

KILKENNY COUNTY COUNCIL, JULY 2015

Draft Masterplan for Abbey Creative Quarter

Chief Executive's Report
on Submissions received





**Kilkenny County Council
July 2015**

John Mulholland
A/Chief Executive

Sean McKeown
T/Director of Services

Denis Malone
Senior Planner

Jane O'Reilly
Executive Planner

Contents

1. Introduction	3
1.1 Draft Masterplan.....	3
1.2 Documents on Public Display.....	3
2. Process to Date	5
3. Consultation	7
4. Content of Chief Executive's Report	9
5. Submissions Received	9
6. Summary of the Issues Raised, Chief Executive's Response and Recommendations	11
6.1 Ministerial Submissions	11
6.2 Regional Authority Submission	14
6.3 All Other Submissions	15
7. Recommendations	85

List of Abbreviations

AA	Appropriate Assessment
CAS	Central Access Scheme
ER	Environmental Report (SEA)
NIR	Natura Impact Report
SEA	Strategic Environmental Assessment

1. Introduction

This report addresses the submissions received during the 4 week public consultation period from the 23rd of June to the 21st of July 2015 in relation the Draft Masterplan for the Abbey Creative Quarter (former Smithwick's site and Bateman Quay / Market Yard).

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 31st of July 2015.

1.1 Draft Masterplan

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 Masterplan is a non-statutory document. The draft masterplan seeks to provide proposals for the future development of the Smithwick's Brewery and Bateman Quay/ Market Yard. The purpose of the Masterplan is to put in place an urban framework of streets, spaces and parks and to define new buildings lines and street edges (see Figure 1).

Any new buildings within the masterplan area will be subject to the normal planning application process or, where the local authority is the developer, a 'Part 8'¹ process.

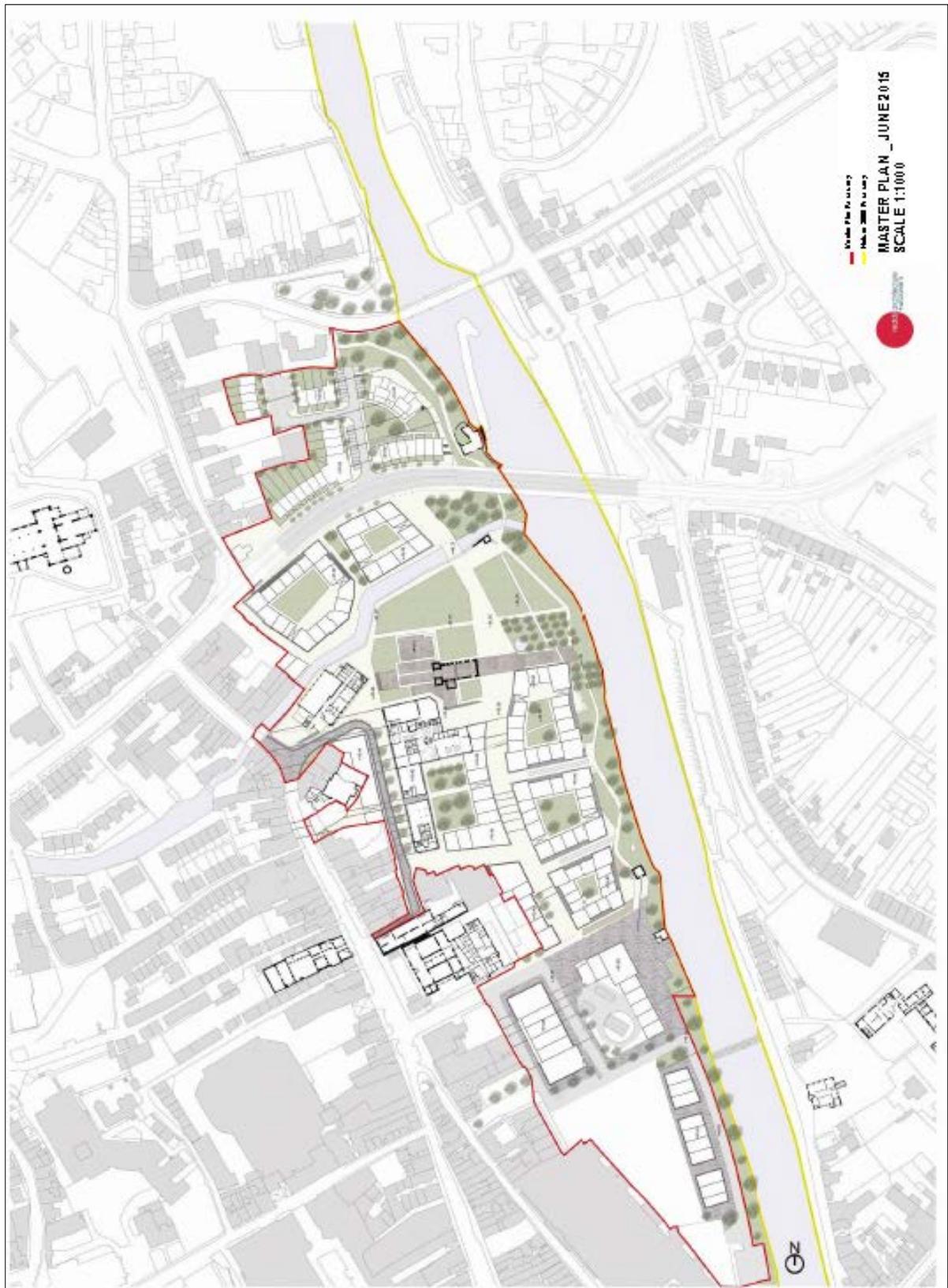
1.2 Documents on Public Display

The documents put on public display for the Draft Masterplan are:

- Public Notice
- Draft Masterplan for the Abbey Creative Quarter
- Appropriate Assessment (AA) Natura Impact Report
- Strategic Environmental Assessment (SEA) Environmental Report
- Strategic Environmental Assessment (SEA) Non Technical Summary
- Archaeological Strategy
- Flood Risk Strategy.

¹ 'Part 8' refers to Part 8 of the Planning and Development Regulations 2001-2013 'Requirements in Respect of Specified Development by, on behalf of, or in partnership with Local Authorities'.

Figure 1 – Extract from Masterplan: Figure 5.2.3 Final Masterplan Design



2. Process to Date

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

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

Date	Action
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 th December. A public meeting was held in the Town Hall on the 5 th 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.
January 2015	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.
March 2015	A Chief Executive's Report was published outlining the issues raised and the work carried out at the workshops. This is published on https://ourplan.kilkenny.ie . 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.
May 2015	Following completion of the Draft Archaeological Strategy and the draft Environmental Reports, a Feedback and Public Engagement event was held on the 16 th 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 & Threats) of the emerging Masterplan layout. A report outlining the work carried out at this event is also published on http://ourplan.kilkenny.ie
	A special Council meeting was held on the 27 th 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 & Environs Development Plan 2014-2020 to enshrine high level principles for the Masterplan area was approved to proceed to public consultation.
June/July 2015	The Proposed Variation and the Draft Masterplan were placed on public display on the 23 rd June for a period of 4 weeks and circulated to statutory agencies, government departments and relevant stakeholders for consultation.
	An informal public information evening was held in The Maltings, Tilbury Place, Kilkenny on Thursday the 25 th of June 2015 from 4pm–7pm where all the documentation was on public display and Council staff were present to answer queries.

3. Consultation

This stage of the consultation process for the non-statutory masterplan commenced on the 23rd of June and ran for a 4 week period until the 21st of July 2015.

A notice for the proposed Masterplan was published in the Kilkenny People on the 19th of June 2015 (copy overleaf – full page advertisement). A second replica notice was published in the Kilkenny People on the 26th of June 2015 also.

The plans and particulars for the Masterplan 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: at the ground floor reception and at the Planning Department Reception.
- A powerpoint presentation was shown on loop in the display 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 people 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 7th of July.

An informal public information evening was held in the Maltings in Kilkenny City on the 25th 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 25th June 2015



Notices Published in Kilkenny People on 19th of June 2015.

10 KILKENNY PEOPLE www.kilkenny.gov.ie Friday, June 18, 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 23rd June and Tuesday the 21st 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 25th 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 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 21st July 2015.

Sean McKeown
Director of Services,
Planning Department
19th 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 23rd June and Tuesday the 21st 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 25th 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 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 21st July 2015.

Sean McKeown
Director of Services, Planning Department
19th June 2015

4. Content of Chief Executive's Report

The Chief Executive's Report contains the following:

- (i) A list of the persons or bodies who made submissions or observations,
- (ii) A summary of 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) 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.

5. Submissions Received

In total, 54 people/organisations made submissions to the masterplan. Below is a list of the submissions received.

Reference	Name	Page Number
M1	Minister for Arts, Heritage and the Gaeltacht	11
M2	An Taisce	15
M3	Niall McManus	18
M4	Brian Mullins	18
M5	Nuala Finnegan	19
M6	Mary O'Hanlon, Older Peoples Forum	19
M7	Helena Duggan	20
M8	Declan Murphy	23
M9	Kersty Evans	24
M10	Lucy Glendinning	28
M11	Ross Stewart	33
M12	Polly Donnellan	35
M13	Peter Cox	37
M14	Iain Mullen	37
M15	Kilkenny Archaeological Society	39
M16	Donal Coyne	41
M17	Cllr. Malcolm Noonan	44
M18	Kilkenny Treasury	45
M19	Don and Niamh Egan	47
M20	James Pike	47
M21	Enya Kennedy	48
M22	Gladys Bowles	52
M23	Liz O'Brien	53
M24	Environmental Protection Agency	54
M25	Essie Millie	44
M26	Anne Marie Swift	56
M27	Evelyn Smith	58
M28	Paddy O'Ceallaigh	60

M29	Turlough Kelly	63
M30	Claire Molloy	42
M31	Kieran Kelly	64
M32	Jennifer Duffy	65
M33	Eric Duignan	42
M34	Debbie Scanlon	42
M35	Chamber of Commerce	65
M36	Anthony Doyle	42
M37	Franc Micklem	42
M38	Margaret O'Shea	42
M39	Brian Daly	66
M40	A McGourty	42
M41	Stafford Kelly	66
M42	Aine Murphy	42
M43	Anna Kelly	67
M44	Eoghan Kelly	70
M45	Nora Walls	73
M46	Suzanne Williams	42
M47	What If Kilkenny	73
M48	Margaret O'Brien	76
M49	Dan Lenehan	80
M50	Christopher O'Keeffe	81
M51	Gerald Costello	81
M52	Aine Hickey	81
M53	Shirley O'Brien	82
M54	Thomas Downey	84

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

In the 'Response' section at the end of each submission, any proposed new text to the Masterplan is shown in italics and deletions are shown as a strikethrough.

6.1 Ministerial Submissions

Ref	Name	Summary
M1	Minister for Arts, Heritage & the Gaeltacht	<p>Archaeology:</p> <ol style="list-style-type: none"> 1. The Department concurs with the conclusions of the Draft Archaeological Strategy and makes the following additional recommendations: <ol style="list-style-type: none"> 1(a) An underwater archaeology strategy should be included. 1(b) Comprehensive test excavations will be required at the earliest opportunity and should be used to inform the final layouts. 1(c) Details of phasing of the proposed archaeological testing should be outlined in Section 6.9 Phasing. 1(d) 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. 1(e) 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. This requirement should also be detailed in any archaeology guidelines prepared for future development within the Masterplan area. 1(f) The Department of Arts, Heritage and the Gaeltacht welcomes the proposal that <i>"there will be no basemented structures"</i> developed within the Framework Plan area. 1(g) New views to and from National Monuments and significant historical sites and landmarks within the City including St. Canice's Cathedral and round tower, Bishops Palace, St Marys Church and graveyard, St. Francis Abbey, Tholsel, Kilkenny Castle, City defences, historical bridges, etc. will potentially be opened up and the protection and enhancement of this intervisibility should be a critical element of any landscape assessment. <p>Social Housing</p> <ol style="list-style-type: none"> 2. An archaeological impact statement will be required for the proposed social housing in advance of any site preparation or construction works. <p>Access</p> <ol style="list-style-type: none"> 3. The Department is concerned regarding any potential visual impact the proposed ramped access (urban street of pedestrian and cyclist

		<p>priority) 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. Canices 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. In the consideration of alternative scenarios regarding access, it is important that the various options for proposed access points be archaeologically assessed to ensure access points and streets are positioned, designed and constructed to ensure the preservation and protection of amenity and physical remains associated with National Monuments.</p> <p>St. Francis Abbey</p> <p>4. 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.</p> <p>Nature Conservation</p> <p>5. The Masterplan recognises the potential impacts on Natura 2000 sites and the proposed development will be subject to compliance with the Birds and Habitats Directives. Potential effects have been assessed in the SEA and the Natura Impact Report.</p> <p>6. The SEA looks at designated sites within a 15km radius which is not suitable for rivers where a whole catchment may need to be included.</p> <p>7. The indicator for B1 and objective B3 do not include birds.</p> <p>8. The 'grassy banks' of the River Nore referred to in the SEA are important refuges for biodiversity. Prior to any final design for the linear park an ecological survey/ ecological impact assessment (EcIA), 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> <p>9. The SEA does not appear to have sourced any baseline data on bats, which are protected under the Wildlife Acts.</p> <p>Nature Impact Report</p> <p>10. The Lower River Suir cSAC has been excluded from the NIR.</p> <p>11. Cumulative impacts examined in table 2-3 do not include the linear parks already in existence.</p> <p>12. The NIR has concluded no significant adverse effect on the integrity of the Natura 2000 network on the basis of mitigatory policies. The consideration of use of the site by otters and kingfisher would lead to recommendations with regard to ecological constraints that may be present and could impact on the design of the linear park. It will be essential that prior to any final design for the linear park an ecological survey/EcIA will be necessary to ensure no negative impacts on the qualifying interests for the Natura 2000 sites. The ecologist working on the project should be consulted at the start of the project so that any necessary mitigation or design changes can be incorporated early into the project.</p>
--	--	--

Response

1 (a). 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 Breaghagh, 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'.

1(b) & (C). The strategy document is a living document that will be developed and added to as soon as information becomes available. Kilkenny County Council is in agreement with the Department and the strategy document insofar as that testing should take place as soon as possible to ensure that the findings can inform the final detailed design.

1(d). Noted and agreed.

1(e) 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.

The proposed design principle of piling seeks to minimise the impact on the below ground archaeology by minimising the amount of excavation required and this principle will be further informed once the detailed design is known and an archaeological impact statement prepared for each proposed structure. This approach favours preservation in-situ so the Masterplan area can be developed and maintained in such a manner that it will retain the significance of the place, facilitate public access and add to the social and cultural infrastructure of Kilkenny. Where possible the conditions that allow optimum levels for preservation in-situ to occur will be assessed as part of the testing and excavation programme. The viability of the concept of preservation in situ will be addressed as part of the excavation design strategy.

1(f) Noted.

1(g) 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.

2. This will take place. It is proposed to construct community and social housing in this area and accordingly this will be archaeologically investigated.

3. 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

4. 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. The commitment to undertaking a Heritage Conservation Plan (Objective No. 3 Variation No. 1) can be detailed and addressed in section 6.9 of the (draft) archaeological framework report.

Consultation with the OPW will take place as the conservation and management plan advances.

5. Noted.

6. **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.

7. **Recommendation:** The indicator for SEO B1 in both SEA Environmental Reports will be updated to

include birds and plants.

8. Contributions towards the protection of the ecology including corridors and species are facilitated under various Masterplan/ Proposed Variation / City and Environs Development Plan provisions². 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'.

9. 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 Annex IV species is facilitated under various Masterplan/ Proposed Variation / City and Environs Development Plan provisions. Any additions/amendments based on the Department's recommendation above would be likely to further contribute towards the protection that is already facilitated.

10. The AA will be updated to demonstrate that the Masterplan will not impact upon downstream Natura 2000 sites, including the Lower River Suir cSAC.

11. Table 2.3 will be updated to explicitly take account of these.

12. Noted. Any additions based on the Department's recommendations would be likely to further contribute towards the protection that is already facilitated. It is **recommended** that the following new text be inserted into 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 the 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 into the project.*

6.2 Regional Authority Submission

The Southern Regional Assembly did not make a submission in relation to the Draft Masterplan. A submission was made by the Regional Assembly in relation to the Proposed Variation to the Kilkenny City & Environs Development Plan.

² 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.

6.3 All Other Submissions

Ref	Name	Summary
M2	An Taisce	<ol style="list-style-type: none"> 1. We acknowledge the open and positive approach by KCC in seeking public opinion at all stages to date, and the constructive manner in which opinions by both the public and environmental NGOs have been dealt with. 2. The 'Abbey Creative Quarter' is an inappropriate name and the word 'Quarter' has no meaning in Kilkenny city. Perhaps it should be named the 'Brewery Area'. 3. The public should be consulted at the end of each phase of development of the masterplan and adjustments made as required. 4. The NIS, SEA and AA do not appear to comment on the impact of the CAS. 5. We suggest that the last statement of the Vision Statement be altered as follows... <i>'where smarter travel principles are provided for will apply throughout'</i>. 6. The CAS is not included in Section 3.1 of the masterplan. Mitigation measures are not addressed as these will have to be incorporated into the proposed developments on both sides of this route. 7. Section 3.1.5 Views- The retention of the Mayfair is a lost opportunity for a spectacular view of the Abbey. The public may be interested to know whether any potential views of Greens Bridge remain despite the presence of the CAS. 8. We would like reassurance that the flood defences in place will protect routes and parks. 9. Ideas from Appendix F should be included in Section 3.2.2 – Opportunities (such as public benches in courtyards, squares etc.). 10. In Section 4.1.4 we suggest that delivery vehicles be 2-axle only, and residential car parking be located away from all contact with children's play areas and front of dwelling houses. Vehicle access to the entire area must be strictly limited and if parking is required for any businesses on site, then it must be provided elsewhere. 11. Bicycle parking proposals should be expanded as follows: <i>....such facilities will include covered cycle parks (such as that very recently constructed at County Hall), and will provide maximum efficiency in use of space and security measures (such as enclosed lockable pods).</i> 12. In Section 4.1.5 (Public Transportation Strategy) it is recommended adding 'information on public transport will be clearly displayed using graphics'. 13. Welcome the conservation objectives and emphasis on archaeology in the area. 14. The Conservation Plan objective is welcomed and would like to see it expanded to incorporate the entire site. 15. We recommend the establishment of an Advisory Committee to liaise with the stakeholders in the preparation of the Conservation Plan, advise on archaeological excavations and conservation of heritage structures. 16. We recommend a Centralised Digital Archive for past and future archaeology of the site. Eventually it would be desirable to develop a museum in Kilkenny which would a centre for technical conservation of

		<p>archaeological objects (perhaps at St. Mary's).</p> <ol style="list-style-type: none"> 17. It is advisable to determine the use of the Brewhouse in advance of its restoration/conservation. Perhaps social facilities for the new housing. 18. It is important to balance having formal gardens along the linear park and protecting riverside habitats (swans, kingfishers). Trees should be retained where possible. Pedestrians and cyclists should be separated for safety reasons. Skate park location is vital. The public park should be designed to incorporate trees that will grow to a large size (oak, beech etc.) 19. Good architectural design is desirable for all structures on site. 20. Concerned about putting all community housing in the one location. Houses should be arranged around communal green spaces. Access roads and parking should be located behind houses. The current design proposal is not sufficient. 21. Shared garden production units for social integration of the resident community should be recognized. 22. Consideration should be given to the provision of housing for the elderly, possibly on Plot 2 of the site, if the noise and nuisance of the CAS can be effectively mitigated. 23. While we welcome the change from mono block to mixed block design, it is important to be restrained and have some common thread running through the design in a block. 24. We recommend that the dwellings be planned in such a way that one façade is oriented to the south/south-west and the main living space positioned to take advantage of this. 25. There is a need for a strategy that encourages the resident community to buy into shared energy sources e.g. district heating and solar panels on roof of community car parks, and use of zero or low emission cars. There may also be a need for an education program to inform residents how to optimize the use of energy efficient houses. 26. In Section 5.3 Note the maps have poorly numbered buildings and are inadequately labelled. The proposed phasing outlined is welcomed. The development will take place over a long period therefore flexibility in the masterplan is desirable and there should be no finality about consultation. 27. The reference in Appendix F to the ideas of distinguished urban planners should form the scaffolding on which the design of the Abbey Quarter is founded.
<p>Response</p> <ol style="list-style-type: none"> 1. Noted. 2. The name Abbey Creative Quarter was chosen in the context of St. Francis Abbey. As the plans and project evolve there will be opportunities to address names of areas streets parks etc. At this stage a name change is not recommended. 3. There will be a public consultation process (planning application, Part 8 or application to An Bord Pleanála) for each project within the plan area. 4. The Central Access Scheme has been considered by the City Development Plan and associated assessments. The SEA and AA of the Proposed Variation have considered the provisions of the Variation including objectives no. 8 and 9. The SEA and AA of the Proposed Variation have considered the provisions of the Masterplan including the Connectivity and Movement Strategy which addresses a number of issues including the Central Access Scheme. The AA NIR for the Masterplan identifies that: Potential in-combination impacts may arise where the requirements for infrastructural developments are carried out in proximity and within the River Nore. An EIS has been carried out for the CAS. Potential effects arising from this development to be mitigated include (i) 		

Habitat loss, (ii) Disturbance to key species, (iii) Fragmentation, (iv) Deterioration in water quality.

Recommendation: It is recommended that detail be provided on the CAS in the SEA ER on Table 2.1 'Relationship with Legislation and Other Plans and Programmes'. Also to address the Scheme (and potential interactions with noise) under Section 8.6 of both SEA ER's.

5. Agreed. **Recommendation:** That the last statement of the Vision Statement be altered as follows... *'where smarter travel principles are provided for will apply throughout'*.

6. The CAS is shown in Figure 3.1.2 of the Draft Masterplan.

7. In relation to the Mayfair the archaeological assessment has highlighted the proximity of the Mayfair to the City Walls and it recommends, in line with the current City Wall Conservation Plan^[1], 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. Views of Greens Bridge will be available north of the CAS.

8. The Flood relief scheme for the River Nore is designed to protect against flooding in a 1 in 100 year flood event. A flood risk assessment was carried out for the plan and mitigation measures have been recommended and will be incorporated into any design proposals. The Masterplan is thus compliant with the requirements of the 'Planning System and Flood Risk Management Planning Guidelines' as published by the OPW in 2009.

9. Agreed. **Recommend the inclusion of ideas from Appendix F into Opportunities in Section 3.2.2.**

10. 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. The drafting of the masterplan has had regard to these principles. (See sections 4.1.1 to 4.1.6) The design of streets within the area will be in accordance with the Design Manual for Roads and Streets.

11. The design philosophy for connectivity and movement in the area is based around the principles of smarter travel and the Council's mobility management plan. The design details as suggested are more appropriately dealt with at detailed design stage.

12. This is an operational issue and not appropriate to the content of the masterplan.

13-15. Noted.

17. The restoration of the Brewhouse to a stage where different uses can be accommodated can proceed without a commitment to the final end user. This will allow greater flexibility as the restoration project proceeds.

18. 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 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. It is stated in Section 3.1.9 of the masterplan that it is an objective of the masterplan to improve access to the river and that the detail of this access will be considered in the preparation of the detailed design of the linear park and with consideration of the environmental requirements arising from the designation of the River Nore as a cSAC and SPA. This accords with current Development Plan policy to develop a linear park in the city.

19. Noted and agreed. Guidance for this area will be through the urban design guidelines and recommendations to be completed as outlined in the masterplan and objective 4 of the variation.

20. Residential use is envisaged over the entire masterplan area. The area north of the CAS has been

^[1] Kilkenny Wall Conservation Plan

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.

21. This is something that can be investigated at the detail design stage and will be examined in the drafting of the urban design guidance.

22. The vision for the area is to have an intergeneration community. Housing for the elderly would be a positive in this regard and the plan could accommodate such a project.

23. See 19 above.

24. Noted.

25. Noted. These are issues that need to be addressed in the development of a low carbon energy strategy for the area.(objective 6 of variation)

26. Noted. **Recommend clearer labelling of buildings in Section 5.3.**

27. Noted.

Ref	Name	Summary
M3	Niall McManus	<ol style="list-style-type: none"> 1. There is an opportunity to cover the walls of the Brewhouse with vertical gardens, which has an added bonus of improving biodiversity in a city centre environment. A website is suggested for inspiration: http://www.verticalgardenpatrickblanc.com/ 2. How will the Council ensure the protection of structures during the life of the Creative Quarter project? (The demolition of Archer's Garage, Dublin in 1999 is referenced).
Response		
<ol style="list-style-type: none"> 1. This suggestion is duly noted. The detailed proposals for the restoration of the Brewhouse will be subject to its own Part 8 or planning application process. Given the location of the building within an Architectural Conservation Area, and its merits in terms of industrial heritage any re-development of the Brewhouse must comply with current Development Plan standards in relation to developments within an ACA. 2. The Planning and Development Acts provides for the protection of structures on the Record of Protected Structures. Items of architectural, historic, technical, social interest etc can be placed on the record of protected structures as required. 		

Ref	Name	Summary
M4	Brian Mullins	<ol style="list-style-type: none"> 1. Not allowing people have a say on the Mayfair and Brewhouse skews the whole process as retaining these buildings sets a theme architecturally which may not be in keeping with what the people want for the rest of the site.
Response		
<ol style="list-style-type: none"> 1. Noted. A review of the decision to retain the Brewhouse and 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 and industrial 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 it recommends, in line with the current City Wall Conservation 		

Plan³, 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 Mayfair⁴

Ref	Name	Summary
M5	Nuala Finnegan	I fully support any proposal from the UCD Innovation Academy to locate in Kilkenny. This is a great opportunity to evolve Kilkenny beyond a City of Culture to one of encompassing education.
Response		
<p>1. It is an objective (Objective 4A) of the current Kilkenny City & Environs Development Plan 2014-2020 to 'increase co-operation between Kilkenny Local Authorities, existing third level institutions and the proposed Technology University for the South East to support employment creation, innovation and lifelong learning'. Recommendation: To copper fasten this support, and having regard to the public consultation carried out in January 2015, it is recommended that the Vision Statement in Section 2.2.1 of the Masterplan be amended to include reference to higher level education as follows: "... providing for a broad range of uses sustaining growth in employment, 3rd and 4th level education and advancing economic activity'.</p>		

Ref	Name	Summary
M6	Mary O'Hanlon, Older People Forum	<ol style="list-style-type: none"> 1. Provision should be made for suitable accommodation for older people as part of any plans for residential accommodation. The needs of older people differ in terms of size of accommodation and accessibility etc. 2. Community facilities should provide for a recognised centre for older people with accessible activities for older people. 3. The plans look wonderful and provide a huge amount of outdoor space by the river and as part of the St. Francis Abbey Garden/Park and would be a wonderful space for older people to access and enjoy the outdoors in a very controlled pedestrianised environment. 4. Accommodation in such a central location would be so suitable to people as they grow older where they can continue to participate in their community without the need to access any form of transport. This design will also keep older people at the heart of the city and its activities.
Response		
<ol style="list-style-type: none"> 1. It is part of the Vision Statement in Section 2.2.1 of the Masterplan that the area be planned as 'an inclusive place for an inter-generational community to work, live, visit and play.' It is envisaged that residential uses can be accommodated throughout the plan area in addition to the area north of the Central Access Scheme. 2. The provision of a community centre will depend on availability of funding. The use itself would be consistent with the zoning objective for the area ('General Business' zoning allows for community facilities) and the vision statement in 2.2.1 of the plan. 3. Noted. The detailed design of the park will be subject to a Part 8 process or an application to An Bord Pleanála. 4. Noted. 		

³ Kilkenny Wall Conservation Plan

⁴ Mayfair Part 8 has commenced. This review will take place before the Part 8 is brought to Council for decision.

Ref	Name	Summary
M7	Helena Duggan	<ol style="list-style-type: none"> 1. The public consultation for CAS was largely hidden; this process has been much more obvious but Masterplan does not address issues widely touted at Public Consultation events. 2. Kilkenny has lots to offer; don't favour big business over quaint streets. Keep Kilkenny's individuality. Look at other towns/cities; Bath a success due to heritage. 3. Object to vote being taken on Masterplan and Variation on 30/07/15. Brewery Re-visioning document of 30/03/15 recommended that the proposed variation to the plan would not commence until the Masterplan for the area had been fully approved by the elected Members. Once in, Masterplan cannot be changed. Masterplan is not what people who attended consultations want. 4. Council don't own site. Possible environmental problems with Diageo pulling out. 5. New County Manager should have proper look and input into such a huge project with such huge impact. Not right to sign off before she has time to do this. 6. Masterplan not a good representative of public consultations; this is a huge site & people of Kilkenny must be listened to. 7. Full archaeological assessment required before any masterplanning. Masterplan is therefore premature. 8. Findings at St. Mary's show the way. Evans' Turret & Francis Abbey are huge assets. Heritage Conservation Plan is great but needs to be done before anything else is carried out on site. 9. Asked to decide at consultation on what would go into buildings; far too premature. Site needs to be conceptualised, needs to be a reason for everything done. Needs to be carefully thought out. 10. Huge emphasis at consultations on opening up river. Linear Park at 15m is too narrow. River should be emphasised more. 11. A streetscape that emulates current Kilkenny streetscape widely asked for at consultations; this has been taken out of Masterplan. Whatever happens needs to be in keeping with existing. 12. People asked for limited parking, a park and ride system, more comprehensive public transport. 13. A wider space around Abbey occurred but is still too limited. Again, full archaeological assessment needed. 14. Object to keeping Mayfair and Brewhouse. 15. Road off CAS to Bateman Quay is completely unnecessary, will result in traffic problems in town. Disagree with spur road and should be removed from planning process. 16. Object to housing being at one site, with access off CAS. Should be divided into two areas, one with access to Greensbridge and other Vicar Street. 17. The following were removed from the variations & should be put back in: <ul style="list-style-type: none"> • "Extend the medieval character of the streetscape in the city centre into the site". • "Development of Kilkenny as Ireland's environmental centre of excellence through regeneration of the quayside quarter." • "Public property rights and the authority for disposal of public space must remain with the local authority in order to mediate between different interests and to ensure the most appropriate development."

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 inclusion of more open space and a parkland around St. Francis Abbey, removal of standalone 'finger buildings', exclusion of bus parking and large scale car parking on site, altered layout to reflect the street patterns of the city, completion of an Archaeological Review and Strategy, for the main street to be dominated by pedestrians and cyclists with vehicular traffic curtailed to emergency and delivery vehicles and a commitment to prepare a Conservation Plan for the heritage structures located within the Masterplan area.
2. The Vision Statement for the Masterplan, as set out in Section 2.2.1, was formulated from the feedback from the public consultation workshops. It starts "*To plan the area as a seamless complement to the medieval city...*". The masterplan looks to create a new area in the city centre anchored by the heritage of the site.
3. The change in momentum since March 2015 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.
4. 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 irrespective of who the owner of the site is. Planning is not contingent on ownership. In relation to environmental issues, The EPA accepted on 29th 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 and it was also required prior to the commencement of the demolition works on site by Diageo Ireland.
5. This submission does not relate to the proper planning and sustainable development of the area. 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. (See response to 1 above).
7. The park area around the Abbey is approx. 1 hectare in area. 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.
8. The Heritage Conservation Plan will be commenced in line with the agreed archaeological recommendations to be developed under objective 4 of the variation.
 9. The Visioning exercise at the public consultation workshop was designed to illicit feedback on what the Vision, or Concept, for the area should be. The Vision Statement in Section 2.2.1 provides the 'concept' for the masterplan. Feedback from the workshops indicated that living, working, learning, etc. were all important activities that should be facilitated within the masterplan area. Land use is a direct result of these activities and land uses must be considered within any land use plan.
 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 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. It is stated in Section 3.1.9 of the masterplan that it is an objective of the masterplan to improve access to the river and that the detail of this access will be considered in the preparation of the detailed design of the linear park and with consideration of the environmental requirements arising from the designation of the River Nore as a cSAC and SPA. This accords with current Development Plan policy to develop a linear park in the city.
 11. Street widths in Kilkenny city are looked at in Section 3.1.12 of the masterplan (High Street, William Street, Evans Lane and The Butterslip). Section 4.3.8 (New Building Strategy) seeks to extend the existing street pattern and scale into the masterplan and to provide appropriately scaled new buildings to form streets, lanes and slipways along the proposed routes identified. This will be further developed as part of the urban design criteria and recommendations in accordance with objective 4 of the variation.
 12. The Proposed Variation includes an objective (No. 7) to provide for park and walk facilities near the masterplan area.
 13. See answer to point 7 above. (See submission M20 for contrary argument).
 14. A review of the decision to retain the Brewhouse and 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 and industrial 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 it recommends, in line with the current City Wall Conservation Plan⁵, 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 Mayfair⁶
 15. 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

⁵ Kilkenny Wall Conservation Plan

⁶ Mayfair Part 8 has commenced. This review will take place before the Part 8 is brought to Council for decision.

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.

16. 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.

17. The first 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 second 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. The third sentence, relating to public property, was removed from section 6.1.8 as it referred to future Governance of the site. The issue of future Governance of the site is considered to be a separate issue to land use planning and therefore should not be included in the Masterplan and thus this statement was removed. **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"*.

Ref	Name	Summary
M8	Declan Murphy	<ol style="list-style-type: none"> 1. The master plan is premature and does not reflect the huge input by the public during the exemplary public consultation exercise. 2. To have the proposal adopted and included in the 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. 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 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.
<p>Response</p> <ol style="list-style-type: none"> 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
M9	Kersty Evans	<ol style="list-style-type: none"> 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. 2. Once Variation is approved, the Masterplan becomes statutory and cannot be changed. This is what happened with CAS, in spite of enormous opposition. 3. The Council does not yet own the Brewery Site and so any vote is premature. 4. New Chief Executive should be given time to learn about Kilkenny and ensure past mistakes don't happen again. 5. The suggested variations do not comply with the public consultations. The vote will render the public consultation fairly meaningless. 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 its own conditions. 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? 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). 9. The Councillors should refer to people's comments at the public consultations and acknowledge these views. 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. 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. 12. A Heritage Conservation Plan should include the whole area and should be done before plans for building on the site. 13. The Urban Design Criteria is very premature, as full archaeological assessments and investigations need to be done first. 14. Whilst developing a low carbon energy strategy is a good idea, it is very premature without archaeological investigations. 15. Cannot finalise Masterplan without full archaeological investigations. 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. 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

		<p>communities such as Greensbridge, Vicar Street and Irishtown.</p> <p>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.</p> <p>19. In relation to the amended Masterplan area-Objection to this area having been extended at a very late date without any public consultation</p> <p>20. A wildlife preservation area in the middle of a historic city would be an interesting attraction.</p> <p>21. Figure 3.4 Variation No. 1 is misleading. The Access Objective looks like where the spur road is to go. This HGV road cuts straight through the area, too close to the Abbey. A 14m spur road will limit if not cancel out any conservation. At the public consultation the public stated they did not want a road from CAS to Bateman Quay.</p> <p>22. Suggest to Council that the variation should include the demolition of the Mayfair and Brewhouse to make room for a Park and also consideration of a micro-brewery on the site already owned by the Council (which does not come under the condition placed by Diageo that no brewery be built on the site) to provide sustainable jobs.</p> <p>23. The following which were removed from the updated 2015 draft of the Masterplan should be reinstated:</p> <ul style="list-style-type: none"> • "Extend the medieval character of the streetscape in the city centre into the site". • "Development of Kilkenny as Ireland's environmental centre of excellence through regeneration of the quayside quarter." • "Public property rights and the authority for disposal of public space must remain with the local authority in order to mediate between different interests and to ensure the most appropriate development."
--	--	--

Response

1. The change in momentum since March 2015 (date of the Report on Public Consultation) 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 Abbey Quarter masterplan will not be placed on statutory footing by way of Variation number 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.
3. 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 irrespective of who the owner of the site is. Planning is not contingent on ownership.
4. This does not relate to the proper planning and sustainable development of the area. 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.

5. 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 inclusion of more open space and a parkland around St. Francis Abbey, removal of standalone 'finger buildings', exclusion of bus parking and large scale car parking on site, altered layout to reflect the street patterns of the city, completion of an Archaeological Review and Strategy, for the main street to be dominated by pedestrians and cyclists with vehicular traffic curtailed to emergency and delivery vehicles and a commitment to prepare a Conservation Plan for the heritage structures located within the Masterplan area.
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. As above (point 6).
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 Gaeltacht.⁷
9. The public consultation exercises have resulted in opinions of the people who took part being recorded and published in the subsequent reports on each consultation exercise. These have been taken into account in the development of the masterplan. This can be seen from the major changes which have occurred between the two published drafts. As with any project it is not be possible to meet the aims and hopes of every individual and group.
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 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. It is stated in Section 3.1.9 of the masterplan that it is an objective of the masterplan to improve access to the river and that the detail of this access will be considered in the preparation of the detailed design of the linear park and

⁷ The recent discoveries at St.Mary's were not made prior to works commencing on site but were made following the development of an archaeological strategy prior to commencement of works and then following that strategy during the design and construction phases.

with consideration of the environmental requirements arising from the designation of the River Nore as a cSAC and SPA. This accords with current Development Plan policy to develop a linear park in the city.

11. Noted. In relation to the Mayfair the archaeological assessment has highlighted the proximity of the Mayfair to the City Walls and it recommends, in line with the current City Wall Conservation Plan⁸, 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 Mayfair⁹
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 its development.
14. The proposed objective is considered to be a positive one.
15. See response to point 8 above.
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.
19. 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. Furthermore, Section 4.3.10 of the Masterplan (Further Masterplan Development) states that *'Further design development will be required to determine the most appropriate response to ... Bateman Quay'*.
20. The linear park along the River Nore will provide an opportunity through the design to protect the existing river Nore status as Special Area of Conservation and will also address

⁸ Kilkenny Wall Conservation Plan

⁹ Mayfair Part 8 has commenced. This review will take place before the Part 8 is brought to Council for decision.

wider ecological issues (see submission V2 EPA variation report).

21. See answer to point 18 above.
22. A review of the decision to retain the Brewhouse and 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 and industrial 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 it recommends, in line with the current City Wall Conservation Plan¹⁰, 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. The masterplan has a broad framework in terms of the permissible land uses within its area. The zoning for the plan (general business) allows for such a use. If a definite proposal is brought forward for a micro brewery this can be evaluated on its merits.
23. The first 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 second 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. The third sentence, relating to public property, was removed from section 6.1.8 as it referred to future Governance of the site. The issue of future Governance of the site is considered to be a separate issue to land use planning and therefore should not be included in the Masterplan and thus this statement was removed. **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"*.

Ref	Name	Summary
M10	Lucy Glendinning	<ol style="list-style-type: none"> 1. Commend Council on the huge improvements regarding public consultation. However; objection to voting on Masterplan which would put it on a statutory basis and remove flexibility before development has begun, in particular, archaeological investigations. 2. Brewery Re-visioning document stated that the proposed variation to Development Plan would not commence until the Masterplan for the area had been finalised and approved by the elected members. 3. If vote to approve this, the document is no longer aspirational. Same happened with CAS. CAS was costly. Surely the Council do not want a repeat of this? 4. Vote is premature as site has not been signed off and Council do not yet own it.

¹⁰ Kilkenny Wall Conservation Plan

		<ol style="list-style-type: none"> 5. New County Manager should be given time to learn about the current situation ensuring mistakes of past do not reoccur. 6. Including variations that are at odds with public consultations, while omitting excellent ones makes a farce of public consultation. 7. Council under pressure to push this vote through. No rush to accept ISIF funding. Amount of capital committed so far is only €1.474 billion. Why this is the case? What are the conditions that make the uptake so low? 8. Extensive archaeological investigations are paramount which require demolition of Brewhouse and Mayfair. Must be a priority given recent finds in St. Mary's archaeological investigations. Don't want a repeat of Wood Quay in Kilkenny. 9. Councillors need to refer to public consultation reports and acknowledge view of public which aren't reflected in the plans for the site. 10. Object to area being extended to include the market yard at a very late date without any public information or consultation. 11. Linear Park too narrow. Does not take account wildlife habitat area that would be destroyed. Area needs protection. Remove any "get-out" clause that allows for more destruction to area along Nore. Preserve area and allow Linear Park to run behind. 12. Figure 3.4 Variation No. 1 is completely misleading. Believe arrows representing Access Objective is where the plan for the HGV/Spur Road is to go. This would diminish park area, and curtail any archaeological investigations and is too close to the abbey. 13. 14m wide road, with traffic from CAS will severely limit any conservation or archaeological investigations in the area. Retention of the Brewhouse will have the same negative effect. 14. Object to all the housing being placed at the one site, with access only from expensive road off CAS. Housing could be divided into two areas, one with access from Greensbridge and other closer to Vicar Street, joining the Irishtown area which in need of rejuvenation. 15. Repeatedly stated at public consultation the public do not want a road off CAS linking up to Batemans Quay. Would hamper any park and bring vehicles in to an area the public wants as a safe place that is used for cyclists and pedestrians not vehicular traffic. Will also close off a large area to archaeology investigations.
--	--	--

		<p>16. Propose the following variations:</p> <ul style="list-style-type: none"> • Demolish Mayfair (€3.5m to redevelop to provide office space when empty office and retail space already in city). • Demolish or part-demolish Brewhouse to allow park and extensive archaeological investigations. • Consider micro-brewery on part of site already in Council ownership to bring live into city and provide local employment, would act as draw for area. If brewery built, still space for housing. Large houses in/around Kilkenny could be bought & offered as housing to bring real life back to city. <p>17. Reinstate the following that was omitted in current updated 2015 draft :</p> <ul style="list-style-type: none"> • "Extend the medieval character of the streetscape in the city centre into the site". • "Development of Kilkenny as Ireland's environmental centre of excellence through regeneration of the quayside quarter." • "Public property rights and the authority for disposal of public space must remain with the local authority in order to mediate between different interests and to ensure the most appropriate development."
<p>Response</p> <ol style="list-style-type: none"> 1. Noted. 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. 2. The change in momentum since March 2015 (date of the Report on Public Consultation) 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. 3. See response to item 1 above . 4. 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 irrespective of who the owner of the site is. Planning is not contingent on ownership. 5. This does not relate to the proper planning and sustainable development of the area. 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. 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 inclusion of more open space and a parkland around St. Francis Abbey, removal of standalone 'finger buildings', exclusion of bus parking and large scale car parking on site, altered layout to reflect the street patterns of the city, completion of an Archaeological Review and Strategy, for the main street to be dominated by pedestrians and cyclists with vehicular traffic curtailed to emergency and delivery vehicles and a commitment to prepare a Conservation Plan for the heritage structures located within the Masterplan area.

7. 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.
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 Gaeltacht. A review of the decision to retain the Brewhouse and 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 and industrial 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 it recommends, in line with the current City Wall Conservation Plan¹¹, 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 Mayfair¹²
9. See response to point 6 above. The report on Public Consultation is published at: <http://ourplan.kilkenny.ie/ckfinder/userfiles/files/Consultation%20Report%20Final%20Version%2030-3-2015.pdf>
10. 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 included 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

¹¹ Kilkenny Wall Conservation Plan

¹² Mayfair Part 8 has commenced. This review will take place before the Part 8 is brought to Council for decision.

published in March. Furthermore, Section 4.3.10 of the Masterplan (Further Masterplan Development) states that *'Further design development will be required to determine the most appropriate response to ... Bateman Quay'*.

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 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 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. It is stated in Section 3.1.9 of the masterplan that it is an objective of the masterplan to improve access to the river and that the detail of this access will be considered in the preparation of the detailed design of the linear park and with consideration of the environmental requirements arising from the designation of the River Nore as a cSAC and SPA.
12. 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.
13. The Archaeological Strategy proposed targeted excavation surrounding the Abbey. The access road from CAS into the masterplan area is of pedestrian and cyclist priority with traffic management measures to inhibit the flow of through traffic and heavy goods vehicles. It will be subject to the agreed archaeological strategy.
14. 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.
15. See 13 above.
16. A review of the decision to retain the Brewhouse and 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 and industrial 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 it recommends, in line with the current City Wall Conservation Plan¹³, 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. If a definite proposal is brought forward for a micro brewery this can be evaluated on its merits.
17. The first 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

¹³ Kilkenny Wall Conservation Plan

second 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. The third sentence, relating to public property, was removed from section 6.1.8 as it referred to future Governance of the site. The issue of future Governance of the site is considered to be a separate issue to land use planning and therefore should not be included in the Masterplan and thus this statement was removed. 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"*.

Ref	Name	Summary
M11	Ross Stewart	<ol style="list-style-type: none"> 1. Object to extension of Masterplan area not only at a very late date but also without any public information as to why this was done, and any chance for public consultation on same. 2. Linear Park far too narrow but also does not take into account the wildlife habitat area which would have to be needlessly destroyed to 'construct' the park. River side and natural ecosystem that exists needs to be retained and not 'developed'. Walls on a river bank remove the river from the people; the river is the heart of the city and the connection of the people to the river needs to be encouraged; sloping natural banks and wooden quays. Provision for river uses needed. Linear Park at the Brewery site should be the green heart of the city. 3. Figure 3.4 Variation No. 1 is completely misleading. Arrows representing Access Objective are where the plans for the HGV/Spur Road to go. If road goes through this area, the "park" will be greatly diminished, split in two, any archaeological investigations seriously curtailed. Road runs too close to the abbey, which already has the Brewhouse in extremely close proximity. A 14m wide road, with traffic from CAS will severely limit any conservation or archaeological investigations. Retaining Brewhouse has same negative effect. 4. At consultations was stated categorically public do not want a road through the site; site should be for pedestrians not traffic. If access road needed, should be for emergency vehicles and out of hours deliveries. 5. Propose following variation: Demolish Mayfair & demolish or part demolish Brewhouse to allow for park around Abbey, following extensive archaeological investigations. 6. The following have been removed and should be reinstated in Masterplan: <ul style="list-style-type: none"> • "Extend the medieval character of the streetscape in the city centre into the site"; extending the medieval character of the streetscape is essential to a medieval city. Why was this deleted? • "Development of Kilkenny as Ireland's environmental centre of excellence through regeneration of the quayside quarter." • "Public property rights and the authority for disposal of public space must remain with the local authority in order to mediate between different

		interests and to ensure the most appropriate development.”
<p>Response</p> <ol style="list-style-type: none"> 1. 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 included 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. Furthermore, Section 4.3.10 of the Masterplan (Further Masterplan Development) states that <i>'Further design development will be required to determine the most appropriate response to ... Bateman Quay'</i>. 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 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. It is stated in Section 3.1.9 of the masterplan that it is an objective of the masterplan to improve access to the river and that the detail of this access will be considered in the preparation of the detailed design of the linear park and with consideration of the environmental requirements arising from the designation of the River Nore as a cSAC and SPA. 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 proposed north – south route through the site is for pedestrian and cyclist priority with traffic management measures to inhibit the flow of through traffic and heavy good vehicles. 5. A review of the decision to retain the Brewhouse and 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 and industrial 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 it recommends, in line with the current City Wall Conservation Plan¹⁴, 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 Mayfair¹⁵ 6. The first 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 area as a seamless extension to the medieval city...” The 		

¹⁴ Kilkenny Wall Conservation Plan

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

second 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. The third sentence, relating to public property, was removed from section 6.1.8 as it referred to future Governance of the site. The issue of future Governance of the site is considered to be a separate issue to land use planning and therefore should not be included in the Masterplan and thus this statement was removed. **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"*.

Ref	Name	Summary
M12	Polly Donnellan	<ol style="list-style-type: none"> 1. The masterplan process is being rushed and the public consultation was just for show. 2. The interested public should get to visit the site and the buildings being retained. 3. The Mayfair building should not be retained. It blocks views of St. Francis Abbey, it limits the possibilities of the park, hinders archaeological investigations and hides the old town wall. 4. While there is value of retaining the Brewhouse as an example of 1970's architecture, it is very close to the Abbey and perhaps it is possible to demolish part of the building increasing the distance between it and the Abbey. 5. Integrate housing into the whole site so that it lives day and night. People do not want traffic roaring past their doorsteps, they do not want to fear for the lives of their children and they do not want a little ghetto. 6. The whole project should not be rushed through and there should be more consultation. <p>(Second submission)</p> <ol style="list-style-type: none"> 7. The following text has been removed from the Masterplan and they should be reinstated: <ul style="list-style-type: none"> • "Extend the medieval character of the streetscape in the city centre into the site". • "Development of Kilkenny as Ireland's environmental centre of excellence through regeneration of the quayside quarter." • "Public property rights and the authority for disposal of public space must remain with the local authority in order to mediate between different interests and to ensure the most appropriate development."
Response		
<ol style="list-style-type: none"> 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 inclusion of more open space and a parkland around St. Francis Abbey, removal of standalone 'finger buildings', exclusion of bus parking 		

and large scale car parking on site, altered layout to reflect the street patterns of the city, completion of an Archaeological Review and Strategy, for the main street to be dominated by pedestrians and cyclists with vehicular traffic curtailed to emergency and delivery vehicles and a commitment to prepare a Conservation Plan for the heritage structures located within the Masterplan area. The change in momentum since March 2015 (date of the Report on Public Consultation) 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. It is anticipated that at a later date when the site is in the ownership of the Council and subject to Health and Safety requirements, opportunities to visit the site will be made available.
3. In relation to the Mayfair the archaeological assessment has highlighted the proximity of the Mayfair to the City Walls and it recommends, in line with the current City Wall Conservation Plan¹⁶, 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 Mayfair¹⁷
4. A review of the decision to retain the Brewhouse and 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 and industrial heritage value of the Brewhouse it is considered that retention and refurbishment of the Brewhouse is the recommended course of action.
5. 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.
6. The change in momentum since March 2015 (date of the Report on Public Consultation) 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.
7. The first 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 second 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*

¹⁶ Kilkenny Wall Conservation Plan

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

and communities" in Section 2.2.1 of the masterplan. The third sentence, relating to public property, was removed from section 6.1.8 as it referred to future Governance of the site. The issue of future Governance of the site is considered to be a separate issue to land use planning and therefore should not be included in the Masterplan and thus this statement was removed. 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"*.

Ref	Name	Summary
M13	Peter Cox	<ol style="list-style-type: none"> 1. The lack of intent in evaluating the existing building stock on the site is disappointing. Having a strong policy on reuse and adaptation of some of the existing buildings would fall in line with best conservation practice and under the sustainability banner reusing an existing building is far better than mass demolition and construction waste. 2. We applaud the intention on near zero energy policy and hope this can be strengthened to include saving some of the buildings and also energy efficiency all round.
Response		
<ol style="list-style-type: none"> 1. A report was commissioned to investigate and assess the condition of and potential viability of temporary and permanent retention of the various buildings at St Francis Abbey Brewery (Diageo) Site. Eleven buildings were identified and of those five are to be demolished in the short term. 2. Noted 		

Ref	Name	Summary
M14	Iain Mullen	<ol style="list-style-type: none"> 1. Adoption of the Master Plan is premature pending the appointment of the New County Manager. 2. The Draft Plan does not reflect the issues raised in the public consultation process. 3. A complete and thorough archaeological assessment is necessary, gives example of St. Mary's excavation. 4. Conceptual consideration must be applied to the type of buildings to be located on site e.g. Cartoon Saloon and attract small creative industries. 5. The river is the heart of the city – walled river banks will result in unattractive setting for cafes, bars and recreational uses. 6. Proposed access road from the CAS should be limited to emergency vehicle and small delivery vehicles only with limited on-street parking. 7. Retention of the Mayfair & Brewhouse buildings not favoured and should be demolished. 8. Housing, while essential to any plan, will create a ghetto effect off Green Street as they will be cut off by CAS. 9. Reinstatement of the following points:- "Extend the medieval character of the streetscape in the city centre into the site". "Development of Kilkenny as Ireland's environmental centre of excellence through regeneration of the quayside quarter." "Public property rights and the authority for disposal of public space must remain with the local authority in order to mediate between different

		interests and to ensure the most appropriate development.”
<p>Response</p> <ol style="list-style-type: none"> 1. 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. 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 inclusion of more open space and a parkland around St. Francis Abbey, removal of standalone ‘finger buildings’, exclusion of bus parking and large scale car parking on site, altered layout to reflect the street patterns of the city, completion of an Archaeological Review and Strategy, for the main street to be dominated by pedestrians and cyclists with vehicular traffic curtailed to emergency and delivery vehicles and a commitment to prepare a Conservation Plan for the heritage structures located within the Masterplan area. 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. This approach is in accordance with Objective 4 of the variation which has been agreed to by Department of Arts Heritage & the Gaeltacht. 4. In Section 4.3.8 of the masterplan a commitment is given to compile a design guide specifying design guidance for the area. This is also in the variation as objective 4. 5. The detailed design of the linear park 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. It is stated in Section 3.1.9 of the masterplan that it is an objective of the masterplan to improve access to the river and that the detail of this access will be considered in the preparation of the detailed design of the linear park and with consideration of the environmental requirements arising from the designation of the River Nore as a cSAC and SPA. 6. Noted. This is the case, as per proposed objective no. 9 of the Variation. 7. A review of the decision to retain the Brewhouse and 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 and industrial 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 it recommends, in line with the current City Wall Conservation Plan¹⁸, 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.

8. 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.

9. The first 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 second 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. The third sentence, relating to public property, was removed from section 6.1.8 as it referred to future Governance of the site. The issue of future Governance of the site is considered to be a separate issue to land use planning and therefore should not be included in the Masterplan and thus this statement was removed. 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*"

Ref	Name	Summary
M15	Kilkenny Archaeological Society	<ol style="list-style-type: none"> 1. The Draft Archaeological Report is a comprehensive assessment of the archaeological and architectural heritage of the area. It places archaeological concerns at the heart of the design process and provides a sound basis on which decisions regarding the future development, conservation and enhancement of the masterplan area can be undertaken. 2. However fundamental questions remain regarding the surviving extent and layout of the Franciscan abbey and the nature and depth of the surviving archaeological stratigraphy ('deposit model') within the site. These questions can only be addressed by further archaeological investigations, including excavations. The proposed layout is therefore premature. 3. The proposal to re-excavate the abbey church within a research framework that includes an element of community archaeology is warmly welcomed. However, there is no commitment from Kilkenny County Council to fund this project and that central government and EU sources will be relied upon instead. Funding will be hard to secure. 4. Measures should be introduced to set the Draft Archaeological Report's

¹⁸ Kilkenny Wall Conservation Plan

		<p>recommendations on a statutory footing so that archaeological issues can be enforced.</p> <p>5. Placing the abbey precinct at the centre of the development and proposals to enhance the immediate environs of the abbey church are welcomed. The retention of the Mayfair building will interfere with what would otherwise be a spectacular vista of the church and city walls. We would ask that consideration be given to demolition of the Mayfair building.</p> <p>6. The proposal to prepare a Heritage Conservation Plan for St. Francis Abbey, Evan's Turret and St. Francis Well is welcomed. Could the scope of the objective be extended to include the whole masterplan area.</p>
--	--	---

Response

1. Noted.
2. Whilst the archaeological framework document seeks to guide the future use of the site, detail design will allow specific proposals to emerge. To date the design framework has undergone significant alteration and has the capacity for further modification depending on archaeological investigations results. As this is an iterative process testing and excavation will inform the final detailed design proposals.
3. Funding of the archaeological investigations will be an issue. It is outside the scope of this plan.
4. A separate variation(s) will be carried out to place the masterplan and archaeological and design guidance on a statutory footing.
5. Consideration for the retention or replacement of all buildings on site including the Mayfair building is an iterative process and all viewpoints will be taken into account. Creative adaption of structures can readily enhance their purpose on site and how they are appreciated, while maintaining an association with the brewing industry. The reuse and adaption of both the Brewhouse and the Mayfair would limit further archaeological disturbance in key sensitive areas. If retained, consideration should be given to adapting the structure so instead of turning its back on the City Wall it embraces this historic feature and provides viewing opportunities to showcase the early defensive system of the city. The City Wall to the rear of the Mayfair building is partially overgrown with vegetation and while there is a clear view provided of the structure from Watergate Bridge (Irishtown) this view is currently dominated by the adjacent Mayfair building on the south bank and the gable end and other structures (Hop Store) on the north bank. With the redevelopment of the Masterplan area there is an opportunity to enhance the setting of this section of City Wall including considering the pedestrianisation of the line of the City Wall connecting Watergate and Evan's Tower and incorporating these features into the Medieval Mile which is now part of the Ireland's Ancient Southeast initiative. In accordance to Kilkenny City and Environs Development Plan, it is an objective (71) of the County Council: 'to facilitate and support the implementation of the existing (and any further) conservation plans'. The Kilkenny City Wall Conservation Plan seeks to protect, maintain and encourage the enhancement and setting of the City Wall and riverside defences. Creative architectural design solutions should be sought that will enable this enhancement to take place while complementing the redevelopment process.
6. The philosophy of the conservation plan is to *'seek to guide the future development of a place through an understanding of its significance. The methodology of a conservation plan is well suited to study of complex and composite monuments in vulnerable, dynamic and changing environments. The object is to evolve policies to guide works that are feasible as well as compatible with the retention, reinforcement and even revelation of significance. These twin concepts of compatibility and feasibility are the base on which the policies are*

built' (Kerr 1999). The proposal for a conservation and management plan was based around the composite National Monument of St Francis Abbey and to study and understand all known upstanding and below ground elements that contribute to its significance. 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 will require careful management and it is thought that a conservation and management plan will ensure that the appropriate level of consultation takes place with all stakeholders and a robust research framework for the long term sustainability of the monument will be devised. This study will provide an assessment of the context and setting for the national monument and the precinct area in relation to the city wall and the wider historical area.

Ref	Name	Summary
M16 (see box below also)	Donal Coyne	<ol style="list-style-type: none"> 1. Has any of what the people said at the public consultation workshops been taken into account? 2. The proposed Variation is premature. The new County Manager should have time to review the plans. 3. Why is there a rush? Is it ISIF funding? Time should be taken to consider the possible outcome and detrimental effect of the funding. 4. All 9 objectives are premature and more time should be taken to explore all possibilities of the site.

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 inclusion of more open space and a parkland around St. Francis Abbey, removal of standalone 'finger buildings', exclusion of bus parking and large scale car parking on site, altered layout to reflect the street patterns of the city, completion of an Archaeological Review and Strategy, for the main street to be dominated by pedestrians and cyclists with vehicular traffic curtailed to emergency and delivery vehicles and a commitment to prepare a Conservation Plan for the heritage structures located within the Masterplan area.
2. The change in momentum since March 2015 (date of the Report on Public Consultation) 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. This does not relate to the proper planning and sustainable development of the area. 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.
3. 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. .

4. See point 2 above.

Ref	Name	Summary
M16	Donal Coyne	<ol style="list-style-type: none"> 1. The site has not been signed off by the EPA and is therefore not decommissioned and signed over to the Council and this is therefore premature. 2. There is no urgency for the plan to be rushed through in terms of funding as there is 6 billion euro available through ISIF. 3. ISIF funding is limited in scope and cannot be used for projects that may cause displacement of jobs, have a "deadweight" benefit or additionality of jobs. 4. The new CEO and Senior Executive Team will be in position soon and should be allowed to analyse and evaluate the existing Masterplan and proposed variation to the Development Plan, as they will be responsible for delivering these projects. Therefore, it is irresponsible of County Councillors to vote on the draft plan at this stage. 5. The Masterplan is too vague to be voted on, once voted on, it is no longer an "aspirational" document but has statutory footing and is legally binding. The plan need more work before it can be incorporated. 6. There has been a very high level of public engagement in terms of consultation; however, the recommendations from the public do not seem to be taken on board for the new version of the Masterplan. Resounding public opinion was that there should be a comprehensive archaeological excavation on the site. The terms of reference of the Archaeological Strategy set out by the Executive, falls far short and contain the excavation to 3 specific areas of the site. 7. 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. 8. Footnote 63 of 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 document. 9. It is irresponsible to vote on this Masterplan at this time, 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 needed when voting on this. <p>(M42 Aine Murphy: Additional comment: Like Rome, Kilkenny wasn't built in a day. KK history dates back to early 6th Century. Don't be hasty in making decisions that will be around for the future).</p>
M25	Essie Millie	
M30	Claire Molloy	
M33	Eric Duignan	
M34	Debbie Scanlon	
M36	Anthony Doyle	
M37	Franc Micklem	
M38	Margaret O'Shea	
M40	A McGourty	
M42	Aine Murphy	
M46	Suzanne Williams	

Response

1. The EPA accepted on 29th 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 and it was also required prior to the commencement of the demolition works on site by Diageo Ireland.
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. (As above).
4. This does not relate to the proper planning and sustainable development of the area. 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.
5. 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.
6. 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 inclusion of more open space and a parkland around St. Francis Abbey, removal of standalone 'finger buildings', exclusion of bus parking and large scale car parking on site, altered layout to reflect the street patterns of the city, completion of an Archaeological Review and Strategy, for the main street to be dominated by pedestrians and cyclists with vehicular traffic curtailed to emergency and delivery vehicles and a commitment to prepare a Conservation Plan for the heritage structures located within the Masterplan area. 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.
7. The change in momentum since March 2015 (date of the Report on Public Consultation) 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.
8. Noted. **Recommendation:** Footnote 63 is incorrect and it is recommended that the wording be

changed to: *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.*

9. Noted. The process of considering of what is appropriate for the area began with the announcement in 2012 of the agreement to purchase the lands from Diageo almost three years ago.

Ref	Name	Summary
M17	Cllr. Malcolm Noonan	<ol style="list-style-type: none"> 1. Kilkenny County Council will explore the option of a Community Land Trust model for the long term strategic management of the Brewery site and give the wider community a role in it development (definition of community land trust given). 2. The Masterplan area would become subject to a sustainable Energy Zone aiming to become Irelands first zero carbon development and a net contributor to the National Energy Grid. 3. The site should only be accessible by public transport, walking and cycling. Vehicular access should be limited. 4. Inclusion of any connecting road to KCAS would alter traffic projections for which the scheme was designed and lead to further car dependency. 5. Use of ecological building materials in all developments on site shall be stipulated in development permissions. In developing the site there will be a requirement to consider the embodied carbon in material. The use of recycled materials will be encouraged. Green or turf roof material should be incorporated into building design. All new build and retrofit shall require the harvesting of grey water form roof surfaces. 6. Ideal location fab lab (definition given in submission). 7. Provision should be made for the accommodation of minority sports, inline skating, martial arts – could be accommodated on interim basis using modular buildings. 8. Development of a commercial creative arts centre based around animation (Cartoon Saloon), pottery jewellery making, silversmithing, graphic and industrial design and drama / theatre production- complimentary to pursuing other third level options such a centre would be unique in Ireland. 9. Consideration for a centre for conservation of building skills and renovation and research into Irish towns. 10. Would like clarification on the statutory nature of the Masterplan once adopted- if non statutory will commitments to carry out extensive archaeological investigations with view to limiting certain developments on site -there may be no requirement to adhere to them under planning conditions. 11. If the masterplan is placed on a statutory footing within the Development Plan it will constrain the site into a very restricted development model and place the provision of items such as spur road on a statutory footing. 12. Positioning social housing estate type development along the CAS route is not a sustainable land use, it will not provide good quality of life for residents due to pollution from vehicles, noise, dust and danger to children with a busy road. Social housing should be integrated into the fabric of the main site leading to better mixed use and integration of facilities and habitation.

Response

1. The development of a Land Trust is outside the scope of the masterplan as drafted. This is more appropriate addressed through the governance of the lands within the plan area owned by the Council.
2. The development of a low carbon energy strategy will examine this proposal
3. This is the approach that has been taken in the plan. See section 4.1
4. 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.
5. This can be addressed in the design guidance.
6. The plan allows for such a proposal should one come forward.
7. The range of uses identified can be accommodated as opportunities arise.
8. This type of use can be accommodated within the plan area.
9. This can also be accommodated within the provisions of the masterplan should a proposal come forward.
10. 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.
11. If the masterplan is brought into the development plan then then it will have the same status as the development plan itself. Material changes to the plan can be made either by way of further variations or by material contraventions of the plan. Both of these are reserved functions.
12. 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.

Ref	Name	Summary
M 18	Treasury Kilkenny	<ol style="list-style-type: none"> 1. Opportunity to develop Smithwicks Brewery as a treasury for Kilkenny's Collection focussed on collections, both object based and digital, combining spaces for exhibition, educations, research and training with bespoke visible storage facilities. It will the heritage assets of the county to be cared for to the highest international standards, while providing stimulus for existing creative companies and attracting new start up businesses in the digital media and cultural field. 2. Kilkenny treasury will act as a driver for employment, education and cultural tourism. Kilkenny is primed for this type of development. We should seize this opportunity 3. Partners involved are Butler Gallery, the Design and Crafts Council of Ireland, Heritage Council, Rothe House and Kilkenny Archaeological Society. It will bring together the organisations and venues of Butler Gallery, Rothe House, National Craft Gallery and the future St Marys. Potential links to the Kilkenny library service and Kilkenny archives could also be developed. 4. Definition of visible storage given

		<p>https://en.wikipedia.org/wiki/Visible_storage</p> <p>5. No combined visitor/research /raining/storage facility yet exists in this country.</p> <p>6. Museums and collection are valued for their role in attracting tourists but also create a sense of a place in a town and a sense of pride. Places with a strong sense of place find it easier to attract new business according to IDA. Cultural heritage has the potential to make a contribution to smart city an idea the EU is keen to develop . Definition of “Smart City” http://en.wikipedia.org/wiki/Smart_city</p> <p>7. Other European countries and the USA have been much quicker to recognise the importance of cultural heritage for innovation. Examples given.</p> <p>8. Heritage contributes to the long term sustainability of historic towns. The recognition given to Cartoon Saloon’s Oscar-nominated fields show the technical and creative competence now available in Kilkenny. The value of using cultural heritage assets as a catalyst for creativity has been recognised at European level through the Communication on Cultural Heritage “ Towards an integrated approach to cultural heritage for Europe”</p> <p>9. Collections in Kilkenny are listed</p> <p>10. Benefits of developing Kilkenny treasury can be summarised as follows:</p> <ul style="list-style-type: none"> • Development of third level education and research facility • Cultural tourism – attracting tourists • SME and Jobs Stimulus- Kilkenny treasury will promote entrepreneurial culture. • Enhance Kilkenny identity and sense of place. • Shared services and efficiencies – <p>Risks</p> <ul style="list-style-type: none"> • The risk of the proposal not being considered are the loss of valuable collections • The Design Workshop collections cannot carry out further wok on the establishment of a permanent national collection of KDW objects as there is no suitable exhibition or storage space available. • Without proper storage facility the Butler Gallery may not be in position to provide a home for the Tony O’Mally collection • Rothe House and Archaeological Society- due to limited resourced and space the collections are currently under threat and may be dispersed to other institutions • Kilkenny runs risk of becoming a second string <p>Investment is needed from various partners to establish this facility</p> <p>Two Case Studies given-</p> <ol style="list-style-type: none"> 1. Luce Centre for American Art, 5th Floor, Brooklyn Museum, New York 2. Museum Aan de Stroom (MAS) Antwerp Belgium
<p>Response 1-10. Noted. Such an enterprise would be welcome in the masterplan area. The scope of the proposal goes beyond the remit of the masterplan.</p>		

Ref	Name	Summary
M19	Don and Niamh Egan	<ol style="list-style-type: none"> 1. Sweeney's Old Orchard should be converted to park land area to meet the growing demands of the community, tennis courts, basketball courts etc with the river being used for rowing canoe clubs. Golden opportunity to utilise the river front area for locals and tourists. 2. Sweeney's Old Orchard could be used as a retirement village for the elderly. 3. High rise buildings not appropriate to a Medieval City as would block all the historical buildings and monuments.
Response <ol style="list-style-type: none"> 1. The linear park will extend along the western bank of the River Nore which will pass through Sweeney's Old Orchard. It is anticipated that, subject to compliance with the Habitats Directive, the park will provide access for canoe clubs etc. 2. It is envisaged that housing for the elderly will be provided within the masterplan area. The Sweeney's orchard area is identified for social and community housing. 3. Appropriate building heights reflective of the scale and character of the city will be provided for as part of the development of the urban design guidelines and recommendations. (see Variation objective 4) 		

Ref	Name	Summary
M20	James Pike	<ol style="list-style-type: none"> 1. The proposed transport strategy for a shared surface solution is excellent, but should be reinforced by designation as a pedestrian priority zone (like comparable Flemish cities) and extended to the whole 'Medieval Mile' and from Irishtown to the new Central Access Street and Vicar Street. 2. Building along the Central Access Street should be built as close as possible to the street, with mainly commercial uses, and should extend from the new Nore bridge to the Vicar St./St. Canices junction, as was proposed in the Masterplan for the Central Access Street. 3. The development of the buildings along the Access Street should be a priority to create a street. The site on the corner of the Access Street and Vicar Street should be developed to create a continuous frontage. 4. The open space between St. Francis Abbey and the Breagagh is too generous in such a vital central area, and lacks a strong urban form. 5. The site by the River Nore could be used to replace the abandoned swimming pool opposite with a comprehensive sports/recreation centre. 6. There is a need to create sufficient car and cycle parking. The car park on Bateman Quay should be made multi storey and faced with buildings overlooking the River Nore. Parking on a smaller scale should be provided in the other areas of the Masterplan. Car and cycle stacking should be considered for the better use of valuable space. 7. It is vital to provide a small public transport hub as close as possible to the Central Access Street and the Creative Quarter. 8. A further target should be to redevelop the filling station at the junction with St. Canices and Vicar Street with a more appropriate urban building.
Response <ol style="list-style-type: none"> 1. The detailed design of the proposed street will be prepared in accordance with the requirements of the Design Manual for Urban Roads and Streets, with the street to be a pedestrian and cyclist dominated area. It is proposed that vehicular access to the street will be limited and will be controlled by way of removable / automated bollards. The concept of shared surfaces is incorporated into the design of the Medieval Mile with raised platforms/shared surfaces to be provided a 4 no. Key locations along the Medieval Mile. 		

2. As per the requirements of An Bord Pleanála in relation to the design of the Central Access Scheme, the CAS has been designed as an urban street with buildings to be built in close proximity to the CAS to form this Urban Street. The buildings as outlined in the Masterplan are located in close proximity to the street, with residential buildings proposed to the north of the street, with mixed use (including commercial) to the south of the street. This will be subject to detailed design and a separate consent process such as Part 8 or application to An Bord Pleanála.
3. The site at the corner of the CAS and Vicar Street has been identified in the Masterplan as being a location that requires further design consideration to determine an appropriate urban design solution.
4. The proposal to provide a large open space/park in the area between St Francis Abbey and the river Breagagh is directly as a result of the archaeological review of the site. This review has outlined the need to have connectivity between the National Monuments on the site, specifically St Francis Abbey, the City Walls, Evans Turret and St Francis' well (currently buried). Furthermore, the archaeological review has identified this area as being one that is rich in archaeological potential proposing extensive archaeological excavations in this area. As a result, no new buildings are now proposed in this area. (See submission from Helena Duggan for contrary case).
5. As per response to 4 above, noting that the disused swimming pool referred to, located, outside the Masterplan Area, is now being used by a sports club.
6. The provision of car parking within the former brewery site was rejected by a large number of people at the public consultation workshops in January 2015. Accordingly, no large car parking area has been allowed for within the former brewery site. Kilkenny Co. Co. recognises the challenges that this presents and is proposing a variation to the Kilkenny City & Environs Development Plan 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...*"
7. The Masterplan encourages and is supportive of the development of public transport within the city. As outlined in the Kilkenny City & Environs Development Plan, Kilkenny Co. Co. will "*...co-operate with the various public and private agencies responsible for transport services within the county in the provision of new services and supporting infrastructure*".
8. The filling station at the junction of Vicar Street and St Canice's Place is outside the Masterplan Area.

Ref	Name	Summary
M21	Enya Kennedy	<ol style="list-style-type: none"> 1. The Archaeological Strategy is to be welcomed but should be extended to the whole of the site. Comprehensive archaeological investigations should be completed at the first stage of the development before any other construction is done on the site. 2. The Phasing of the plan does not allow for the archaeological investigations to take place at stage 1 not Stage 2. Stabilisation works to St Francis Abbey, the City wall and Evans Turret should be completed as part of stage 1 to ensure the integrity of these National Monuments before any further works take place on the site. 3. The HGV traffic management plan has not been considered as part of the movement strategy so therefore is incomplete and is not ready for insertion to a final Masterplan. The movement strategy should be informed by the Archaeological investigations and the Burgage plots therefore this strategy is premature and should not be considered at this time. 4. The proposed "street" through the site is 14 metres wide whereas the bridge

		<p>at the Breaghagh is 10 metres. The road should be no wider than 10 metres. The Masterplan should be amended before it is put on a statutory footing.</p> <ol style="list-style-type: none"> 5. The view from Michael Street to St. Francis Abbey should be included as a protected view. 6. The Mayfair building should be demolished to allow improved access to the plan area. 7. The previous Masterplan had the statement "Extend the Medieval Character of the streetscapes in the city centre into the site" this has been removed and should be reinstated before this document is put on a Statutory footing. 8. The masterplan is not ready for statutory adoption. It is premature. I object to the plan being voted on for the following reasons: <ul style="list-style-type: none"> • The site has not yet been signed off by the EPA. • There is no urgency for the plan to be rushed through in terms of funding as there is in excess of 6 Billion euro available ISIF projects. • There is a new management team coming into place and they need time to consider these issues. • Once it is incorporated into the Kilkenny City and Environs Development plan it then is no longer an "aspirational" document. • there should be a comprehensive archaeological excavation on the site, however the terms of reference of the Archaeological strategy set out by the executive falls far short of this and contains the excavation to 3 specific areas of the site. • Recommendation no. 5 of the Public Consultation Report (March, 2015) states that the masterplan will be made before the Variation commences. • Footnote 63 of the SEA states that Variation No. 1 puts the Masterplan on a statutory footing. • It would be unwise to vote on the masterplan now as it will have a significant bearing on future generations. 9. The proposed housing at Sweeney's Orchard is a good idea but needs reconfiguration to integrate with Vicar Street and Green Street. A micro brewery should also be considered on this part of the site. 10. Full archaeological investigations of the brewery should be completed and the stabilisation works at monuments completed before any further work is done, any archaeological finds should dictate the Urban plan for this part of the site. 11. The Market yard has only been part of the process since June 2015, as such there has not been any chance to properly consult with the public on this part, and this needs further public consultation before this plan can be adopted. Consideration for Archaeology should also be considered for this part of the site before any further plans are considered. 12. More work is needed on the linear park strategy: archaeological investigations, it should be widened to 30m, protection of poplar trees and wildlife (swans) 13. It was stated at the County Council meeting of Monday 20th July 2015 that a commitment was made by the Borough Council to accommodate a rink for minority sports in the Brewery site. I submit that this should be investigated further before this plan is adopted, the idea was given unanimous support by the elected members of the council. The plan for a skate park has disappeared from the site this should also be defined before the plan is finalised.
--	--	--

Response

1. 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.
2. Noted. Archaeological works will be on-going throughout each phase. 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. It is anticipated that the HGV Traffic Management Plan will go before the Council in Autumn this year for consideration.
4. The width of the street is currently 12m not 14m as stated. The width of the existing bridge will act as a traffic calming measure as well as a crossing point.
5. The removal of the existing buildings and the provision of the park around the St.Fancis abbey along with the changes made to the proposed draft since Nov 2013 will ensure significant views from the northern section of Michael Street.
6. A review of the decision to retain the Brewhouse and 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 and industrial 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 it recommends, in line with the current City Wall Conservation Plan¹⁹, 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.
7. *'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-

¹⁹ Kilkenny Wall Conservation Plan

- 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..."
8. The EPA accepted on 29th 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 and it was also required prior to the commencement of the demolition works on site by Diageo Ireland. 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. This does not relate to the proper planning and sustainable development of the area. 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. The Abbey Quarter masterplan will not be placed on statutory footing by way of Variation number 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. The change in momentum since March 2015 (date of the Report on Public Consultation) 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. Footnote 63 is an error and shall be corrected.
 9. Section 4.3.10 of the Masterplan indicates that further design development will be required to determine the most appropriate response to the area between the masterplan and Vicar Street/New Street.
 10. See answer to point 1 above.
 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 included 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. Furthermore, Section 4.3.10 of the Masterplan (Further Masterplan Development) states that '*Further design development will be required to determine the most appropriate response to ... Bateman Quay*'.
 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 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 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. It is stated in Section 3.1.9 of the masterplan that it is an objective of the masterplan to improve access to the river and that the detail of this

access will be considered in the preparation of the detailed design of the linear park and with consideration of the environmental requirements arising from the designation of the River Nore as a cSAC and SPA. This accords with current Development Plan policy to develop a linear park in the city.

13. 'Play' forms part of the Vision Statement and recreational activities will be provided for within the plan area. It is still an objective to provide a skate park within the masterplan area and this stated in section 4.3.3 of the masterplan under other amenities.

Ref	Name	Summary
M22	Gladys Bowles	<ol style="list-style-type: none"> 1. Submissions should not be taken on an unfinished plan. 2. Why has the following text been removed from the Draft Masterplan: <ul style="list-style-type: none"> • 'the development of Kilkenny as I environmental centre of excellence through regeneration of the Quay Quarter, • 'extend the Medieval character of the streetscape in the city centre in to the site, • The Skate Park has vanished. 3. A vote on this is unfair on the elected Councillors and new management and should be deferred until a later date. 4. There is plenty of time to draw down monies from the ISIF. Please do not rush this through. 5. No plans should be finalised or voted on until a full archaeological excavation has determined what exists beneath the ground.

Response

1. Public consultation is important at every stage of plan making and it is considered appropriate that members of the public be afforded an opportunity to comment on the masterplan at this time. Changes to the masterplan can still be made as a result of these submissions.
2. The first 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. The second 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 Skate park has not been removed it is still an objective to provide a skate park within the masterplan area and this stated in section 4.3.3 of the masterplan under other amenities
3. This does not relate to the proper planning and sustainable development of the area. 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.
4. 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.
5. 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
M23	Liz O'Brien	<ol style="list-style-type: none"> 1. Adoption of the Master Plan is premature pending the appointment of the New County Manager. 2. More emphasis required on heritage of the site. 3. A complete and thorough archaeological assessment is necessary. 4. Concern over the conditions around the ISIF loan and what are the risks to Kilkenny. 5. Reinstatement of the following points into the Masterplan :- "Extend the medieval character of the streetscape in the city centre into the site". "Development of Kilkenny as Ireland's environmental centre of excellence through regeneration of the quayside quarter." 6. More emphasis required on the design plans using the medieval streetscape to lead the development of the site.

Response

1. This does not relate to the proper planning and sustainable development of the area. 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. The Vision Statement for the masterplan includes '*The regeneration of the area will focus on embracing the sites' natural, cultural and built heritage*'. To realise this, a Heritage Conservation Plan is proposed for St. Francis Abbey, Evan's Turret and St. Francis Well. An extensive archaeological programme is also proposed. It is considered that the heritage of the site has been to the fore of making a masterplan for the area.
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, 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.

4. 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.
5. The first 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 second 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. The third sentence, relating to public property, was removed from section 6.1.8 as it referred to future Governance of the site. The issue of future Governance of the site is considered to be a separate issue to land use planning and therefore should not be included in the Masterplan and thus this statement was removed. 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*".
6. Appropriate building design guidance reflective of the scale and character of the city will be provided for as part of the development of the urban design guidelines and recommendations. (See Variation objective 4).

Ref	Name	Summary
M24	Environmental Protection Agency	<ol style="list-style-type: none"> 1. In seeking to develop the linear park, it is recommended that existing riparian habitats alongside the River Nore (SPA) / River Nore & 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. 2. The Plan 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. 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. 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). 5. In Section 2.5 of the SEA ER, it may be useful to consider a reference to

		<p>the following plans: Irish Water's Water Services Strategic Plan (WSSP) and the Southern Regional Waste Management Plan</p> <ol style="list-style-type: none"> 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. 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. 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>. 9. Where any future amendments are proposed to the masterplan, these should be screened for likely significant effects in accordance with the SEA Regulations. 10. Following adoption of the Plan, an SEA statement should be prepared and should summarise the following: <ul style="list-style-type: none"> • How environmental considerations have been integrated into the Plan; • How the Environmental Report, submissions, observations and consultations have been taken into account during the preparation of the Plan; • The reasons for choosing the Plan adopted in the light of other reasonable alternative s dealt with; and • The measures decided upon to monitor the significant environmental effects of implementation of the Plan.
--	--	---

Response

1. Any additions based on the Department's recommendations would be likely to further contribute towards the protection that is already facilitated by the Development Plan. It is recommended that the following new text be inserted into 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 the 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 into the project.*
2. The St. Francis Abbey Brewery was operated by Diageo Global Supply until production activities ceased on 12th May 2014. With respect to the on-site condition of soils, the potential for contaminated land with 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'. Recommendation:* It is recommended that the following new text be inserted into 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 SEA ER identifies this issue and that 'Remedial action involves the development of a new well field, due to be completed by 2016. This is the responsibility of Irish Water'.
4. Noted.
5. **Recommendation:** Reference to these documents will be made under Section 2 of the SEA ER.
6. Noted.
7. Noted.
- 8-10. Noted.

Ref	Name	Summary
M26	Anne-Marie Swift	<ol style="list-style-type: none"> 1. Do not agree with housing in Area 1 of the site, fronting onto CAS. 2. Retention of the Mayfair building should be removed from the plan. 3. Masterplan and Variation being rushed through together – should be time for the submission to be looked at an also time for debate in the council chamber. Variation is premature. 4. Venn diagram at start of the Sustainability Chapter (4.4) is confusing and misplaced. Clarification required. 5. Passive Housing standards for all new buildings is welcomed (4.4 Sustainability). 6. Change from mono block to mixed block is to be welcomed as it is more in keeping with Kilkenny (4.3 Urban Design Strategy). 7. Park area around St. Francis Abbey is welcome as we need to showcase the beautiful and historic building (4.3 Urban Design Strategy). 8. Shadow analysis needs to be carried out given location of tall buildings facing onto the river and linear park (4.3 Urban Design Strategy). 9. There should not be a spur road off the CAS that traverses the site (Movement – revised Spur Road). 10. Linear Park is welcome but should be doubled in size as it too narrow to protect habitats, provide walking and cycling trails and include a skate park (4.3 Urban Design Strategy). 11. Removal of important objectives: "Extend the medieval character of the streetscape in the city centre into the site", "Development of Kilkenny as Ireland's environmental centre of excellence through regeneration of the quayside quarter", and "Public property rights and the authority for disposal of public space must remain with the local authority in order to mediate between different interests and to ensure the most appropriate development." These objectives should be reinstated. 12. Masterplan should be provided as a complete pdf. 13. Lack of consultation on the funding options for the site. Privatisation of public parks can be problematic ref:- http://www.the-guardian.com/uk/2012/jun/11/granary-square-privately-owned-public-space and https://en.wikipedia.org/wiki/participatory_budgeting 14. Lack of efficient public transport service – improvements required and should utilise the small "imp" type buses. If outside the scope of Masterplan it should be examined in another plan which could be reference in the Masterplan (Movement Revised 4.1). 15. Support the development of a centralised digital archive for the archaeological findings in the area (appendix C – Draft Archaeological Report).

Response

1. 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.
2. A review of the decision to retain the Brewhouse and 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 and industrial 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 it recommends, in line with the current City Wall Conservation Plan²⁰, 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 MayfairQ14.
3. The change in momentum since March 2015 (date of the Report on Public Consultation) 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.
4. The venn diagram will be amended to provide clearer illustration of sustainability.
5. Noted.
6. Noted.
7. Noted.
8. Shadow analysis is usually required to assess the impact of a new building on existing buildings. Overshadowing will be considered at detailed design stage however given that all buildings will be new they will inevitably be overshadowing but this can be analysed in greater detail at design stage.
9. 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.
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 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

²⁰ Kilkenny Wall Conservation Plan

its own consultation and consent process. It is stated in Section 3.1.9 of the masterplan that it is an objective of the masterplan to improve access to the river and that the detail of this access will be considered in the preparation of the detailed design of the linear park and with consideration of the environmental requirements arising from the designation of the River Nore as a cSAC and SPA..

11. The first 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 second 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. The third sentence, relating to public property, was removed from section 6.1.8 as it referred to future Governance of the site. The issue of future Governance of the site is considered to be a separate issue to land use planning and therefore should not be included in the Masterplan and thus this statement was removed. 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*".
12. Due to the large size of the masterplan file it was not possible to upload a single pdf for the masterplan on the Council websites. It was considered appropriate to publish the document by chapters.
13. The linear park and the park around St Francis along with the streets will form part of the public realm. They will not be privatised.
14. It is already an objective of the City Development Plan to co-operate with the various public and private agencies responsible for transport services within the city and county in the provision of new services and supporting infrastructure. The issue of public transport in Kilkenny is not in itself one for the masterplan. This is an issue more appropriately dealt with in the Mobility management plan for the City.
15. Noted.

Ref	Name	Summary
M27	Evelyn Smith	<ol style="list-style-type: none"> 1. Welcome the extension of green space around St. Francis Abbey. 2. Drat Archaeological Report has no statutory influence and requires statutory protection so that construction needs cannot trump archaeological concerns. 3. Layout of the blocks is in direct contravention of the express wish for streets rather than block architecture. 4. Any block construction alters the essence of the city architecture and need to integrate with existing city. 5. No link road to be created from CAS into the historic city centre – pedestrian and delivery access only. 6. Office use contravenes the consensus on creating a lived-in vibrant extension of Kieran Street where people live and work and runs the risk of creating a space for anti-social behaviour and a no-go at night. 7. Concerns over including the 4 acre Market Yard site which was not part of the public consultation process and the use and design of which "have not yet been decided". How can a vote be taken on an unknown development of an important riverside area of the city centre.

		<p>8. Reinstatement of the following points into the Variation :- "Extend the medieval character of the streetscape in the city centre into the site". "Development of Kilkenny as Ireland's environmental centre of excellence through regeneration of the quayside quarter." "Public property rights and the authority for disposal of public space must remain with the local authority in order to mediate between different interests and to ensure the most appropriate development."</p> <p>9. Seconds all the issues raised in the submission by Lucy Glendinning.</p>
--	--	---

Response

1. Noted.
2. Both the masterplan and the Archaeological Report will remain non-statutory documents until such time as they are the subject of a Variation of the City Development Plan. However, the protection of archaeology is provided for under the National Monuments Acts and the heritage policies and objectives in the City Development Plan.
3. The proposed urban blocks define the street edges. 'Block' architecture
4. The next step of the plan making process is the urban design guidance and recommendations and archaeological recommendations which will look at building heights, widths, plot sizes etc. and this is how the feeling of Kilkenny can be replicated without being pastiche.
5. 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.
6. Office use can significantly contribute to the daytime economy of a city centre and it is one of many uses that can be accommodated within the masterplan. The masterplan places an emphasis on achieving a mix of uses for daytime and nighttime vibrancy, and this is reflected in the Vision Statement: *as an inclusive place... to work, live, visit and play... providing for a broad range of uses.*
7. 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 included 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. Furthermore, Section 4.3.10 of the Masterplan (Further Masterplan Development) states that *'Further design development will be required to determine the most appropriate response to ... Bateman Quay'*.
8. The first 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 second 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. The third sentence, relating to public property, was removed from section 6.1.8 as it referred to future Governance of the site.

The issue of future Governance of the site is considered to be a separate issue to land use planning and therefore should not be included in the Masterplan and thus this statement was removed. 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”*.

9. Noted.

Ref	Name	Summary
M28	Paddy O’Ceallaigh	<ol style="list-style-type: none"> 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? 2. Objects to the adoption of the masterplan as the New HGV management plan has not been published. 3. Objects in principle as the masterplan seeks to impose preordained decisions: retention of the Mayfair, Brewhouse, Malthouse and provision of an urban street. 4. Objects in principle as the presentation of the masterplan and variation is contrary to 2.3.3 of the brewery re-visioning (number 5). 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 account²¹. 6. Objects in principle to adoption of the masterplan as the Council has not taken possession of the site. 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. 8. Objects in principle to the adoption of the masterplan as this crucial decision should be left to the incoming county manager. 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. 10. Welcomes urban park but retention of Mayfair will undermine opportunity to open up city walls and create new vistas for the site. 11. Objective 3 noted but who are the stakeholders? 12. Urban design makes no reference to continuing the medieval feel into the site. Urges en in other European Heritage cities of similar cities. 13. Objective 5 runs contrary to wishes expressed at the public consultation. It will make statutory what is aspirational. 14. Objective 6 welcomed. 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. 16. There is scope to allow a small micro brewery in this section identified for

²¹ 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.

		<p>social housing. Housing welcomed and has potential all over the site. 17. Urban street is not wanted as per public consultation. There is no evidence for the need for it. What is the estimated cost of the urban street?</p>
<p>Response</p> <p>1. It is a matter for ISIF to determine if the masterplan area meets their investment criteria.</p> <p>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 management plan is intended to remove excessive HGV traffic from residential areas and reduce HGV traffic in the city centre.</p> <p>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.</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 Plan²² 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 Mayfair²³.</p> <p>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.</p> <p>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.</p> <p>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 sites²⁴."</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 network²⁵."</p>		

²² Kilkenny Wall Conservation Plan

²³ Mayfair Part 8 has commenced. This review will take place before the Part 8 is brought to Council for decision.

²⁴ 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.

²⁵ 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.

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."

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 29th 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 29th 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 Plan²⁶

²⁶ Kilkenny Wall Conservation Plan

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 Mayfair²⁷

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 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. 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.

Ref	Name	Summary
M29	Turlough Kelly	<ol style="list-style-type: none"> 1. The Masterplan for the Abbey Creative Quarter is flawed and has not taken into account any youth facilities. 2. Green areas are too small and the linear park should be at least two and half time wider. 3. Wild life has not been considered properly in this plan. 4. The Variation should not be voted on before the masterplan has been passed. 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.
<p>Response</p> <ol style="list-style-type: none"> 1. A dedicated consultation took place with Comhairle na Nog in Feb 2015. Their views have been considered as part of the evolution of the masterplan. 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 		

²⁷ Mayfair Part 8 has commenced. This review will take place before the Part 8 is brought to Council for decision.

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 30th 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
M31	Kieran Kelly	<ol style="list-style-type: none"> 1. Road through the site very large at 15m. Especially if only going to be used for deliveries, cyclists and pedestrians. Narrower street like Ormonde Street more in keeping with character of Kilkenny. 2. Not much thought gone into how plan fits in with the rest of Kilkenny Smarter Travel objectives. No indication how people are meant to travel from one area of city to other. How does Brewery Quarter support the bigger picture which KCC are failing to see? One example, how does a person travelling from Castle Rd get to Freshford Rd. Do they enter the brewery site? 3. At public consultation it was agreed the site should not be for cars but there is no plan about how this will be supported. Where will the Council provide car parks outside the area? Will they take up transport initiatives like in Dublin (bike scheme)? 4. Why is the plan been voted on now not if it is not fully agreed? Why is being pushed through before another change of leadership? Same happened before last change of CEO. This practice leads to unrest. New Chief Executive should be part decision making process.
<p>Response</p> <ol style="list-style-type: none"> 1. The urban street through the site is proposed at 12m in width. It will be design as pedestrian and cycle priority with deliveries and emergency vehicles catered for. Ormond Street is approximately 10.5m in width at the Patrick St end. 2. The masterplan fits in to the existing hierarchy of roads and streets within the city set out in the City Centre Local Area Plan 2005. This hierarchy was in turn was used in the development of the Mobility Management for the City which the masterplan has taken on board as part of its connectivity and movement strategy for the area. 3. It is proposed to adopt a new objective to address car and bus parking in close proximity to the masterplan area. (objective 7 of the variation) This will require further work and investigation. 4. The change in momentum since March 2015 (date of the Report on Public Consultation) 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.

Ref	Name	Summary
M32	Jennifer Duffy	<ol style="list-style-type: none"> 1. Include a 'Black Box' style Arts rehearsal venue which is valuable from educational, cultural and employment perspectives to both local and touring groups. 2. Multi-purpose rehearsal space is a vital element in establishing a New Cultural quarter in KK. Difficult to source reliable, affordable rehearsal space. 3. KK has reputation for theatre and music but lacks an open access portal to accommodate newly formed performing groups or individuals.
<p>Response</p> <p>1-3. The Council would welcome such a proposal and the masterplan is supportive of such uses. The masterplan provides for an extension to the Watergate Theatre should the opportunity arise. Opportunities may arise within the area as development proceeds.</p>		

Ref	Name	Summary
M35	Kilkenny Chamber of Commerce	<ol style="list-style-type: none"> 1. KK Chamber of Commerce reiterates points made in joint submission (with KK City Centre Business Association) in Dec 2013 - protect the health and vitality of the core city centre business community. Ensure it grows at a sustainable level from its vibrant centre outwards around the current core. 2. Masterplan must provide for the possibility of including a medium / large retailer. The best location for this is in the Market Yard (directly behind Winston's) incorporating the Pumping Station and including a multi level car parking facility 3. Chamber is supportive of propositions that the Masterplan should include: <ul style="list-style-type: none"> • Provision for a linear park • Provision for an urban park in vicinity of St Francis Abbey. • Provision for park and walk facilities for car and bus/coach parking. • Provision for living accommodation. 4. Development of the middle section of the site (between St Francis Abbey and the Market Yard) must work for today & for future, supporting a variety of business usage now and in future. 5. Must attract interests from the worlds of business, academia, R & D. It is an opportunity to become an internationally recognised centre of excellence. 6. Kilkenny already acknowledged for its leadership in smart agri-cereals, film making, sport sciences and micro brewing. Huge potential for achievement of world class innovation. Therefore site development must include provision of 3rd and 4th level education research & innovation hub and encourage engagement, interactivity between business,

		education, research & development and must be provided for in the Masterplan accordingly.
<p>Response</p> <ol style="list-style-type: none"> 1. Noted. A vibrant city centre is at the heart of the Core Strategy in the City & Environs Development Plan and the masterplan has regard to that. 2. In accordance with the General Business zoning objective for the area, retail is a permissible use within the masterplan area. The size and format of any proposed retail unit would have to be assessed against the urban design criteria set out in the masterplan. 3. Noted. 4. Noted. The Vision Statement places an emphasis on sustaining growth in employment and advancing economic activity where innovation can flourish. 5-6. Noted. Recommendation: It is recommended that the Vision Statement in Section 2.2.1 of the Masterplan be amended to include reference to higher level education as follows: "... providing for a broad range of uses sustaining growth in employment, 3rd and 4th level education... and advancing economic activity...' 		

Ref	Name	Summary
M39	Brian Daly	<ol style="list-style-type: none"> 1. The new buildings in the area should have some curves and surface finishes that speak to the nearby Medieval Mile. 2. Why not have a university faculty based on the tourism industry (with history, sports, arts etc.).
<p>Response</p> <ol style="list-style-type: none"> 1. The urban design criteria and recommendations to be developed as indicated in objective 4 of the variation will address these design issues. Regard will be had to the vision statement in developing the guidance where it states that the area is to be a seamless complement to the medieval city. 2. The masterplan is supportive of third level and fourth level education in terms of land use and in the vision of statement of the plan. 		

Ref	Name	Summary
M41	Stafford Kelly	<ol style="list-style-type: none"> 1. Objects to the proposed size of the linear park as it is too small. 2. The proposed amount of archaeological work is insufficient. 3. The partial preservation of some non-meaningfully historic buildings seems pointless and an inefficient waste of time and money.
<p>Response</p> <ol style="list-style-type: none"> 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 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 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. It is stated in Section 3.1.9 of the masterplan that it is an objective of the masterplan to improve access to the river and that the detail of this access will be considered in the preparation of the detailed design of the linear park and 		

with consideration of the environmental requirements arising from the designation of the River Nore as a cSAC and SPA. This accords with current Development Plan policy to develop a linear park in the city.

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. A strong policy on reuse and adaptation of some of the existing buildings would fall in line with best conservation practice and under the sustainability banner reusing an existing building is far better than mass demolition and construction waste. This approach is not regarded as a waste of time and money.

Ref	Name	Summary
M43	Anna Kelly	<ol style="list-style-type: none"> 1. Object to putting the master plan for the brewery site on a statutory basis before any proper archaeological survey. 2. The re-visioning document of the 30th March stated that the proposed variation to the City and Environs Plan would not commence until the master plan had been finalised and approved by the elected councillors. 3. The Council do not own the Brewery site. The final sign off has not taken place so any vote is premature. 4. The linear park should be 30m wide and should take account of wildlife habitat. 5. The Mayfair and Brewhouse must be demolished so that the park can run along by the old city wall and around the Abbey. 6. St. Francis Abbey should be at the centre of this development. The Brewhouse must be demolished and a complete archaeological assessment survey conducted. 7. What happened the 'medieval streetscape' removed from the master plan? 8. Parking should be clearly specified. 9. Housing is important but some of the area owned by the Council should be a micro brewery. The houses should be accessed from Green Street/ Vicar Street not the CAS. 10.No through road from CAS to Bateman Quay. 11.Late inclusion of Market Yard and a multi storey car park. 12.The new county manager should have adequate time to study the master plan. 13.Attended all the public consultation and every table said demolish Mayfair and Brewhouse and no through road from the CAS.

Response

1. 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. 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.
2. The change in momentum since March 2015 (date of the Report on Public Consultation) 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.
3. 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 irrespective of who the owner of the site is. Planning is not contingent on ownership.
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 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. It is stated in Section 3.1.9 of the masterplan that it is an objective of the masterplan to improve access to the river and that the detail of this access will be considered in the preparation of the detailed design of the linear park and with consideration of the environmental requirements arising from the designation of the River Nore as a cSAC and SPA. This accords with current Development Plan policy to develop a linear park in the city.
5. A review of the decision to retain the Brewhouse and 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 and industrial 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 it recommends, in line with the current City

Wall Conservation Plan²⁸, 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 Mayfair²⁹

6. St. Francis Abbey is at the centre piece of the masterplan. 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.
7. 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."
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*"
8. There is no large car parking areas proposed within the masterplan which came from the public consultation. Objective no.7 of the variation proposes park and walk facilities in close proximity. This will require further work and investigation.
9. 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. The masterplan has a broad framework in terms of the permissible land uses within its area. The zoning for the plan (general business) allows for such a use. If firm proposals are advanced for a micro brewery then these can be assessed on their merits.
10. 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.
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

²⁸ Kilkenny Wall Conservation Plan

²⁹ Mayfair Part 8 has commenced. This review will take place before the Part 8 is brought to Council for decision.

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. Furthermore, Section 4.3.10 of the Masterplan (Further Masterplan Development) states that *'Further design development will be required to determine the most appropriate response to ... Bateman Quay'*.

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. Similarly for the approval of the masterplan it is ultimately a decision for the Council as to whether or not to approve the masterplan.
13. The public consultation exercises have resulted in opinions of the people who took part being recorded and published in the subsequent reports on each consultation exercise. These have been taken into account in the development of the masterplan. This can be seen from the major changes which have occurred between the two published drafts. As with any project it is not possible to meet the aims and hopes of every individual and group.

Ref	Name	Summary
M44	Eoghan Kelly	<ol style="list-style-type: none"> 1. Adoption of the Master Plan is premature pending the appointment of the New County Manager. 2. Rushing the process and once variation is approved, cannot be changed. 3. Kilkenny County Council still does not own the Brewery Site and any vote is completely premature. 4. Concerns over ISIF funding and conditions that make the uptake so low. 5. Extensive archaeological investigations are paramount; until the demolition of the Mayfair and the Brewhouse are included in the Masterplan, proper and thorough investigations just will not happen. 6. Concerns over the inclusion of the 4 acre Market Yard site which was not part of the public consultation process. 7. Linear Park is welcome but should be doubled in size as it too narrow to protect habitats. 8. Fig 3.4 Variation No.1 is completely misleading – the arrows representing Access Objective are here the plans for the HGV/Spur Road are to go. If a road goes through this area the “park” will be greatly diminished and any archaeological investigations seriously curtailed. 9. Access Objective again – while any conservation is to be welcomed, a 14m wide road, accommodating traffic from CAS will severely limit any conservation or archaeological investigations in the area and retention of the Brewhouse will have the same negative effect. 10. Object to housing in one location only with one access off the CAS. Housing should be divided into two areas, one off Greensbridge and the other closer to Vicar Street. 11. Object to the road off the CAS linking up to Batemans Quay – should not be used for vehicular traffic and will close off a large area to archaeology investigations. 12. Demolish the Mayfair building. 13. Demolish or part-demolish the Brewhouse to allow for the park surrounding the Abbey to be completed and extensive archaeological investigations to take place. 14. Consider including a Micro-Brewery on site. 15. Reinstatement of the following points:- “Extend the medieval character of the streetscape in the city

		<p>centre into the site".</p> <p>"Development of Kilkenny as Ireland's environmental centre of excellence through regeneration of the quayside quarter."</p> <p>"Public property rights and the authority for disposal of public space must remain with the local authority in order to mediate between different interests and to ensure the most appropriate development."</p>
<p>Response</p> <ol style="list-style-type: none"> 1. This does not relate to the proper planning and sustainable development of the area. 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. The Abbey Quarter masterplan will not be placed on statutory footing by way of Variation number 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. 3. 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 irrespective of who the owner of the site is. Planning is not contingent on ownership. 4. 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. 5. 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. 6. 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 included 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. Furthermore, Section 4.3.10 of the Masterplan (Further Masterplan Development) states that '<i>Further design development will be required to determine the most appropriate response to ... Bateman Quay</i>'. 		

7. 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 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. It is stated in Section 3.1.9 of the masterplan that it is an objective of the masterplan to improve access to the river and that the detail of this access will be considered in the preparation of the detailed design of the linear park and with consideration of the environmental requirements arising from the designation of the River Nore as a cSAC and SPA..
8. 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.
9. The proposed internal road will not limit conservation or archaeological investigations. A review of the decision to retain the Brewhouse and 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 and industrial heritage value of the Brewhouse it is considered that retention and refurbishment of the Brewhouse is the recommended course of action.
10. 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.
11. See answer to point 8 above.
12. In relation to the Mayfair the archaeological assessment has highlighted the proximity of the Mayfair to the City Walls and it recommends, in line with the current City Wall Conservation Plan³⁰, 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.
13. See answer to point 5 above.
14. The masterplan has a broad framework in terms of the permissible land uses within its area. The zoning for the plan (general business) allows for such a use. Should a firm proposal come forward it for a micro brewery then it will be considered on its merits
15. The first 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 second 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. The third sentence, relating to public

³⁰ Kilkenny Wall Conservation Plan

property, was removed from section 6.1.8 as it referred to future Governance of the site. The issue of future Governance of the site is considered to be a separate issue to land use planning and therefore should not be included in the Masterplan and thus this statement was removed. 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"*.

Ref	Name	Summary
M45	Nora Walls	I wish to state my support and backing to the submission made by Ms Lucy Glendinning in relation to the "Abbey Quarter" Masterplan.
Response Noted.		

Ref	Name	Summary
M47	What If Kilkenny	<ol style="list-style-type: none"> 1. Kilkenny is unique: it's different due to its medieval character and in many cases is unchanged and untouched. 2. Concerns regarding Dunnes car park as it would take a significant amount of land away from the people. It would alleviate the possibility of a large public park by the river. Car park should be underground, above ground is unnecessary and unwanted. 3. The existing well on the Brewery site should be used for own bottled water company – similar to Tipperary Mineral Water. 4. St. Francis Abbey should be restored in addition to the City Walls and Evans Turret. 5. Boating activities and water activities need to be promoted and encouraged and the river should be opened up to new types of tourism as the river at the moment is lifeless. The River must be utilised to its full potential so as to truly achieve Kilkenny's true potential and create a better city. 6. Object to the vote being taken on the Masterplan and the Variations on 30th July 2015 until the project has been fully finalised and agreed. 7. Object to the retention of the Mayfair and the Brewhouse building as they are of little to no architectural importance to Kilkenny and hinder the development of the site. 8. Prioritise the repair and restoration of the city walls so that future generations may appreciate them. 9. Object to housing on the site. Money should be invested into improving the lanes of Kilkenny which have seriously deteriorated and refurbish the existing housing stock along these lanes which would put people back into the heart of the city. 10. The houses at the end of Green Street should be demolished to facilitate the completion of the Nore Linear Park. 11. Promotes the concept of an innovation hub on the brewery site where anyone or a group of people would go into an open plan space and work on ideas and projects. 12. Promotes the use of Rainworks on the site which sprays a hydrophobic coating on the ground which water cannot infiltrate. It is sprayed

		<p>through a stencil to produce an image or a message. It could be used to point people to a building or mark the medieval mile.</p> <p>13. Rebuild the old weir beneath Greens Bridge and the CAS bridge.</p> <p>14. The concrete capping on the city wall between the Watergate Bridge and the Mayfair should be removed.</p> <p>15. The restoration of the Red Lion Inn needs to be prioritised – given its proximity to Rothe House and its architectural similarities to Shee Alms House it is of huge significance. It should be turned into a Medieval tavern/pub/restaurant similar to the Hole In The Wall.</p> <p>16. Old style street lamps should be placed along the river in the new park.</p> <p>17. Encourage the construction and provide funding for the building of green roofs which reduce energy costs and energy usage by insulating the roof of the building.</p> <p>18. Promotion of the use of bikes within the Plan area and of a bike rental scheme similar to Dublin.</p> <p>19. Do not rush through the process, if finances aren't available, then decisions should not be made and the vote should be postponed on 30th July 2015.</p>
<p>Response</p> <ol style="list-style-type: none"> 1. Noted. 2. Underground car parking at Bateman Quay is not possible due to flooding and archaeological reasons. 3. While there is no quality or quantity reason why the water source could not be used for a high-quality bottled water, the commercial viability of the enterprise would have to be tested. The Council is not in a position at this time to lead such a project. 4. It is a proposed objective to prepare a Heritage Conservation Plan for St. Francis Abbey, Evans Turrett and St. Francis Well which will take place in the context of the existing City Wall Conservation Plan. 5. It is an objective of the masterplan (Section 3.1.9) to improve access to the river. The detail of this access will be considered in the preparation of the detailed design of the linear park and with consideration of the environmental requirements arising from the designation of the River Nore as a SAC and SPA. 6. The change in momentum since March 2015 (date of the Report on Public Consultation) 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. 7. A review of the decision to retain the Brewhouse and 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 and industrial 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 it recommends, in line with the current City Wall Conservation Plan³¹, to protect, maintain and encourage the enhancement and setting of the City Wall that creative architectural design solutions be sought that will enable this 		

³¹ Kilkenny Wall Conservation Plan

enhancement. This will be further investigated before a final decision is made on the future of the Mayfair³²

8. The City Walls within the masterplan area will form part of the Heritage Conservation Plan for the St. Francis Abbey complex. That Conservation Plan will determine any programme for restoration works.
9. The current funding opportunity available to the Council is for the construction of new houses and not for the refurbishment of other dwellings.
10. This will be a matter for the detailed design of the Linear Park.
11. Noted. The Brewhouse and Mayfair building would offer such space.
12. Noted.
13. The weir downstream of Greens bridge is outside the plan area. The restoration of the weir would have implications for the flood relief scheme.
14. This will be looked at as part of the Heritage Conservation Plan for the St. Francis Abbey complex.
15. The Red Lion Inn is not within the masterplan area but is believed to be on the east side of Parliament St. incorporated into No.38³³
16. 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 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. It is stated in Section 3.1.9 of the masterplan that it is an objective of the masterplan to improve access to the river and that the detail of this access will be considered in the preparation of the detailed design of the linear park and with consideration of the environmental requirements arising from the designation of the River Nore as a cSAC and SPA.
17. It is a proposed objective to develop a low carbon energy strategy for the masterplan area and advance the provision of near zero energy buildings on site.
18. Movement through the site is based on the principles of Smarter Travel and the mobility management plan for the city. Section 4.1.1 to 4.1.6 of the masterplan. Movement through the masterplan area will be dominated by pedestrians and cyclists with provision made for limited vehicular access for deliveries, service and emergency vehicles. A bike rental scheme will be investigated.
19. Noted. 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.

³² Mayfair Part 8 has commenced. This review will take place before the Part 8 is brought to Council for decision.

³³ <http://www.buildingsofireland.ie/niah/search.jsp?type=record&county=KK®no=12000093>

Ref	Name	Summary
M48	Margaret O'Brien	<ol style="list-style-type: none"> 1. Welcome opportunity to make submission & acknowledge KCC's effort to encourage & 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. 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 no. 5: " The proposed variation to City & Environs Development Plan will not commence until the masterplan has been finalised & adopted by the elected members..." <ol style="list-style-type: none"> a) Objective of this variation is to incorporate the Masterplan on a statutory basis into Development Plan. b) Masterplan has not been finalised or adopted and is a work in progress. 3. There should be no finality to this Masterplan. It should evolve over the life of the development & 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 & examination should shape & lead Masterplan. Do not know what the archaeological investigations on site will reveal. 4. New CEO in KCC waiting to take up appointment, variation is premature & deprives the process of the benefit of another expert voice. 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 & is at variance with existing City Development Plan. 6. Further variation needed to allow for partial demolition of Brewhouse, namely block closest to Abbey as interferes with Abbey curtilage. 7. Impact of CAS has not been included in NIS, AA and SEA reports, which is unacceptable. 8. Market Yard should be removed from this stage of the Masterplan, too little attention was given at earlier consultations. 9. Require full investigation of a micro-brewery on site before any planning take place. 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. 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. 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.

		<p>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.</p> <p>14.Objective 5 - premature & at variance to Council's own Planning Department.</p> <p>15.Objective 6 - focus here is good up to a point, south facing façade alignment should be norm throughout.</p> <p>16.Objective 7 & 9 -premature as HGV & traffic management for city has not been completed. Do not know what guidelines or parameters we are working within. Parking & types of vehicles allowed access site must be specified.</p> <p>17.Objective 8 – Unconvinced area designated for housing is appropriate. 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 & 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>Response</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 & the Gaeltacht,</p> <p>5.& 6.It is considered that a variation is not required to facilitate the demolition of the Mayfair</p>		

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 Plan³⁴ 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 Mayfair³⁵

7. 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.

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 sites³⁶."

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 network³⁷."

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

³⁴ Kilkenny Wall Conservation Plan

³⁵ Mayfair Part 8 has commenced. This review will take place before the Part 8 is brought to Council for decision.

³⁶ 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.

³⁷ 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.

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 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 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.

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 Gaeltacht.

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. 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 Streets. The HGV management plan is intended to remove excessive HGV traffic from residential areas and reduce

HGV traffic in the city centre.

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
M49	Dan Lenahan	<ol style="list-style-type: none"> 1. A detailed method statement should be submitted to the Minister for Arts Heritage and the Gaeltacht to grant the consent of metal detectors who will be working under professional on site archaeological supervision. All works which involve the disturbance of soil should be thoroughly scanned by trained detectorists. This has been used at St. Mary's and is a valuable tool in conservation. 2. A street or square recreating some of Kilkenny's lost architectural historic gems. All to be practical, working and functioning buildings. Across Europe old buildings in town centres were rebuilt. Measurements and descriptions are available for famous buildings that once graced Kilkenny medieval streetscape (Images and description of buildings' given). 3. Mixed Use, to include a Cider House for proposed residential area, in northern area of site. Area designated as social housing may lead to a "no go area" or "a gated community". Sweeney Orchard was famous for its cider making. This would be a great industry. 4. Living City incentive should apply to Abbey Quarter. Social units should be above the shop and office units to bring life into the area after 5/6pm.
<p>Response</p> <ol style="list-style-type: none"> 1. Noted. A set of archaeological recommendations will be developed in accordance with the draft archaeological strategy and objective 4 of the proposed variation. 2. The construction of replica buildings is not considered to be a good idea. The new buildings that will be built in the future within the masterplan area should be of their time yet sympathetic in scale to the character of the city. 3. 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. 4. The Kilkenny Living City Initiative includes the masterplan area. It is envisaged that the proposed uses and buildings within each urban blocks will contain a mix of uses both vertically and horizontally whereby the area has activity during the day and night times. 		

Ref	Name	Summary
M50	Christopher O'Keeffe	1. It is too early for the masterplan to be finalised.
Response		
<p>1. It is not considered too early for the masterplan to be agreed at this stage. 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.</p>		

Ref	Name	Summary
M51	Gerald Costello	<p>1. I attended the public consultation for the brewery re-visioning and witnessed considerable public support for the inclusion of a micro brewery in the plan. This is not accurately represented in the public consultation summary or within the master plan.</p> <p>2. I feel that the plan overlooks a considerable opportunity for Kilkenny. The site has been used as a brewery for centuries and had multiple owners over the time. To ignore the process of brewing from the master plan is to risk losing Kilkenny's place as a global centre of brewing. We have the opportunity to use this heritage and grow it for considerable social, cultural, heritage and economic benefit for Kilkenny. Including the siting of a brewery within the plan is paramount to harnessing this opportunity.</p>
Response		
<p>1. The masterplan has a broad framework in terms of the permissible land uses within its area. The zoning for the plan (general business) allows for such a use. Many other specific uses were suggested through the public consultation such Arts rehearsal venue, retirement village, museum, community facilities. It is considered that the most flexible approach is to allow for a wide range of broad uses and if firm proposals are advanced then these can be assessed on their merits.</p> <p>2. The masterplan recognises the wide heritage associated with the including, the friary and its associated uses, the commercial brewing industry (Brewhouse) along with the City walls Evans turret etc. The opportunity of tapping into these heritage themes exists within the framework as set out in the masterplan. Should a firm proposal come forward it for a micro brewery then it will be considered on its merits.</p>		

Ref	Name	Summary
M52	Aine Hickey	<p>1. Brewery site could be the hub for IT companies in future if done right. Kilkenny has a lot going for it such as beauty, restaurants and cafes, however has a serious shortage of good quantity housing and is car-centric. Young urban professionals like to walk or cycle to work.</p> <p>2. In favour of houses on Brewery site, but kind of houses should be carefully considered. Houses built in last number of years were not well designed. People want to walk to the shop, cycle to school and know their neighbours. Proposed housing for Brewery site is just more of the same dull boring car centric housing design and no thought has gone into same.</p> <p>3. Should be aiming for inspirational houses that promote quality of life, community and social interaction. We should aim to build great housing on the brewery site, setting an example for developers. People</p>

		<p>object to ugly housing, if well done, people won't object.</p> <ol style="list-style-type: none"> 4. Good quality housing will attract highly skilled people and companies to Kilkenny. Modern, urban, dense and beautiful housing in a walkable city. 5. Gives example of Accordia in Cambridge and provides photo http://fcbstudios.com/work/view/accordia 6. Is there enough variety in the houses for a long term community? 7. States that cycling infrastructure in Kilkenny is really awful. Raises the issue of obesity and the Dutch example which is if you build the cycling infrastructure it will get people cycling. Many people with disabilities and older people also use the cycle tracks with their mobility scooters. 8. Masterplan should allow for secure bike parking in at least one building on site. The main through road is for pedestrian and cyclists but no cycle path is shown. Needs dedicated cycle track as shared spaces don't work but causes conflict. Thought needs to be put in how cyclists and pedestrians will cross the roads into the site.
<p>Response</p> <ol style="list-style-type: none"> 1. Noted. The masterplan has been prepared to allow for a mix of uses that would facilitate working and living in the area thus reducing car dependency. 2-6. Noted. It is considered prudent that additional text be added to Section 4.3.10 (Further Masterplan Development) including a requirement that housing projects must have regard to the Sustainable Urban Housing Guidelines 2009. 2-7. Cycling infrastructure will be provided within the masterplan area. It is intended that movement will be dominated by pedestrians and cyclists. Cycle parking facilities will be provided at suitable locations within the masterplan site. It is already a Development Plan standard that new buildings provide bicycle parking (Table 10.2 of the City Development Plan). 		

Ref	Name	Summary
M53	Shirley O'Brien	<ol style="list-style-type: none"> 1. Object to vote on Masterplan & object to variations to the County Development Plan- does not follow due process as set out in recommendations of Re-visioning document. 2. Premature pending being signed off by EPA & is therefore not decommissioned. 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. 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. 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 document. 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>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 & 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>Response</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 29th 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.</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 30th 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, 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 Gealtacht.</p> <p>8. The removal of the existing buildings and the provision of the park around the St. Fancis abbey along with the changes made to the proposed draft since Nov 2013 will ensure significant views from the northern section of Michael Street.</p> <p>9. A significant level of public engagement has occurred to date. The plan is an evolving document</p>		

and as the process and projects evolve there will be further elements of public consultation and engagement.

Ref	Name	Summary
M54	Thomas Downey	<ol style="list-style-type: none"> 1. A full and extensive archaeological examination of the site, including the Mayfair, is necessary. We owe it to history and the future. 2. This opportunity to learn from archaeology should not be passed. What we will have afterwards is a thousand years, and possibly more, of history sealed forever.
<p>Response</p> <p>1-2. 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.</p>		

7. Recommendations

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

MR 1: Update AA for Variation and AA for Masterplan to demonstrate that the Masterplan will not impact upon downstream Natura 2000 sites including the Lower River Suir cSAC. (Sub M1)

MR 2: The indicator for SEO B1 in both SEA Environmental Reports will be updated to include birds and plants. (Sub M1)

MR 3: It is recommended that the following new text be inserted into 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 the 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 into the project.* (Sub M1).

MR 4: It is recommended that detail be provided on the Central Access Scheme in the SEA Environmental Report on Table 2.1 'Relationship with Legislation and Other Plans and Programmes'. Also to address the Scheme (and potential interactions with noise) under Section 8.6 of both SEA Environmental Reports.

MR5: Recommend the last statement of the Vision Statement in Section 2.2.1 of the Masterplan be altered as follows... *'where smarter travel principles are provided for will apply throughout'*.

MR6: Recommend the inclusion of ideas from Appendix F into Opportunities in Section 3.2.2.

MR 7: Recommend clearer labelling of buildings in Section 5.3 of the Masterplan document.

MR 8: It is recommended that the Vision Statement in Section 2.2.1 of the Masterplan be amended to include reference to higher level education as follows: *"sustaining growth in employment, 3rd and 4th level education and advancing economic activity..."*.

MR 9: 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 planning for the area as a seamless complement to the medieval city"*.

MR 10: The wording of Footnote 63 of the SEA be changed to: *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.*

MR 11: It is recommended that the following new text be inserted into 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'*.

MR 12: In Section 2.5 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

MR13: 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

MR14: 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.