



To: An Cathaoirleach and each Elected Member of Kilkenny County Council

12th December 2017.

Re: Part VIII Planning Report for the Brewhouse Building.

A Chara,

On 31st July, 2015 Elected Members approved the Abbey Creative Quarter Master Plan, which allowed for the retention and renovation of the Brewhouse Building on the former Smithwicks Brewery Site.

In February 2016, Elected members approved proposals for the redevelopment of the Brewhouse Building and associated works, following a public consultation process in accordance with the provisions of Part VIII of the Planning & Development Regulations 2001, as amended.

Now, following the demolition works of adjoining buildings, structural & site investigations and detailed design works, a number of amendments are proposed to the previously permitted development. An outline of the proposed amendments was presented to the Elected Members at the October 2017 meeting of Kilkenny County Council.

In accordance with the provisions of Section 179 of the Planning & Development Act 2000, as amended and Part VIII of the Planning & Development Regulations 2001, as amended, details of the revised proposals for the redevelopment/renovation of the Brewhouse Building and associated works were published on Friday 27th October, 2017 and submissions/observations were invited on the proposals up to and including Friday 8th December, 2017. A public information evening was held in the Maltings Building on the evening of 30th November 2017.

A total of 5 submissions were received on foot of the consultation process. The details of the proposed development and the details of the submissions/observations received are set out in the attached report together with the Council's responses thereto. Member's attention is also drawn to the report of the Council's Planning Department in respect of the proposed development.

Taking account of the following;

- agreement of Elected Members to the retention and renovation of the Brewhouse in July 2013,
- approval, by the Elected Members, of the Abbey Creative Quarter Masterplan in July 2015, including proposals for the retention and renovation of the Brewhouse
- the contents of the attached Report

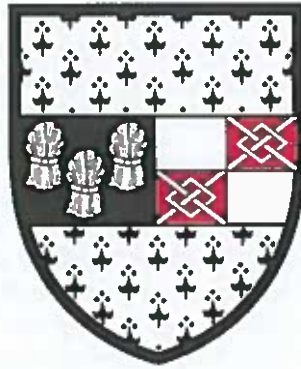
I am satisfied that the proposed development is consistent with the proper and sustainable development of the area and is consistent with the provisions of the Kilkenny City & Environs Development Plan 2014 – 2020.

I recommend that the development proceeds as proposed, to include any commitments given in response to the submissions made to the consultation process and the recommendations of the Planning Authority.

Tim Butler

Tim Butler

Deputy Chief Executive.



Kilkenny County Council

Report – 12th December 2017

**In accordance with Section 179 of the
Planning & Development Acts, 2000-2017**

Abbey Quarter Brewhouse Project

For consideration by the Elected
Members of Kilkenny County
Council at monthly meeting held
on 18th December 2017

1.0 Introduction

This document has been prepared in accordance with the requirements of Part XI (Section 179) of the Planning & Development Act 2000 – 2016 and Part VIII of the Planning & Development Regulations, 2001 -2017.

The proposed development will involve the renovation of the Brewhouse Building on the former Smithwicks (Diageo) Brewery site in the townland of Gardens, Kilkenny. It is proposed that the existing industrial building will be renovated to accommodate a range of uses including education, research & development and/or office. The project will also include the development of a public realm area, incorporating Horse Barrack Lane and the area immediately adjoining the Brewhouse Building. This will involve the resurfacing and hard/soft landscaping of the area, creating a pedestrian and cyclist dominated space, with vehicular access to the rear of properties on Parliament Street. This civic space will be linked through an archway in the Brewhouse to a new landscaped courtyard to the east of the existing Brewhouse Building.

Details of the proposed development have previously been considered and approved by the Elected Members of Kilkenny Co. Co. in February 2016. The current proposed development includes modifications to the previously approved development.

1.1 Pre-planning advice

A pre planning meeting was held with the Planning Dept. on 15th Sept. at which the proposed amendments to the previously permitted redevelopment of the Brewhouse were outlined and reviewed. In principle there were no objections from a Planning Perspective to the proposed development.

In addition, the Design Team consulted with the Conservation Officer in relation to the Conservation aspects of the proposed development.

1.2 Notice of proposed development

The project was advertised by Notice in the Kilkenny People newspaper on the week ending Friday 27th Oct 2017.

KILKENNY COUNTY COUNCIL
 Comhairle Chontae Chill Chainnigh
 Planning & Development Act 2000-2016
 Planning & Development Regulations 2001-2017
 NOTICE OF PROPOSED DEVELOPMENT BY A LOCAL AUTHORITY

Redevelopment of the Brewhouse Building on the former Smithwicks Brewery Site in the townland of Gardens, Kilkenny.

In accordance with Part 8, Article 81, of the above regulations, Kilkenny County Council, on behalf of Kilkenny Abbey Quarter Development Ltd, hereby gives notice of its intention to redevelop the former brewhouse building on the former Smithwicks Brewery site, in the townland of Gardens, Kilkenny. The existing building is to be redeveloped to allow for a range of uses including education, research & development and office use.

The current proposed development includes amendments to the original planning permission, KILKENNY CO. 04/03/00/0015, as set out below:

The main features of the proposed development will include:

- the construction of a new extension of roof level over the northern section of the building
- the erection of new floors on voids at first and second floor level to create additional floor space within the existing building envelope
- the replacement of existing windows with new double glazed aluminium windows
- the removal and replacement of the existing flat roof structure
- the erection of new 'sawtooth' roof structures on the southern wing of the building
- the provision of external access with a reserved right to existing retained land.

- the construction of new facades to the east and south where the building previously abutted other brewery buildings, which were demolished by Design Ireland (Planning Ref No. 13/000043)
- the demolition of an existing non-heritage steel framed structure
- the demolition and removal of steel cladding, brick wall, concrete walls and floors as necessary to facilitate the proposed re-structure and refurbishment works
- the provision of signage on the east facade
- the improvement of a new hard landscaped public space along Horse Barrack Lane
- the construction of a new landscaped public open space yard to the east of the Brewhouse
- the removal of the existing access gate

The Green Floor area of the completed Brewhouse building will be approx. 6,390 sq.m.

The Brewhouse building is located within the City Centre Architectural Conservation Area as set out in the Kilkenny City & Environs Development Plan 2011-2025. It is also located within a zone of Architectural Potential (AAP7) of the City and is adjoining St Francis Abbey, a National Monument.

Plans and particulars of the proposed development will be available for inspection or purchase for a fee not exceeding the reasonable cost of making a copy during:

after hours from Friday 17th Oct 2017 to Friday 25th November 2017 inclusive, at the following Kilkenny County Council offices:

- Planning Dept. Kilkenny County Council, County Buildings, 24th June St, Kilkenny City from 9am to 5pm & 2pm to 4.30pm Monday to Friday (Except Public Holidays)
- Campaign Library, James Clery, Kilkenny from 10am to 1pm and 2pm to 3pm Tuesdays and Wednesdays, 10am to 1pm and 2pm to 3pm Thursdays and Fridays, and 10am to 1.30pm Saturdays (except Bank Holiday 2017-2018)

Details of the proposed development can also be viewed at <http://map.kilkennyco.ie> and www.kilkennyco.ie

Submissions or observations with respect to the proposed development, drawing with the proper plan and volumetric development of the area to which the development will be carried out, may be made online at <http://map.kilkennyco.ie>, in writing to the Planning Section, Kilkenny County Council, County Hall, John Street, Kilkenny or sent to the following e-mail address: BrewhousePlanning@kilkennyco.ie. The latest time and date for receipt of submissions on the development is 5.00pm on Friday 10th December, 2017. Submissions should be clearly marked "Brewhouse Building - Planning Submissions".

Mr. Martin Prendergast
 Head of Planning
 Kilkenny Co. Council, County Hall,
 John Street, Kilkenny

4 no. Site Notices were also erected on the site of the proposed development, visible from Parliament St. and Horse Barrack Lane. A copy of this notice is attached to Appendix B.





Details of the proposed scheme were also advertised via the Kilkenny County Council Public Consultation Portal <http://consult.kilkenny.ie/>

Plans and particulars for the proposed Scheme were available for inspection from Friday 27th October 2017 to Friday 24th November 2017 at the following locations :

- Planning Dept., County Hall, John St., Kilkenny.
- Carnegie Library, Johns Quay, Kilkenny.
- www.kilkennycoco.ie
- <https://consult.kilkenny.ie/>

In addition, a non statutory public information evening was held on Thursday 30th November 2017 in the Maltings Building on Tilbury Place from 4.00pm to 8.00pm. This information evening was attended by Kilkenny County Council staff, together with representatives from the project architects, Reddy Architecture & Urbanism. The purpose of the public information evening was to allow members of the public to review the planning documents and to allow them the opportunity to discuss the proposed development with the project team.

Submissions and observations were invited with respect to the proposed development dealing with the proper planning and development of the area in which the proposed development will be carried out, with a final date for receipt of submissions on Friday 8th Dec. 2017.

The following Statutory Bodies were invited to make submissions on the scheme:

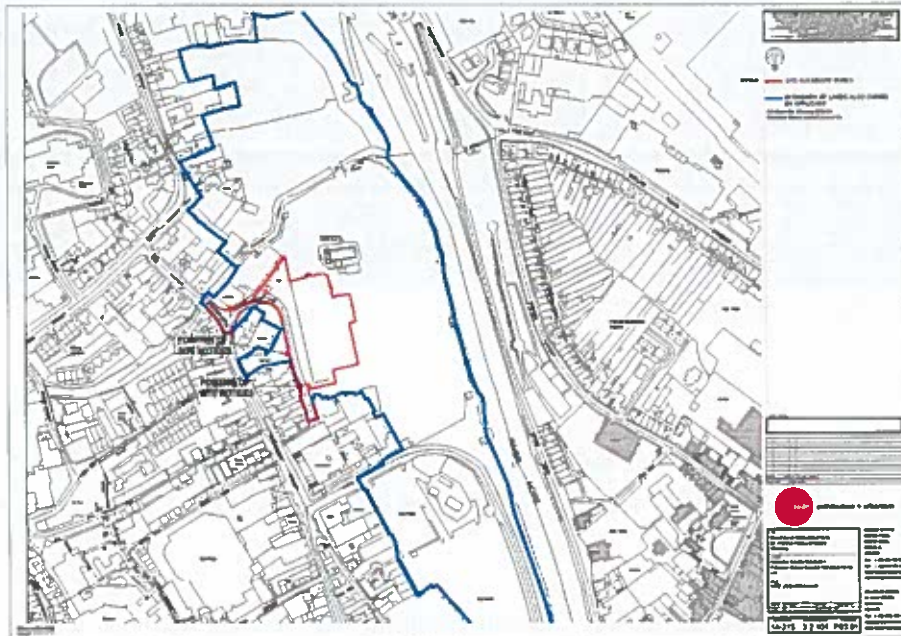
- An Comhairle Ealaíonn, 70 Merrion Square, Dublin 2
- Fáilte Ireland, 88-95 Amiens Street, Dublin 1.
- An Taisce, The National Trust of Ireland, Tailors Hall, Dublin 8.
- The Heritage Council,
- Inland Fisheries Ireland, Anglesea Street, Clonmel, Co. Tipperary.
- Department of Arts, Heritage & The Gaeltacht, Newtown Rd, Wexford.
- Irish Water, HQ Offices, Coleville House, 24-26 Talbot St., Dublin 1.
- Office of Public Works.
- Dept. of Environment, Community & Local Government.

The documents on public display were as follows :

- Architectural Drawings
- Architects Report including details of amendments from previously approved development proposal.
- Conservation Assessment
- Archaeological Assessment
- Appropriate Assessment Screening Report
- Landscape Design Details

2.0 Brief description of the proposed works

2.1 Site Location



The site of the proposed development is located in the townland of Gardens in Kilkenny City. The Brewhouse building is located within the former Smithwicks Brewery site and is accessed from Horse Barrack Lane / Parliament St..



Aerial View of Site from South West

It is noted that the site is located within the City Centre Architectural Conservation Area and the zone of Archaeological potential for Kilkenny City city. The building is located in close proximity to St Francis Abbey, a national monument.

The site of the Brewhouse is zoned for General Business use in the Kilkenny City & Environs Development Plan 2014-2020. Section 3.4.5.4 of the Development Plan describes this zoning as follows :

3.4.5.4 General Business

Objective: To provide for general development.

Permissible Uses: Dwellings, retailing, retail warehousing, wholesale outlets, offices, public buildings or places of assembly, cultural or educational buildings, recreational buildings, halting sites, hotels, motels, guest houses, clubs, private garages, open spaces, public service installations, medical and related consultants, restaurants, public houses, coffee shops/cafes, petrol stations, car parks, halls or discotheques, and other uses as permitted and open for consideration in residential zoning.

Open for Consideration: open space, workshop or light industry.

The proposed use of the Brewhouse Building is to allow for a range of uses including education, research & Development and/or office uses. These uses are in accordance with the zoning objectives of the site as outlined in the Kilkenny City & Environs Development Plan 2014 – 2020.

2.2 Description of Proposed Development

The proposed development will see the re-development of the Brewhouse building to allow for a range of uses including education, research & Development and/or office uses.

These works will entail the following :

- the construction of a new extension at roof level over the northern section of the building.
- the insertion of new floors in voids at first and second floor level to create additional floor space within the existing building envelope.
- the replacement of existing windows with new double glazed aluminium windows
- the removal and replacement of the existing flat roof structure.
- the insertion of new 'sawtooth' roof structures on the southern wing of the building
- the provision of external insulation with a rendered finish to existing rendered facades.
- the construction of new facades to the east and south where the building previously abutted other brewery buildings, which were demolished by Diageo Ireland (Planning Ref. No. 13/990045)
- the demolition of an existing non reusable steel framed structure
- the demolition and removal of steel cladding, brick infill walls, concrete walls and floors as necessary to facilitate the proposed renovation and refurbishment works.
- the provision of signage on the west façade.
- the construction of a new hard landscaped public space along Horse Barrack Lane.
- the construction of a new landscaped public square/courtyard to the east of the Brewhouse
- the removal of the existing security hut.

3.0 Background and reasons for scheme

The Brewhouse Building is located within the former Smithwicks Brewery site. Following the decision of Diageo to close the Brewery and to centralise production facilities at the St James' Gate Brewery in Dublin, Kilkenny County Council agreed to purchase the site of the former brewery in 2012. The site was purchased with a view to the redevelopment of the site in such a way as to provide sustainable jobs to replace those lost in the closure of the Brewery and the provision of amenities for use by the

local community and tourists. It was on this basis of job creation that a loan for the purchase of the site was sanctioned by Central Government.

From an initial review of the buildings on site, undertaken in May 2013, the Brewhouse Building was identified as a building that could be retained and renovated. Details of this review were presented to and agreed by the elected members of Kilkenny Borough Council and Kilkenny County Council at a joint meeting held on 15th July 2013.

The retention and re-use of the Brewhouse Building was included in the Masterplan for the redevelopment of the site, agreed by the elected members of Kilkenny County Council on 31st July 2015.

The re-use, where possible, of some of the existing buildings on the site and in particular the proposed renovation and re-use of the Brewhouse Building accords with the principle of sustainable re-use of building assets. The principle of sustainable development is a fundamental principle of the Kilkenny City & Environs Development Plan 2014 – 2020 .

4.0 Changes from previously permitted development (Feb 2016)

The current proposed development includes amendments to the previously permitted redevelopment of the Brewhouse Building. These amendments, and the reasons for the proposed amendments, have been outlined in the Architects Report and are summarised in Appendix E,

5.0. Design Criteria

The design for the renovation of the Brewhouse building has been undertaken in accordance with the requirements of the Building Regulations and has taken into consideration inter alia the following plans, policy and guidance documents :

- Kilkenny City & Environs Development Plan 2014-2020.
- Abbey Creative Quarter Masterplan.
- “Frameworks and Guidelines for the Protection of the Archaeological Heritage” (1999) DAHG
- Policy and Guidelines on Archaeological Excavation (1999) DAHG
- “Architectural Heritage Protection – Guidelines for Planning Authorities” published by the Dept. of the Environment, Heritage and Local Government
- Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities (Dept. of the Environment, Heritage and Local Government.)

6. Submissions and Observations received in response to Public Consultation

A total of 5 no. submissions were received in response to the public consultation for the proposed development.

Submissions / Observations were received from the following parties :

1. Irish Water
2. Lucy Glendinning
3. Christopher O'Keefe
4. Aine Hickey
5. Inland Fisheries Ireland

The following table summarises the submissions received and the responses to same. Full details of the Submissions received can be seen in Appendix 'C'

<p><u>Irish Water</u></p> <p>No Objection subject to :</p> <p>Where the applicant proposes to connect directly or indirectly to a public water / wastewater networks operated by Irish Water, the applicant must sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.</p> <p>In the interest of Public Health and Environmental Sustainability, Irish Water Infrastructure capacity requirements and proposed connections to the Water and Wastewater Infrastructure will be subject to the constraints set out in that agreement.</p>	<p>Noted.</p>
<p><u>Lucy Glendinning</u></p> <p>Has submitted the same submission as her submission to the previous public consultation for the previous proposals for the redevelopment of the Brewhouse.</p> <ol style="list-style-type: none"> 1. Archaeological excavations should shape and lead the site usage and development. Developing the Brewhouse as proposed will seriously curtail meaningful investigations. Also, the building will continue to dominate the Abbey Building. <p>Brewhouse development is flawed and premature.</p> <ol style="list-style-type: none"> 2. Need to be fully informed as to the precise future usage of the building. Presumes that the building will be for office space, which is clearly contrary to common sense and also against the wishes of the majority of the citizens of Kilkenny. 3. Brewery site is not an appropriate location for another business park. 	<ol style="list-style-type: none"> 1. An updated archaeological impact assessment has been prepared for the project. The proposed archaeological mitigation measures include the undertaking of archaeological test excavations. These test excavations will further advise the detailed design process and details of any further archaeological mitigation measures will be agreed with the National Monuments Service and the Dept. of Culture, Heritage & the Gaeltacht. . <p>Kilkenny County Council has committed through the Masterplan for the Abbey Creative Quarter to carrying out further investigations and assessments of the archaeology of the site, with the findings to further inform the development of the overall Masterplan Area. Proposals for the archaeological assessment of the site have been agreed with the National Monuments Service and it is expected that archaeological test excavations will commence in January 2018.</p> <p>It is noted that the northern end of the Brewhouse Building was the subject of an archaeological excavation in the 1970's and the findings of that archaeological excavation will be considered and expressed in the detailed design of the renovated building.</p> <p>The area between the Brewhouse and the Abbey will be the subject of future archaeological assessment and investigation as provided for in the Abbey Creative Quarter Masterplan.</p> <p>No details provided.</p> <ol style="list-style-type: none"> 2. The proposed development allows for a range of uses including education, research & development and /or office use. The precise future usage will be determined based on market demand in these areas of proposed usage. 3. There is no proposal for the development of a business park on the Brewery Site. As per the

<p>4. HGV traffic management plan for the city has not been completed yet – parking and types of vehicles allowed access to the Brewhouse must be specified at this stage.</p> <p>5. Proposed plaster finish is inappropriate and out of character with its industrial heritage.</p> <p>6. Acknowledges that it can be better to retain buildings from an environmental perspective. As there is no information forthcoming as to the future use of the building, there is no justification for the cost of redeveloping the building. There would be very good reasons to remove it from such an historical site and to carry out proper archaeological investigations.</p>	<p>provisions of the Masterplan, it is intended that the Brewhouse site will incorporate a mixed use development.</p> <p>4. The proposed HGV Traffic Management Plan for Kilkenny City relates to the implementations of measures to control and manage the movement of HGV's through the city. The proposed uses for the Brewhouse Building, namely education, research & development and/or office use will not generate additional HGV traffic in the city – thus the HGV Traffic Management plan for the city is not relevant in the context of the proposed redevelopment of the Brewhouse Building.</p> <p>Vehicular access to the building will be limited to service vehicles and deliveries, with limited access for mobility impaired drivers.</p> <p>5. The proposed external finishes to the building will see the retention of the existing brickwork finish to the structure. A simple rendered finish is proposed in areas of the building that were previously rendered and to replace the existing profiled metal cladding on the structure. In areas where the structure was not previously exposed due to the presence of adjoining structures, which are being demolished by Diageo, a simple rendered plaster finish will be provided.</p> <p>It is noted that there is currently a rendered finish to parts of the building. The rendered plaster finish is in keeping with the character of the existing building and is consistent with the character of industrial buildings of a similar age.</p> <p>6. There are a number of reasons for the retention of the Brewhouse Building as allowed for in the Abbey Creative Quarter Masterplan :</p> <ul style="list-style-type: none"> • The Brewhouse building is representative of the brewing history on the site - it is a very important element in the historical development of the site. • It is an example of the Industrial Heritage of the city. • The retention and re-use of the building accords with the principles of sustainable development. <p>The submission acknowledges that the retention of existing buildings is better from an environmental perspective.</p> <p>The suggestion that the building be removed for archaeological reasons is at odds with the environmental reasons for retaining the building.</p> <p>As with all such developments, it is a matter of achieving a balance in the development proposals. In this case, the Masterplan allows for the retention of the Brewhouse Building for the reasons listed whilst at the same time taking into consideration the archaeology of the area.</p> <p>It is noted that the northern end of the Brewhouse Building was the subject of an archaeological excavation in the 1970's. The findings of that archaeological excavation will be considered and expressed in the detailed design of the renovated building. This is in accordance with the provisions of</p>
--	---

<p>7. Traffic Management/parking issues are not addressed</p> <p>8. Impact of the CAS has not been included in the NIS, AA and the SEA reports.</p> <p>9. EIS is inadequate.</p>	<p>the Archaeological Strategy for the Masterplan Area.</p> <p>An updated archaeological impact assessment has been prepared for the project. The proposed archaeological mitigation measures include the undertaking of archaeological test excavations. These test excavations will further advise the detailed design process and details of any further archaeological mitigation measures will be agreed with the National Monuments Service and the Dept. of Culture, Heritage & the Gaeltacht.</p> <p>7. Parking to facilitate the proposed development will be progressed in line with the provisions of the Masterplan for the Abbey Creative Quarter (or any future amendment to the Masterplan that may be approved by the elected members of Kilkenny Co. Co.) and in line with the provisions of objective 3N of the Kilkenny City & Environs Development Plan 2014 – 2020 or any future variation to the Development Plan.</p> <p>8. The impact of the CAS project has been considered in the Appropriate Assessment Screening for the project under the heading of "Assessment of potential cumulative effects" The impact of the CAS was also considered in the preparation of the Masterplan for the Abbey Creative Quarter, specifically in the Strategic Environmental Assessment (SEA) and the Natura Impact Report. The retention and renovation of the Brewhouse Building is consistent with the provisions of the Abbey Creative Quarter Masterplan.</p> <p>9. The proposed development is significantly sub threshold for the EIA requirements as set out in schedule 5 "Development for the purposes of Part 10" of the Planning & Development Regulations 2001-2015.</p> <p>The need for and Environmental Impact Assessment for the proposed renovation of the Brewhouse Building and associated works was considered by An Bord Pleanála, who determined in Nov. 2016 that <i>".....it is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact statement is not therefore required"</i>.</p>
<p><u>Christopher O'Keefe</u></p> <p>1. States that Kilkenny Abbey Quarter Development Ltd have not provided the following :</p> <ul style="list-style-type: none"> o Updated Screening for Appropriate Assessment o Details of Construction Environmental Management Plan o Architectural Design Statement e— Archaeological Impact Assessment <p>Post Consultation note – by e-mail dated 11th December 2017, Mr O'Keefe asked that the words "Archaeological Impact Assessment" be removed from his submission.</p>	<p>1. An Appropriate Assessment Screening Report for the proposed Renovation of the Brewhouse Building and associated works was prepared by Moore Group – Environmental Services in October 2015. Moore Group – Environmental Services reviewed the revised details of the proposed development and have confirmed by way of letter dated 19th Oct. 2017 that <i>"...there is no material alteration to the determination of the conclusion of the AA Screening Assessment, in that there would be no significant impacts on the conservation objectives of the adjacent River Nore and River Barrow Natura 2000 sites or any other European sites, either alone or in-combination"</i></p>

<p>2. States that the above documents should be on display for a 6 week period to allow public consultation.</p> <p>3. Concerned that the Part VIII process is incorrect for Kilkenny Abbey Quarter Development Ltd as the proposed development is not by Kilkenny Co. Co..</p> <p>4. States that Development is part of a larger development by Kilkenny Abbey Quarter Development Ltd and thus requires Environmental Impact Assessment – states that this is project splitting. States that judgement of Kelly v An Bord Pleanala makes it clear that the development requires Appropriate Assessment and Environmental Impact Assessment.</p>	<p><i>with other plans or projects if the proposed alterations were to proceed including a CEMP'</i></p> <p>It will be a requirement of the project for the contractor to prepare a Construction Environmental Management Plan. This information is not required for planning purposes.</p> <p>Details of the Architectural Design Statement were on public display.</p> <p>2. Details of the proposed development were on public display for a 4 week period from Friday 27th October to Friday 24th November 2017, with a further 2 weeks allowed for the making of submissions or observations. This complies with the requirements of the Planning & Development Regulations 2001-2017, as amended by the Planning & Development (Strategic Housing Development)Regulations 2017, which came into effect on 3rd July 2017.</p> <p>3. As per the provisions of the Planning & Development Regulations 2001-2017 the Part VIII process applies to <i>"...Specified development by, on behalf of, or in partnership with local authorities"</i>. The renovation of the Brewhouse Building is to be carried out in Partnership with Kilkenny County Council, with the public realm aspects of the proposed development to be undertaken by Kilkenny Co. Co..</p> <p>4. The need for and Environmental Impact Assessment for the proposed renovation of the Brewhouse Building and associated works was considered by An Bord Pleanala, who determined in Nov. 2016 that <i>".....it is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact statement is not therefore required"</i>.</p> <p><i>In making that decision, An Bord Pleanala gave consideration inter alia to</i></p> <ul style="list-style-type: none"> o <i>the size of the site and scale of the proposed development and in particular the fact that the site size is sub threshold in respect of Class 10(b)(iv) (Infrastructure-Urban Development) of the Planning and Development Regulation, 2001, as amended.</i> o <i>The urban location of the site, its physical separation from the existing business district and the existing pattern of development in the vicinity.</i> o <i>The nature and scale of the proposed development, specifically the fact that it comprises the redevelopment of an existing structure and that there is no extension to the proposed building footprint and a limited extent of new floor space.</i> o <i>The location of the site within the area covered by the Abbey Cultural (sic) Quarter Masterplan</i> o <i>The environmental sensitivity of the area affected and the characteristics of likely potential impacts arising from the proposed development.</i> <p><i>The proposed amendments to the previously permitted</i></p>
---	---

<p>5. States that given the environmental sensitivity and the large amount of PCB's in the area, the proposed water system could potentially disturb the PCB's and introduce them to the River Nore SPC (sic). States that the development could have an effect on the Special Area of Conservation.</p>	<p><i>development do not materially change the characteristics of the proposed development in respect of the need for EIS.</i></p> <p><i>As noted above, the Appropriate Assessment Screening of the proposed development has determined that ".....there is no material alteration to the determination of the conclusion of the AA Screening Assessment, in that there would be no significant impacts on the conservation objectives of the adjacent River Nore and River Barrow Natura 2000 sites or any other European sites, either alone or in-combination with other plans or projects if the proposed alterations were to proceed including a CEMP.</i></p> <p>5. As noted above, the details of the proposed development have been considered in the Appropriate Assessment Screening and the Screening has concluded that ".....there would be no significant impacts on the conservation objectives of the adjacent River Nore and River Barrow Natura 2000 sites or any other European sites, either alone or in-combination with other plans or projects if the proposed alterations were to proceed including a CEMP...."</p>
<p><u>Aine Hickey</u></p> <ol style="list-style-type: none"> 1. Overall plan for the Brewhouse is positive. 2. Supports the provision of trees and planting in the design. Overall feel created in the outside spaces with the lighting and paving is very inviting. 3. Impressed with the idea of using the Bauhaus style in the Brewhouse Design. <p>Highlights the importance of small details such as having a "vertical wave" in the windows.</p> <ol style="list-style-type: none"> 4. States that there does not appear to be any footpath on part of the road. In other pictures there is a small curb where the footpath ends. (picture provided of area in question). 5. Is concerned that different consultations are looking at specific areas of the site, rather than looking at the overall Abbey Quarter and how the Abbey Quarter will fit into the surrounding area. 	<ol style="list-style-type: none"> 1. Noted. 2. Noted 3. Noted. <p>The detailed design of the proposed window system will be agreed with the Conservation Officer.</p> <p>From a detailed review of the existing structure, it is now noted that the original windows in the structure had a centre pivot (horizontal) rather than being side hung. The detailed design of the windows will be agreed with the Conservation Officer to ensure that the window design will respect the original building in proportion and visual impact, rather than propose any new window configuration.</p> <p>The proposed window system will be designed to Ensure that the proposed windows system will facilitate and optimise the natural ventilation of the building. This will give consideration to the location and mechanisms for window openings, options for actuated opening of windows etc.</p> <ol style="list-style-type: none"> 4. It is intended that the area in question will be a shared space, with no difference in level such as a raised footpath. 5. Some public consultations in relation to the implementation of the Abbey Creative Quarter Masterplan will relate to the overall site. For example, the consultations in relation to the Masterplan itself and the Urban Design Criteria, which are currently the subject of a separate

<p>6. Asks how cyclists are going to "flow" through the site.</p> <p>7. Notes that there are no windows proposed on the lane through the building – mends itself to anti-social behaviour.</p>	<p>consultation, all considered the overall site.</p> <p>Other public consultations relate to specific projects within the Masterplan area, such as the Brewhouse Project – the proposals for these individual projects will need to be consistent with the proposals for the overall Masterplan area.</p> <p>6. As noted in Section 4.1.3 (Pedestrian & Cyclist Movement) it is intended that movement through the Masterplan area will be dominated by pedestrians and cyclists. Any areas where vehicles are allowed will be designed as shared spaces. In line with the principles of shared space, it is not intended to demarcate areas to be used by specific road users.</p> <p>7. Windows will be incorporated into the lane as suggested.</p>
<p><u>Inland Fisheries Ireland</u></p> <p>No objection to the proposed development subject to the following :</p> <ol style="list-style-type: none"> 1. Materials arising during demolition should be held, segregated and stored for appropriate off-site disposal and/or re-use as appropriate. 2. In the event of there being e.g. asbestos or residues thereof or old electrical transformers with coolants containing PCB's requiring containment and disposal, some shall be undertaken by appropriately qualified and equipped specialist contractors holding all necessary permits and approvals as required by Irish Law. 3. When cast-in-place concrete is required, all work must be done in the dry and effectively isolated from any surface water drains that may enter the River Breagagh or River Nore for a period sufficient to cure the concrete. Concrete delivery vehicles should be precluded from washing out at locations that would result in a discharge to the River Breagagh or River Nore. If cement or lime is stored on site, it should be held in a dry secure area when not in use. 4. It is important to incorporate best practices into construction methods and strategies to minimise discharges of silt/suspended solids to surface water drains that may enter the River Breagagh or River Nore. Silt traps if required should be constructed of locations that will intercept run-off. Stockpiles of sand and other materials to be used in the works should be covered with sheeting when not in use to prevent washout of fines during rainfall 5. All oils and fuels should be stored in secure bunded areas, and particular care and attention should be taken during refuelling and maintenance operations on plant and equipment. All such plant and equipment should carry spill kits. 6. Where temporary diesel or petrol driven pumps are required, they should be sited within portable temporary bunded units. 	<p>Noted.</p>

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

The proposed development is consistent with the provisions of the Kilkenny City & Environs Development Plan 2014 – 2020 and the Abbey Creative Quarter Masterplan and is compatible with the proper planning and sustainable development of the area. A copy of a Report to this effect from the Planning Department is provided in Appendix A.

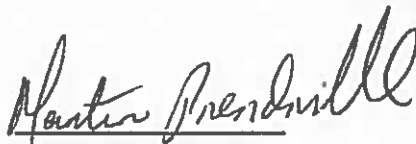
8. Kilkenny County Councils Intention Regarding the Proposed Development

Proposed Development : Part VIII proposal

Renovation of the Brewhouse Building and associated works.

I recommend that Kilkenny Abbey Quarter Development Ltd. and Kilkenny Co. Co., proceed with the proposed development in accordance with the plans made available for public inspection and taking into account the recommendations made by the Planning Department and other commitments given in this report.

Signed :



**Martin Prendiville,
Head of Finance.**

Appendix A

Planning Report

(incl. Conservation Officers Report)

Comhairle Chontae Chill Chainnigh
Kilkenny County Council
Planning Report



To : Martin Prenderville, Head of Finance.

From: Arlene O' Connor, Senior Executive Planner

Date: 11/12/2017 **Part VIII Ref:** P.08/17

Re: Redevelopment of the Brewhouse Building on the former Kilkenny Smithwicks Brewery Site in the townland of Gardens, Kilkenny.

Part VIII Proposal

The current proposal is to amend a previously permitted Part VIII for the redevelopment of the Brewhouse building. The main features of the proposed development include the following;

- The construction of a new extension at roof level over the northern section of the building;
- The insertion of new floors in voids at first and second floor level to create additional floorspace within the existing building envelope;
- The replacement of existing windows with new double glazed aluminium windows;
- The removal and replacement of the existing flat roof structure;
- The insertion of new 'sawtooth' roof structures on the southern wing of the building;
- The provision of external insulation with a rendered finish to existing rendered facades;
- The construction of new facades to the east and south where the building previously abutted other brewery buildings, which were demolished by Diageo Ireland (Planning Ref. No. 13/990045);
- The demolition of an existing non reusable steel framed structure;
- The demolition and removal of steel cladding, brick infill walls, concrete walls and floors as necessary to facilitate the proposed renovation and refurbishment works;
- The provision of signage on the west façade;
- The construction of a new hard landscaped public space along Horse Barrack Lane;
- The construction of a new landscaped public square/courtyard to the east of the Brewhouse; and
- The removal of the existing security hut.

The gross floor area of the completed Brewhouse building will be approximately 6,390m² and upon redevelopment will allow a range of uses including education, research and development and / or offices.

Site Location

The site subject to this Part VIII proposal is the Brewhouse Building, located off Parliament Street, east of the entrance to the former Diageo Brewery site in Kilkenny city. St. Francis Abbey lies to the north of the building, to the west lies Horse Barrack Lane and to the east lies the maturation

building, which is to be retained without the fermentation vats.

Zoning

The site falls within a zoning of 'General Business', within the Kilkenny City and Environs Development Plan 2014 – 2020, with an objective to provide for general development. The Permissible Uses as defined under Section 3.4.5.4 of the City and Environs Development Plan are dwellings, retailing, retail warehousing, wholesale outlets, offices, public buildings or places of assembly, cultural or educational buildings, recreational buildings, halting sites, hotels, motels, guest houses, clubs, private garages, open spaces, public service installations, medical and related consultants, restaurants, public houses, coffee shops / cafes, petrol stations, car parks, halls or discotheques. Those uses open for consideration are open space, workshop or light industry.

Objectives within the Kilkenny City and Environs Development Plan 2014 – 2020

Objective 3C

The development plan set out objective 3C specifically relating to this overall site which was "To prepare a master plan and urban design framework for the Smithwick's site and Bateman Quay during the lifetime of the development plan."

This objective resulted in the Abbey Creative Quarter Masterplan, which was adopted on 31st July, 2015, which allowed for the retention and re-use of the Brewhouse Building on the Brewery Site.

Heritage

Protected Structure – The Brewhouse Building is not protected.

Recorded Monument – The site is adjacent to an area containing several recorded monuments namely St. Francis Abbey (RMP No. KK019-026101, (RMP No. KK019-026151), (RMP No. KK019-026183), a stone font (RMP No. KK019-026150) and St. Francis Well (UAS 4a:101) previously unidentified KK019-026 Medieval City.

ACA – The site falls within the City Centre Architectural Conservation Area.

SAC – The site lies adjacent to the Breagagh River, a feeding tributary of the River Nore cSAC.

SPA – The site falls in close proximity to the River Nore SPA.

pNHA – The site is not within any pNHA.

Appropriate Assessment

An Appropriate Assessment Screening Report was carried out by Moore Group – Environmental Services dated 22nd October, 2015. This concluded that there was no anticipated impact on the River Nore / River Barrow Special Area of Conservation (SAC) nor on the River Nore Special Protection Area (SPA). A letter on file from the Principle Ecologist at Moore Group dated 19th October, 2017, states that having reviewed the revised proposals in relation to the alterations to design of the Brewhouse Building, he can confirm that there is no material alteration to the determination of the conclusion of the AA Screening Assessment, in that there would be no significant impacts on the conservation objectives of the adjacent River Nore and River Barrow Natura 2000 sites or any other European sites either alone or in-combination with other plans or projects, if the proposed alterations were to proceed including a Construction Environmental Management Plan (CEMP).

A Habitats Direct Project Screening Assessment was also carried out by the Planning Authority and this also concluded that the nature of the alterations to the Brewhouse building were such that significant impacts on any Natura 2000 site can be ruled out, thus the conclusions of the Planning Authority were consistent with the findings of the AA Screening Assessment carried out by Moore Group.

Relevant Planning Policy and Guidelines

Kilkenny City and Environs Development Plan 2014 – 2020

Pre-Planning Advice

A pre-planning meeting was held between Tony Lauhoff, Senior Engineer, Denis Malone, Senior Planner and Arlene O' Connor, Senior Executive Planner on Friday 15th September, 2017 in relation

to this proposed Part VIII. At this meeting the proposal was explained by Mr. Lauhoff and in principle there were no objections to the alterations from a planning perspective.

External Departmental Reports

Irish Water – No objections in principle to this proposal.

OPW – No report returned.

Department of Arts, Heritage and the Gaeltacht – No report returned.

Inland Fisheries Ireland – No objections to this proposal, however conditions to be adhered to throughout the development are incorporated into this report.

The Heritage Council – No report returned.

An Taisce - No report returned.

Faillte Ireland - No report returned.

An Comhairle Ealaíonn - No report returned.

Internal Departmental Reports

Area Engineer - No report returned.

Conservation Officer – No objections in principle to these alterations, however conditions are incorporated into this report, which will be advised to be adhered to throughout the development.

Heritage Officer – No report returned.

Water Services - No report returned.

Third Party Submissions

Christopher O' Keffe – The revised proposals have no updated Screening for Appropriate Assessment, no Construction Environmental Management Plan nor an Architectural Design Statement. There is also a concern that the applicant is Kilkenny County Council, when the project is part of a larger development by Kilkenny Abbey Quarter Development Ltd. Due to this, an Environmental Impact Assessment is required and this project represents project splitting. Due to the environmental sensitivity and the large amount of polychlorinated biphenyl (PCB) in the area, the proposed water system could potentially disturb the PCB's and introduce them to the River Nore, thus having an effect on the Special Area of Conservation.

Lucy Glendinning – This submission is the same as was submitted to the parent Part VIII on the Brewhouse refurbishment, thus there are issues in the submission relating to an EIS, NIS, AA and SEA reports which are not applicable to this current proposal. This submission states that maintaining the Brewhouse building would seriously curtail meaningful archaeological investigations on this site and the building will continue to dominate the Abbey Building. The use of this building also needs to be defined before anyone is expected to comment on a design process. There is already a large amount of office space lying empty in Kilkenny and this site is not appropriate for another business park type development.

Parking, traffic management for the site and types of vehicles using this site must be defined at design stage.

The plaster finish proposed is inappropriate on this building.

Aine Hickey, PRO, Keep Kilkenny Beautiful Committee – Overall this proposal is welcome, however there are questions regarding the footpath, ease of access for cyclists through this development site and lack of windows onto the laneway between the buildings.

Assessment

The main amendments to the previously approved refurbishment of the Brewhouse development include the following;

- Relocation of lift core resulting in lift overrun structure now being visible on the roof.
- Increased size and relocation of the main toilet / services block within the atrium resulting in changes to the southern elevation.

- Relocation of the proposed ESB substation. Existing substation on Horse Barrack Lane was to be moved to the rear of the building (Brewhouse Square) but to avoid access problems is now proposed to be moved to a location further south on Horse Barrack Lane.
- Retention of existing columns on southern elevation resulting in 7 grid bays in lieu of 4 but all will be fully glazed as before.
- Following detailed building survey, the correction of the existing parapet heights on certain parts of the building which are being retained.
- Modification to the balcony over the retained staircase on the northern elevation to align with the existing building structure
- Relocation of main stairs.
- Revisions to the proposed extension at 3rd floor level. Roof overhang omitted and set back on west elevation to Horse Barrack lane fixed at 1.5m.
- Provision of screened space at roof level for equipment, located to minimise visual impact.

The above proposed changes have arisen due to the following;

- Demolitions of existing adjoining structures / building elements revealed features of the existing structure not known at the time of the original design.
- Further detailed surveys post demolition work confirmed existing building details;
- Structural investigations revealed the existing structure to be retained, resulting in revisions to internal layouts;
- Detailed design identified the need for additional equipment, internally and external and to allow some space for occupant equipment;
- Using the existing structure means avoiding unnecessary excavation works, thus minimising the potential impact on Archaeology; and
- A review of how to best to utilise space within the building and a consideration of possible improvements to circulation through the building, making the building more attractive to a wider range of possible occupants and allowing for multiple tenancies.

A more detailed survey of the building was undertaken following the removal of all the brewing equipment from the building and this revealed new parts of the original building which were not evident during the previous Part VIII process on the refurbishment of the Brewhouse.

The detailed design of the building included a review of the locations of lift cores, stairwells, requirements for toilet and shower facilities and review of the location of essential services for the building. Further assessment was carried out also in relation to circulation and egress requirements relating to proposed sanitary facilities.

There were also various consultations with an archaeologist who indicated archaeologically sensitive areas and thus changes were required to reduce the archaeological impact of the renovations.

All changes proposed to the Brewhouse Building as part of this proposal are deemed fundamental for the refurbishment of the existing building and required for the building to function. The changes have been made with due consideration to the context of the building in consultation with the planning department and the conservation officer within the local authority.

In relation to the submissions received, the issues raised by the Conservation officer and Inland Fisheries Ireland are items that need to be taken heed of in terms of this development. Also in relation to the third party submissions, this application is for alterations to the previously approved refurbishment of the Brewhouse building and site and as such these alterations do not merit an EIA. The amendments have been assessed by the principal ecologist whose company carried out the original Appropriate Assessment Screening Report and he has submitted a letter to confirm that these works outlined do not alter any findings as per the AA Screening Report.

The Landscaping Plan as submitted for the original site is still applicable and not altered as a result of these proposed amendments.

The works have been subject to constant liaising with an archaeologist and an Archaeological Impact Assessment report is submitted in relation to these works and it is recommended that the mitigation measures as outlined in this report be adhered to throughout development works on this site. From a planning perspective, there are no objections to the proposed amendments to the refurbishment of the Brewhouse Building on the former Smithwicks Brewery Site in Kilkenny city.

From a planning perspective, there are no objections to the proposed amendments to the refurbishment of the Brewhouse Building on the former Smithwicks Brewery Site in Kilkenny city.

Conclusion

From assessing all the documents submitted with this Part VIII proposal, the submissions received along with the internal departmental and external bodies submissions, the Planning Authority conclude that the Part 8 application for the redevelopment of the Brewhouse Building on the former Kilkenny Smithwicks Brewery Site in the townland of Gardens, Kilkenny, is consistent with proper planning and sustainable development on this site within an Architectural Conservation Area within Kilkenny City, subject to the following issues below being addressed;

1. The recommendation and Mitigation Measures contained with Section 8 of the Archaeological Impact Assessment Report, dated 22nd October 2015, be adhered to.
2. The 6 no. measures as outlined in the submission from Inland Fisheries Ireland dated 8th December, 2017, be adhered to throughout works on this site.
3. Any proposed aluminium flashing to the tops of the Brewhouse towers is to be submitted to the Planning Authority for review prior to commencement of works.
4. Full specification of proposed photovoltaic cells on the new floor over the Boiler House, and a visual assessment of these cells in relation to Saint Francis Abbey, to be submitted to the Planning Authority for review prior to commencement of works.
5. Due to the archaeological significance of the Brewery site and previously uncovered skeletal remains proximate to the Security Hut it advised that a qualified archaeologist under licence monitor all ground disturbances of proposed works including but not limited to Security Hut removal, boundary fence removal, and works to the Horse back Lane.
6. Details of the signage for the Brewhouse, including letter font, specification, colour and lighting to be submitted to the Planning Authority for review prior to commencement of works.
7. Details of any works to the stairwell within the central tower on the western facade which currently remains in its original form, shall be agreed with the Planning Authority, prior to any works commencing on this building.

Signed: 
Senior Executive Planner

Date: 11/12/2017

Signed: 
Senior Planner

Date: 11/12/2017

KILKENNY COUNTY COUNCIL

Planning Department, Conservation Section

PLANNING REF: Part VIII Redevelopment of Brewhouse Building

ADDRESS: Former Smithwicks Site, Gardens, Kilkenny

APPLICANT: Kilkenny Local Authorities

PROPOSED DEVELOPMENT:

The current proposed development includes amendments to the previously permitted Part VIII planning consent for the redevelopment of the Brewhouse building. The following are the main features of the proposed development :

- The insertion of new floors in voids at first and second floor level to create additional floor space within the existing building envelope
- The replacement of existing windows with new double glazed aluminium windows
- The removal and replacement of the existing flat roof structure.
- The construction of a new extension at roof level over the northern section of the building.
- Insertion of saw toothed structures along the southern wing
- The provision of external insulation with a coloured render finish to existing rendered facades.
- The construction of new facades to the east and south where the building previously abutted other brewery buildings, which were demolished by Diageo Ireland (Planning Ref. No. 13/990045)
- The removal of the existing steel boundary fence and low wall to the west boundary of the building to open up the building to address Horse Barrack lane.
- The provision of signage on the west façade.
- The raising of ground levels within the applicant site by approximately 500mm.
- The demolition of an existing, non re-usable, steel framed structures.
- The demolition and removal of steel cladding, brick infill walls, concrete walls, floors and roofs to accommodate refurbishment of the building.
- Removal and demolitions of existing security hut.

STATUTORY PROTECTION:

RPS: No

NIAH: Proximate to 12000008

ACA: City Centre

ARCHAEOLOGY: St. Francis Abbey (RMP No. KK019-026101, (RMP No. KK019-026151), (RMP No. KK019-026183), a stone font (RMP No. KK019-026150), and St. Francis Well (UAS 4a:101) previously unidentified, . KK019-026 Medieval City Human remains found around the security hut.

APPLICATION RECEIVED ON: 8th November 2017

DATE OF REPORT: 8th December 2017

COMMENTS

The Brewhouse building is positioned on the western side of the Brewery, and is located within the Kilkenny City Centre Architectural Conservation Area and the Historic City *RMP KK19-26*. It is located adjacent to St. Francis Abbey, a National Monument RMPKK019026101 is proximate to Kilkenny's City wall (approx. 40m) which is a Recorded Monument KK019-026002

Previous planning permission for the redevelopment of the Brewhouse was awarded through Part VIII process Planning Ref. No. 13/990045. Permission is now sought for amendments to building, both to the interior and the exterior, and its context. The building has been resurveyed, and removal of previously granted demolitions has exposed sections of elevations which were formerly concealed, this has led to further analysis of the buildings form and phasing. Discussions were held with project architects and staff of Kilkenny County Council regarding the amended proposals.

Proposed External Amendments

A number of amendments from the initial permission are proposed to the exterior of the building. The previously in filled L-shaped area, which originally housed the chimneys is to be re-instated. This has become possible due to the relocation of the lift shafts further north. The retention of this L-shaped area is a positive development in the overall high level visual appearance of the building. The relocating of the lift shaft further north now projects slightly over the new roof top floor and allowing for a suitable finish to this projection, this detail is viewed as acceptable.

The roof terrace on the northern elevation, in line with the ground floor double doors has been reduced in size; it is deemed acceptable and does not have a major impact on the architectural viewing promenade or the area below.

The new floor on the Brewhouse, visible on the northern and the western elevation (over the Boiler house) was discussed at length, and it was decided that there should be no ambiguity in future interpretation of the building in relation to the new floor and the original building. The replacement of the large canopy with a lighter, more streamline finish is welcomed, however the set back from the western facade of the new floor to the front of the brick facade is viewed as equally important, with sufficient space being maintained to highlight the later addition. The submitted amendment shows the set back as 1500mm which is viewed as sufficient.

The saw toothed structures were approved as part of the previous Part VIII, however they make a noticeable impression on the southern most tower. The towers must keep their prominent position in the skyline of Kilkenny; any encroachment on their profile should be avoided. The reduction in pitch of the saw toothed structures may be an option, or the removal of the closest mono pitch structure to the southernmost tower will allow for the tower to retain its dominant position in the elevation. Included in the amended proposals is specification for the towers to have *selected aluminium flashing*. Any addition to the current towers may impinge on the visual appearance of the towers and the current skyline, and has the potential to negatively impact the elevation. It is advised that further discussion be had with the Planning Authority concerning this detail prior to commencement of works.

There are a number of photovoltaic cells proposed for the new roofs over the Boiler House and the original 1960s part of the Brewhouse. While these cells appear to be low level, their visual impact from the high ground to the north and west should not be dismissed. The proximity of the Saint Francis Abbey, a National Monument, to the Brewhouse, and its prominent position in the vista from the Round Tower at St. Canice's Cathedral should not be impacted on.

The re-location of the ESB substation on the ground floor of the western facade will be within the confines of the re-opened grid elevation, and will not be readily noticeable in the elevation.

External application of insulation to the buildings has the potential to change the facade, and therefore how people view it. Further detailing of the proposed external insulation, including its relationship with the brick facade is to be supplied to the Planning Authority prior to commencement of works. Further information for the proposed signage, including letter font, specification, colour and lighting, is to be submitted to the Planning Authority for review prior to commencement of works.

Due to the archaeological significance of the Brewery site, (including Horse Bank Lane) and previously uncovered skeletal remains proximate to the Security Hut it advised that a qualified archaeologist under licence monitor all ground disturbances during works.

Proposed Internal Amendments

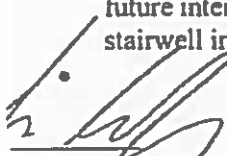
The internal layout of the building has been modified since approval of the original Part VIII application. It is advised that where vats have been removed, that they be represented in the new floors.

The stairs on the western elevation, on the central tower has been modified by the proposed development. The tower represents an important feature in the external of the building, while the stair well positioned in this tower is viewed as an integral part of the understated form of the building. It is recommended that this stairwell and stairs be retained in its current form and any proposed encroachment be removed.

RECOMMENDATION

I have no objection to the proposed amendments, but would recommend the following conditions

- The increased height of the saw toothed structures have resulted in these becoming higher than the southernmost tower on the on the western elevation, highlighted as Phase 6 on the amended conservation plan. The tower must retain its dominant position when viewed against these mono pitch structures. Any proposed aluminium flashing to the tops of the Brewhouse towers is to be submitted to the Planning Authority for review prior to commencement of works.
- There has been increased plant and services accommodated on the roof of the Brewhouse, however further specification of photovoltaic cells on the new floor over the Boiler House, has the potential to detract from the buildings prominent features and, also impact on Saint Francis Abbey, a National Monument. In light of this visual impact it is therefore recommended to omit these cells.
- Due to the archaeological significance of the Brewery site and previously uncovered skeletal remains proximate to the Security Hut it advised that a qualified archaeologist under licence monitor all ground disturbances of proposed works including but not limited to Security Hut removal, boundary fence removal, and works to the Horse back Lane.
- Details of the signage for the Brewhouse, including letter font, specification, colour and lighting to be submitted to the Planning Authority for review prior to commencement of works.
- The redevelopment of the Brewhouse has resulted in modifications to the internal form and features of the building. Ground representation of the now removed vats will acknowledge future interpretation of the building. The central tower on the western facade contains the stairwell in its original form; there must be no encroachment on the stairwell.



Francis Coady

Architectural Conservation Officer

8th December 2017

Appendix B

Planning Notice



KILKENNY COUNTY COUNCIL
Comhairle Chontae Cill Chainnigh

Planning & Development Act 2000-2016
Planning & Development Regulations 2001-2017

NOTICE OF PROPOSED DEVELOPMENT BY A LOCAL AUTHORITY

**Redevelopment of the Brewhouse Building on the former
Smithwick's Brewery Site in the townland of Gardens, Kilkenny.**

In accordance with Part 8, Article 81, of the above regulations, Kilkenny County Council, on behalf of Kilkenny Abbey Quarter Development Ltd, hereby gives notice of its intention to renovate the Brewhouse Building on the former Smithwick's Brewery site, in the townland of Gardens, Kilkenny. The existing building is to be redeveloped to allow for a range of uses including education, research & development and/or office use.

The current proposed development includes amendments to the previously permitted Part VIII planning consent for the redevelopment of the Brewhouse Building.

The main features of the proposed development will include:

- the construction of a new extension at roof level over the northern section of the building.
- the insertion of new floors in voids at first and second floor level to create additional floorspace within the existing building envelope
- the replacement of existing windows with new double glazed aluminium windows
- the removal and replacement of the existing flat roof structure
- the insertion of new 'sawtooth' roof structures on the southern wing of the building
- the provision of external insulation with a rendered finish to existing rendered facades
- the construction of new facades to the east and south where the building previously abutted other brewery buildings, which were demolished by Diageo Ireland (Planning Ref. No. 13/990045)
- the demolition of an existing non-reusable steel framed structure
- the demolition and removal of steel cladding, brick infill walls, concrete walls and floors as necessary to facilitate the proposed renovation and refurbishment works.
- the provision of signage on the west facade.
- the construction of a new hard landscape & public space along Horse Barrack Lane.
- the construction of a new landscaped public square/courtyard to the east of the Brewhouse
- the removal of the existing security hut.

The Gross Floor area of the completed Brewhouse building will be approx. 6,390 sq.m.

The Brewhouse building is located within the City Centre Architectural Conservation Area as set out in the Kilkenny City & Environs Development Plan 2014-2020. It is also located within a zone of Archaeological Potential (KK019-026 'City') and it is adjoining St Francis Abbey, a National Monument.

Plans and particulars of the proposed development will be available for inspection or purchase for a fee not exceeding the reasonable cost of making a copy during office hours from Friday 27th Oct 2017 to Friday 24th November 2017 inclusive, at the following Kilkenny County Council offices:

- Planning Dept., Kilkenny County Council, County Buildings, John St., Kilkenny City from 9am to 1pm & 2pm to 4:00pm Monday to Friday (except Public Holidays)
- Carnegie Library, Johns Quay, Kilkenny from 10am to 1pm and 2pm to 8pm Tuesdays and Wednesdays, 10am to 1pm and 2pm to 5pm Thursdays and Fridays, and 10am to 1:30pm Saturdays (except Bank Holiday weekends).

Details of the proposed development can also be viewed at <https://consult.kilkenny.ie/> and www.kilkennycc.ie

Submissions or observations with respect to the proposed development, dealing with the proper planning and sustainable development of the area in which the development will be carried out, may be made online at <https://consult.kilkenny.ie/>, in writing to the Planning Section, Kilkenny County Council, County Hall, John Street, Kilkenny or sent to the following e-mail address BrewhousePlanning@kilkennycc.ie. The latest time and date for receipt of submissions on the development is 5.00pm on Friday 8th December, 2017. Submissions should be clearly marked "Brewhouse Building - Planning Submission"

Mr. Martin Frend Nile
Head of Finance, Kilkenny Co. Co., County Hall, John Street, Kilkenny.

Appendix C

Submissions Received

Planning Dept,
Kilkenny County Council



UISCE ÉIREANN
ÉIREANN, ÉIREANN
WATER
UISCE ÉIREANN
ÉIREANN, ÉIREANN
WATER
UISCE ÉIREANN
ÉIREANN, ÉIREANN
WATER

Irish Water Submission to Planning Authority

Planning Application No: Part 8 08/17
Date Lodged with Planning Authority: 27 October 2017
Date submitted to Planning Department: 22/11/2017
Development: Kilkenny Co co: Part 8 Proposal for Redevelopment of Brewhouse Building



Location: Former Smithwicks Site, Gardens, Kilkenny

From: Lucy Glendinning
Sent: 07 December 2017 21:47
To: Brew House
Subject: "Brewhouse Building – Planning Submission"

As my views on the Brewhouse have not changed since my last submission, I would like to re-submit same, in the very slim hope that you may take account of the points made therein.

I have no doubt that Kilkenny County Council and its Executive will press on with their own plans, taking no notice of the wishes of the majority of the citizens of Kilkenny City. Archaeology was paramount as expressed at those original consultations before the public became weary, as were green spaces, freedom from motorised vehicles and the roads they require, housing and space for young and old to enjoy.

I despair but I make my submission nonetheless.

sincerely

Lucy Glendinning

To whom it may concern, I would like to make the following submission on the Brewhouse Building. I support this submission with the attached, a limited variety of quotes taken from submission made by members of the public following on from public consultations on the Brewery Site.

As can be seen, even from this very small selection, the overwhelming view was that the archaeological excavations should shape and lead the site usage and development. Disappointingly this is not reflected by the Council's decision to deal first with a building which many members of the public had suggested be demolished or at least reduced in size to allow for the Abbey to be fully exposed and the area around it, to be properly excavated. Developing the Brewhouse as proposed will seriously curtail meaningful investigations. The building itself will continue to dominate the Abbey Building; indeed it may dwarf it entirely.

The current Brewhouse Development is flawed and premature.

Both the planning department and the public need to be fully informed as to the precise future usage of this building, before they are expected to engage in and comment on a design process. With a very large amount of empty office space within the town and on the outskirts, spending money on a building which we presume will be for office use is clearly contrary to common sense and also against the wishes of the majority of the citizens of Kilkenny.

The Brewery site is not an appropriate place for another business park, and that the Brewhouse is the start of a Business Park type development; this type of structure will set a precedent for future development of any buildings.

The HGV and traffic management plan for the city has not been completed as yet, therefore we do not know what guidelines or parameters we are working within. Parking and types of vehicles allowed access to the Brewhouse must be specified at this the design stage. Again prematurity.

That the proposed plaster finish of the outside of the building is inappropriate/out of character with its industrial heritage, which is the reason given for its retention. While I appreciate that at times, it is better to retain buildings from an environmental point of view, however as there has been no information forthcoming as to the future use of this building, there can be no justification for the costs in redeveloping same. There would however be extremely good reasons to remove it from such an important historical site and carry out proper archaeological investigations, or at least reduce it in size.

Traffic management/parking issues, as a result of this development, are not addressed.

The impact of the CAS has not been included in NIS, AA and SEA reports. This is unacceptable.

The EIS is inadequate.

" A thorough archeological assessment is necessary as a medieval city must exploit the assets we possess - St Mary's excavation is a good example"

"The retention of the Mayfair & Brewhouse buildings were not favoured by the consultation process & demolition of both would allow the St Francis Abbey Park to be completed & a more thorough excavation to be conducted."

"To date there has been a very high level of public engagement in terms of consultation both through engagement in the re-visioning workshops and written submission, unfortunately the recommendations from the public do not seem to be taken on board the new version of the Masterplan See Re-visioning document for details. For example the resounding opinion of the public which included Councillors Business people and citizens alike had an almost unanimous view that 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."

"Whatever is done with the site, the first and most important task is to complete a full archaeological excavation of the site, and this should lead any development of the site. Surely there are world universities and colleges worldwide that would get involved with and assist with the excavation of such an important site."

"This consultation process and the summary report was to inform the re drafting of the Masterplan.

Some welcome changes were applied to the site layout plan (eg. extension of green space around the Abbey) but sadly the most fundamental issues raised in the public consultation have not been integrated to the so called 'Final' Masterplan.

Firstly, we only have a Draft Archaeological Report with no statutory influence.

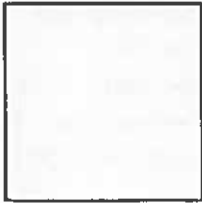
Until archaeological investigations are undertaken, no final decisions about building footprint etc can be commenced unless the design principles and draft plan is predicated with 'subject to findings of the archaeological investigations and the publication of the full Conservation Plan'.

Archaeology : statutory protection, so that construction needs cannot trump archaeological concerns

That there should be no finality as such to this Masterplan. It should evolve over the life of the development. The public should be consulted at the end of each phase of development and be modified as required. The archaeological strategy outlined in the accompanying literature, does not reflect the overwhelming view of the public consultation process, namely that the results of archaeological excavation and examination should shape and lead the Masterplan. At this point, we do not know what the archaeological investigations on site will reveal. Many of the variation objectives listed both limit such investigation and predetermine response to any discoveries of finds."

"I submit that a further variation be compiled, to allow for partial demolition of the Brewhouse, namely of the block closest to the Abbey, as this section of the Brewhouse interferes with the Abbey curtilage."

From: Christopher O'Keeffe
Sent: 08 December 2017 16:53
To: Brew House
Subject: Brewhouse Building – Planning Submission



The *revised proposals* on behalf of **Kilkenny Abbey Quarter Development Ltd** who have *not* provided the following;

- An updated Screening for Appropriate Assessment.
- Details of Construction Environmental Management Plan (CEMP)
- Architectural Design Statement
- Archaeological Impact Assessment.

It is my submission that by not including details of a Construction Environmental Management Plan (CEMP) there could be significant impacts on the conservation objectives of the adjacent River Nore and River Barrow Natura 2000 sites. It is my submission that a Screening for Appropriate Assessment is required. It is my submission that details of a Screening for Appropriate Assessment and of Construction Environmental Management Plan (CEMP), Architectural Design Statement, and Archaeological Impact Assessment for the proposed development should be on display for a 6 week period to allow public consultation.

I am concerned that a Part 8 process is incorrect for **Kilkenny Abbey Quarter Development Ltd** as the proposed development is not by Kilkenny County Council. This project is part of a larger development by **Kilkenny Abbey Quarter Development Ltd**. Therefor it is my submission that there is a requirement for Environmental Impact Assessment, and it is my submission that this is project splitting. The judgement *Kelly v An Bord Pleanála* makes it clear that this is a development which requires Appropriate Assessment and Environmental Impact Assessment .

Given the environmental sensitivity and the large amount of Polychlorinated biphenyl (PCB's) in the area, it is my submission the proposed water system could potentially disturb the Polychlorinated biphenyl (PCB's) and introduce them to the River Nore SPC. It is my submission that a development could/may have an effect on the Special Area of Conservation.

--

Christopher O'Keeffe





KEEP KILKENNY BEAUTIFUL

c/o Regina Byrne Hon Secretary
1 Lintown Court,
Lintown Hall,
Kilkenny

Date :17th November 2017

Planning section
Kilkenny County Council
County Hall,
John Street

By hand and email

RE: Brewhouse development alterations to scheme.

Dear Sirs

On behalf of Keep Kilkenny Beautiful Committee (KKB) I enclose the following:

- Observations in relation to development proposed.

We would be grateful if Kilkenny Co Co acknowledge receipt of the attached observation

Yours sincerely,

Aine Hickey

PRO

KEEP KILKENNY BEAUTIFUL COMMITTEE

ENCL

Submission from Keep Kilkenny Beautiful

Overall the plan for the Brewhouse building is positive. We support the provision trees and planting in the design. The overall feel created in the outside spaces with the lighting and paving is very inviting. We look forward to see the finished product.

we really impressed with the idea of using the Bauhaus style in the Brewhouse design. We wish to highlight one small detail noted: – having “vertical wave” window effect. I think small details like this are very important to the overall look and effect of the place.



Saying that, the point of this consult is to highlight any possible issues.

Footpath

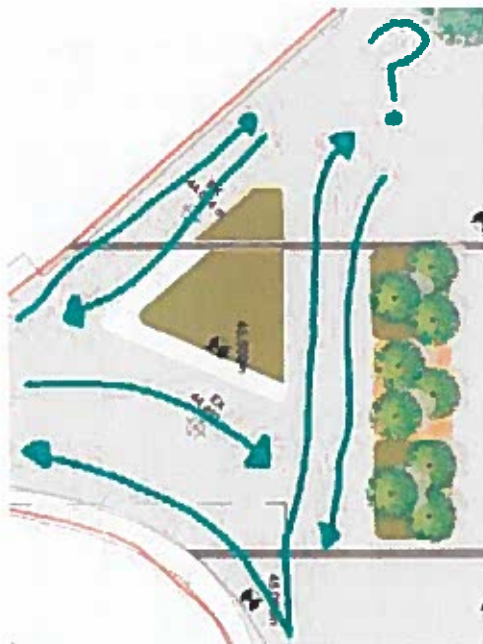
In this image, there doesn't seem to be any footpath on part of the road, as highlighted. In other pictures, there is a small curb where the footpath ends. How will this work with buggies, wheelchairs?



Cycling route

One big issue which needs to be resolved with the whole redevelopment of the Abbey Quarter is how narrow the consultation is. Every consultation looks at a particular area of the Abbey Quarter. But we haven't seen anything about how the quarter is supported to fix into the surrounding area. This is particularly important for cyclists.

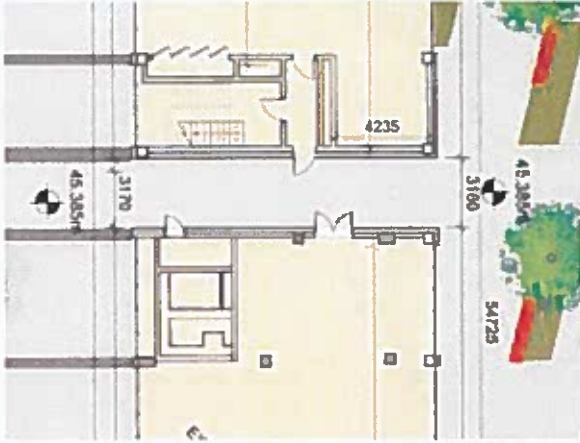
How are cyclists going to “flow” through the site? A particular example is the triangle in the plans, about where the guard station is today. Here is our sketch of ways cyclists might move through the site. But where do they go in the direction of the Abbey? There will be cycle access to the liner park, and hopefully St. Francis Bridge, so I am sure people will want to cycle through this area. Is there enough space around this triangle?



Dark lane

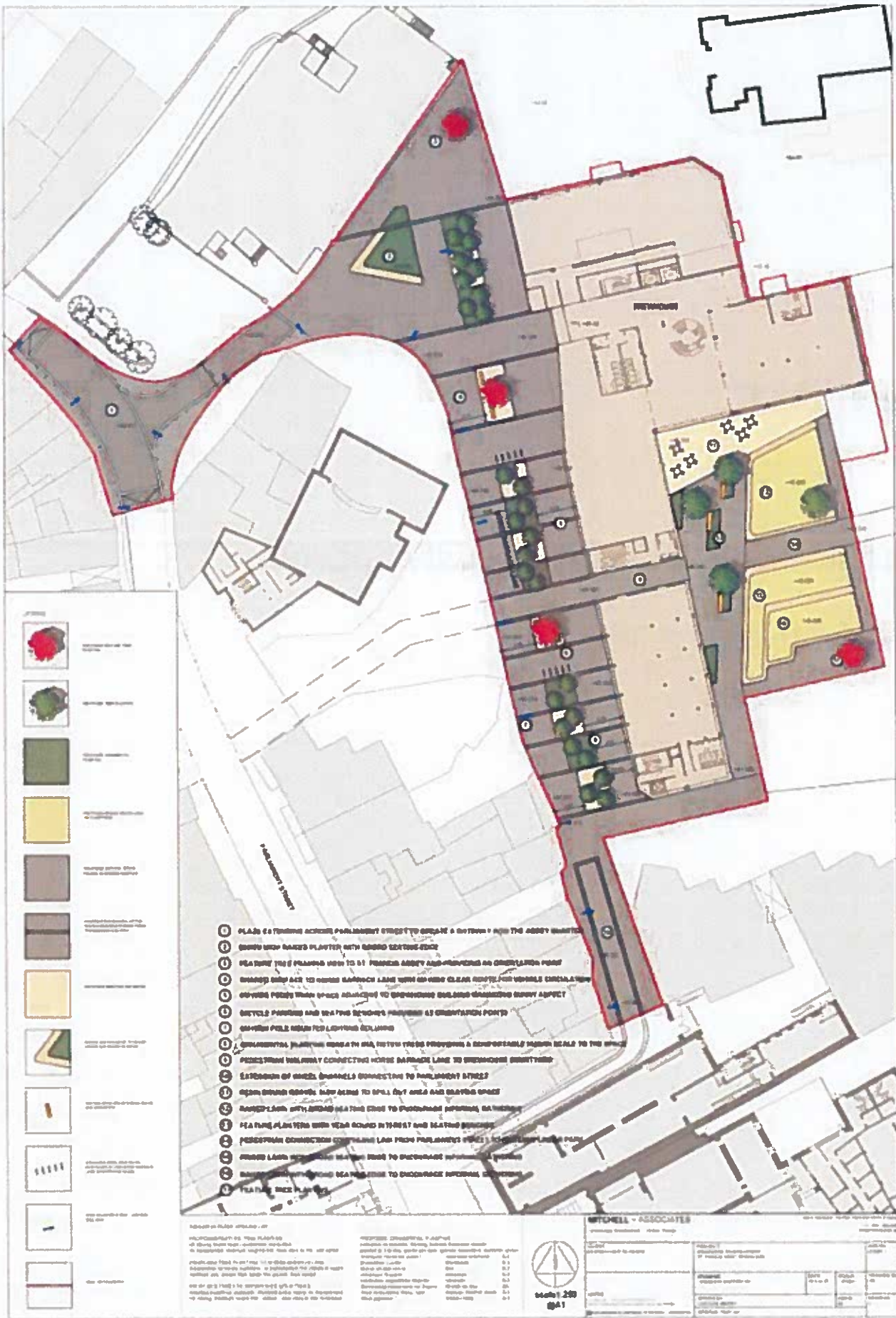
The third issue we note is with the lane between the buildings. There are no windows on it. It's a narrow lane, with only a few doors on it. This is the sort of area that lends itself to anti-social behaviour. Would it be

possible to add some windows into the lane?



Appendix D

Project Details



- 1. Red circle icon: [Symbol]
- 2. Green circle icon: [Symbol]
- 3. Green square icon: [Symbol]
- 4. Yellow square icon: [Symbol]
- 5. Brown square icon: [Symbol]
- 6. Brown square icon: [Symbol]
- 7. Yellow square icon: [Symbol]
- 8. Green square icon: [Symbol]
- 9. Green square icon: [Symbol]
- 10. Green square icon: [Symbol]
- 11. Green square icon: [Symbol]
- 12. Green square icon: [Symbol]
- 13. Green square icon: [Symbol]
- 14. Green square icon: [Symbol]
- 15. Green square icon: [Symbol]
- 16. Green square icon: [Symbol]
- 17. Green square icon: [Symbol]
- 18. Green square icon: [Symbol]

- 1. PLAZA IS FORMING ACCESS PARALLEL TO STREET TO CREATE A CONNECTION WITH THE ABBEY MARKET
- 2. CONCRETE BOARDER PLAZA WITH BOARD TEXTURE EDGE
- 3. PLAZA WITH PLANNED OPEN TO ST. FRANCIS ABBEY AND PROVIDES AN ORIENTATION POINT
- 4. BOARDER SIDEWALK TO CROSS BARRETT LANE WITH OPEN CLEAR SPOTS FOR VEHICLE CIRCULATION
- 5. COVERED ENTRY WITH SPACE ADJACENT TO EXISTING BUILDING PROVIDES ENTRY ASPECT
- 6. BICYCLE PARKING AND USE THIS SPACE PROVIDED AS ORIENTATION POINT
- 7. COVERED WALKWAY FOR LIGHTING SOLUTIONS
- 8. ENVIRONMENTAL PLANTING SPACE TO USE, WITH TREES PROVIDES A COMFORTABLE HUMAN SCALE TO THE SPACE
- 9. PROPOSED WALKWAY CONNECTING HORSE BARRETT LANE TO EXISTING COURTYARD
- 10. EXTENSION OF GREEN CHANNELS CONNECTING TO PARALLEL STREET
- 11. OPEN BOARDER SIDEWALK TO OPEN UP AND ADD SPACE
- 12. BOARDER SIDEWALK WITH BOARDER SIDEWALK TO PROVIDE OPENING ON MARKET
- 13. PLAZA PLAZA WITH OPEN BOARDER SIDEWALK AND BOARDER SIDEWALK
- 14. PROPOSED CONNECTION BETWEEN LANE FROM PARALLEL STREET TO EXISTING PLAZA
- 15. BOARDER SIDEWALK WITH OPEN BOARDER SIDEWALK TO PROVIDE OPENING ON MARKET
- 16. BOARDER SIDEWALK WITH OPEN BOARDER SIDEWALK TO PROVIDE OPENING ON MARKET
- 17. BOARDER SIDEWALK WITH OPEN BOARDER SIDEWALK TO PROVIDE OPENING ON MARKET
- 18. BOARDER SIDEWALK WITH OPEN BOARDER SIDEWALK TO PROVIDE OPENING ON MARKET

MITCHELL + ASSOCIATES

10/1/11

Scale: 1/8" = 1'-0"

DATE	DESCRIPTION
10/1/11	ISSUED FOR PERMITTING

Appendix E

Amendments from previously approved Brewhouse Part VIII

1.0 Detailed Design

The detailed design of the building included a review of the locations of lift cores, location of stair wells in accordance with circulation and egress requirements, requirements for toilet and shower facilities and a review of the location of essential services for the building.

Location of Lift Core

During detailed design, various consultations were undertaken with Colm Flynn, Archaeologist. These design workshops indicated archaeologically sensitive areas and further design workshops changed the initial design to reduce the archaeological impact of the renovation. One area of change included the relocation of the lift core into an existing semi basement. This change avoided the need for excavation to accommodate the lifts, thus reducing the potential impact on archaeology in the area. The revised location of the lift core resulted in alterations to the roofscape and allowed for the existing plant room to revert its original 'L' shape profile.

Toilet & Shower Facilities

The detailed design stage of the building revealed a requirement for more extensive sanitary facilities, thus increasing the number of toilet and showers to be provided. This resulted in a larger service core and as a result the service core was relocated. This reposition and increased size of the service core required alterations to the southern elevation.

ESB Substation

The existing brewhouse building includes an ESB Substation on the Horse Barrack Lane side of the building. This sub station is a critical piece of ESB infrastructure, providing electricity to a number of areas of the city including Irishtown and Bateman Quay. Various options for the relocation of this sub station were considered in the detailed design of the building. In order to satisfy ESB Networks requirements for access to the sub station it was determined that the optimum location for the substation is on the Horse Barrack Lane side of the building, in close proximity to the current location. The visual impact of the substation will be reduced by recessing the substation into one of the window bays and by providing cladding to the door and adjacent wall with a glazed curtain wall to match the window profile.

2.0 Detailed Surveys

The demolition of adjacent structures revealed parts of the building that could not be viewed and surveyed previously. In addition, a detailed survey of the full building was undertaken following the removal of all brewing equipment from the building. These detailed surveys revealed new parts to the original building, which were not evident previously and various other building details were updated from the original survey. This additional survey information was reviewed, resulting in some design changes.

Existing Grid Structure

The detailed survey has identified a different grid structure (location of columns) in areas that were not visible at the time of the original survey. The retention of this existing grid structure (existing columns) has resulted in a change to the southern elevation of the building adjoining the proposed Brewhouse Courtyard.

Building Heights

The detailed survey has identified parapet heights that were previously inaccessible. The building elevations have been modified to reflect these features of the existing building and the proposed new roofs has been updated to match the existing building heights.

Modification to balcony structure

Further demolition and removal of brewing material revealed existing structure to be retained in the original phase 1 building. This required the location of the new proposed balcony overlooking St Francis Abbey to be modified, with the proposed external wall of the balcony moved to align with the existing structure below.

3.0 Review of existing internal layouts

During detailed design a number of modifications have been made to the proposed development to make the building more attractive to a wider range of prospective occupants. The detailed design also identified some changes to the internal design of the building that would make better and more efficient use of the existing space within the building.

Stairs

The main stair was moved to improve circulation and flow throughout the building.

Extension at roof level

The proposed extension at roof level has been modified on the western or Horse Barrack Lane elevation to make the space more efficient and useable. The usability of this space was further improved by the relocation of the Sanitary Services core.

The proposed roof overhang of this element has been omitted following liaison with the planning and conservation departments. The removal of the overhang creates a glass extension that is light and unobtrusive. The glazed roof extension integrates into the building without imposing on it by its presence.

Equipment

The existing roof is cluttered with various chimneys, ducts, tanks and plant equipment. The proposed development seeks to improve the current roofscape by locating equipment in a manner that allows it to be screened from view. Where possible, such equipment has been located within the existing structure on the third floor.

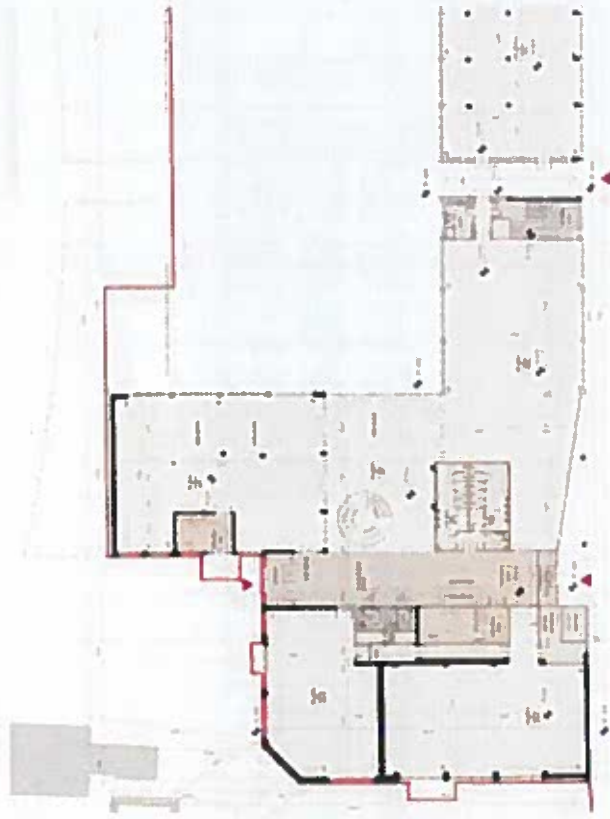
8.0 Comparison of Amendments



PROPOSED AMENDMENTS TO GROUND FLOOR

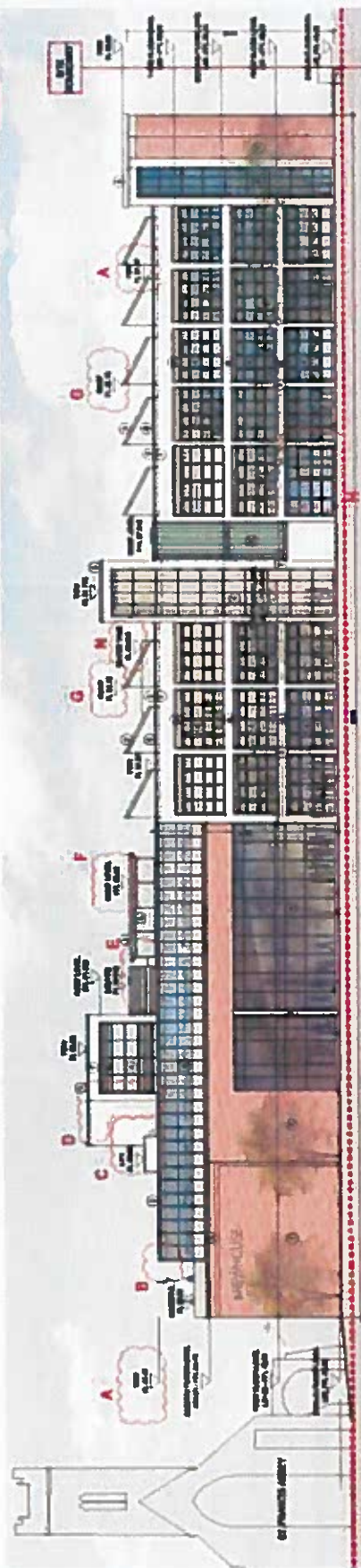
PROPOSED AMENDMENTS

- A Roof Heights and Levels Modified
- B Balcony Modified Roof Overhang Omitted
- C Lift Moved to New Location
- D Existing 1 profile of Plinthroom Rerouted
- E Platform to Accommodate Equipment, Screened with Metal Cladding
- F Roof Light Modified
- G Sanitosh Roof Modified
- H ESB Substation Relocated Bay Rerouted 1m into Facade
- J External Landscape Levels Modified

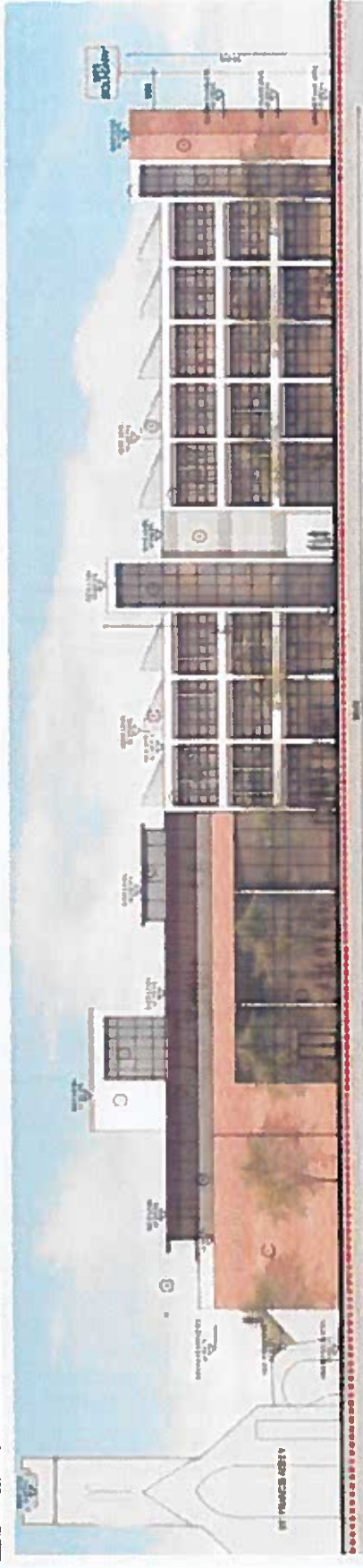


GRANTED UNDERPART VARIATIONS

- A Window Removed
- L Door Added
- M Existing Floor Raised Floor Level Modified
- N Wall with Screened Behind Sanitosh Roof Structure
- P Facade Updated to Reflect Existing Column Grid Structure
- O Facade Updated to Reflect Internal WC Core Modifications
- R External Balcony Modified



PROPOSED AMENDMENTS TO WEST ELVATION

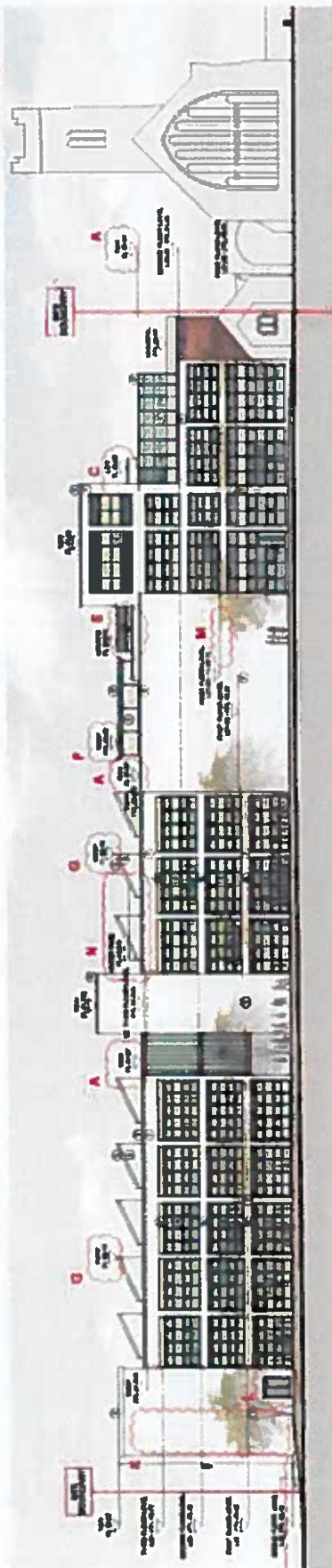


WEST ELVATION AS ORIGINATED UNDER PART 14A REGULATION

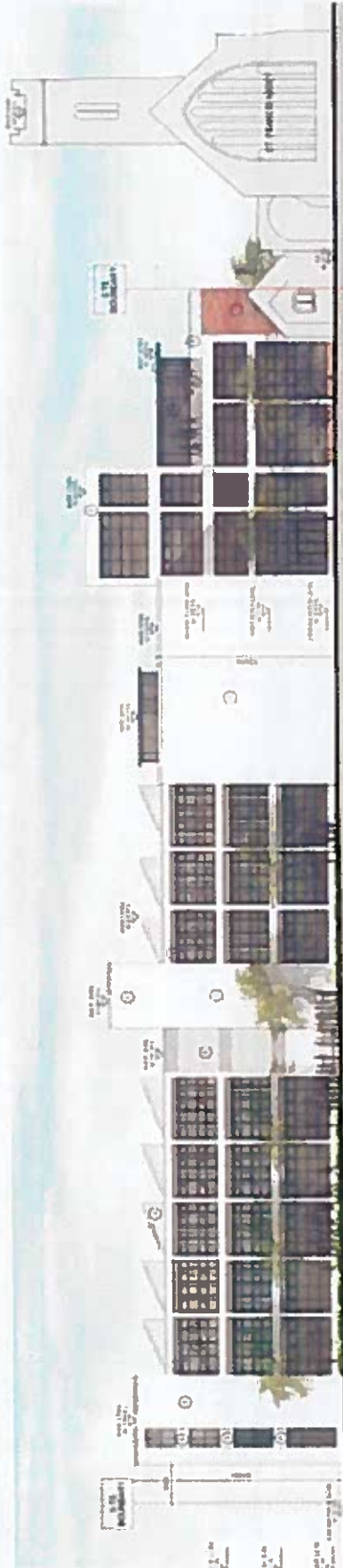
PROPOSED AMENDMENTS

- A Roof Heights and Levels Modified
- B Balcony Modified. Roof Overhang Omitted.
- C Lift Moved to New Location
- D Existing L profile of Plinthium Reinstated
- E Platform to Accommodate Equipment. Screened with Metal Cladding
- F Roof Light Modified
- G Sawtooth Roof Modified

- H ESB Substation Relocated Bay Reversed (in into Facade)
- J External Landscape Levels Modified
- K Windows Removed
- L Door added
- M Existing Floor Retained Floor Level Modified
- N Water Tank. Screened Behind Sawtooth Roof Structure
- P Facade Updated to Reflect Existing Column Grid Structure
- Q Facade Updated to Reflect Internal IWC Core Modifications
- R External Balcony Added



PROPOSED AMENDMENTS TO EAST ELEVATION



EAST ELEVATION AS GRANTED UNDER PART 1 APPLICATION

PROPOSED AMENDMENTS

- A Roof Heights and Levels Modified
- B Balcony Modified Roof Overhang Omitted
- C Lift Moved to New Location
- D Existing Lymbria of Plinthroom Reinstated
- E Perform to Accommodate Equipment Screened with Alloys/Cladding
- F Roof Light Modified
- G Sawtooth Roof Modified

- H ESB Substation Relocated Bay Recessed 1m into Facade
- I External Landscaping Levels Modified
- K Windows Removed
- L Door added
- M Existing Floor Retained Floor Level Modified
- N Water Tank Screened Behind Sawtooth Roof Structure
- P Facade Updated to Reflect Existing Column Grid Structure
- Q Facade Updated to Reflect Internal WC Core Modifications
- R External Balcony Modified



SOUTH ELEVATION PROPOSED AMENDMENT



SOUTH ELEVATION CURRENT UNDER LOCAL APPLICATION

CHANGES TO AMENDMENT

- A Roof/Hipset, and Levels Modified
- B Entry Modified, Roof Overhang Omitted
- C 1st Moved to New Location
- D Existing 1st profile of Porchtop Replaced
- E Porchtop to Administrative Equipment, Covered with Metal Ceiling
- F Rooflight Modified
- G Sashover Roof Modified

- H L&O Substitution Replaced, Bay Reduced in its Facade
- I Entry/Landscape Levels Modified
- K Window Removed
- L Door Added
- M Facing Flare Returned, Entry Level Modified
- N Water Table Screened Behind Sashover Roof Structure
- P Facade Updated to Reflect Existing Column Grid Structure
- Q Facade Updated to Reflect Internal HVAC Core Modifications
- R Entrance/Battery Modified

