA, reference will be made to the most recent available ecological report on these works undertaken in December 2014 which concludes that:  
*The works in the River Nore have resulted in a relatively small area at the site being denuded of natural substratum. This is now being re-colonised by macroinvertebrates. (Sub 22 no.5)*

**VR 14:** Change fourth last bullet point in Section 3.1.10 from: Maintain the quality of the urban fabric of the city by extending the medieval character of the streetscapes in the city centre to the site to *"Maintain the quality of the urban fabric of the city by planning for the area as a seamless complement to the medieval city"* (V23 no.3)