

# EIA Screening Report

PRESENTED TO

**Kilkenny County Council**

**Repurposing and retrofitting the former Carnegie  
Library, Co. Kilkenny**

DATE

December 2024

## DOCUMENT CONTROL SHEET

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## 1 INTRODUCTION

### 1.1 Background and Purpose

Enviroguide Consulting has been commissioned by Kilkenny County Council to carry out an Environmental Impact Assessment (EIA) screening report for the proposed repurposing and retrofitting of the former Carnegie Library, Co. Kilkenny hereafter referred to as the “Proposed Development”.

The purpose of this report is to provide environmental information for Kilkenny County Council (KCC) to determine the need for a statutory environmental impact assessment.

In line with the requirements as set out in Schedule 7 and 7a of the Planning and Development Regulations 2001, the EIA screening report is structured as follows:

- Introduction – background to EIA legislation, purpose of the EIA screening, methodology and approach, and competency of the authors
- Part A – provides site location, site description and project description (in line with Schedule 7 of the Planning and Development Regulations 2001)
- Part B – provides an appraisal of the proposed development against the criteria of project categories listed in Schedule 5 of the Planning and Development Regulations
- Part C – provides an appraisal of the potential effects (in accordance with Schedule 7 and 7a of the Planning and Development Regulations)
- Summary and Conclusion

### 1.2 Purpose of EIA Screening

The objective for screening is to determine if a project should be subject to a statutory environmental impact assessment. Appendix A provides a description of the legislative requirements for environmental impact assessment within Ireland.

Environmental impact assessment is a formal process by which the effects of certain types of development projects on the environment are identified, assessed and reported in order for the effects to be taken into consideration by the relevant competent authority when considering whether to grant planning permission.

The European Union Directive 2011/92/EU as amended by Directive 2014/52/EU is transposed into Ireland’s planning legislation through the Planning and Development Act 2000 (as amended).

Schedule 5 of the Planning and Development Regulations 2001 (as amended) set out projects that will be subject to statutory environmental impact assessment. Projects listed in Schedule 5, Part 1 of the regulations will be subject to mandatory EIA assessment.

Projects listed in Schedule 5, Part 2 of the Planning and Development Regulations 2001 (as amended) will be subject to environmental impact assessments should they exceed project category size thresholds and criteria.

### **1.3 Competency of the Authors**

This EIA Screening Report has been prepared by Lakshmi Priya Mohan. Lakshmi has a Master of Science degree in Environmental Science degree from University College Dublin, Master of Science degree in Zoology from Ethiraj College for Women, India, and Bachelor of Science in Zoology from Madras Christian College India. Lakshmi is a member of the Institute of Environmental Management and Assessment (IEMA). Lakshmi has worked as an Environmental Consultant with Enviroguide since 2023 and has experience preparing Environmental Impact Assessment (EIA) Screening Reports and Environmental Impact Assessment reports (EIARs).

This chapter has been reviewed by Rachel Redmond, Environmental Consultant with Enviroguide. Rachel has a Bachelor of Science (Hons) in Environmental Science from University College Cork. Rachel has worked as an Environmental Consultant with Enviroguide since 2023 and has over 3 years of experience as an environmental consultant preparing Environmental Impact Assessment Reports.

This report has been approved by Catherine Keogan, Technical Director and EIA Lead at Enviroguide. Catherine is an environmental consultant with 37 years' experience in consultancy, specialising in EIAs for large-scale residential, commercial developments, pharmaceutical, BESS and solar projects working closely with a range of developers, planning consultants and architects within the public and private sector. Catherine has a B.Sc. (Hons) in Analytical Science and a Post Graduate Diploma in Renewable Energy Technology Systems.

## **2 PART A SITE LOCATION AND DESCRIPTION**

### **2.1 Site Location**

The site is located in the centre of Kilkenny City. The size of the site is ca. 0.306 hectares.

The River Nore and St. Johns Quay establish the sites western boundary. John's Quay Street is located along the site's western boundary with the site itself comprising a mix of urban commercial and residential buildings. The Bridge View B&B is located on the northern side of the site. The east of the site is bounded by Michael Street, soft landscaping and green spaces are present throughout and the Butler Gallery occurs to the west of the site, with a language academy, pubs and restaurants to the south.

### **2.2 Site Description**

The site currently includes the single-storey Carnegie Library surrounded on two sides by John's Quay carpark, with John's Quay Street to the west.

There are no national or international designated ecological sites within the site. The nearest European designated site is the River Barrow and River Nore SAC (002162) and the River Nore SPA (004233) approximately 16m west of the site, this is the nearest watercourse to the site.

The site includes the Kilkenny Carnegie Free Library (12000227) which is a National Inventory of Architectural Heritage (NIAH) (which will undergo repurpose and retrofit). The next nearest protected structures include a house (12000247) and another house (12000226) located approximately 0.2 kilometres to the north and south of the site respectively.

There are no protected views, rights of way or planned pieces of strategic infrastructure or any important tourist sites affected in any way by the Proposed Development.

The site lies within Flood Zone A (Site-Specific Flood Risk Assessment, 2024). There are no water features on site. The closest surface water body to the Proposed Development site is the River Nore (Waterbody code: IE\_SE\_15N011950; EPA Code: 18O04) located 16m from the west of the site.

The surrounding area is predominantly urban, with a mixture of residential and commercial properties. The site lies within the Electoral Division: Kilkenny number 2 Urban which has a population of 4118 people.

Figure 2-1 below shows the site location.

*Figure 2-1: Site Location (MCORM, 2024)*

### 2.2.1 Existing and Approved Land Use

The site is located in Kilkenny County Council (KCC) and has been zoned Community Facilities “to protect, provide and improve community facilities.” within the Kilkenny City and County Development Plan 2021-2027.

The site does not lie within or adjacent to mountain, forest, coastal or marine environment.

Although the site occurs adjacent to the River Nore, given the historic flood relief scheme the riparian zone has effectively been replaced with a concrete wall. As such there is no effective riparian habitat.

### 2.3 Site Planning History

The following data sources have been used to review the site planning history.

- Kilkenny County Council planning website: [KCC - Search Planning Applications](#)
- An Bord Pleanála website: <http://www.pleanala.ie/>
- EIA Portal, as provided by the Department of Housing, Planning and Local Government: <https://housinggovie.maps.arcgis.com/apps/webappviewer/index.html?id=d7d5a3d48f104ecbb206e7e5f84b71f1>

Table 2-1 provides a history of the planning permissions at the site.

*Table 2-1: Overview of Planning Permissions at the Site*

| Planning Application | Location              | Development Proposal  | Decision  |
|----------------------|-----------------------|---|---|
| 06990114             | John's Quay, Kilkenny | To construct a wheelchair accessible ramp with a controlled pedestrian crossing point as well as all associated site works at Carnegie Library which is a protected structure | Granted Permission<br><br>Decision date: 08/02/2007 |

### 3 PROJECT DESCRIPTION

The Proposed Development seeks to undertake works to the former Carnegie Library, Johns Quay, Kilkenny City (site area c.0.306ha / Protected Structure RPS B113).

The Proposed Development will consist of:

- (1) Repurposing the former Carnegie Library into a Kilkenny Local Studies Hub, preserving its original architectural character while enhancing its role as a cultural and heritage resource.
- (2) Reconfiguring the building layout to create a continuous finished floor level aligned with the original double-bay configuration (Staff Only c.90sq.m. GFA + Public Space c.144.2sq.m. GFA + Ancillary / Circulation Space c.24.1sq.m. GFA = Total c. 258.3sq.m.):
  - (i) Northern bay comprising of: 8 no. staff workspaces; a staff canteen; storage facilities with roller shelves; a restroom; and a heat pump room;
  - (ii) Southern bay comprising of: a county librarian / meeting room; open-plan local studies facilities and reading areas; utility and storage rooms; a flexible exhibition space adaptable to the hub's needs; and a zinc-clad and glazed rear extension in the south-east corner (c.10sq.m. GFA extension) to expand the exhibition space and enhance public visibility;
  - (iii) Central circulation space comprising of: a maintained central circulation space; an extended rear elevation (c.10.2sq.m. GFA extension; finishes matching the proposed south-east projection), including 2 no. restrooms (including 1 no. wheelchair accessible), designed for potential segregation when the main building is closed;
- (3) Access Improvements comprising of: enhanced front access with stone paving and metal railings matching the original features; and secondary accessible entrance at the rear with a ramp (1:20 slope) extending south and metal railings.
- (4) Public Realm Enhancements comprising of: soft and hard landscaping; biodiversity planting; public lighting; and Sustainable Urban Drainage Systems (SUDS).
- (5) A designated loading area for the Kilkenny Local Studies Hub.
- (6) The provision of 27 no. car parking spaces, including 2 no. designated accessible space.
- (7) The provision of 10 no. bicycle parking spaces (5 no. Sheffield bike stands) to the north-east of the building.
- (8) All associated site development works, including above- and below-ground services.

The proposed site layout is shown in figure 3-1 below.



## 4 PART B REVIEW AGAINST SCHEDULE 5 PROJECT CATEGORIES

As a community development, the project falls under the following relevant category of Schedule 5, Part 2 of the Planning and Development Regulations 2000 (as amended).

- Category 10.(b) infrastructure projects

Within this category of projects, the screening appraisal has considered one sub-project categories that may be relevant 10(b)(iv).

The other project categories to consider in Schedule 5, Part 2 that have been considered are:

- Category 13(c) any change or extension of development;
- Category 14 demolition works; and
- Category 15 any projects (sub-threshold) but which would likely to have significant effects on the environment.

Table 4-1 provides a review of the project against the above selected project categories.

*Table 4-1: Review against the Schedule 5, Part 2 project categories criteria and thresholds*

| <i>Category Reference</i> | <i>Description of the criteria, size and threshold</i>   | <i>Appraisal summary</i>  | <i>Above or below the category threshold?</i> |
|---------------------------|--|---|---|
| Part 10 (b) (iv).         | Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.   | <p>The site is located within Kilkenny City and is surrounded by commercial developments. It is considered that the site is therefore located within a business district the 2-hectare threshold is applicable.</p> <p>The site is located on lands at Johns Quay / Johns Street, Kilkenny City, and is reflective of a business district with existing commercial businesses and services. It is therefore recommended the 2-hectare size threshold be applied for the purposes of the assessment.</p> <p>The size of the site, is ca. 0.306 hectares, and is less than the 2-hectare threshold and therefore a mandatory EIA is not required.</p> | No – below the category size threshold        |
| Part 13(c).               | Any change or extension of development being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of this Schedule, which would result in the demolition of structures, the demolition of which had not previously been authorized, and where such demolition would be likely to have significant effects on the environment, having regard to the criteria set out under Schedule 7. | The Proposed Development will be reviewed having regard to the criteria set out in Schedule 7. The findings of this review will be detailed in this report's conclusions.   | To be determined by this Screening EIA        |

| <i>Category Reference</i> | <i>Description of the criteria, size and threshold</i>  | <i>Appraisal summary</i>  | <i>Above or below the category threshold?</i>             |
|---------------------------|---|---|---|
| Part 14.                  | Works of demolition carried out in order to facilitate a project listed in Part 1 or Part 2 of this Schedule where such works would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.  | The Proposed Development doesn't consist of any demolition on site.   | To be determined by Part B of the EIA screening appraisal |
| Part 15.                  | Any project listed in this Part which does not exceed a quantity, area or other limit specified in this Part in respect of the relevant class of development but which would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7. | The Proposed Development will be reviewed having regard to the criteria set out in Schedule 7. The findings of this review will be detailed in this report's conclusions. | To be determined by Part B of the EIA screening appraisal |

### **Part B Conclusion**

As the size, scale and use of the Proposed Development does not exceed any of the category size thresholds of Part 10b infrastructure developments specified it is considered a sub-threshold development.

Schedule Parts 14 and 15 thresholds, the likelihood of significant environmental effects is considered in Part C.

## 5 PART C LIKELIHOOD OF POTENTIAL EFFECTS

As set out in Schedule 7 of the Planning and Development Regulations (Appendix 4), consideration has been given to the use of natural resources, waste generation, pollution and nuisances, the magnitude and extent of the impact, nature of the impact, transboundary nature, intensity and complexity of the impact, the probability, the expected onset, duration, frequency and reversibility of the impact and the cumulation of the impact with existing and or approved projects.

The following topics have been considered as part of the appraisal:

- Use of natural resources;
- Risk of major accidents and disasters;
- Population and human health;
- Air quality and climate;
- Noise and vibration;
- Daylight and sunlight;
- Soils and geology;
- Hydrology and hydrogeology;
- Biodiversity and ecology;
- Archaeology, architecture and cultural heritage;
- Landscape and visual; and
- Transport and material assets (utilities).

### 5.1.1 Use of Natural Resources

The Proposed Development is a community development and will be constructed with materials typically associated with such developments.

During construction, the selected construction materials and methods will reduce waste generation as far as reasonably practicable and will be managed in accordance with good practice guidance.

All construction waste will be segregated, recycled and re-used wherever possible. The Outline Construction Environmental Management Plan (OCEMP) produced by Punch Consulting Engineers (2024) has set out the strategy for the collection, storage, transport and disposal of wastes generated on-site during construction. All waste generated during construction will be collected and disposed of by licensed waste management contractors.

Material that is generated should be reused on site or salvaged for subsequent reuse to the greatest extent possible and disposal should only be considered as a last resort. Initiatives should be put in place to maximise the efficient use/ reuse of materials.

There are a number of established markets available for the beneficial use of construction and demolition waste:

- Waste timber can be:
  - recycled as shuttering or hoarding, or
  - sent for reprocessing as medium density fibreboard;
- Waste concrete can be utilised as fill material for roads or in the manufacture of new concrete when arising at source;

- Waste steel and other metals can be processed for other uses at metal recycling centres.

Waste generated during the operational phase will be collected and disposed of by licensed waste management contractors, with separate dedicated waste storage areas being provided for municipal waste and commercial waste from the commercial floorspace.

A detailed Infrastructure Design report has been prepared by Punch Consulting engineers (2024) in order to understand the water supply for the Proposed development.

The following foul drainage exists within and adjacent to the Proposed Development site:

- An unknown gravity overflow surrounding the Carnegie Library with an outfall at the River Nore.
- Combined sewer traversing the library car park in a north-west direction towards the Nore.
- Foul sewer traversing the library car park in a south-west direction from the aforementioned combined sewer.

It is proposed to maintain the existing connection to the gravity foul sewer that traverses the library car park. The proposed connection will cater for 3 no. toilets. A Pre-Connection Enquiry Form was submitted to Uisce Éireann under reference CDS24008433.

A 100mm Cast Iron watermain serves the Carnegie Library building and it is proposed to retain the current Uisce Éireann watermain connection to the building.

It is considered that, the possibility of any significant effects on the listed European Sites, whether arising from the project itself or in combination with other plans and projects, can be excluded.

European sites listed are:

- River Barrow and River Nore SAC (002162)
- River Nore SPA (004233)

It is considered that no likely significant effects in respect of use of natural resources will likely arise as a result of the Proposed Development.

### **5.1.2 Risk of Major Accidents and/or Disasters**

The site is not located in an area which is anticipated to be at risk of foreseeable major disasters or accidents. The vulnerability of the Proposed Development to major accidents or disasters is likely to be related to flood risk and the potential impact that climate change may have on this. The site is located within Flood Zone A and has a high risk of flooding. The risk of flooding at the site has been assessed within the Site-Specific Flood Risk Assessment by Punch Consulting Engineers (2024) (SSFRA).

The SSFRA concluded that, *'the site is an existing community library building, where refurbishment works are proposed to be undertaken. The site is protected by flood defences and thus the risk of flooding is considerably reduced and not subject to a justification test.'*

The potential for the Proposed Development to result in any major accidents and/or disasters can be considered low.

### 5.1.3 Population and Human Health

The OCEMP ensures that all applicable environmental health and safety regulations are complied with throughout the construction/demolition phase thereby ensuring that this phase of the Proposed Development will not result in significant effects on human health or the environment.

During the construction and operational phases, due to best management practices, good housekeeping, and adherence to all health and safety procedures, it is not foreseen that there will be any significant effects to human health.

The site is located in Kilkenny County Council (KCC) and has been zoned Community Facilities “*to protect, provide and improve community facilities.*” within the Kilkenny City and County Development Plan 2021-2027. The site lies within the Electoral Division: Kilkenny number 2 Urban which has a population of 4118 people.

The construction phase will provide for an increase of employment in the area which is believed to have a positive effect on human health.

The operational phase will result in enhancing the access to educational, cultural and community services around Kilkenny area.

The Infrastructure Design report prepared by Punch Consulting Engineers (2024) details about the mobility management. There are plans in progress to reduce private car traffic and increase pedestrian and cycling infrastructure within Kilkenny City. Kilkenny Local Transport Plan (KLTP) and Sustainable Urban Mobility Plan (SUMP) are being introduced to support the development of a comprehensive, sustainable transport network for the city (Punch Consulting Engineers, 2024).

It is therefore considered that the Proposed Development is not likely to give rise to any likely significant population and health effects.

### 5.1.4 Air Quality and Climate

The site falls into ‘Zone C’ of Ireland which is described by the EPA as ‘Other Cities and Large Towns’. It is expected that existing ambient air quality in the vicinity of the site is characteristic of a suburban location with the primary source of air emissions such as particulate matter, nitrogen dioxide (NO<sub>2</sub>) and hydrocarbons likely to be of traffic, aviation, industrial activities, combustion and agriculture, and domestic fuel burning.

The Proposed Development involves construction works which may temporarily impact on air quality due to dust emissions. According to the Institute of Air Quality Management (2014), the main air quality impacts associated with construction are typically:

- Dust deposition and surface soiling;
- Visible dust plumes;
- Elevated particulate matter (PM<sub>10</sub>) concentrations due to dust generating activities onsite;
- Increase in airborne particles and nitrogen dioxide due to exhaust emissions from diesel powered vehicles and machinery onsite and vehicles accessing the site.

Any potential dust impacts will be localised in nature and last only for the duration of these works.

There are no potential significant sources of air quality pollution from the Proposed Development's use as a community development.

The site will be managed in accordance with the OCEMP which has been prepared by Punch Consulting Engineers (2024).

Considering the existing traffic levels in the area, along with the use of the surrounding buildings, the likely air quality impact associated with construction traffic will not be significant. Measures will nevertheless be taken to minimise dust and maintain acceptable conditions for nearby workers and other members of the public. This will include regular housekeeping procedures.

A dust minimisation plan will be formulated for the construction phase of the project. Potential for dust to be emitted depends on the type of activity being carried out in conjunction with environmental factors including levels of rainfall, wind speeds and wind direction. The potential for impact from dust depends on the distance to potentially sensitive locations and whether the wind can carry the dust to these locations.

As part of the dust minimisation plan and in order to ensure that no dust nuisance occurs for nearby business's, a series of measures will be implemented.

The following mitigation measures from the OCEMP (Punch Consulting Engineers, 2024) will be implemented to reduce air pollution:

- Roads shall be regularly cleaned and maintained as appropriate. Hard surface roads shall be swept to remove mud and aggregate materials from their surface.
- Vehicles delivering or removing material with dust potential to/from the site shall be enclosed or covered with tarpaulin at all times to ensure no potential for dust emissions.
- Material handling systems and site stockpiling of materials shall be designed and laid out to minimise exposure to wind. Water misting or sprays shall be used as required if particularly dusty activities are necessary during dry or windy periods.

At all times, the procedures put in place will be strictly monitored and assessed. In the event of dust nuisance occurring outside the site boundary, satisfactory procedures will be implemented to rectify the problem.

Due to the size and duration of the construction phase, and the mitigation measures proposed, the effect on national greenhouse gas (GHG) emissions will be insignificant in terms of overall national contributions and Ireland's obligations under the Paris Agreement and therefore the Proposed Development will have no likely significant adverse effects on air quality and climate.

### **5.1.5 Noise and Vibration**

The construction phase includes for site clearing operations, demolition of existing structures, grubbing out of redundant services and the construction of the new development and all associated site works. There will be an increase in noise and vibration levels during the construction phase. However, these impacts will be localised, intermittent, and last only for the duration of this phase.

Noise and vibration levels will be controlled to ensure that the Proposed Development is operated in a way that minimises detrimental impact to the amenities of local residents. In comparison to the noise production estimated for the Proposed Development, it is not expected there will be a significant increase in noise for the proposed modifications.

The following codes and regulations (at minimum) will be followed during the construction phase:

- BS 5228:2009 Code of Practice for Noise and Vibration Control on Construction and Open Sites, Part 1 and Part 2.
- Safety, Health and Welfare at Work (General Application) Regulations 2007 to 2016, Part 5 Noise and Vibration.
- Construction contractors will be required to comply with the requirements of the European Communities (Construction Plant and Equipment) (Permissible Noise Levels) Regulations and the Safety, Health and Welfare at Work (Control of Noise at Work) Regulations.

There is currently no statutory Irish guidance for construction noise requirements from noise during the construction phase of a project.

In the absence of specific noise limits, appropriate criteria relating to permissible construction noise levels for a development of this scale may be found in the National Roads Authority (NRA) publication Guidelines for the Treatment of Noise and Vibration in National Road Schemes, which indicate the following criteria and hours of operation. The majority of the construction activity is expected to occur during normal working hours.

*Table 5-1: Maximum Permissible Noise Levels at Adjoining Properties during Construction*

| Schedule  |                      |  | Total Noise Levels at Control Stations             |  |   |
|---|----------------------|--|--|--|---|
| Period  | Hours                |  | Ambient Noise Level, Leq, measured on site [dB(A)] | Period of Hours over which Leq, is applicable. | Maximum allowable Sound Level (see note (iv) below) on site [dB(A)] |
| Mondays to Fridays                                | 08.00hrs to 19.00hrs |  | 75   | 1 hour   | 85  |
| Mondays to Fridays                                | 19.00hrs to 22.00hrs |  | 60   | 1 hour   | 65  |
| Saturdays   | 08.00hrs to 16.30hrs |  | 70   | 1 hour   | 80  |
| Sundays and Public Holidays*                      | 09.30hrs to 16.00hrs |  | 60   | 1 hour   | 65  |
| All unattended plant outside normal working hours |                      |  | 50   | 18 hours                                       | 55  |

\*Construction activity at these times, other than that required for emergency works, will normally require the explicit permission of the relevant local authority.

Guidance relevant to acceptable vibration within buildings is contained in the following documents:

- British Standard BS 7385 -2:1993: Evaluation and measurement for vibration in buildings. Guide to damage levels from ground borne vibration;
- British Standard BS 5228-2:2009: Code of practice for noise and vibration control on construction and open sites; and
- BS 7385 -2:1993 states that there should typically be no cosmetic damage if transient vibration does not exceed 15 mm/s at low frequencies rising to 20 mm/s at 15 Hz and 50 mm/s at 40 Hz and above. These guidelines relate to relatively modern buildings and should be reduced to 50% or less for more critical buildings.

The OCEMP has been prepared by Punch Consulting Engineers (2024) details regarding Noise and Vibration Management.

*With regard to construction activities, reference will be made to BS 5228-1:2009: Noise control on construction and open sites, which offers detailed guidance on the control of noise and vibration from demolition and construction activities. In particular, it is proposed that various practices be adopted during construction, including:*

- *Limiting the hours during which site activities likely to create high levels of noise or vibration are permitted;*
- *Establishing channels of communication between the contractor/developer, Local Authority and other adjoining land owners;*
- *Appointing a site representative responsible for matters relating to noise and vibration;*
- *Monitoring typical levels of noise and vibration during critical periods and at sensitive locations; and*
- *All site access roads will be kept even, to mitigate the potential for vibration from lorries.*

It is recommended that vibration from construction activities be limited to a peak value of 5mm/sec. This limit is considered to be a very conservative upper limit and well below the levels that would be likely to cause cosmetic/structural damage to any neighbouring buildings or to cause disturbance for neighbours.

The operational phase of the Proposed Development is not predicted to result in any significant increase of noise and vibration levels in the surrounding environment. Nevertheless, best practice and appropriate control measures should be implemented and adhered to for the lifetime of the development.

Based on the proposed mitigation measures within the OCEMP that will be carried out, it is concluded that the Proposed Development will not result in significant adverse noise and vibration related effects.

### **5.1.6 Soils and Geology**

The soil beneath the site is identified by the Irish Soil Information Systems dataset as being 'Urban'. The quaternary sediments beneath the site are also mapped as "Urban" (GSI, 2024).

There are no protected Geological Heritage Sites in the vicinity of the Proposed Development that are expected to be affected by the Proposed Development.

During construction there is potential for exposure of contaminated soils, generation of dust, volatile organic compound emissions, migration of existing soil contamination to groundwater and off-site surface water, and accidental loss or spillage of construction materials. Given the nature of the proposed uses, it is not expected that the Proposed Development will introduce significant new sources of contamination during operation.

Based on the measures outlined in the OCEMP, it is not expected that the Proposed Development will result in significant adverse soil and geology related effects.

### 5.1.7 Hydrology and Hydrogeology

The site is mapped within the Nore Catchment (Catchment ID: 15), the Nore\_SC\_100 Sub-catchment (Sub-catchment ID: 15\_4) and the Nore\_170 Sub-basin (EPA, 2024). The closest surface water body to the Proposed Development site is the River Nore (Waterbody code: IE\_SE\_15N011950; EPA Code: 18O04) located 16m from the west of the site. The River Nore has been assigned as Water Framework Directive (WFD) risk rating of 'Not at Risk' for the WFD Cycle 3 and a WFD water quality status of 'Good' for the 2016 to 2021 period (EPA, 2024). The River Nore flows southeasterly for approx. 30km before eventually discharging into the 'Barrow Suir Nore Estuary' transitional waterbody which discharges into the 'Waterford Harbour coastal waterbody' (EPA, 2024).

The groundwater body (GWB) beneath the site is mapped within the Kilkenny- Ballynakill Gravels GWB (Waterbody Code: IE\_SE\_G\_163) which has been assigned a WFD risk rating of 'Not at Risk' for the WFD Cycle 3 and a WFD water quality status of 'Good' for the 2016-2021 period (EPA, 2024).

The site is located within Flood Zone A and has a high risk of flooding. The risk of flooding at the site has been assessed within the Site-Specific Flood Risk Assessment (SSFRA) prepared by Punch Consulting Engineers (2024). The SSFRA concluded that, *'the site is an existing community library building, where refurbishment works are proposed to be undertaken. The site is protected by flood defences and thus the risk of flooding is considerably reduced and not subject to a justification test.'*

The Carnegie Library building lies within a fluvial flood zone, protected by the flood relief works. The library is an existing building registered on the Record of Protected Structures, located within an urban centre. Therefore, appropriate mitigation measures, proposed for the residual risks to flooding that remain, includes the following emergency access response and evacuation plan.

#### Emergency Access Response

- In the case of rescue and weather-related emergency incidents, the Local Authority is the initial pre-nominated lead agency. The Local Authority is therefore the principal response agency assigned with responsibility for coordination of any response.
- In the case of severe weather and increased risk of flooding at the site, arrangements are put in place by Met Éireann to issue Public Service Severe Weather Warnings to the Local Authorities. Each Local Authority should ensure that effective arrangements are in place to receive and respond promptly to such warnings.
- Local Authorities should prepare a specific sub-plan in relation to the site in their Major Emergency Plan for leading the response to severe weather events.

## Evacuation Plan

The responsibilities of the Local Authority in an evacuation include assessment of the situation and ultimately deciding on whether to evacuate or shelter-in-place in consultation with other Principal Response Agencies. The process of evacuation will be undertaken by An Garda Síochána, with the assistance of the other services. It is the responsibility of the Local Authority to provide Rest Centres for evacuated populations.

The Outline Construction Environmental Management Plan (OCEMP) has been prepared by Punch Consulting Engineers, 2024. Detailed pollution control measures are listed in the OCEMP to prevent sediment release into the surface water.

- Sediment traps/silt fences will be provided to prevent run-off to the existing drainage system. Daily inspection of total suspended solid levels in all discharge systems will take place where required;
- A surface water settlement tank will be installed to remove suspended solids from flows prior to discharge at the site of excavation works;
- To ensure that there will be no contamination of surface water, any excess excavated material will be immediately removed and not stored on the site;
- The contractor will undertake an inspection and maintenance program during construction phase to ensure compliance with discharge limits;
- An emergency-operating plan will be established to deal with incidents or accidents during construction that may give rise to pollution within any watercourses. This will include means of containment in the event of accidental spillage of hydrocarbons or other pollutants;
- Through all stages of the construction phase the contractor will ensure that good housekeeping is maintained at all times and that all site personnel are made aware of the importance of the adjoining environments and the requirement to avoid pollution of all types; and,
- Road cleaning will take place to ensure that any wastes which may be tracked onto roads do not result in a negative impact to road users and subsequently drain into the surface water drainage system.

Therefore, it is considered that the Proposed Development will not cause any significant adverse effects on the hydrology and hydrogeology within the site of the development, or the surrounding area.

### 5.1.8 Biodiversity and Ecology

The Proposed Development site is not within a European site. The nearest European sites are the River Barrow and River Nore SAC (002162) and the River Nore SPA (004233) approximately 16m west of the site. The nearest watercourse to the site is the same River Nore located 16m west of the site boundary.

The Proposed Development is not directly connected with or necessary to the management of European sites. However, the following elements of the Proposed Development were identified and assessed for their potential to cause likely significant effects on European sites:

### **Construction Phase**

- Uncontrolled releases of dust, sediments and/or other pollutants to air due to earth-works;
- Surface water run-off containing silt, sediments and/or other pollutants into nearby waterbodies or surface water network;
- Surface water run-off containing silt, sediments and/or other pollutants into the local groundwater;
- Increased noise, dust and/or vibrations as a result of construction activity; and
- Increased human presence and activity as a result of construction activity.

### **Operational Phase**

- Surface water drainage from the Site of the Proposed Development;
- Foul water from the Proposed Development;
- Increased lighting at the site and in the vicinity emitted from the Proposed Development; and
- Increased human presence and activity at the Site and in the vicinity as a result of the Proposed Development.

It is considered that no significant adverse effects on ecology and biodiversity are likely to arise as a result of the Proposed Development.

#### **5.1.9 Archaeology, Architecture and Cultural Heritage**

The Proposed Development itself is a National Inventory of Architectural Heritage (NIAH), Kilkenny Carnegie Free Library (12000227). There are a lot of heritage sites near to the Proposed Development. A few of them are listed below in table 5-1 and 5-2.

*Table 5-2: List of 5 nearest NIAH to the Proposed Development*

| S.No | National Inventory of Architectural Heritage (NIAH) | Distance from the site                 |
|------|---|--|
| 1    | House (12000247)                                    | Approximately 0.03km north of the site |
| 2    | Bridge View: house (12000248)                       | Approximately 0.03km north of the site |
| 3    | House (12000226)                                    | Approximately 0.03km south of the site |
| 4    | House (12000225)                                    | Approximately 0.03km south of the site |
| 5    | Quay House (12000261)                               | Approximately 0.05km south of the site |

*Table 5-3: List of 5 nearest SMR to the Proposed Development*

| S.No | Sites and Momentums Record (SMR)                  | Distance from the site                     |
|------|---|--|
| 1    | Graveslab : Gardens (KK019-026267)                | Approximately 0.07km northeast of the site |
| 2    | House - 16th/17th century: Gardens (KK019-026024) | Approximately 0.07km east of the site      |
| 3    | Graveyard: Gardens (KK019-026235)                 | Approximately 0.11km east of the site      |

|   |  |                                       |
|---|--|---------------------------------------|
| 4 | Religious house - Augustinian canons: Gardens (KK019-026068) | Approximately 0.11km east of the site |
| 5 | Tomb - effigial: Gardens (KK019-026242)                      | Approximately 0.11km east of the site |

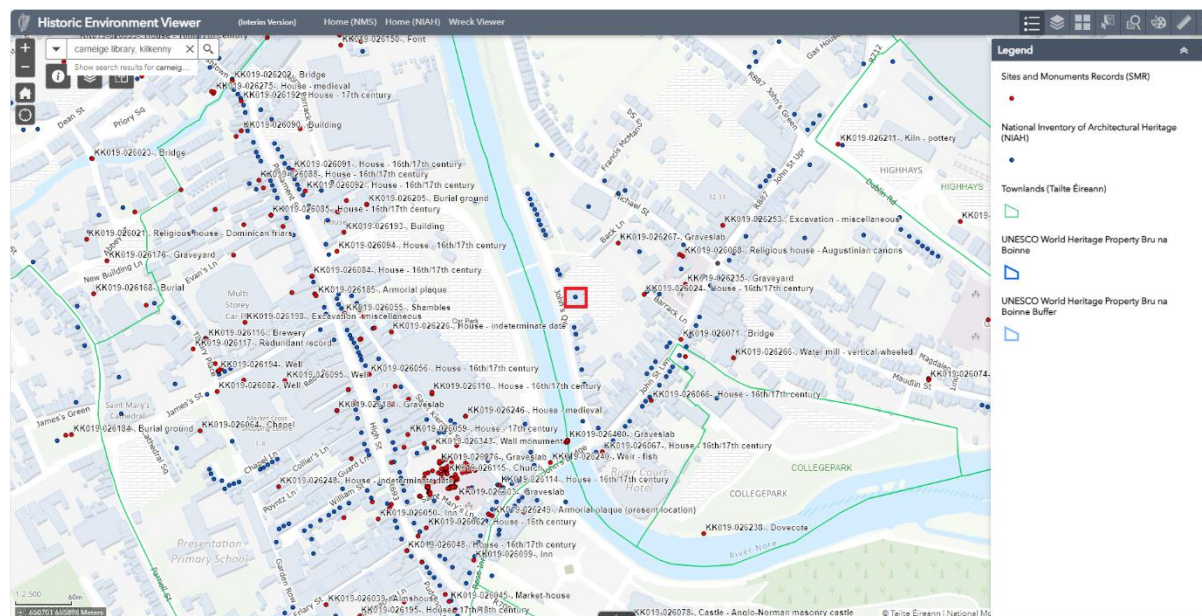


Figure 5-1: NIAH and SMR near to the Proposed Development (marked under redline) (Heritagemaps.ie)

An Architectural Heritage Impact Assessment (AHIA) has been prepared by Sheehan and Barry Architects (2024) and this report states that

*‘The historic urban setting of Public Carnegie Library, as a solitaire civic building will be fully retained. The historic curtilage of the Public Carnegie library will not be altered. The proposed landscaping works will not adversely impact on the historic curtilage and urban setting and the context of Kilkenny Public Carnegie Library.’*

The following mitigation measures are proposed in relation to the impact on the historic curtilage and landscape setting of Kilkenny Public Carnegie Library in the AHIA:

- A high standard of landscaping for the remaining open spaces in the immediate surround is to be introduced with a balanced layout of soft and hard landscaping.
- All raised planting beds to retain appropriate distance from historic structure, to maintain the historic design intent of formality and sincerity.
- Hard-landscaping finishes to be reversible and permeable finishes, including proposed car parking areas, footpaths and vehicular routes.
- Carefully designed and planned surface water drainage to be introduced, including French land-drains, to ensure adequate surface water management relating to the hard landscaping.
- Soft landscaping to consist of mainly indigenous perennial shrubbery / trees and flowering plants based on the All-Ireland Pollinator Plan.

The AHIA details about the various other mitigation measures to protect the historic external and internal fabric of Kilkenny Public Carnegie Library.

The AHIA concluded that,

*'The proposed works accord with established good conservation practice and will not significantly or adversely impact on the character, setting or fabric of the protected structure, subject to the adoption of the conservation methods proposed herein.'*

An Archaeological Assessment has been prepared by IAC Archaeology (2024) and it concluded that,

*'The site is characterised by the existing library structure and a large car park, which is bounded by a coursed masonry wall. No evidence of the mill race was noted during the inspection. The position of the development area, adjacent to the river and within the immediate proximity of recorded medieval activity, means the site can be considered as possessing high archaeological potential.'*

The Archaeological Assessment recommended that,

*'All ground disturbances associated with the redevelopment of the former Carnegie Library be monitored by a suitably qualified archaeologist under licence to the National Monuments Service of the Department of Housing, Local Government and Heritage (DoHLGH). If any features of archaeological potential are discovered during the course of the works further archaeological mitigation may be required, such as preservation in-situ or by record. Any further mitigation will require approval from the National Monuments Service of the DoHLGH' (IAC Archaeology, 2024).*

No features have been identified as contributing to the archaeological, artistic, cultural, scientific or heritage interest value. Rather than the building itself, no further archaeological records have been identified in the site.

If any features of archaeological potential are discovered during the course of the works, archaeological mitigation may be required. Any mitigation measures will require approval from the National Monuments Service of the Department of Housing, Local Government and Heritage.

### **5.1.10 Landscape and Visual**

During the construction phase it is expected that there will be a short-term effect on the surrounding landscape of the area.

An Architectural Heritage Impact Assessment (AHIA) has been prepared by Sheehan and Barry Architects (2024) which details about the visual impact on the historic architectural composition of Kilkenny Public Carnegie Library.

The proposed works and possible impacts are described as follows:

- The proposed surface finishes to the hard landscape in the immediate surround including:
  - Kilkenny Limestone paving to pedestrianised and shared areas,
  - Permeable pavers to parking areas,
  - Stone mastic asphalt to vehicular routes will have a significant visual impact, with a considerable improvement of the current appearance.
- The provision of raised planting beds, including timber seating, will have a significant visual impact, with a considerable improvement of the current appearance.

- The proposed introduction of birch trees to the streetscape in front of the library is considered a moderate visual impact on the architectural composition, introducing a screening along the riverside when viewed from the opposite waterside.
- The construction of single-storey extension to the rear of the main library building will have a moderate impact on the architectural composition.
- The extension of the existing rear annexe to its historic footprint, and its re-fenestration, will have a negligible impact on the architectural composition.
- The construction of an additional wheelchair access ramp to the rear of the historic main building will have a moderate impact on the historic architectural composition.
- The installation of an air source heat pump will have a moderate visual impact on the architectural composition.
- The proposed replacement of two historic timber doors with new fixed glazing (south elevation east bay) will have a marginal visual impact.
- The re-instatement of the historic main entrance door design including glazing to the top half will have a positive visual impact.
- The re-placement of existing stainless-steel glazed railings will have a positive visual impact on the overall appearance and coherence.

The proposed landscaping and extension work is not expected to adversely impact on the historic architectural composition of Kilkenny Public Carnegie Library.

The following mitigation measures are proposed in relation to the visual impact on the historic architectural composition of Kilkenny Public Carnegie Library:

- All proposed new surface materials to be of appropriate material, and restrained colour and / or texture.
- Hierarchy of hard-landscaping materials to provide visual cues as to the way of movement (i.e., walking, vehicular) and to demarcate paths – verges – roads and changes of level to all circulation routes.
- All proposed new elements, e.g., access ramp, steps, handrails etc. will be to a sympathetic and unobtrusive design using appropriate materials to avoid creating a false historical appearance.
- All proposed new surface materials to be of appropriate material, and restrained colour and / or texture.
- The installation of modern service items, i.e., heat pumps, will be erected at a distance from any historic structures to avoid contact and/or damage. Inclusion into the proposed landscape design is recommended.
- The revised timber entrance door is to be a faithful reconstruction of the historic design in accordance with historic photographic evidence.
- The new fenestration to be constructed of agreed detail and urban finish.
- The proposed and replacement railings design will be based on surviving historic elements to the secondary side entrance.

On the assessment of the above, it is demonstrated that there are no likely significant adverse effects expected on the surrounding natural environment in terms of landscape and visual amenity in the long-term.

### 5.1.11 Transport and Material Assets

The site is located approximately 0.5 km from Kilkenny train station (11-minute walk). The local area surrounding the development is served by existing Kilkenny City Bus Network, Hinterland & Inter city services, Coach tours and School bus services.

The Outline Construction Environmental Management Plan prepared by Punch Consulting Engineers (2024), details about the traffic management.

According to the OCEMP, The volumes of traffic that will be generated during the construction phase of the Proposed Development will be small in comparison to the existing traffic volumes. The OCEMP concludes that given its use and location, access to the site by heavy goods vehicles is not deemed to be a concern.

It is predicted that there will be a maximum of 10 personnel on site during peak construction activity associated with these works (Punch Consulting Engineers, 2024). Car parking spaces and site storage locations are to be agreed with Kilkenny County Council and all activity are to be limited to designated areas to ensure that any impacts on the surrounding transport environment are minimised. These are all within the Kilkenny County Council (KCC) lands.

The OCEMP (Punch Consulting Engineers, 2024) outlines the following,

*'The appointed Project Supervisor Construction Stage (PSCS) (typically the appointed contractor) shall prepare a fully detailed Construction Traffic Management Plan to be coordinated with the KCC. The Traffic Management Plan shall be co-ordinated by the Project Supervisor for the Design Process (PSDP). The primary objective in the planning and design is to maximise the safety of the workforce and to keep traffic flowing as freely as possible and keep the impact of the works to a minimum.*

*The nature of the works involves the restructuring and renovation of the library building, the majority of waste is anticipated to be waste materials associated with the renovation works. It is expected not to exceed 50 cubic metres.*

*The general mitigation measures listed out in the OCEMP are:*

- *Regular shaped skips measuring 6m in length by 2.5m in width by 1.8m in height, will be used for the duration of the construction works. All skips will be situated within the designated site compound area with ample space around the skips to facilitate thorough segregation of the different demolition materials.*
- *Skips will be available for each of the following waste types and will be labelled accordingly: wood, metal, brick/ rubble, canteen waste, plasterboard, paper and cardboard, other general waste and special bins for any hazardous wastes as required.*
- *Throughout the construction zone, covered labelled wheelie bins will be placed at designated waste depots. These bins will be taken and used by the operatives/ sub-contractors and returned to the depots after use.*
- *The waste segregation area banksman will co-ordinate the movement of skips to and from the construction zone. The banksman will also co-ordinate the scheduling of the approved waste collector to transport waste to the relevant permitted/ licensed waste facility.*

Therefore, based on the information and measures within the OCEMP (Punch Consulting Engineer, 2024) it is considered that there is sufficient capacity to service the Proposed

Development in this aspect, and there are no likely significant adverse impact on the material assets traffic and land.

#### **5.1.11.1 Interactions**

When considering interactions, the assessor will be vigilant in assessing pathways – direct and indirect – that can magnify effects through the interaction. In practice many impacts have slight or subtle interactions with other disciplines. The EIA Screening will assess the impact of inter-relationships with regards to the Proposed Development.

#### **5.1.11.2 Cumulative Effects**

Development in the surrounding area that could have the potential to result in cumulative impacts were reviewed from data sources including:

- Kilkenny County Council planning website: [KCC - Search Planning Applications](#)
- An Bord Pleanála website, <http://www.pleanala.ie/>; and
- EIA Portal, as provided by the Department of Housing, Planning and Local Government: <https://housinggovie.maps.arcgis.com/apps/webappviewer/index.html?id=d7d5a3d48f104ecbb206e7e5f84b71f1>.

Any planning applications within a 1km radius listed as granted or decision pending from within the last five years (a typical planning application normally remains valid for a five-year period) were assessed for their potential to act in-combination with Proposed Development and cause likely significant effects on the environment. Long-term developments granted outside of this time period were also considered where applicable.

Table 5-4: Permitted Developments within a 1km Radius of the Proposed Development

| Application Reg. Ref.   | Address   | Development Proposal   | Decision  |
|---|---|--|---|
| <p><b>22512</b></p> <p><b>Applicant: Better Value Unlimited Company</b></p>               | <p>Dunnes Stores , Saint Kierans Street, Kilkenny, R95 PF82</p> | <p>Installation of solar photovoltaic panels and mounting system (C.1,808 sqm) on Dunnes Stores roof, including all other associated site works/services</p>   | <p>Conditional</p> <p>Decision date: 28/11/2022</p> |
| <p><b>21522</b></p> <p><b>Applicant: The Commissioners of Public Works in Ireland</b></p> | <p>Kilkenny Castle, The Parade, Kilkenny</p>                    | <p>for development works to improve universal access to the castle and grounds to consist of the following: 1.The Installation of a Universally Accessible Lift to the north turret of the mid-19th Century Long Gallery with associated works,including part demolition of late 20th Century intermediate floor (12m2) and late 20th Century flat roof (11m2) and construction of a new,lead-clad, roof structure. 2.The construction of external steps and ramps adjacent to the north turret to provide access to the basement level. 3.The removal of late 20th Century steps(6m2) and partial removal of 20th Century Plant room(5.5m2) and 19thCentury store (33m2) to facilitate new universal access. 4.The provision of Universally Accessible W.C.&amp; additional W.C. facilities (45m2) in the existing 19th Century basement, semi-vaulted area, external to the castle. 5.Re-landscaping works to the Castle Courtyard and curtilage, involving the permanent display of the recent archaeological excavations of Marshal's Gate (medieval entrance) which is to be partially uncovered with the formation of new embankments, a new pedestrian route and associated treatment. 6.Resurfacing works to the Castle Courtyard, including the removal of 20th Century grassed areas and replacement of existing tarmacadam surface with a new surface(2692m2). 7.Rationalisation of futureproofing of services within the courtyard, to include the installation of new drainage. 8.Conservaton and restoration of Kilkenny Limestone pavement and earthenware channels to the perimeter of the Courtyard. 9.Resurfacing works to the Formal Garden to the northwest of the Castle with the replacement of the existing tarmacadam surface treatment with a new surface(2238m2). 10.New sloped paths to provide Universal Access to the perimeter of the Formal Garden (22m2). 11.Resurfacing works to the linking path between the Formal Garden and Castle Courtyard with the replacement of the existing tarmacadam surface treatment with a new</p> | <p>Conditional</p> <p>Decision date: 08/09/2021</p> |

| Application Reg. Ref.                                  | Address   | Development Proposal  | Decision   |
|--|---|---|--|
|  |   | surface (872m2). 12.The replacement of existing temporary security cameras with permanent cameras and fixtures. 13.The Installation of Emergency Lighting at high level to the Castle Courtyard Facades   |  |
| <b>20113</b><br><b>Applicant: City Cinemas Limited</b> | IMC Cinemas, Barrack Street & Castlecomer Road, Kilkenny City , County Kilkenny | for development at this site at the IMC Cinemas, Barrack Street & Castlecomer Road, Kilkenny City, Co. Kilkenny which was constructed under the previously approved development as granted under Planning Reference Number 15/76 and An Bord Pleanala Reference Number: PL 10.245155. The development consists of the following: -Retention of the sub-division of the previously approved screens 04 & 05 (236 seats in total), into 3 no. screens, each containing 60 seats (180 in total). -Retention of the relocation of the proposed Staff Room, Office & Popcorn Store from Foyer Level to Entrance Level and the retention of an additional Screen 12 containing 23 seats within this area on Foyer Level. -Retention of additional back of house areas on entrance level -The reduction in overall seat numbers from 1,444 seats to 1,250 seats. -Retention for the re-direction of the pedestrian connection to Barrack Street through an existing entrance to the site and the non-demolition of an existing two-storey commercial building along Barrack Street, with a floor area of 342m2 -Retention for the re-configuration of the car parking area, to include the provision of an additional 34 no. car parking spaces. | Conditional<br><br>Decision date:<br>19/01/2021        |
| <b>24100</b><br><b>Applicant: Tesco Ireland Ltd</b>    | New Road, Castlecomer Road, Kilkenny  | for development at a site measuring c3.91 hectares, situated on lands known locally as the former Mart site located at New Road, Castlecomer Road and Old Mart Street, Kilkenny. The development will consist of the construction of a mixed residential and retail development with a total gross floor area of c.13,165sqm and will include: 1. 80 no. residential units (comprising 17 no. houses, 17no. duplexes, 46 no. apartments) and 1no. assisted care unit in 8no. blocks (c. 7,489sqm total gross floor area), along with 90 no. car parking spaces, public open space, communal space, private space for dwellings, private balconies and terraces for duplex and apartment units, hard and soft landscaping, lighting, play area, bin and bike stores and all other associated site development works, service and utility connections. 2. The development proposes a new vehicular and pedestrian access to the residential development off New Road between Block B and Block F. A new bus stop is provided on Castlecomer Road with pedestrian/cycle access and a pedestrian plaza. 3. The total 80 no. residential   | Further Information (FI)<br><br>FI date:<br>23/09/2024 |

| Application Reg. Ref. | Address | Development Proposal  | Decision |
|-----------------------|---------|---|----------|
|                       |         | <p>units and 1 no. assisted care unit will be provided as follows: * Block A (2 storeys) will comprise 3 no. 3-bed houses and 1no. 4-bed house. * Block B (2 storeys) will comprise 3 no. 3-bed houses and 1 no. 4-bed house. * Block C (2 storeys) will comprise 4no. 3-bed houses and 2no. 4-bed houses. * Block D (2 storeys) will comprise 2no. 3-bed houses and 1no. 4-bed house. * Block E (part single and part 3 storey) will comprise 3no. 3-bed duplexes over 1no. 4-bed assisted care unit at ground floor level. * Block F (3 storeys) will comprise 6no. 1-bed apartments and 12no. 2-bed apartments. * Block G (4 storeys) will comprise 16no. 2-bed apartments and 8no. 3-bed duplexes. * Block H (4 storeys) will comprise 12no. 2-bed apartments and 6no. 3-bed duplexes. 4. Blocks I and J are accessed from a new vehicular junction off Old Mart Street along with a toucan crossing point and pedestrian/cycle access. Block I consists of 1no. single storey retail unit of c. 5,387sqm gross floor area (c. 2,598sqm convenience net sales area and c. 845sqm comparison net sales area) including a licensed alcohol sales area, a community room (c. 28sqm), deposit return scheme, storage areas, ancillary offices, staff facilities, cage marshalling area, bin storage, service yard including grocery home shopping delivery vehicle docking area, dedicated service vehicle entrance from Castlecomer Road, sheltered trolley bays, hard and soft landscaping, a click and collect set down area with canopy and associated signage, signage including internally illuminated elevation signs and 1no. freestanding sign (7m x 2.3m) adjacent to vehicular access at Old Mart Street and 1no. freestanding sign (7m x 2.3m) adjacent to the service yard access on Castlecomer Road, attenuation tank, feature and street lighting, plant services, substation (c. 31sqm), 189no. car parking spaces, including the provision for parent and toddler, accessible and electric parking spaces, 40no. cycle parking spaces and all other associated site development works, service and utility connections. Block J consists of 1no. single store café unit of c. 258sqm gross floor area, signage and an external seating area. 5. A shared pedestrian/cycle linear open space is proposed along the western boundary of the site linking New Road and Old Mart Street. An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) are submitted with the application.</p> |          |

| Application Reg. Ref. | Address  | Development Proposal  | Decision                 |
|-----------------------|--|---|--------------------------|
| 307796                | Abbey Quarter (former Smithwicks Brewery site), Kilkenny City. | The construction of a proposed urban park and urban street - a pedestrian and cyclist dominated street, including ancillary site works. | Approved with Conditions |

On examination of the above, it is considered that there are no means for the Proposed Development to act in-combination with any plans or projects, that would cause any likely significant adverse effects on the surrounding environment. The most significant potential for adverse cumulative effects in combination with other projects in the area is in the potential for water pollution, noise, dust, airborne pollutants and/or vibrations, visual effects and increased traffic. However, the adherence and full implementation of the appropriate control measures will ensure no potential for cumulative effects to arise. Furthermore, any potential effects during the construction phase will be temporary and last only for the duration of this phase. The appointed contractor will be responsible for the full implementation and management of the mitigation measures.

## 6 CONCLUSION

The Proposed Development has been assessed in accordance with the screening criteria set out in Annex III of the European Union 'EIA Directive' and in accordance with the national legislation transposing same, including the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended). It has also been assessed based on Schedule 7 to the Planning and Development Regulations, 2001 as amended. Within Schedule 7A, information to be provided by the Developer for the purposes of screening sub-threshold development for EIA is set out. The Proposed Development has been assessed in accordance with this information.

Based on the information supplied and supporting documentation, and the assessment carried out in the appropriate sections of this Screening Report, it can be concluded that the Proposed Development will not have significant effects on the environment during both the construction and operational phases.

Having regard to the nature and scale of the Proposed Development on an urban site served by public infrastructure, and the absence of any significant environmental sensitivities in the area, it is concluded that, by reason of the nature, scale and location of the subject site, the Proposed Development would not be likely to have significant effects on the environment and a mandatory Environmental Impact Assessment Report (EIAR) is not required for the Proposed Development.

## 7 REFERENCES

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Guidance of Integrating Climate Change and Biodiversity into Environmental Impact Assessment (European Union 2013).

Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment (Government of Ireland 2018).

Guidelines for the Assessment of Indirect and Cumulative Impacts as well as Impact Interactions (European Communities 1999); and

Institute of Air Quality Management (2014) Guidance on the assessment of dust from demolition and construction.

Implementation of Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (European Communities 2003).

Key Issues Consultation Paper on the Transposition of 2014 EIA Directive (2014/52/EU) in the Land Use Planning and EPA Licencing Systems; (Department of Housing, Planning, Community and Local Government 2017).

Kilkenny City and County Development Plan 2021-2027.

OPR Practice Note PN02 Environmental Impact Assessment Screening, June 2021.

Office of the Planning Regulator (OPR) Environmental Impact Assessment Screening Practice Note (2021).

Unofficial Consolidation of the Planning and Development Regulations (2001-2023).

## APPENDIX 1

### *The EIA Directive*

The European Union Directive 2011/92/EU (as amended by Directive 2014/52/EU (together, the EIA Directive)) was enacted to assess the effects of projects on the environment, and to properly ensure that any potential significant effects are assessed before a project proceeds. Annex I of the EIA Directive defines mandatory projects that require an Environmental Impact Assessment Report (EIAR) and Annex II of the EIA Directive lists projects which do not necessarily have significant effects but can be subject to case-by-case analysis or thresholds to be determined by member states. Section 172 of the Planning and Development Act 2001, as amended, provides the legislative basis for mandatory EIA. It states the following:

*“An environmental impact assessment shall be carried out by the planning authority or the Board in respect of an application for consent for proposed development where either —*

*(a) the proposed development would be of a class specified in —*

*(i) Part 1 of Schedule 5 of the Planning and Development Regulations 2001, and either —*

*(I) such development [ would equal or exceed, as the case may be, ] any relevant quantity, area or other limit specified in that Part, or*

*(II) no quantity, area or other limit is specified in that Part in respect of the development concerned,*

*or*

*(ii) Part 2 [ (other than subparagraph (a) of paragraph 2) ] of Schedule 5 of the Planning and Development Regulations 2001 and either —*

*(I) such development [ would equal or exceed, as the case may be, ] any relevant quantity, area or other limit specified in that Part, or*

*(II) no quantity, area or other limit is specified in that Part in respect of the development concerned,*

*or*

*(b) (i) the proposed development would be of a class specified in Part 2 of Schedule 5 of the Planning and Development Regulations 2001 but [ does not equal or exceed, as the case may be ] the relevant quantity, area or other limit specified in that Part, and*

*(ii) it is concluded, determined or decided, as the case may be, —*

*(I) by a planning authority, in exercise of the powers conferred on it by this Act or the Planning and Development Regulations 2001 (S.I. No. 600 of 2001),*

*(II) by the Board, in exercise of the powers conferred on it by this Act or those regulations,*

*(III) by a local authority in exercise of the powers conferred on it by regulation 120 of those regulations,*

*(IV) by a State authority, in exercise of the powers conferred on it by regulation 123A of those regulations,*

*(V) in accordance with section 13A of the Foreshore Act, by the appropriate Minister (within the meaning of that Act), or*

*(VI) by the Minister for Communications, Climate Action and Environment, in exercise of the powers conferred on him or her by section 8A of the Minerals Development Act 1940,*

*that the proposed development is likely to have a significant effect on the environment.”*

In some cases, Member States have also established “exclusion” or “negative” lists specifying thresholds and criteria below which EIA is never required or below which a simplified EIA procedure applies. There may be exceptions to the negative thresholds, for example, for projects in defined sensitive locations. Such exceptions will apply in the case of Habitats Directive 92/43/EEC (as amended) assessments. The use of exclusion lists, defining thresholds below which EIA is never required, is very limited in the EU Member States.

## APPENDIX 2 METHODOLOGY AND GUIDANCE

The following guidance documents were used to develop the approach to the environmental impact assessment screening appraisal.

- Guidelines on the Information to be Contained in Environmental Impact Assessment Reports (EPA May 2022);
- Environmental Assessments of Plans, Programmes and Projects – Rulings of the Court of Justice of the European Union (European Union 2017);
- Environmental Impact Assessment of Projects – Guidance on Scoping (Directive 2011/92/EU as amended by 2014/52/EU) (European Union 2017);
- Guidance of Integrating Climate Change and Biodiversity into Environmental Impact Assessment (European Union 2013);
- Environmental Impact Assessment of Projects – Guidance on the preparation of the Environmental Impact Assessment Report (European Union 2017);
- European Commission 2017. Environmental Impact Assessment of Projects Guidance on Screening (Directive 2011/92/EU as amended by 2014/52/EU);
- EU Commission Guidance on Interpretation of definitions of project categories of annex I and II of the EIA Directive (2015);
- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment (Government of Ireland 2018);
- Key Issues Consultation Paper on the Transposition of 2014 EIA Directive (2014/52/EU) in the Land Use Planning and EPA Licencing Systems; (Department of Housing, Planning, Community and Local Government 2017);
- Guidelines for the Assessment of Indirect and Cumulative Impacts as well as Impact Interactions (European Communities 1999);
- Implementation of Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (European Communities 2003); and
- Office of the Planning Regulator (OPR) Environmental Impact Assessment Screening Practice Note (2021).

## APPENDIX 3 SUB-THRESHOLD DEVELOPMENT

Sub-threshold development may still require an EIA process to be completed. The most important element to address in the possible assessment of a sub-threshold development and its requirement for an EIA is the likelihood of a project having any significant effects on the environment. Annex III of the EIA Directive sets out criteria to determine whether the projects listed in Annex II should be subject to an environmental impact assessment.

It is also set out in Schedule 7 to the Planning and Development Regulations, 2001 as amended. Within Schedule 7A, information to be provided by the applicant or developer for the purposes of screening sub-threshold development for EIA includes:

1. A description of the proposed development, including in particular –
  - (a) a description of the physical characteristics of the whole proposed development and, where relevant, of demolition works, and
  - (b) a description of the location of the proposed development, with particular regard to the environmental sensitivity of geographical areas likely to be affected.
2. A description of the aspects of the environment likely to be significantly affected by the proposed development.
3. A description of any likely significant effects, to the extent of the information available on such effects, of the proposed development on the environment resulting from –
  - (a) the expected residues and emissions and the production of waste, where relevant, and
  - (b) the use of natural resources, in particular soil, land, water and biodiversity.
4. The compilation of the information at paragraphs 1 to 3 shall take into account, where relevant, the criteria set out in Schedule 7.

## APPENDIX 4 SCHEDULE 7

Within Schedule 7 of the Planning and Development Regulations, the characteristics under which a project must be considered to determine if an EIA is required includes:

1. Characteristics of projects
  - (a) the size and design of the project;
  - (b) cumulation with other existing and/or approved projects;
  - (c) the use of natural resources, in particular land, soil, water and biodiversity;
  - (d) the production of waste;
  - (e) pollution and nuisances;
  - (f) the risk of major accidents and/or disasters which are relevant to the project concerned, including those caused by climate change, in accordance with scientific knowledge; and
  - (g) the risks to human health (for example due to water contamination or air pollution)

## 2. Location of projects

The environmental sensitivity of geographical areas likely to be affected by projects must be considered, with particular regard to:

- (a) the existing and approved land use;
- (b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground;
- (c) the absorption capacity of the natural environment, paying attention to the following areas:
  - (i) wetlands, riparian areas, river mouths;
  - (ii) coastal zones and the marine environment;
  - (iii) mountain and forest areas;
  - (iv) nature reserves and parks;
  - (v) areas classified or protected under national legislation; Natura 2000 areas designated by Member States pursuant to Directive 92/43/EEC and Directive 2009/147/EC;
  - (vi) areas in which there has already been a failure to meet the environmental quality standards, laid down in Union legislation and relevant to the project, or in which it is considered that there is such a failure;
  - (vii) densely populated areas; and
  - (viii) landscapes and sites of historical, cultural or archaeological significance.

## 3. Type and characteristics of the potential impact

The likely significant effects of projects on the environment must be considered in relation to criteria set out in points 1 and 2 of this Annex, with regard to the impact of the project on the factors specified in Article 3(1), taking into account:

- (a) the magnitude and special extent of the impact (for example geographical area and size of the population likely to be affected);
- (b) the nature of the impact;
- (c) the transboundary nature of the impact;
- (d) the intensity and complexity of the impact;
- (e) the probability of the impact;
- (f) the expected onset, duration, frequency and reversibility of the impact;
- (g) the cumulation of the impact with the impact of other existing and/or approved projects; and the possibility of effectively reducing the impact.



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