Comhairle Chontae Chill Chainnigh
Halla an Chontae, Sráid Eoin, Cill Chainnigh, R95 A39T.

Kilkenny County Council
County Hall, John Street, Kilkenny, R95 A39T.

Fónamh don Phobal · Caomhnú don Oidhreacht

Serving People – Preserving Heritage

TO: **AN CATHAOIRLEACH**
& EACH MEMBER OF KILKENNY COUNTY COUNCIL

RE: **ABBEY QUARTER URBAN DESIGN CRITERIA AND DEVELOPMENT CODE**
Report on submissions Received during public display from 24th November to 22nd December, 2017

DATE: 9th January, 2018.

Dear Councillor,

I attach herewith Report on Submissions received during public display from 24th November to 22nd December, 2017 in connection with the Abbey Quarter Urban Design Criteria and Development Code.

The issues raised in the submissions have been addressed, and I recommend adoption of the Urban Design Criteria and Development Code for the Abbey Quarter as published.

Colette Byrne

Colette Byrne
Chief Executive

Guthán/Telephone: 056 7794000 Faics/Fax: 056 7794004
R-post/Email: info@kilkennycoco.ie Gréasán/Webpage: www.kilkennycoco.ie

Recycled

Abbey Quarter Urban Design Criteria and Development Code

Report on Submissions Received during public display

From

24th Nov to 22nd Dec 2017

Kilkenny County Council
January 2018

January 2018

Contents

1.	INTRODUCTION	4
2.	SUBMISSIONS RECEIVED	5
3.	MATTERS ARISING	13
4.	SUMMARY OF RECOMMENDATIONS OF THE CHIEF EXECUTIVE	13

1. Introduction

In early 2017, Kilkenny County Council appointed Loci Consultants to prepare Urban Design Criteria and development Code for the Abbey Quarter. The draft Code has been prepared to meet objective 3K of the current Kilkenny City and Environs Development Plan (2014-2020).

A Draft Code, and accompanying documentation, was made available for a 4 week period between Friday November 24th and Friday 22nd December 2017 at the following locations:

- Online at http://consult.kilkenny.ie/
- The Planning Department, Kilkenny County Council, John Street, Kilkenny during office opening hours of 9.00am to 1.00pm and 2.00pm to 4.00pm Monday to Friday.
- Carnegie Library, John's Quay, Kilkenny during opening hours. Written submissions or observations with respect to the Draft Strategy, AA Natura Impact Screening Report and accompanying documentation were invited. Submissions could be made either online at http://consult.kilkenny.ie, or sent by email to ourplan@kilkennycoco.ie or in writing to, Planning Department, Kilkenny County Council, John Street, and Kilkenny.

This report summarises the submissions received during the 4 week public consultation period.

2. Submissions Received

In total, 19 valid submissions were received as follows:

Reference	Name
AQ1	Department of Culture , Heritage and the Gealteacht
AQ2	Joe Dalton
AQ3	Michael McGrath
AQ4	EPA
AQ5	Ronan Callanan
AQ6	Maurice O'Connor
AQ7	Independent Traders in the Market Yard
AQ8	Nicky Creane
AQ9	Lucy Glendinning
AQ10	Liz O'Brien
AQ11	Happe House
AQ12	Pauline Cass
AQ13	Edward Fox
AQ14	Pat Cass
AQ15	Polly Donnellan
AQ16	Zoe Richards
AQ17	Kirsty Evans
AQ18	Lisa Brennan
AQ19	John Morton
AQ20	Maria Reade

Ref	Name	Summary
AQ 1	**Dept. Culture, Heritage and the Gealteacht.**	**Archaeology** 1. The issues raised in original submission to the draft Masterplan (July 2015) remain and in particular underwater archaeology. **Nature Conservation** 2. Advice relating to the use of the 15km radius as a rule of thumb in assessing impacts on other Natura sites appears to have been overlooked. 3. The effects on the riverbank vegetation and the and the potential impact on qualifying interests some distance downstream. Department would have expected some data on the use of the site by Kingfishers and Otters in the original NIR which could impact on the design of the linear Park. 4. Rivers act as ecological corridors and therefore should as much as possible it should retain that function as an ecological corridor. 5. The opportunity should be taken to put in place measures to assist with the implementation of the All Ireland Pollinator Plan 2015 – 2020 in the linear park/riverside garden.
Response and Recommendation 1. An Archaeological assessment for the implementation of the Abbey Creative Quarter Masterplan has been agreed with the National Monuments Service section of the Dept. of Culture, Heritage and the		

Gealteacht. Whilst archaeological test excavations have to date been undertaken for the Riverside Garden project and the Brewhouse project, Kilkenny Co. Co. will continue to carry out archaeological investigations in accordance with the strategy with the Department of Culture Heritage and the Gealteacht.

Kilkenny County Council is in ongoing contact with the National Monuments Service in relation to all aspects of the implementation of the Abbey Creative Quarter Masterplan. In this regard, Kilkenny Co. Co. has recently appointed a Consultant Archaeologist to oversee the archaeological aspects of the Implementation of the Masterplan and to ensure that this is managed in a comprehensive and co-ordinated manner.

2.

The Appropriate Assessment Screening has been amended to take a catchment approach and it is determined under that approach that it can be concluded that the Code on its own or in combination with other plans and or projects will not have any significant impacts on the Natura 2000 network of sites due its restricted nature and the protective policies incorporated in the Masterplan.

3.

The linear park is not part of the Urban Design Criteria and Development Strategy. It has been subject to separate AA screening and ecological investigation as part of the Part 8 process already approved. An appropriate assessment screening report and an ecological impact assessment report was prepared as part of the Part 8 process.

The ecological Impact report presented data in relation to the use of the site by Otters and Kingfishers, as suggested in the current submission. The Ecological Impact Assessment for the Riverside Garden Project also included a Bat Survey of the site and details of this survey are also presented in the ecological impact assessment. The proposed lighting of the pathway through the Riverside Garden has considered the impact of the lighting on bats in the area and details of this are presented in the ecological impact report.

4.

As part of the linear park it is intended to retain and reinforce the existing natural riverbank vegetation therefore it is the intention to retain the function of the River to act as an ecological corridor.

5.

The All Ireland Pollinator Plan 2015 – 2020 is noted and species planted along the linear park will take the pollinator plan into account.

There is no Change to the Urban Design Criteria and Development Strategy recommended on foot of this submission.

Ref	Name	Summary
AQ2	Joe Dolan	1.This is one chance to bring business to Kilkenny 2. Anchor tenants are the key to success of the whole venture. 3. Welcome the idea of a university for the city but not on this site 4. Similar vision to Grand Canal Docks but on a smaller scale.

		5. Get the backing of the IDA to secure the anchor tenants

Response and Recommendation:

1. The vision in the Masterplan the overarching document is to provide for employment housing and other mixed uses on the site. The Council views the area as an opportunity to bring investment and business to the County. The Urban Design Criteria brings some more clarity to the built form tube achieved.
2. Section 2.4 clearly identifies the need for large scale uses to anchor the area and drive land use mix.
3. Third and fourth level education is part of the original mixed use vision for the area as set out in the Masterplan document. The Urban Design Criteria and Development code conforms to this vision.
4. The Grand Canal Docks is a different development scenario and is not directly comparable to the Abbey Quarter.
5. The Joint Venture is marketing the area and the sites within its remit and part of that strategy is engagement with IDA Ireland.

There is no Change to the Urban Design Criteria and Development Strategy recommended on foot of this submission.

Ref	Name	Summary
AQ3	Michael McGrath	1. THe submission expresses concerned about "no news." 2.It asks "what stage are plans with C.I.T. and W.I.T.

Response and Recommendation

1. The process of making the Masterplan associated variation and the establishment of the Joint Venture company to develop the area has been carried in an open and transparent manner. Each stage of the process has been approved by the elected members from the decision to purchase right up to the proposed endorsement of this Urban Design Criteria and Development code. There have been regular updates given at the monthly Council meetings.
2. A multi campus format is part of the Technological University of the South East (TUSE). Discussions are ongoing...

There is no change to the Urban Design Criteria and Development Strategy recommended on foot of this submission.

Ref	Name	Summary
AQ4	Environmental Protection Agency (EPA)	1. EPA notes the Council's determination that the requirements of SEA Directive are not applicable and that the Council should ensure that there are no conflicts in relation to specific objectives the City & Environs Development Plan. 2. Any further changes should also be screened against SEA 3. Notice should be given to the prescribed environmental authorities. 4. Copies of the Council's decision should be made available for public inspection.

Response and Recommendation

1. There are no conflicts between the proposed Urban Design Criteria and the Development Code and the specific objectives of the existing City and Environs Development Plan.
2. It is Council policy to screen all proposed plans and variations for compliance with the SEA Directive.
3. Notice will be given to the prescribed environmental authorities.

4. Copies of the Council's decision will be made available to the public.

There is no change to the Urban Design Criteria and Development Strategy recommended on foot of this submission.

Ref	Name	Summary
AQ5	Ronan Callanan	1. The submission seeks the addition of a climbing wall as a potential income stream and also as a means of encouraging people to be physically active.

Response and Recommendation

The Masterplan and the Urban Design Criteria and Development Code have a broad range of uses allowed for in the area within which a climbing wall could be accommodated. It would not be appropriate to identify a particular location for such a use in the design criteria and code; however this suggestion has been passed onto the Joint Venture Company for its consideration.

There is no change to the Urban Design Criteria and Development Strategy recommended on foot of this submission.

Ref	Name	Summary
AQ6	Maurice O'Connor	1.Chapter 1 The impact of the code should be enhanced by having it included in an item of required planning compliance under the Development Plan. 2. Chapter 2 Larger scale should be defined better in the code and the way the code is worded it could be argued that one or more large scale developments is an objective of the partnership. 3.The statement on large scale retail on page 12 "*Due to their form large scale retail stores such as supermarkets requiring extensive open areas of floor space together with adjacent car parking, are not appropriate in this area given the vision of the Masterplan, the mix of uses identified, and the extensive site area such a use would require. It does not preclude however a large retail user within one of the blocks in the context of the scale of uses outlined in Section 2.4 of the code*" should be strengthened to explicitly to rule out a large retail store 4. Interim uses of the Abbey Quarter for car parking would be highly undesirable as it will inevitably result in less attention being paid to alternative modes of mass transport into and out of the City. 5. Avertising as a listed use should not mean advertising signage. 6. It should be a requirement of the code that all buildings should be designed to achieve at least BREEAM excellent rating and some buildings to achieve BREEAM Outstanding rating.

Response and Recommendation

1. The Urban Design Criteria and Development Code is in itself a non statutory document and is a subset of the Masterplan. It provides greater detail on how the vision of the Masterplan is to be physically delivered on the ground. It is an objective of the City and Environs Development Plan to complete the Masterplan and also to complete the urban design criteria and development code. Any development proposal must comply with the Development Plan and its objectives. The Urban Design Criteria and Development Code give flexibility to development proposals but also give certainty in terms of the built form to be achieved to deliver the vision.
2. Specific guidance is given in relation to scale of uses. Section 2.8 of the document clearly identifies large plots as being typically being 1000, m^2 in area. It is clearly identified in the code that a certain degree of

large scale uses are required to anchor the area and driving land use mix.
3.Large retail stores "*such as supermarkets requiring extensive open areas of floor space together with adjacent car parking, are not appropriate in this area*" , however as described in the remainder of the document a larger scale comparison retail use is not excluded and is considered suitable in the overall mixed use concept outlined in the Masterplan and the Code.
4. The interim uses are intended to be temporary in nature and only while development proposals come forward. The Council is currently formulating a tender for the development of a mobility management plan for the city which will deal in a comprehensive way the issue of smarter travel modal shift. This will be progressed through 2018.
5. Advertising is meant in the context of an advertising agency or graphic design. It does not relate to advertising structures. The City Development Plan deal with that level of detail.
6. The standard of building falls under the building control regulations. It is intended to achieve LEED accreditation for the Brewhouse and Mayfair Buildings. Both the LEED and BREEAM systems are very similar.

There is no change to the Urban Design Criteria and Development Strategy recommended on foot of this submission.

Ref	Name	Summary
AQ7	Independent Traders in the Market Yard	1. Area B Guarantees are sought that there will no disruption to businesses in the Market Yard due to development at the brewery site and no construction traffic through Bateman Quay. 2. A schedule of proposed works for the site including the start dates and completion dates of the various phases to include the Brewhouse and the Mayfair. 3. Increased retail capacity in the city requires adequate car parking infrastructure. Tourist pedestrians and cyclists use urban spaces recreationally and do not come to the city to shop. 4. Curbing shoppers coming into the city by not providing proximate car parking will be detrimental to the vitality of existing and proposed retail units. Area C 5 Opposing urban blocks due to disruption to business during construction. 6. How long would construction take and what compensation would be paid to each retailer affected? 7. We believe that pile driving which would be required for construction of the blocks would possibly cause damage to existing buildings and infrastructure. 8. Urban blocks would dwarf existing buildings and would not be in keeping in style or size. 9. Existing streets are too narrow to accommodate the increase in volume of traffic from extra residents and employees. Bateman quay will be unable to cope with traffic. 10. River view would be adversely affected by developing urban blocks. Views from the riverside garden to the Castle would be destroyed. Not in keeping with Kilkenny as a heritage city. 11. Market Yard car park is essential piece of infrastructure and reducing it by the provision of urban blocks would have a detrimental effect on the viability of retailers in the area by reducing footfall. 12. Proposed retail units in the new Urban Blocks will potentially increase competition with existing retailers and this would reduce turnover and affect their viability. 13 Proposed Urban blocks would impair visibility of existing units and impair the open view from the existing units. This would reduce atmosphere and ambience of the area and would have the effect of reducing custom. 14. Oppose the multi-storey car park due to disruption to business during construction including potential caused by piling of foundations. 15. Multi storey car park not in keeping with existing buildings and visual amenity

		would be affected. 16. Bateman Quay could not cater for large volumes of traffic and this would result in traffic chaos in the area (Irish Town, High street, Rose Inn Street and Johns St.) Existing arrangements are appropriate.

Response and Recommendation

1. This is a construction management issues and will be dealt with at the time of the construction works in consultation with the City Engineer and the traders.
2. There are no dates for commencement of works at this time.
3. & 4. Car parking and accessibility to the city centre is a significant challenge for all stakeholders. The Council has recently published a Parking Options Assessment report. A new mobility management plan will be commence shortly which will deal with accessibility generally.
5. Construction works will impact on traffic but this impact can be managed with suitable traffic management measures.
6. There is no indication at this stage of the construction periods for each of the urban blocks.
7. Potential impacts to adjoining properties will be considered during the various construction phases for the area.
8. The scale of the urban blocks is in general in keeping with the existing urban form and scale of the city.
9. A mobility management plan will be prepared in 2018 which will deal with accessibility to the City centre for all modes of transport.
10. The river view to the Castle will not be impinged upon by the proposed urban blocks. It will be possible to view the Castle from the linear park along the river's edge.
11. The urban blocks in the vicinity of Bateman Quay will provide an urban edge for river front which will give a focus to the river for city development. Before those particular blocks are developed it is anticipated that accessibility and car parking issues generally will have been examined in detail providing for longer term solutions.
12. The scale of new retail development is a matter for the City and County retail strategy. It is not the function of the planning authority to inhibit competition.
13. The pattern of development of the area is established by the Masterplan. Proposed urban blocks would be in keeping with the traditional pattern of urban development in towns and cities in Ireland, and Kilkenny, more specifically. The general pattern of development is based on small blocks of modest scale, active frontages, and intimate and safe streets and spaces.
14 & 15 The Urban Design Criteria and Development Code does not propose a multi-storey car park. It does identify car parking as a meanwhile/temporary use along with other uses that can be accommodated on the lands while development proposals are being rolled out.
16. As the city grows existing arrangements may not be adequate to cater for existing and new developments in the city. A new mobility management plan will be prepared in 2018 to examine mobility management for all forms of transport in the city.

There is no change to the Urban Design Criteria and Development Strategy recommended on foot of this submission.

Ref	Name	Summary
AQ8	Nicky Creane	1. Continue the masonry cladding wall from tea house up to the end of the Abbey Quarter. 2. The suggestion is made to link the river walk to the linear walk/park to create an entire stretch of parkland and walkways from Ossuary Bridge to the Sycamores.

Response and Recommendation

1. The wall referred to is part of the flood relief scheme. It is not intended to carry out any development

works in the river or to alter the flood regime of the river.
2. In the City and Environs Development Plan the objective is to have a continuous route from Ossary Bridge to the Sycamores. This is described in Section 6.1.2.1 in the City Development Plan.

There is no change to the Urban Design Criteria and Development Strategy recommended on foot of this submission.

Ref	Name	Summary
AQ9-AQ 19	Lucy Glendinning Liz O'Brien Happe House Pauline Cass Edward Fox Pat Cass Polly Donnellan Zoe Richards Lisa Brennan John Morton Maria Reade	1. Object to the proposal as it defers starting housing on the North End indefinitely. Why is housing being postponed? 2. Objects to the use of the north end of the site for bus/car park even on a temporary basis. It is contrary to the plan already agreed and in place. 3. Objects to the bus/car parking on the basis of environmental degradation attaching to it. Car parking was dismissed by the majority of people who took part in previous consultations 4. Objects to any development starting without the results of full archaeological investigations being made public and debated. This has been requested before and has been ignored. 5.Objects to the use of concrete to cover archaeology 6. Objects to the type of building foundations suggested as designed to minimise archaeological investigation. And will have the effect of raising heights on the site. 7. Objects to a primary school on the site 8. Objects to the numbers and possible locations of hotels as these will only damage existing businesses. 9. Objects to giving ownership and control of development blocks to a private unaccountable company. 10. Supports housing, third level undergraduate education a green space and social development on the site but actions do not prioritise these.

Response and Recommendation

1. It is still an objective to provide housing at the north end of the site. In fact the Urban Design Criteria and Development Code seek to provide that between 30 and 35% of the development on the entire area will be housing.
2. The use of the area for temporary car parking is considered reasonable and an effective way of having activity on the lands while development proposals are being formulated. The Urban Design Criteria and Development Code acknowledge this and do accommodate the temporary uses. For temporary car parking on the site a proposed variation to the City Development Plan will be brought forward to Council to ensure compliance with Development Plan policy.
3. Both the Masterplan and the Urban Design Criteria and Development code have been screened for effects on the environment through AA screening and SEA screening. Any project proposals coming forward will also undergo AA screening and EIA screening at project level to ensure there is no significant adverse impact on the environment.
4. An archaeological strategy was prepared at the time of the master plan which is supported by the Department of Culture Heritage and Gealteacht. This strategy is being adhered to in the roll out of developments in the area.
5. The existing concrete slab is to remain in situ generally and this provides for preservation of the archaeological record in situ which is a strategy endorsed by the Department of Culture Heritage and Gealteacht.
6. The choice of foundation is the most efficient and effective given the existing slab on site. The foundations will not lead to a greater height in the buildings. As part of the flood mitigation measures the finished floor level of the buildings will approximately 0.6 m above existing ground level.

8. The Code is not proposing a hotel or hotels in the area. A hotel is deemed to be an acceptable use from the Masterplan and the hotel is used an example as to how such a use could be accommodated within the urban form proposed.
9. The decision to advance the development of the area through a joint venture company was taken by the Council on the 18th April 2016. The Urban Design Criteria and Development Code sets out how the vision as outlined in the Masterplan can be achieved in a physical way. In the assessment of development proposals the code along with the Masterplan and the City Development Plan will be used to decide if proposals are given planning consent or not.
10. The Master plan as developed and adopted by the Council has as its vision a mixed use quarter for the area that allows for education , housing (30- 35)% , employment uses and has a linear park and an urban park centred around the St. Francis Abbey. The actions of the Council have consistently promoted achievement of that vision.

There is no change to the Urban Design Criteria and Development Strategy recommended on foot of this submission.

Ref	Name	Summary
AQ20	Kersty Evans	1. Objects to the proposal as homes for people should be number 1 priority. Housing is what people want and was agreed at the consultation 2 years ago. 2. Don't need more hotels there are plenty of hospitality businesses. 3.Agree with a school but maybe secondary school would be more appropriate 4. We need a bus park or park and ride but not a multi storey in the middle of a medieval city. A multi storey would destroy the area. 5. Objects to the site being used as a bus /car park. It would bring more traffic and pollution. 6 Archaeology still needs to be evaluated on the site. 7. We need more homes not huge high rise apartment blocks but decent houses with small private gardens and parking spaces.

Response and Recommendation

1. The code is does not propose any specific development or use. The Masterplan envisages a mix of uses and the code puts more detail on that vision as to how it would be translated into a physical form on the ground. The code proposes that between 30 and 35% of the entire developments in the area should be residential.
2. The Code is not proposing a hotel in the area. A hotel is deemed to be an acceptable use and from the Masterplan and the hotel is used an example as to how such a use could be accommodated within the urban form proposed.
3. Education is a use that is considered acceptable in the area particularly given the anticipated population increase in the area and the city generally.
4. The Urban Design Criteria and Development Code does not propose a multi-storey car park. It does identify car parking as a meanwhile/temporary use along with other uses that can be accommodated on the lands while development proposals are being rolled out.
5. In the short to medium term temporary car parking and a bus park have identified as being or importance for access to the city generally for tourism and commercial interests and for residents going about their general activities. A new mobility management plan which will be prepared in 2018 will deal with accessibility to the city through all modes of transport having regard to our obligations under climate change and to the impact of technology on our mobility.
6. An archaeological strategy was prepared at the time of the master plan which is supported by the Department of Culture Heritage and Gealteacht. This strategy is being adhered to in the roll out of developments in the area.
7. The Urban design criteria and design code proposes building generally of 3 and 4 storey buildings with 5 storeys justified at some locations. The is compatible with the scale of buildings in High Street Parliament Street. There is no high rise buildings proposed.

There is no change to the Urban Design Criteria and Development Strategy recommended on foot of this submission.

3. Matters arising

In the interest of clarity the adoption of this strategy is the fulfilment of a long standing objective of the city & Environs Development Plan. It will form part of the considerations as part of the development management processes. It is not a mandatory document. It provides more detailed guidance to that process. There are some minor typographical and spelling changes that will be made to the final document.

4. Summary of Recommendations of the Chief Executive

The issues raised in the submissions have been addressed, and I recommend adoption of the Urban Design Criteria and Development Code for the Abbey Quarter as published.

Colette Byrne,

Chief Executive