



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

RE: PART VIII: Demolition of the former Maturation Building on the Abbey Quarter (former Smithwicks Brewery) site

**Planning & Development Acts 2000-2018
Planning & Development Regulations 2001-2018**

Date: 3rd October 2019.

Dear Councillor,

In accordance with Section 179 of the Planning & Development Act 2000, as amended, please find attached the Report of the Director of Services, including the Planning Report, in relation to the public consultation process undertaken for the proposed demolition of the former Maturation Building on the Abbey Quarter site (former Smithwicks Brewery site) as required to facilitate the implementation of the Abbey Quarter Masterplan – this public consultation was undertaken in accordance with the requirements of Part VIII of the Planning & Development Regulations 2001, as amended.

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

Third Party Submission to An Bord Pleanála

Kilkenny County Council was notified by way of letter dated 2nd August 2019 that two submissions had been received by third parties requesting An Bord Pleanála to exercise its powers under Article 250(3) of the Planning & Development Regulations, 2001, as amended, to require Kilkenny County Council to prepare a Natura Impact Statement in respect of the proposed development.

Section 250(3) of the Planning & Development Regulations provides that *"...Where any person considers that a development proposed to be carried out by a local authority would be likely to have a significant effect on a European site, he or she may apply to the Board for a determination as to whether the development would be likely to have such significant effect and the Board shall make a determination on the matter as soon as possible"*

An Bord Pleanála has indicated that its determination in this matter will be made on or before 28th November 2019.

I recommend that Kilkenny Council proceed with the proposed development, but that no development works would take place pending a determination from An Bord Pleanála in respect of the Declaration sought as per the provisions of Section 250(3) of the Planning & Development Regulations 2001, as amended.

**Colette Byrne,
Chief Executive.**

