Kilkenny City & Environs Draft Development Plan

Where an issue was raised as part of a submission to the Draft Plan the reference number of the corresponding submission has been given e.g. (Dxxx).

Deletions in strikethrough

Proposed Insertions in italics

Chapter 1: Strategic Context
Following consideration of the Manager’s Report the following change was agreed:

Strategic goals
• To provide the highest quality living environments possible to all citizens of Kilkenny City and Environs, members of our community.

New Section 1.9 Monitoring and review (D229)
The purpose of monitoring and evaluation is to assess the effectiveness or otherwise of policies and objectives in terms of achieving stated aims. Section 15(2) of the Act states that the manager shall, not later than 2 years after the making of a development plan, give a report to the members of the authority on the progress achieved in securing the objectives and section 95(3)(a) of the Act expressly requires that the 2 year report includes a review of progress on the housing strategy.

Following adoption of the Plan key information requirements will be identified focusing on those policies and objectives central to the aims and strategy of the plan. These information requirements identified will be evaluated on an annual basis during the plan period.
Chapter 3
Map change – show employment centres

Following consideration of the Manager’s Report the following change was agreed:

3.4 Development Strategy
As part of the development strategy the major employment areas are shown on the Map 3.1. These are located south of the N10 Ring Road at Smithsland, Joinersfolly Loughboy and Danville, the Hebron Road, Purcellsinch and a new Business Park zoning at Leggestrath.

These land banks are strategically located and zoned close to existing and proposed transportation corridors such the N9/N10, the Ring Road extension and the proposed N10 motorway link.

In all a total of 412 acres of green field land is available in the various business and industrial zones.

South of the N9/N10 at Smithsland, Joinersfolly, Loughboy and Danville is a strategic parcelling of lands that cater for Enterprise, Business and Technology parks for Foreign Direct Investment through the IDA and quality industrial lands catering for small and medium enterprises. In this area there is 106 acres of greenfield uncommitted land available for development. There is also a further 25 acres of zoned land where permission has been granted for 21 serviced industrial sites.

This approach enables a clustering of businesses and firms including those involved in interrelated activities thereby providing for critical mass of economic activity at one specific location.
Chapter 4: Housing & Community

Following consideration of the Manager’s Report the following change was agreed:

4.3 Residential Development
Quality in this context means the development of accessible, sustainable, integrated
neighbourhoods which are much less car dependant and are more easily served by
public transport.

4.5.1 Childcare Facilities (D120)
In developing proposals for housing schemes, developers are encouraged to liaise
with the County Childcare committee in advance of preparing planning applications
in order to ascertain the local requirements. In circumstances where the County
Childcare Committee recommends that there is no need for a childcare facility to be
provided, the developer shall be required to provide a compensatory measure towards
the provision of community facilities and residential amenity in the area.
Chapter 5: Economic Development

Figure 5.1 – will be amended as per D58 to include Winstons in the core retail area.

Note: The following changes will also be reflected in Appendix C – Retail Strategy.

Section 5.6.1 County Retail Hierarchy (D151, D192)

The modifications recommended are the re-designation of Callan as a Tier 1 Level 2 Sub County Town centre from a Tier 2 Level 2 Sub County Town centre and Ferrybank from a Tier 3 District Centre to a Tier 1 level 2 sub county town.

Ferrybank was designated as a District Centre in previous Development Plans, however the question as to whether a centre for Ferrybank should be town or district centre will be resolved upon the completion of the upcoming joint retail strategy.

Table 5.1: County Retail Hierarchy

<table>
<thead>
<tr>
<th>Level/Retail Function</th>
<th>Centre</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level 1 Major Town Centre/County Town</td>
<td>Kilkenny City &amp; Environs</td>
</tr>
<tr>
<td>Level 2 Tier 1 Sub county town</td>
<td>Ferrybank East Waterford City Environs, Callan, Thomastown</td>
</tr>
<tr>
<td>Level 2 Tier 2 Sub County Town</td>
<td>Castlecomer, Graiguenamanagh</td>
</tr>
<tr>
<td>Level 3 Town</td>
<td>No designated centre</td>
</tr>
<tr>
<td>Level 4 Village Centre</td>
<td></td>
</tr>
<tr>
<td>Level 4 Neighbourhood Centre</td>
<td>As designated for Kilkenny City &amp; Environs and Waterford Environs</td>
</tr>
</tbody>
</table>

5.6.5.2 Waterford City Environs

The 2002 County Development Plan identified a requirement for a district centre in the Ferrybank area of the Waterford City Environs to meet the needs and potential of this significant expanding suburb of Waterford City. This scheme is now under construction. Under this review the centre has been redesignated from a level 3 district centre to Tier 1 level 2 town centre in the County Retail Hierarchy. However the redesignation of the centre does not resolve the issue of what is an appropriate size for it. This potential requires to be set in the context of a Regional Retail Strategy.

Having regard to the importance of retail development for Ferrybank, the rapid growth of population in the South Kilkenny area and the need to provide for a wide and improved range of services including additional comparison and convenience retail to serve that population, then an integrated retail study must be completed as quickly as possible.
ACTION: To complete an integrated retail study by September 2008 which will inform the members of Kilkenny County Council as to whether a centre for Ferrybank should be designated as a town or district centre.

5.6.6.1 Retail Hierarchy
As set out in section 5.5.1 above the retail hierarchy for the County is as follows:

<table>
<thead>
<tr>
<th>Level/Retail Function</th>
<th>Centre</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level 1 Major Town Centre/County Town</td>
<td>Kilkenny City &amp; Environs</td>
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<tr>
<td>Level 2 Tier 1 Sub county town</td>
<td>Ferrybank East Waterford City Environs</td>
</tr>
<tr>
<td></td>
<td>Callan</td>
</tr>
<tr>
<td></td>
<td>Thomastown</td>
</tr>
<tr>
<td>Level 2 Tier 2 Sub County Town</td>
<td>Castlecomer</td>
</tr>
<tr>
<td></td>
<td>Graiguenamanagh</td>
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<tr>
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<td></td>
</tr>
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<td>Level 4 Neighbourhood Centre</td>
<td>As designated for Kilkenny City &amp; Environs and Waterford Environs</td>
</tr>
</tbody>
</table>

Section 5.6.6.4 Spatial Distribution of New Retail Development

Level 2: Middle order convenience and tourism related comparison in sub county towns and major convenience and middle order comparison.

5.6.6.5 Consideration of Need (D192)
The capacity assessment has identified that quantitatively there is scope for additional convenience floorspace but no potential for additional comparison floorspace over the period of the plan 2008–2014.

The floorspace capacity assessment indicates that there is spare capacity for additional convenience and comparison floorspace to 2014 but of a lesser quantum than that between 2014-2020.

Policy
No further bulky goods floorspace retail warehousing parks will granted in and around the City & Environs due to constraints on the expenditure capacity for additional comparison floorspace over the period 2008 – 2014. (D218)
Chapter 6: Recreation, Tourism and the Arts

6.1.5 Walking and Cycling Routes and Trails (D155)

6.1.5.1 Proposed River Nore Walking Route – Kilkenny to Inistioge

Policy

- To investigate the potential of and opportunities for the funding of walking and cycling trails in the county; and for the development of linkages between existing trails and others in adjoining counties; and support national trail development policy including the Irish Trails Strategy.
- Encourage and promote cycling-based tourism in the city and county and to support Failte Ireland’s Strategy for the Development of Irish Cycle Tourism, South East Regional Report

Policy Action

- Researching and mapping the existing network of traditional paths used for leisure purposes with the intention of determining the legal basis and status of their use.

6.2.3 Tourism Attractions (D82)

The Councils recognise the significance of Kilkenny Castle and the Castle Park to the overall character and attraction of the city centre and will endeavour to work with the Office of Public Works to retain and improve the Castle’s distinctive character.

6.3.1.1 Kilkenny Integrated Cultural Facility

Kilkenny local authorities and Butler Gallery are exploring the feasibility of establishing an Integrated Cultural Facility for Kilkenny, combining Butler Gallery contemporary art gallery and a proposed museum. Kilkenny County Council and Kilkenny Borough Council, the Board of the Butler Gallery, the Heritage Council, The Arts Council, the National Museum and the Crafts Council have been involved in preliminary discussions. It is anticipated that the proposed facility will strengthen the cultural identity of art, heritage and design and will support the heritage and visual arts sectors in Kilkenny.

Arts and culture underpin the quality of life for individuals and communities in the City. Arts and culture play a major role in the identity of the City and are important in how Kilkenny projects and develops its profile. They are also important elements in how Kilkenny can compete in the national and international arenas for inward investment. Opportunities will arise during the course of the plan period with the redevelopment of County Hall and the Carnegie Library.

The ambition is to build on the already strong elements of Arts and Culture in the city and to make Kilkenny the national centre of arts, culture and the craft world.
Policy
To identify a Cultural/Artistic quarter for the City and to ensure the provision of appropriate linking infrastructure, including signage, pedestrian routes and heritage trails, to ensure that cultural/Artistic buildings are linked to one another and to the wider public realm as part of a coherent spatial structure.

6.2.1 South East Region Tourism (D155)

Replace Section with the following:

The numbers of visitors to Ireland continues to rise with over 7.4m overseas tourists visiting Ireland in 2006; of which 1,090,000 visited the South-east providing €302m of revenue. Between 2001 and 2006, the number of overseas visitors to Co. Kilkenny has increased from 254,000 to 288,000; and Co. Kilkenny’s proportion of overseas visitors to the South-east region has remained relatively steady at around 26%. However, given the importance of tourism to the local economy it is of concern that the County’s revenue share from visitors to the South-East has declined from a high of 25.1% in 2004 to 19.5% in 2006 (See Table 6.3).

<table>
<thead>
<tr>
<th>Area/Year</th>
<th>2001</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kilkenny</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Visitors (000's)</td>
<td>254</td>
<td>238</td>
<td>256</td>
<td>290</td>
<td>296</td>
<td>288</td>
</tr>
<tr>
<td>% Regional Visitors</td>
<td>26.7</td>
<td>26.2</td>
<td>28.3</td>
<td>26.3</td>
<td>27.5</td>
<td>26.4</td>
</tr>
<tr>
<td>Revenue (€m)</td>
<td>54</td>
<td>56</td>
<td>61</td>
<td>67</td>
<td>53</td>
<td>59</td>
</tr>
<tr>
<td>% Regional Revenue</td>
<td>20.3</td>
<td>22.1</td>
<td>23.3</td>
<td>25.1</td>
<td>21.1</td>
<td>19.5</td>
</tr>
<tr>
<td>€ per visitor</td>
<td>213</td>
<td>235</td>
<td>238</td>
<td>231</td>
<td>179</td>
<td>205</td>
</tr>
<tr>
<td>South east Region</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Visitors</td>
<td>953</td>
<td>910</td>
<td>905</td>
<td>974</td>
<td>943</td>
<td>962</td>
</tr>
<tr>
<td>Revenue</td>
<td>266.4</td>
<td>253.3</td>
<td>261.4</td>
<td>267</td>
<td>252</td>
<td>302</td>
</tr>
</tbody>
</table>

While the total number of visitors to the South-east region in 2006 was 2.02m, over half of these, or 1.04m, were domestic visitors i.e. visitors from Ireland. Kilkenny has traditionally benefited from the domestic tourism market, particularly for short visits and this market is likely to become increasingly important. Although Failte Ireland collates regional domestic visitor number/revenue data, this data is not currently collected at county level.

Policy
- To sustainably increase the volume of visitors, revenue per visitor, their average length of stay and seasonal spread; whilst protecting and conserving those

1 Failte Ireland
natural, built and cultural features that form the resources on which the County’s tourist industry is based.

- To encourage and support increased coordination, cohesion and linkages between agencies such as Failte Ireland South East, Kilkenny Borough and County Councils and Kilkenny County Development Board and between these agencies and their equivalents in neighbouring counties.
- To support and work to secure the implementation of the Kilkenny Tourism and Development Strategy 2006-2011; and the Failte Ireland Strategic Tourism Plan for the South East.
- To investigate funding opportunities for the development of flagship tourism products; suggested products for development would include Rothe House and walking cycling trails development.
- Encourage the provision of indoor and activities based tourism facilities and events which extend the tourism season.
- Promote collective public and private sector marketing of County Kilkenny as a leisure and retail tourist destination, within Ireland and abroad.

Chapter 7: Heritage
On the basis of D229 and other submissions Chapter 7 was substantially revised and a complete version of the revised chapter is attached separately.

Map 7.1 – add view of Castle from John’s Bridge
Chapter 8: Infrastructure and Environment

8.2 Roads (D17)
All significant development proposals will be required to have transport and traffic assessments carried out in accordance with the publication “Traffic Management Guidelines” published by the DoEHLG/DoT/DTO.

8.2.1 Road Objectives
- To provide a link road from the roundabout at Springhill on the N9 to the Outrath road. (R5 on objectives map)
- To provide a second entrance to the Hebron Industrial estate from the Hebron Road. (R8 on objectives map)

Following consideration of the Manager’s Report the following change was agreed:
National Primary Routes
- To improve, in accordance with best design standards and in accordance with proper planning, the connectivity between the existing N10 National Primary Route and the proposed N9 link. The location of connection to be decided following full spatial planning, technical and economic evaluation and in consultation with the National Roads Authority.

8.2.2 Traffic Management and Gateways

ACTION (D33, D144, D149)
To complete a mobility and traffic management plan dealing with issues such as modal shift accessibility.

8.2.3 Pedestrian/Cycle Movement (D188)
The Councils recognise the importance of walking and that an essential element of any integrated transport system is to provide for the needs of cyclists and pedestrians. The increased provision of cycle lanes and safer facilities for pedestrians is identified as a key action in the Government’s Sustainable Development – A Strategy for Ireland and has been enshrined in the European Charter of Pedestrian Rights.

Policy
To improve facilities for pedestrians and access facilities for people with special mobility needs in line with the aims of the European Charter of Pedestrian Rights.

8.3.1 The National Grid (D80)
In support of sustainable development and efficient energy utilisation the Councils recognise and support all energy source providers in the development of a suitable network in the South-East region capable of sustaining the scale of development proposed for the region, subject to amenity and health considerations.
8.3.4.1 Alternative Energy Systems (D153)

**Policy**
- Encourage ‘A’ energy ratings for all new dwellings and non residential buildings, in conjunction with the Carlow – Kilkenny Energy Agency and Sustainable Energy Ireland.
- Require that as part of any planning application, applicants demonstrate compliance with a statement of intent with calculations be submitted showing how the proposal will comply with Part L of the Building Regulations in relation to the C02 emission rate (CDER)

8.5.1.1 Water Quality

**Policy**
- To jointly with the other participating local authorities and the relevant Public Authorities, participate and co-operate in with the South Eastern River Basin District Management Project
- To implement the South Eastern River Basin District Management Plan
- To increase public awareness of water quality issues and the measures required to protect and where required, improve the quality of all waters
- To take account of the findings of the National Programs of Measures Studies being developed for the River Basin Management Plans
Chapter 9: Location and Pattern of Development

9.2.1 Phasing of Development

Amendment to phasing of development in the Western Environs Local Area Plan (D201)
The development of blocks A,B,C,F,G,K and N within the Western Environs LAP will not be dependent on the completion of one of the blocks H,J, or L.

New Section 9.2.1 Employment Land (D179, D201, D178)
As part of the development strategy the major employment areas are shown on the Map 3.1. These are located south of the N10 Ring Road at Smithsland, Joinersfolly, Loughboy and Danville, the Hebron Road, Purcellsinch and a new Business Park zoning at Leggestrath.

These land banks are strategically located and zoned close to existing and proposed transportation corridors such the N9/N10, the Ring Road extension and the proposed N10 motorway link.

In all a total of 412 acres of green field land is available in the various business and industrial zones.

South of the N9/N10 at Smithsland, Joinersfolly, Loughboy and Danville is a strategic parcelling of lands that cater for Enterprise, Business and Technology parks for Foreign Direct Investment through the IDA and quality industrial lands catering for small and medium enterprises. In this area there is 106 acres of greenfield uncommitted land available for development. There is also a further 25 acres of zoned land where permission has been granted for 21 serviced industrial sites.

This approach enables a clustering of businesses and firms including those involved in interrelated activities thereby providing for critical mass of economic activity at one specific location.

New Section 9.2.2 City Centre Local Area Plan (See Section 2.3 of City Centre LAP)

The local area plan for the city centre acknowledges the added dynamism and interest that particular non retail uses, specifically cafes, restaurants, public houses and bars (but excluding fast food outlets) can bring to a retail centre.

However there is a need to strike a balance between the need to maintain the dominant role of the retail function of the city centre and the wider aim of increasing the city centre population and protecting the amenities of existing residents.

The local area plan states that such uses will be encouraged to locate in the area but should be dispersed to prevent a clustering and that a high quality of design should be achieved.

Policy P.L.U.4 of the local area plan states:
The Borough Council will have regard to the following considerations in the assessment of applications for change of use in the retail core:

- The number and proximity of similar uses already operating in the immediate area.
- The scale of the proposed outlet.
- The physical impact of the proposed use on the internal structure of the building in which it will be located.
- The quality of the shopfront design and associated signage.
- The relevant Specific Objectives of this Local Area Plan in respect of inappropriate land uses and the public realm.

Policy
Public House and Entertainment Use-
To control the location, size and activities of entertainment uses that are likely to attract significant numbers of people in particular public houses with large floor areas with or without other entertainment and night clubs, in order to safeguard the general amenity, environmental quality, residential amenity, character and function of the area.

In applications for such developments the onus will be on the applicant to demonstrate that the proposed new entertainment use, or extension to existing use or variation in opening hours would not cause harm to general amenity, environmental quality, residential amenity or the established character and function of the area.

Section 3 of the City Centre Local Area Plan contains urban design frameworks for 11 identified sites within the plan area. There are broad urban design objectives for each site along with illustrations of indicative layouts for each site. These illustrations are intended to be indicative only and the final proposals for each site will be dependant on a detailed design exercise for each site.

Dublin Road Mixed Use
Significant development proposals for these lands must address the entire area zoned for mixed use development bounded by the Sion Road, the Ring Road, the Dublin Road and the residential development to the south.

New Section 9.3.1 Zoning Map Objectives
Zoning objectives
- Z1- Robertshill Mixed Use Zoning
  1. No vehicular connection to be permitted between the Inner Relief Road and Kennyswell Road through the site.
  2. Public open space to be provided along the Breagagh River, to form part of the Breagagh Regional Park.
  3. Any residential component of the site to be readily accessible from the parklands.
  4. An overall Framework Plan of the entire site shall be submitted at planning application stage.
  5. Any development on the site must have due regard to the amenities of existing residences.
• **Z2 - Dublin Road Mixed Use** - Significant development proposals must be made in the context of a long term vision for the redevelopment of the entire Mixed use zone as set out in a development framework acceptable to the Planning Authority. (D216)

• **Z3 – Hebron Road** - To prepare an Urban Design Framework Plan for the Hebron Road as the main entrance corridor to the City.

• **Z4 - Bleach Road Woolen Mills** - The Council will consider development proposals which provide for:
  - securing a sustainable use of the protected structures,
  - protection of the River Nore SAC and
  - securing the objectives for the creation of the River Nore Linear park
Any such development proposals on the land will be assessed taking into account all relevant Development Plan policies in relation to heritage, conservation, open space and recreation and traffic. (D264)

• **Z5 - Nuncio Road** – any development of this site must include for an appropriate level of open space which will be designed and laid out in a manner that will provide for a local pocket park to serve the general area. (D23)

• **Z6 Newpark Hotel** - any development at this location shall be subject to the Planning Authority being satisfied that there will be no long term impact on the water regime of the Fen and that public access to the Fen will be enhanced. (D34)

• **Z7 - Waterford Road** - Having regard to the location of the land at the junction of Waterford Road (Regional Road), Bohernatounish Road and Nuncio Road and notwithstanding the residential zoning on the site, development at this location shall include for a mix of uses such as a shop, crèche, medical centre, other non-retail uses such as personal and professional services along with office use. The proportion of non-residential uses can be greater than that of residential but in the mix of uses proposed on the land there shall be a significant proportion devoted to residential use. Any development proposal on this site shall address the entire block. (D70)

• **Z8 - Robertshill, Circular Road** - Having regard to the extent of residential development in the area, development at this location shall include for a mix of uses such as a small shop, crèche, other non-retail uses such as hairdressers and irrespective of the residential zoning a small amount of office space. The quantum of non-residential mixed uses can be greater than that of residential subject to any proposal meeting the normal quantitative standards and other policy requirements of the Development Plan. (D104)

• **Z9 - Newpark Upper, Johnswell Road** – to facilitate appropriately-scaled development in accordance with the Business Park zoning and to provide for the creation of the River Pococke Linear Park through these lands with public access and appropriate linkages. (D106)
• **Z10 - St. Canice’s Hospital** - To work with the HSE and other relevant stakeholders in the preparation of a framework plan for the most appropriate land uses within the grounds of St Canice’s Hospital. Such a framework plan shall take account of all the existing land uses and develop a framework for the appropriate land uses and urban design criteria for the lands.

*Action: To prepare an Urban Design Framework Plan for the grounds of St Canice’s Hospital and the HSE offices as outlined on the zoning objectives map.*

(D231)

**Road Objectives**

R1 – Reserve free from development the line of the proposed Inner Relief Road

R2 – Reserve free from development the line of the proposed western by-pass

R3 – To complete the N10 Road Improvement Scheme from Dublin Road Roundabout to Leggettsrath Roundabout

   To complete the N10 Ring Road Improvement Scheme from the Dublin Road Roundabout to the Waterford Road Roundabout.

R4 – To complete the R697 Kells Road Improvement Scheme from Upper Patrick St. to the Kells Road Roundabout

R5 – To provide a link road from the roundabout at Springhill on the N10 to the Outrath Road

R6 – The development of the lands located at R6 (known as the Murphy machinery lands) to be dependent on access from the link road from the N9 to the Outrath road.

R7 – Reserve free from development the proposed line of a new road link from the Callan Road to the Waterford Road roundabout.

R8 - To provide a second entrance to the Hebron Industrial estate from the Hebron Road.

**Recreation & Amenity Objectives**

RA1 - Create access points to the River Nore Linear park as opportunities arise

**9.3.2 Low-density Residential**

Objective: To protect, provide and improve residential amenities at low density.

*Low density housing is defined at not more than 5 per acre on average and must have regard to the character of the area.*

**9.3.6 Neighbourhood centres**

Open for Consideration: open space, workshop or light industry above street level, off-license, residential

**9.3.9 Industrial/Warehousing**

Permitted Uses: General industrial uses and ancillary offices, open spaces, warehouses, car and heavy vehicle parks. Petrol filling stations civic amenity/recycling centre local convenience shop, Automated teller machines, car showrooms advertisement structures wholesale premises, public service installations, play school/crèche, repair garages,
telecommunications structure, public service installations, waste transfer stations, single retail warehousing units (excluding retail warehousing parks) (D218)

9.3.10 Industrial/Technology Park
Permitted Uses: Industrial premises and office based industry, Car parks, crèches, local convenience shop, Automated teller machines, open spaces, warehouses, third level education and research. (D202)

9.3.12 Mixed Use
Permitted Uses: Dwellings, open spaces, places of worship, community facilities, halting sites, public service installations, nursing homes, Bed and breakfast establishments and guesthouses, home-based economic activity, parks and open spaces, playing fields, nursing homes, car park, park and ride facility, childcare facility, community facility, enterprise centre, funeral home, light industry, medical and related consultants, office based industry, science and technology based industry, local convenience shop, automated teller machines, restaurant, conference facilities, public service installations, hotel, warehousing, including retail warehousing, discount foodstore. (D191)

9.3.13 Agricultural Trade (D157)
Not Permitted: Retailing including retail warehousing, and comparison goods and non agricultural related office/commercial development.

The industrial and related uses and related uses should not extend to more than 40% of the entire area zoned.

Not Permitted: the sale of higher order comparison goods as found in town centres, significant levels of non agricultural related–office/commercial development
The total of industrial and related uses should not extend to more than 40% of the entire floor area of buildings on site.

Permitted Uses: Livestock market and related uses and agricultural trade, Agricultural science and technology based industry, local convenience shop, automated teller machines, restaurant, Farm/agricultural business, Farm advisory business, Veterinary suppliers, Veterinary practitioners, General industrial uses and ancillary offices, open spaces, warehouses, car and heavy vehicle parks, Petrol filling stations, civic amenity/recycling centre, car showrooms, advertisement structures, wholesale premises, public service installations, playschool/créche, repair garages, telecommunications structure, public service installations, waste transfer stations, Garden centre.
Chapter 10

Section 10.3 Residential Development Standards (D222)
These standards will be reviewed to take account of the Government Guidelines on Sustainable Residential Development in Urban Areas when adopted.

10.3.4 Separation distance
In general, there should be adequate separation (traditionally about 22 m between 2-storey dwellings) between opposing first floor windows. However, relaxation of this standard will be considered where the careful positioning of opposing windows can prevent overlooking even with shorter back-to-back distances. Windows serving halls and landings do not require the same degree of privacy as, say, balconies and living rooms.

Following consideration of the Manager’s Report the following change was agreed:

10.5.1.1 Open Space in new residential development
The Borough and County Councils will not normally permit new residential development unless public open space is provided within the development to a minimum standard of 2.4 hectares per 1,000 population or greater. A reduction to this standard will only be permitted in exceptional circumstances as determined by the local authority. Where such a relaxation occurs the provision of open space within any scheme should not be below 10% of the site area.

Where a proposed development is located in close proximity to an established park area or zoned open space this may be relaxed depending on the nature and quality of existing provision. This relaxation will only be considered where the development pays a financial contribution towards the improvement of the open space so as to improve its quality and carrying capacity.

Developers will be required to make suitable provision for the future management and maintenance of open space required under this policy where spaces and facilities are not taken in charge by the Local Authority.

Reduced provisions may only be acceptable in urban locations where there are more sustainable patterns of development and maximum use can be made of urban land or redevelopment schemes where open space is already available. With relatively high densities such as townhouses or apartments, good quality landscaped open space should be provided.

Open space provision for smaller residential developments and schemes catering for special needs such as accommodation for the elderly will be considered more flexibly on its merits and having regard to the requirements of likely future residents.

Adequate areas of open space should be an integral part of any new residential development to meet the needs generated by that development. The overall standard of 2.4 hectares per 1000 population is recognised in the Residential Density Guidelines for Local Authorities and will normally be applied in assessing proposals for open space for children’s play and informal amenity. In developments, which are
adjacent to and provide for easy access to significant areas of existing public open space a lesser standard of provision may be acceptable.

10.5.3 Private Open Space
Private open space will be measured from behind the front building line.

New Section 10.7 Subdivisions

10.7.1 Subdivision of existing residential units
The subdivision of existing residential units into a number of smaller residential units should be discouraged. Applications for permission to subdivide or change the use or part of the (residential) premises in this regard shall be considered in certain limited cases. The design of developments shall be such that it complements the existing layout or streetscape and shall not interfere with the residential and other amenities of the area and shall provide a suitable quality of residential amenity for all the proposed units.

Move section 10.24 Granny flats/Extensions to 10.7.2

New Section 10.3.2 Gated Communities
Gated communities serve to exclude and divide communities and in no way support the creation of a permeable, connected and linked city.

Policy
To discourage new housing developments that include gated communities in their plans.

10.13 Archaeology (D188)
Developers are advised to consult the Heritage Council’s Archaeology & Development: Guidelines for good practice for developers (2000) in this regard.

10.11 Parking and Loading
In residential schemes parking should be secure and attractive and should be provided as close as possible to the dwellings served.

New Section 10.3.7 Housing Developments and Road Noise (D17)
The Environmental Noise Regulations SI No. 140 2006 requires that planning applications identify and implement noise mitigation measures within the zone of influence of existing national roads. Planning applications for housing developments along existing or planned National Routes will be required to have regard to these regulations.

A  Zone land from agriculture to general business (D62)

B  Zone from community facilities to general business

C  Zone from open space to Residential (to take account of Loughmacask LAP)

D  Zone 10 acres from agriculture to Residential (D141)

E  Zone additional area for Neighbourhood/Village Centre to take account of Loughmacask LAP

F  Amend open space and residential zoning to take account of Loughmacask LAP

G  Amend open space zoning at Newpark Hotel (D34)

H  Amend general business zoning on the Johnswell road.

I  Amend open space and business park zoning at Johnswell Road/Ring road (D106)

J  Amend industrial warehouse zoning to mixed use zoning at Leinster Stone at Hebron Industrial estate.

K  Amend zoning at Lacken House from residential to general business. (D182)

L  Amend zoning at Leggettsrath to take account of diverted Railway line.

M  Amend zoning from industrial/warehousing to Industrial Technology Park at Leggettsrath. (D43)

N  Amend zoning at Leggettsrath to include an additional 138 acres of business park zoning at Leggettsrath (D201) and change existing industrial/ warehousing west of the Pococke river to business park zoning. (D179)

O  Amend zoning from open space/recreation to residential (D23)

P  Amend zoning from Industrial/Warehousing to Business Park (D148)

Q  Add 25 acres of Industrial/Warehouse zoning at Bohernatounish Road (D178)

R  Amend zoning of existing house at Waterbarrack from community to residential (D137)
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7 Heritage

7.1 Introduction

The most significant part of the built environment of Kilkenny is the quality of the city centre. This character comes from its unique setting and layout incorporating a number of distinctive elements. Firstly the dominant position of its great buildings – St. Canice’s Cathedral, Kilkenny Castle, and St. Mary’s Cathedral – which are linked by streets of different character and type, many of which are joined together by the narrow laneways (slips). Secondly there are buildings of different uses, architectural quality and historic backgrounds, including the historically important Shee Alms House, Rothe House, Bishops Palace, Black Abbey etc., but also many examples of traditional shopfronts and of domestic housing. The network of streets and laneways is complemented by the River Nore, which with its tree-lined banks and adjacent open spaces provides an important natural element in the overall townscape character of the city.

Along with this outstanding built heritage there is also a significant natural heritage which needs protecting. This includes some of the significant natural features around the City & Environs such as Newpark Marsh, the River Nore and its SAC and the lough at Loughmacask.

By preserving characteristic features of the City & Environs, we seek to maintain and nurture our environment and cultural heritage as part of our identity.

POLICY

• To prepare and implement, in partnership with the Kilkenny Heritage Forum and relevant stakeholders, a County Heritage Plan and County Biodiversity Action Plan.
• To support and facilitate the Kilkenny Heritage Forum
• To continue and to develop the Council’s advisory/educational role with regard to Heritage matters through the Heritage Plan and to promote awareness and understanding of and access where appropriate to heritage.

Built Heritage

7.1.1 Urban Structure

Kilkenny, often referred to as the medieval capital of Ireland, offers an abundance of fascinating historical sites. The historic urban centre of Kilkenny City retains much of its medieval fabric. Prominent buildings such as the Shee Almshouse, Rothe House and the imposing Kilkenny Castle are some of the better-known secular buildings about the streetscape, while numerous medieval religious buildings, such as St Canice’s Cathedral, the Dominican Black Abbey and St Francis’s Abbey, also survive. Buildings such as these, and other less well-known later medieval structures hidden behind Georgian and Victorian façades, are a feature of the surviving medieval streetscape.
In principle, it will be the policy of Kilkenny Borough and County Councils to retain and enhance the essential character of the historic city, but at the same time, formulate policies to assist in its continued but controlled development, enhancement and maintenance.

The character of Kilkenny is the result of a combination of the natural features of river and topography, the street spaces, the fabric buildings and the numerous “special” buildings and artefacts of historical and archaeological value.

The Castle and St. Canice’s Cathedral are the opposing poles of the central area. The enclaves of these two buildings and the spaces, which link them – Irishtown, Parliament Street and High Street form the spine of the central area.

The main spine tends to run parallel to the contours while minor streets and lanes run across the contours, often forming “short cuts”. These narrow lanes or “slips” as they are locally known are a particular feature of Kilkenny’s townscape. Some are just pedestrian ways, which form short cuts across the width of particularly long city blocks and do not have frontage development. Others act as narrow streets with buildings fronting onto them.

Within the central area, the streets are typically narrow space channels enclosed on both sides by 18th and 19th century facades. Generally the facades are vertically proportioned, narrow fronted and divide into bays of alternate wall and window. The normal facades of the streets are occasionally interrupted by something more ornate or large scaled, often the façade of a bank or other public institutions. Buildings of great public importance such as the Castle, City Hall and Courthouse, not only differ in scale and material from the “fabric buildings” but are either set back or brought forward in respect of the general building line.

Over the last two decades there have been many changes with the redevelopment of some of the larger remaining sites within the City centre such as The Market Yard (Dunnes Stores) the Presentation School (the Market Cross Shopping Complex), the River Court Hotel off John Street and more recently the multi-storey car park, hotel and apartments off Patrick Street. These large developments were generally on large extensive sites in backland areas where existing uses had become redundant. Although these have been large developments the essential townscape character of the city centre as described above is still clearly evident.

However, the centre cannot continually accommodate large-scale development, particularly if the result is the erosion of historic building plots.

### 7.2 Public Spaces

The architectural character of a city is determined not only by the importance of individual buildings and groups of buildings but also by the quality of the spaces formed by the buildings – i.e. the footpaths, streets, squares, parks, views and vistas all of importance, which are an integral part of the urban structure.

The public spaces in Kilkenny are many and varied, from the grand civic space in the Parade to the many smaller and incidental spaces and the numerous streets and slipways of the medieval city. The effects of proposed developments on the quality of the
adjacent public spaces and the possibilities of creating new spaces will be an important factor in assessing planning applications. Pedestrians will be afforded priority in the use of the public realm throughout the historic city.

POLICY
- To protect, enhance, improve, extend and where appropriate create new public/civic spaces throughout the city.
- To maintain important historic details within the civic spaces such as historic paving, cobblestones, post boxes, spur stones etc.
- To reduce the impact of traffic congestion in the historic centre by traffic calming measures, more efficient signage and pedestrianisation.
- To conserve and enhance biodiversity in new and existing civic spaces.
- To ensure the avoidance of visual clutter when introducing street signage and new street furniture.

7.3 View and Prospects
There are a number of sites, areas and vantage points within the City and in the Environs, from which fine views of the City can be had, see Map 7.1. There are also vantage points within the City from which particularly good views of the City’s most important public buildings and natural landscape features may be obtained. Of particular importance are views of and from the Castle, Cathedrals and the River Nore.

POLICY
- To protect views and prospects identified on Map 7.1 by requiring new development or extensions to existing development to be designed and located so as to minimise the interruption of these views.
- To encourage street layouts in newly developed areas which create new vistas to existing and new landmarks, in particular within the Western Environs and the Loughmacask Local Area Plan lands.

7.4 City Presentation and Maintenance
The presentation and maintenance of the City’s buildings and public areas are an important aspect of the City’s tourism and social character.

POLICY
It is the intention of Kilkenny Borough Council and Kilkenny County Council to work closely with the “Keep Kilkenny Beautiful” Committee and other relevant organisations, community groups, business and private interests to maintain the traditional high standards in this regard.

7.5 Archaeology
Kilkenny City’s archaeological heritage is a valuable cultural and tourism asset. The principles set out in the Framework and Principles for the Protection of the Archaeological Heritage
(1999) provide a framework for the policies to be included in relation to archaeological heritage.

The National Monuments Acts 1930 – 2004 provide for the protection of the archaeological heritage. The Record of Monuments and Places (RMP) was established under Section 12 of the National Monuments (Amendment) Act 1994 and structures, features, objects or sites listed in this Record are known as Recorded Monuments. As well as extending protection to all known sites, now identified as Recorded Monuments, the National Monuments Acts 1930 – 2004 extends protection to all previously unknown archaeological items and sites that are uncovered through ground disturbance or the accidental discovery of sites located underwater.

Kilkenny City has been identified as an Historic Town and appears in the Record of Monuments and Places. The guideline boundaries for historic towns are illustrated within the Record of Monuments and Places as Zones of Archaeological Potential and are areas where intense archaeology is present.

The Zones of Archaeological Potential are outlined on Map 7.2 Zones of Archaeological Potential. All development proposals within the zones of Archaeological Potential or which relate to Recorded Monuments and Places must be referred to the National Monuments Advisory Service of the Department of the Environment Heritage and Local Government.

**POLICY**

- Protect and enhance archaeological sites, monuments (including their setting), underwater archaeology, including those that are listed in the Record of Monuments and Places, and in the Urban Archaeological Survey of County Kilkenny or newly discovered sub-surface archaeological remains.
- To ensure the preservation in-situ, or preservation by record of:
  - The archaeological monuments included in the record of monuments and places as established under section 12 of the National monuments (Amendment Act, 1994
  - Any other sites and features of historical or archaeological interest.
  - Any subsurface archaeological features that may be discovered during the course of infrastructural/development works.
- Provide guidance to developers and property owners regarding the archaeological implications of a proposed development.
- Promote pre-planning consultations in relation to the archaeological heritage with the planning authority and with the Department of the Environment, Heritage and Local Government in its capacity of being charged with the implementation of the National Monuments Acts.
- To require an appropriate archaeological assessment to be carried out in respect of any proposed development likely to have an impact on a Recorded Monument, a Zone of Archaeological Potential, or their settings.
- To ensure the protection of archaeological material in situ by ensuring that only minimal impact on archaeological layers is allowed.
• To require that sites of archaeological interest shall be subject to archaeological investigations and recording according to best practice, in advance of redevelopment where preservation in situ is not feasible.
• To encourage the dissemination of the results of archaeological excavation in a timely and appropriate manner.
• To acknowledge the importance of underwater archaeology by requiring that any proposed developments that may have implications for the underwater heritage shall be subject to an underwater archaeological assessment in advance of works.
• Facilitate and where feasible create public rights of way to sites of archaeological and historical interest and to National Monuments in state and Local Authority ownership in the city. The Council will also seek the preservation, maintenance and improvement of all existing right of ways to such areas where appropriate.
• To assist in the implementation of the conservation plans for the City Walls, Rothe House and St Mary’s Church and Graveyard.

7.5.1 Historic Graveyards
The historic graveyards of Kilkenny, in addition to being the resting places of our ancestors, are an important part of the heritage of the county. They contain a wealth of architectural and archaeological features and are refuges for many species of plant and animal. A survey of historic graveyards was carried out in 2005, entitled The Historic Graveyards of the City and County of Kilkenny: An Inventory.

Most historic graveyards are afforded legal protection through the National Monuments (Amendment) Acts or the Planning and Development Acts.

POLICY

• Conserve and protect historic graveyards and churches within Kilkenny and to encourage their maintenance in accordance with conservation principles and as resources allow.
• To continue to support and assist communities in the care and conservation of historic graveyards through its Historic Graveyards Grants Scheme.

7.5.1.1 Features of Cultural Heritage Interest
Features of cultural heritage interest such as mass rocks, mass paths, rag trees etc. are locally significant and add to the distinctive character and sense of place of an area.

• To preserve, protect and where necessary enhance, significant heritage objects such as mass rocks and/or other significant cultural features, that form part of the cultural heritage of the City and Environs.
7.6 Architectural Heritage

Kilkenny City is rich in buildings, structures and places of historic and architectural value that are symbols of the social, economic and cultural development of the City, and which contribute to its essential character. Part IV of the Planning and Development Act 2000 sets out the statutory provisions for protecting the architectural heritage which includes a requirement to:

1. Include in the development plan a Record of Protected Structures.
2. Include in the development plan an objective to consider the designation of Architectural Conservation Areas.

7.6.1 Record of Protected Structures

Each planning authority has a statutory responsibility, under the Planning and Development Act 2000, to include a Record of Protected Structures (RPS) in its Development Plan.

A Protected Structure, unless otherwise stated in the RPS, includes the interior of the structure, the land lying within its curtilage, any other structures lying within that curtilage and their interiors, plus all fixtures and features which form part of the interior or exterior of any of these structures. Structures, or parts of structures, can be added to the Record if they are deemed of special interest under one or more of the following headings: architectural, artistic, historic, archaeological, cultural, scientific, social, technical.

Guidance on the categories of special interest for considering the inclusion of protected structures in the RPS is given in Section 2.5.4 to 2.5.20 of the ‘Architectural Heritage Protection Guidelines for Planning Authorities, 2004’ issued by the Department of the Environment Heritage and Local Government.

The term ‘protected’ is defined in the 2000 Planning and Development Act as including ‘conservation, preservation and improvement compatible with maintaining the character and interest of the structure or part thereof’. Works which would, in the opinion of the Council, have material effect on the character of the protected structure, require planning permission. Those with an interest in a protected structure may seek a Declaration under Section 57 (2) which would offer practical guidance in relation to the protection of the structure. Section 57(10)(b) of the Planning and Development Act 2000 provides that permission may only be granted for the demolition of a protected structure or a proposed protected structure in exceptional circumstances.

There are now approximately 300 buildings, structures and features listed in the RPS and the Record will continue to be added to as structures, buildings and features of special interest are identified and as resources permit. The Record of Protected Structures is listed in Appendix D of this written statement.

The National Inventory of Architectural Heritage (NIAH) has been completed for County Kilkenny including the City & Environs and descriptions and appraisals of over 2000 structures can be viewed at the NIAH website. The Councils will assess this survey with a view to revising the Record of Protected Structures and additions will be made to the RPS on a phased basis.
POLICY

- To ensure the protection of the architectural heritage of Kilkenny City & Environs by including all structures considered to be of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest in the Record of Protected Structures.
- To have regard to the Architectural Heritage Protection Guidelines issued by the Department of the Environment Heritage and Local Government in 2004 when assessing proposals for development affecting a protected structure.
- To promote principles of best practice in conservation in terms of use of appropriate materials and repair techniques through the administration of the Conservation Grants Scheme funded by The Department of the Environment Heritage and Local Government.
- To ensure the protection of the architectural heritage through promoting the importance of regular maintenance of structures contained within the Record of Protected Structures.
- To provide assistance to owners of protected structures in undertaking essential repairs and maintenance by the provision of relevant information.
- To promote by example the principles of best practice in conservation of the built heritage through the custodianship of Protected Structures in the Council's ownership/care.
- To encourage the sympathetic retention, reuse and rehabilitation of Protected Structures and their setting.
- To protect elements of designed landscapes of special interest located within the attendant grounds of Protected Structures, including boundary features.
- To require an architectural impact assessment/conservation method statement for developments within the grounds of country house estates which are Protected Structures.

ACTION

- To respond to the Ministerial recommendation to include in the Record of Protected Structures, structures which have been identified as being of Regional, National or International significance in the National Inventory of Architectural Heritage survey of the city and county published in 2006.
- To carry out a review of the Record of Protected Structures for the functional area of Kilkenny City and Environs.

7.6.1.1 The Vernacular Built Heritage

The vernacular built heritage consists of buildings and settlements created by the people from local materials and resources to meet local needs following local traditions. The response to the local environment gave rise to construction techniques which vary from region to region, often with great subtlety. This type of building is often undervalued because it does not represent ‘great architecture’ and because of associations with poverty and a perception that the buildings have become obsolete. The value of these buildings lies in the regional distinctiveness and identity that they confer on a place and
their importance as an embodiment of the accumulated wisdom and cultural traditions of the people who built and lived in them.

**POLICY**

- To apply the conservation principles and guidelines in practice as set out in the ICOMOS Charter on the Built Vernacular Heritage (Mexico 1999) when considering proposals to adapt vernacular buildings to meet contemporary living standards and needs.
- To promote the retention and re-use of the vernacular built heritage through increasing public awareness of its potential for re-use and its adaptability to change.

**ACTION**

- To respond to the Ministerial recommendation for addition to the RPS of all vernacular structures of Regional rating and above included in the National Inventory of Architectural Heritage for County Kilkenny.

### 7.7 Architectural Conservation Areas

The City and Environs contain a number of areas of special interest, whose overall character, form and layout it is desirable to preserve. Part IV of the Planning and Development Act 2000 provides for the preservation of the character of a place, area, group of structures or townscape where the planning authority is of the opinion that such an area:

- is of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest or value, or
- contributes to the appreciation of protected structures.

Guidance on the categories of special interest for considering the designation of Architectural Conservation Areas is given in Sections 3.3 and 3.4 of the ‘Architectural Heritage Guidelines for Planning Authorities, 2004’.

Kilkenny’s urban environment is formed by a number of distinctive areas and building types which give the city its interest, charm and character. It is an aim of this Plan to seek the preservation as appropriate of the distinctive character of each of these areas. There are currently 9 ACA’s in Kilkenny City and Environs. A description and character appraisal of each area is set out below, along with specific policies for each area.

In formulating the following policies and objectives, Kilkenny Borough and County Councils have had regard to the 2004 Architectural Heritage Protection Guidelines and the 2006 National Inventory of Architectural Heritage for Kilkenny, both produced by the Department of the Environment, Heritage and Local Government.

#### 7.7.1.1 Development in an Architectural Conservation Area

It is the purpose of the Architectural Conservation Area designation to preserve the general character of areas in regard to building scales, proportions, historical plot sizes,
materials, building lines and height, historic street paving and street furniture, as well as general use.

Works to the exterior of a building within an Architectural Conservation Area which, in the opinion of the local authority, would affect the character of the area would require planning permission. Guidance on the criteria the planning authority will use to assess proposals for new development and proposals for demolition within an Architectural Conservation Area are given in section 3.10 of the Architectural Heritage Protection Guidelines, 2004, issued by the Department of the Environment, Heritage and Local Government.

### 7.7.1.2 Street Furniture

Items of street furniture can be important elements in establishing the character and interest of an Architectural Conservation Area. Such items could include lamp standards, seats and benches, bollards, railings, street signs, freestanding or wall mounted post boxes, telephone kiosks, horse troughs, water pumps, drinking fountains, jostle stones, milestones, paving, kerbstones, cobbles and setts, pavement lights, coal hole covers, weighbridges, statues, plaques and other monuments.

**POLICY**

- To ensure the preservation of the special character of each ACA particularly with regard to building scale, proportions, historical plot sizes, building lines, height, general land use, building materials, historic street furniture and paving.
- To have regard to the Architectural Heritage Protection Guidelines, 2004 issued by the Department of the Environment, Heritage and Local Government when assessing proposals for development affecting an ACA.
- To consider the designation of Architectural Conservation Areas where appropriate and provide a local policy framework for the preservation of the character of these areas.
- To ensure the retention, repair rather than replacement, and the regular maintenance of original/early features in buildings which contribute to the character of an ACA, such as, chimney stacks, roof coverings, roof profiles, external wall treatments, doors and windows, shop fronts and pub fronts and to ensure the use of appropriate materials and repair techniques when repairs are being carried out.
- To ensure that inappropriate materials such as windows, doors and fascias constructed in aluminium or uPVC are not introduced to buildings within an ACA.
- To encourage high quality, contemporary design and materials where appropriate when new buildings are being introduced into an ACA and the retention of the historic scale and plot size.
- To ensure the preservation of the special character of an ACA when assessing proposals for advertising.
- To retain historic items of street furniture where they contribute to the character of the ACA and to protect historic items of street furniture and roadside items as appropriate.
- To ensure the conservation of all historic shopfronts and pub fronts. Where replacement is necessary, to encourage the introduction of shop
fronts and pub fronts of contemporary high quality design and materials into the ACA.
• To seek the retention of mature trees/significant planting (those in good condition) which contribute to the character of each ACA where appropriate.

7.8 Designated Architectural Conservation Areas

The areas designated as Architectural Conservation Areas are based on the criteria set out in the 2000 Planning and Development Act, and guided by the Architectural Protection Guidelines and the 2006 National Inventory Architectural Heritage for Kilkenny. The ACA’s located in the City and Environs are:

1. City Centre
2. Kilkenny Castle
3. St. Canice’s
4. John Street
5. Patrick Street
6. Michael Street and Wolfe Tone Street
7. St. Mary’s
8. Lacken
9. Talbotsinch

7.8.1 City Centre Architectural Conservation Area

The City Centre Architectural Conservation Area is the medieval core of Kilkenny, characterised by its tight urban grain, colourful streetscapes and network of lanes dating mainly from the 16th, 17th and 18th centuries (See Map 7.3). This district includes the triangle of High Street/Parliament Street, Kieran Street and Rose Inn Street, which comprises the core retail area of the city. The area is characterised by the almost continuous enclosure of the streets with mainly three storey 18th and 19th century buildings built on medieval plots and foundations. The area also includes sections of the medieval Kilkenny City Walls (Hightown Circuit). The stepped lanes running from High Street to Kieran Street and from St. Mary’s Lane to Rose Inn Street are one of the most notable features of Kilkenny. There are numerous notable Protected Structures in this area, including Shee Alms House on Rose Inn Street, the Tholsel on High Street, Smithwicks Brewery and Rothe House on Parliament Street to name but a few.

This district derives its special character from the bustle of trading and shopping. High Street remains the premier shopping street in the city, characterised by its colourful buildings and shop fronts. Kieran Street is developing into an ambient canopy-covered street of coffee shops and retail uses. The 2005 City Centre Local Area Plan aims to protect and ensure the continued vitality and viability of the core retail area to protect this important retail function. The pedestrianisation of High Street and Kieran Street will help protect this special character.

St. Mary’s Church and Graveyard is a walled enclosure hidden behind High Street and St. Kieran Street and wrapped on three sides by St. Mary’s Lane. The site comprises of the impressive St. Mary’s Church, with its origins in the 13th Century, almshouses, graveyard and tombs. In 2005 The Heritage Council published a Heritage Conservation
Plan for St. Mary’s Church and Graveyard which brought forward policies to encourage the protection of the integrity of the church and the opening up of the site to greater public access and integrated civic usage.

Smithwicks Brewery is a long-standing industrial presence in the city. The silos and chimneys of the brewery have become part of the Kilkenny skyline and represent an important part of Kilkenny’s economic past and present.

It is an objective of the 2005 City Centre Local Area Plan to redevelop the Market Yard car park and Dunnes Stores shopping complex for mixed town centre and complementary uses (Bateman’s Quay). This site is located in the city centre Architectural Conservation Area and it occupies a substantial site adjacent to the River Nore. The consolidation of this site is intrinsic to the continued successful economic performance of the core retail area and a high standard of architectural design will be required.

Policies for the City Centre Architectural Conservation Area

- See also policies which are applicable to all ACAs listed above.
- To retain the existing scales of building heights of three and four storey buildings.
- To limit large scale developments within the historic centre which may necessitate the assimilation of smaller historic building plots.
- To encourage the renovation and re-use of any vacant or derelict buildings.
- To retain the medieval street pattern.
- To protect and retain the historic integrity of the city walls, in accordance with the Kilkenny City Walls Conservation Plan (Heritage Council, 2005).
- To protect the tight urban grain and rhythm of existing streetscapes.
- To encourage well presented ground floor spaces and facades and to avoid pastiche shop fronts and pub fronts.
- To control the size, number and composition of advertisements on facades to prevent visual clutter in the main streets.
- To control lighting and the colour of lighting on the external façade of buildings.
- To promote timber painted signage and to prevent plastic and neon signs.
- To facilitate the removal of overhead cables throughout the ACA.
- To support the implementation of the St. Mary’s Church and Graveyard Conservation Plan.
- To support the implementation of the Rothe House Conservation Plan.
- To support the implementation of the Kilkenny City Walls Conservation Plan.
- To improve the visual appearance of the car parking area at the Market yard, and ensure a high standard of architectural design for any development at Bateman Quay.
- To ensure pedestrian permeability is paramount in any future re-development of Bateman Quay.
- To ensure a high standard of paving and street furniture on High Street and St. Kieran Street following pedestrianisation.
7.8.2 Kilkenny Castle Architectural Conservation Area

The primary characteristic of the area is the dominance of Kilkenny Castle, see Map 7.4. The Castle is an impressive National Monument, not only due to its size and scale, but also its elevated location and its relationship to The Parade, the city’s most prominent civic space. The Castle itself is located in the spacious setting of the Castle Gardens and parkland, which cover an area of over 50 acres. This is a very valuable recreational amenity resource for the City. This conservation area also includes the millrace buildings located on the Castle Grounds adjacent to the River Nore. This area also includes sections of the medieval Kilkenny City Walls (Hightown Circuit).

The Parade is an impressive urban space which stretches from the Castle Grounds to High Street. It is defined by its high buildings including the Design Centre workshops, 18th century townhouses and the former Bank of Ireland building. The Mayors Walk and the mature trees of the Rose Garden line the north eastern side of The Parade. The reinstatement of The Parade as a civic place is an objective of the 2005 City Centre Local Area Plan.

The Castle Road runs south from the Castle to the Bennettsbridge Road. The residential area of Castle Gardens comprises of detached dwellings, typical of 1950’s and 1960’s construction with some modern infill development. A mature giant redwood tree which was once part of the Castle grounds is located in this area, for which a tree preservation order is in place. All these factors combine to create an attractive residential setting in close proximity to the castle and the city centre.

Switzers Almshouses are located adjacent to the Castle Road and consist of a terrace of five two-storey houses, each of three bays, with a clock pediment over the central house and facing an enclosed lawn. The group is of significant architectural importance.

Policies for Kilkenny Castle Architectural Conservation Area

- See also policies which are applicable to all ACAs listed above.
- To protect the historic and architectural character of the Castle and its unique setting.
- To enhance and reinstate the character of The Parade as an important historic civic space by implementing appropriate design and uses, an objective of the City Centre Local Area Plan.
- To protect the natural amenity of the Castle Park as an important recreational area and wildlife habitat.
- To protect the structures of Ormonde Mill and its setting on the bank of the River Nore.
- To protect and retain the historic integrity of the city walls, in accordance with the Kilkenny City Walls Conservation Plan (Heritage Council, 2005).
- To protect the special low-density residential character of the Castle Gardens residential area.
- To ensure appropriate uses for the buildings on The Parade, which will not detract from the civic character of the area.
7.8.3 St. Canice’s Architectural Conservation Area

This district is located in Irishtown at the northern end of the city, and is dominated by many impressive landmark stone buildings (See Map 7.5). Most impressive is the 13th century St. Canice’s Cathedral (the site dates back to 6th C), which is surrounded by the remnants of its close, including Canice’s tower, the Bishop’s Palace, the Deanery, St. Canice’s library and other buildings.

The Cathedral district is bounded by narrow lanes and streets, which surround the base of the mound on which the Cathedral is built – Dean Street, St. Canice’s Place, Vicar Street and Troys Lane. This area also includes sections of the medieval Kilkenny City Walls (Irishtown Circuit).

The district is also traversed by a number of small ambient laneways, which are enclosed by high stone walls. The building types in the area have traditionally been institutional, housing and small scale shopping and these have given the district its special quiet character. Dean Street was redeveloped in the 1990’s as part of the Inner Relief Road project with a mixture of residential and commercial uses.

St. Canice’s Catholic Church is another impressive landmark building in the area which occupies a visually prominent position. Located nearby is Thomas Square, a charming cul-de-sac of single storey terraced early social housing in the city.

Green Street is an area of mixed uses bounded between Vicar Street and the River Nore. This street has witnessed some dereliction in the recent past, however there is potential for renovation in this area, particularly the Brian Stone building and the site immediately opposite, currently occupied by Classic Furniture. Part of the Brewery extends into the southern section of this area, including the remnants of St. Francis Abbey.

The line of the Inner Relief Road for the city runs through this ACA. A new bridge across the Nore is proposed at the south-eastern most section of this ACA.

Policies for St. Canice’s Conservation Area

- See also policies which are applicable to all ACAs listed above.
- To protect the historic and architectural character of St. Canice’s Cathedral and its unique setting.
- To protect the grouping of the Cathedral, Library, Deanery and other adjacent buildings.
- To respect and retain established building lines.
- To protect and retain the historic integrity of the city walls, in accordance with the Kilkenny City Walls Conservation Plan (Heritage Council, 2005).
- To enhance the character of Vicar Street and Troy’s Lane.
- To seek the conservation of St. Francis Abbey and its setting
- To ensure that any development occurring along the River Nore will be sensitive in its design and mindful of its proximity to the river.
- To facilitate the upgrading and visual improvement of the Classic Furniture site on Green Street.
- To facilitate the restoration of the Brian Stone building located on Green Street.
To protect the character and setting of the residential terraces of Thomas Square and Troys Gate.  
Any new roads in this area should be designed in a manner so as not to detract from the special character of the area, and should be sensitive to the existing scale of development within the area.

7.8.4 John Street Architectural Conservation Area

John Street is a busy link road which connects the core retail area and the east of the city (See Map 7.6). It is one of only two streets which cross the River Nore in the city in an east-west direction. The primary use of John Street is a retail function, an extension of the retail shopping area on the other side of John’s Bridge. The scale of buildings on John Street decreases as one moves northwards, from three storey buildings along John Street Lower to two storey on John Street Upper. It is envisaged that the opening of McDonagh Junction will increase footfall along John Street, and subsequently have a positive impact on the vitality of buildings on the street.

This district includes many Protected Structures, some of which are characterised by their setting on attendant grounds, such as St. John’s Church, Carnegie Library, County Hall and the Evans Almshouses. This area also includes sections of the medieval Kilkenny City Walls (St. John’s Circuit). As identified in the City Centre Local Area Plan, opportunities exist at County Hall for the enhancement of the public realm through the creation of a new park and new urban space.

Maudlin Street is predominantly residential with houses of different types and eras, which add to its overall character, and also contains a number of Protected Structures, including Magdalen Castle.

Policies for John Street Architectural Conservation Area

- See also policies which are applicable to all ACAs listed above.
- To encourage well presented ground floor spaces.
- To control the size, number and composition of advertisements on facades to prevent visual clutter in the main streets.
- To control lighting and the colour of lighting on the external façade of buildings.
- To promote timber painted signage and to prevent plastic and neon signs.
- To reduce advertisement on facades.
- To encourage the renovation and re-use of any vacant or derelict buildings.
- To protect historic plot sizes along Johns Street Upper and Lower and to avoid the amalgamation of sites for new buildings.
- To avoid pastiche shopfronts and pubfronts.
- To facilitate the removal of overhead cables throughout the ACA.
- To protect and retain the historic integrity of the city walls, in accordance with the Kilkenny City Walls Conservation Plan (Heritage Council, 2005).
• To protect St. John’s Church and its setting.
• To ensure that any new developments to the south of Maudlin Street are sensitive in scale to the existing residential buildings.
• To ensure any future re-development of the petrol station and adjoining sites on the Dublin Road is sensitive in scale to the surrounding buildings.
• To expand the role of County Hall as a civic amenity for Kilkenny through the creation of a new park and investigate the creation of a new urban square to Johns Street, in accordance with the Kilkenny City Centre Local Area Plan.
• To protect residential uses along Maudlin Street.
• To protect the setting of St. John’s Place, including their front gardens and railings, and to facilitate the restoration of these houses.
• To consider the balance of uses on John Street when dealing with change of use planning applications.

7.8.5 Patrick Street Architectural Conservation Area
Patrick Street is a mixed residential and commercial street with many good quality classical buildings. It leads from The Parade Junction to the Waterford Road, through the former St. Patrick’s Gate, see Map 7.7. The curve of the street provides a pleasant sweep into the city when entering from the west.

Religious and educational institutions dominate the western section of this area. The grounds of St. Kieran’s College, the John of God Convent and St. Patrick’s Catholic Church are each impressive buildings in their own rights. Each of these is accessed from the College Road, which is a wide tree-lined avenue. The area also includes sections of the medieval Kilkenny City Walls (Hightown Circuit).

Policies for Patrick Street Architectural Conservation Area

• See also policies which are applicable to all ACAs listed above.
• To enhance the character of Ormonde Road and College Road as an approach to the city centre.
• To protect important protected structure such as St. Patrick’s Church, St. Kieran’s College, the former Presbyterian Church, the City Vocational School and Talbots Castle.
• To ensure any future developments along Jacob Street adhere to a formal building line and are predominantly residential in nature.
• To protect the visual relationship between Butler House, the Design Centre and Kilkenny Castle.
• To protect and retain the historic integrity of the city walls, in accordance with the Kilkenny City Walls Conservation Plan (Heritage Council, 2005).
• To avoid backland development which would impact negatively on the character of the area.
7.8.6  Michael Street/Wolfe Tone Street Architectural Conservation Area

Michael Street is located to the east of the city centre and the special character of this area is residential in nature. It is a residential street of two storey terraced houses which overlooks the River Nore and the linear Park. The houses date from the late 1880s and have long gardens running to the rear. The houses on Wolfe Tone Street are predominantly dormer style terraced houses, which also have long back gardens. The backlands of these two residential streets form a substantial undeveloped urban landbank.

This ACA contains John’s Terrace, an attractive red brick terrace of two storey dwellings located adjacent to Carnegie Library and the River Nore. The terrace fronts onto the River Walk, which leads to Green’s Bridge, a Protected Structure.

Policies for the Michael Street/Wolfe Tone Street ACA

- See also policies which are applicable to all ACAs listed above.
- To protect and enhance existing residential uses and to avoid change of use of habitable dwellings to commercial purposes. Bed and Breakfast developments will be considered on their own merits.
- To avoid the demolition of existing habitable dwellings, and promote restoration of derelict buildings.
- To protect the amenity along the River Nore as an environmental, recreational and residential area.
- To ensure a high standard of architectural design to any development to the rear of Michael Street and Wolfe Tone Street, and ensure it is sensitive in scale and materials to the existing area.
- To protect the setting of dwellings at Johns Quay Terrace, including retention of all front railings and gardens.
- Any proposals for new development along the River should be of a contemporary design and address its waterfront location.

7.8.7  St. Mary’s Architectural Conservation Area

St. Mary’s Cathedral dominates this Architectural Conservation Area, see Map 7.9. St. Mary’s is an impressive 19th century early gothic style catholic cathedral built on a cruciform plan, and exhibiting expert stone masonry throughout. Occupying an important corner site, the cathedral makes a strong visual impression in the streetscape of James’ Street and James’ Green while the stout tower punctuating the skyline produces a highly identifiable landmark in the locality.

The area surrounding the Cathedral is largely comprised of institutional uses and early twentieth century local authority housing estates. The Black Abbey was founded in 1225 and is an important element in the archaeological heritage of Kilkenny. The delicate stained glass panels of artistic design distinction enhance the aesthetic appeal of this Dominican Abbey. Attractive residential terraces in this area include Dominic Street, Rothe Terrace, Parnell Street, James’ Green, Kickham Street and Stephens Street. The area also includes sections of the medieval Kilkenny City Walls (Hightown Circuit).
The River Breagagh passes through this ACA, a tributary of the Nore.

Policies for St. Mary's Architectural Conservation Area

- See also policies which are applicable to all ACAs listed above.
- To protect and enhance the setting of St. Mary's Cathedral.
- To protect the residential character, setting and appearance of dwellings on Parnell Street, James' Green, Kickham Street, Dominick Street, Stephens Street, Rothe Terrace and the Kennyswell Road.
- To protect Kenny's Well and its setting and adjacent open space along the Breagagh River.
- To protect and retain the historic integrity of the city walls, in accordance with the Kilkenny City Walls Conservation Plan (Heritage Council, 2005).
- To protect the visual amenity of the Breagagh River, and ensure that any future developments adjacent to it address its riverside location.

7.8.8 Lacken Conservation Area

This is a residential area and commands an important entrance to the historic City, see Map 7.10. It is mainly residential in character with substantial houses in their own grounds. The old Lacken Corn Mills located on the river are an important group of old industrial structures. They are now, however, in an increasingly derelict condition. The views over the River Nore are an important element in the character of this area.

This ACA includes the viewing terrace adjacent to the river from which views of the castle and the city can be enjoyed.

Policies for Lacken Architectural Conservation Area

- See also policies which are applicable to all ACAs listed above.
- To protect the character of the area, in particular the setting of substantial houses in their own grounds which contain mature trees.
- To protect the industrial archaeology of the Lacken Corn Mill and its setting on the banks of the River Nore, adjacent to the Dublin Road.

7.8.9 Talbotsinch Conservation Area

This is a unique example of residential planning. The model village was built in 1904 for Lady Desart, by Professor William A. Scot. It consists of distinctively styled houses built around an open space, see Map 7.11. Influenced by the Arts and Crafts movement, it has generally retained its special qualities of design and craftsmanship and it is predominantly in residential use.

Policies for Talbotsinch ACA
• See also policies which are applicable to all ACAs listed above.
• To protect the character of Talbotsinch Village as a model Village.
• To protect and enhance the architectural features of the buildings.
• To protect and enhance the grouping of buildings and their setting.
• To review the boundaries of the Talbotsinch ACA during the lifetime of the plan.

7.9 **Floodlighting**

The floodlighting of buildings and structures is often regarded as a means of highlighting the significance of a structure and reflects the substantial pride that communities have in individual heritage sites and structures. Notwithstanding this, floodlighting has the potential to negatively impact on both natural and built heritage. It can contribute to light pollution, impinge on protected species such as bats, and affect the architectural and archaeological significance of a site.

A successful lighting scheme will relate to the architectural form of the building and will sensitively utilise the detailing and features of such buildings with low wattage light sources and discreet light fixtures. It will also minimise the spillage of potential obtrusive light to adjacent areas and will avoid unnecessary over lighting, which can alter the appearance of a building or area. Successful schemes may also combine exterior lighting with interior lighting; however, in certain cases interior lighting only may be appropriate.

Proposals for lighting schemes should include details of the size, type, siting and number of fixtures, as well as wattage, colour of light source, light pattern and potential impact on the building material.

To avoid conflict, proposals should demonstrate how lighting schemes would enhance and protect the character of an area or group of protected structures and/or co-ordinate with any adjacent lighting schemes. Powerful wide angled over lighting which can diminish the architectural features of a building or area will be discouraged.
POLICY

- To require an appropriate assessment of the potential impacts of proposals to floodlight buildings and structures.
- To ensure the protection of the special character and setting of protected structures and of an ACA when considering proposals for floodlighting.
- To ensure the avoidance of the spillage of potential obtrusive light to adjacent areas and to avoid unnecessary over lighting.
- To provide guidance to developers and others in relation to floodlighting.

7.10 Place names

Place names are a very important part of our cultural heritage. They provide a link to the past and reflect the natural, built and cultural heritage of a locality. It is important that place names of all new developments reflect the local topography, history, culture, ecology or significant people and events and incorporate traditional and Irish language place names from the locality.

POLICY

- To preserve historic place names and historic street names.
- To ensure that the names of all new developments shall reflect local historical, heritage or cultural associations.
- To encourage the use of bi-lingual and Irish-Language place names and signs.
- To place a condition on grants of planning permission requiring the agreement of place names between the developer and the Planning Authority.

ACTION

- To provide guidance to developers and others in relation to naming of new developments.
Natural Heritage

7.11 Natural Heritage & Biodiversity
Natural heritage includes flora and fauna, wildlife habitats, inland waterways, landscapes and geology. There is a great variety of natural heritage in County Kilkenny, including our rivers and woodlands, hedgerows, mammals, birds, plants, and diverse landscapes and geological features.

Biodiversity is the variety of life. It includes all aspects of natural heritage.

POLICY
• To protect, conserve and enhance Kilkenny's natural heritage and biodiversity.

7.11.1 Designated Natural Heritage Sites of International and National Importance
Habitats in the city, of international and national importance, are designated under EU and national legislation. The two categories of designated site in effect in Kilkenny City and Environs are:

i. Special Areas of Conservation (SAC)
SAC’s have been, and are being designated, under the EU Habitats Directive to conserve habitats and species of European importance.

ii. Natural Heritage Areas (NHA)
NHA's have been, and are being, designated to conserve habitats and species of national importance and sites of geological interest, under the Wildlife (Amendment) Act, 2000.

At present there are five designated natural heritage sites of international and national importance in the city and environs. See Table 7.1 and Map 7-12 for further information.

The designation of these sites at a national level is the responsibility of the National Parks and Wildlife Division of the Department of Environment, Heritage and Local Government. The designation of these sites is an ongoing process as boundaries are revised and adjusted and new sites added. The Council will take cognisance of any change in boundaries that may occur in designated sites within the life of this plan. Please consult with the National Parks and Wildlife Service for further details and for the most up to date data.
POLICY

• To protect natural heritage sites designated in National and European legislation. This includes sites proposed to be designated or designated as Special Areas of Conservation (SAC), Natural Heritage Areas (NHA), Nature Reserves and Wildfowl Sanctuaries. This protection will extend to any additions or alterations to sites that may arise during the lifetime of this plan.

• To assess all proposed developments (individually or in combination with other proposals, as appropriate) which are likely to impact on designated natural heritage sites or those sites proposed to be designated.

• To consult with the prescribed bodies and relevant government agencies when assessing developments which are likely to impact on designated natural heritage sites or those sites proposed to be designated.

• To ensure that any development in or near a designated natural heritage site will avoid any significant adverse impact on the features for which the site has been designated.

• To require an appropriate environmental assessment in respect of any proposed development likely to have an impact on a designated natural heritage site, or those sites proposed to be designated.

ACTION

• To provide Supplementary Planning Guidance, in relation to conserving and enhancing biodiversity in the context of development.

Table 7.1 Designated Natural Heritage Sites of International and National Importance

<table>
<thead>
<tr>
<th>Site</th>
<th>Site Code/Ref.</th>
<th>cSAC</th>
<th>pNHA</th>
</tr>
</thead>
<tbody>
<tr>
<td>River Nore</td>
<td>002162</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Archersgrove</td>
<td>002051</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Dunmore complex</td>
<td>001895</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Lough Macask</td>
<td>001914</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Newpark Marsh</td>
<td>00845</td>
<td></td>
<td>✓</td>
</tr>
</tbody>
</table>

cSAC candidate Special Area of Conservation pNHA proposed Natural Heritage Area

7.11.2 Protected Species

Certain plant, animal and bird species are protected by National and European law. This includes plant species listed in the Flora Protection Order 1999 (or other such Orders) and animals and birds listed in the Wildlife Act, 1976 and subsequent statutory instruments, those listed in Annex IV if the Habitats Directive, and those listed in Annex 1 of the Birds Directive.
POLICY

- To protect and, where possible, enhance to the plant and animal species and their habitats that have been identified under EU Habitats Directive, EU Birds Directive, the Wildlife Act and the Flora Protection Order.
- Ensure that development does not have a significant adverse impact on plant animal or bird species protected by national or European legislation.
- Consult with the National Parks and Wildlife Service, and take account of any licensing requirements, when undertaking, or approving development which is likely to affect plant, animal or bird species protected by national or European legislation.

7.11.3 Nature Conservation Outside of Designated Areas

Much of the biodiversity and many of our landscape features of importance in the county occur in areas outside of sites which are subject to legal protection under National or EU law. These habitats and features are particularly important in contributing to the biodiversity, landscape value and sense of place of the county. These features include: hedgerows, ditches and banks, stone walls, woodlands, estates and parklands, rivers, streams and associated riparian zones, reservoirs, ponds and canals.

Habitats and landscape features have an important role to play as ecological “corridors” or “stepping stones” i.e. they allow for the movement of species, and help to sustain the habitats, ecological processes and functions necessary to enhance and maintain biodiversity. It is important that these areas are conserved and managed well.

POLICY

- Identify, in co-operation with the relevant statutory authorities and other relevant groups, sites of local nature conservation interest, not otherwise protected by legislation.
- To protect and enhance wildlife habitats and landscape features which form part of habitat networks, such as river corridors and associated habitats.
- To ensure that any development in or near sites of local conservation interest will minimise any significant adverse impact on the features for which the site has been designated.
- Minimise the loss of habitats and features of the wider countryside (hedgerows, ponds, streams, wetlands, trees etc) through the planning process, which are not within designated sites.
- Where the loss of habitats and features of the wider countryside is unavoidable as part of a development, to ensure that appropriate mitigation and/or compensatory measures are put in place, to conserve and enhance biodiversity and landscape character.
7.11.4 Local Biodiversity Action Plan
Biodiversity, or biological diversity, is the variety of life on earth. The term refers to the diversity of ecosystems, individual species of flora and fauna, and also genetic diversity. The National Biodiversity Plan (2002) sets out the framework for the conservation and sustainable use of biodiversity and requires local authorities to prepare and implement a Local Biodiversity Action Plan. The Kilkenny Biodiversity Plan will be prepared in association with the Kilkenny Heritage Forum, using guidelines produced by the Heritage Council and Department of the Environment, Heritage and Local Government.

POLICY

- Prepare a County Bio-Diversity Plan, in accordance with the National Bio-diversity Plan (2002), and to liaise with all relevant agencies and community groups in its preparation and implementation.

- Integrate bio-diversity considerations into Council plans, programmes and activities.

7.11.5 Historic Gardens and Designed Landscapes
Historic gardens and designed landscapes are of natural heritage, architectural, landscape, cultural and historical importance. In addition, they are often the important setting of a Protected Structure.

Rothe House is a nationally significant 17th century merchant’s house. The Rothe House Conservation Plan outlines the significance of Rothe House, and details proposals for its conservation, protection and management.

The recreation of the medieval gardens at Rothe House is a project of national significance, which is being undertaken by a number of partner organizations including Kilkenny Borough Council, Office of Public Works, Department of the Environment Heritage and Local government (Architectural Heritage advisory Unit), Failte Ireland, Kilkenny Civic Trust, Kilkenny Archaeological Society and Rothe House Trust. The aim of the project is to recreate the authentic medieval garden and to open the garden to the public.

POLICY

- Discourage development that would lead to a loss of, or cause damage to, the character, the principal components of, or the setting gardens designed landscapes of special historic interest.

- Preserve, protect and where necessary enhance, heritage varieties of plants and trees that form part of the local/regional biodiversity resource, and that contribute to local identity.
To continue to assist in the implementation and management of the recreation of the medieval garden at Rothe House, as part of the Rothe House Conservation Plan.

7.11.6 Inland Waters, Rivers, Streams and Wetlands
The River Nore (cSAC) and its tributaries; the Breagagh and Pococke, are of great importance, in terms of their influence on the landscape, as a wildlife habitat and as an amenity resource. Newpark Marsh and Loughmacask are also significant wetland habitats, and both are designated as Natural Heritage Areas.

POLICY

- Protect and enhance the natural heritage and landscape character of waterway corridors and wetlands and to maintain them free from inappropriate development.

- In partnership with the National Parks and Wildlife Service, Waterways Ireland and other relevant stakeholders to facilitate public access to, and understanding of, waterways corridors and wetlands where feasible and appropriate.

- Protect items of architectural heritage and industrial archaeological interest associated with waterways corridors.

- To consult with the Southern Regional Fisheries Board and the National Parks and Wildlife Service prior to undertaking, approving or authorising any works or development which may have an impact on rivers, streams and waterways.

7.11.7 County Geological Sites & Geological Heritage Areas
The Councils recognise the need to identify sites of geological and geomorphological interest and to protect these sites, or parts of these sites, in the interest of protecting our geological heritage. The Geological Survey of Ireland, in partnership with Kilkenny County Council, has developed a list of County Geological Sites (CGS), as part of the Irish Geological Heritage Programme and in accordance with the National Heritage Plan, 2002. These are sites of local geological and geomorphological interest, or sites which contain a feature of local geological and geomorphological interest and include Archersgrove Quarry, one of the original Kilkenny Black Marble Quarries and some springs along the River Nore. See Table 7.2 below. Some of these sites, which are of national significance, may in the future, be proposed by the Geological Survey of Ireland and the National Parks and Wildlife Service, as geological Natural Heritage Areas (NHA’s).
Table 7.2: Sites of County Geological Interest

<table>
<thead>
<tr>
<th>Site Name</th>
<th>Summary</th>
<th>Townland(s)/district</th>
</tr>
</thead>
<tbody>
<tr>
<td>Archersgrove Quarry</td>
<td>One of the original Kilkenny Black Marble Quarries</td>
<td>Archersgrove, Kilkenny</td>
</tr>
<tr>
<td>Springs along Nore River</td>
<td>Springs</td>
<td>Numerous</td>
</tr>
</tbody>
</table>

**POLICY**

- Maintain, and where necessary facilitate, the enhancement of the conservation values of those features or areas of county geological and or geomorphological importance.

- Protect from inappropriate development, County Geological Sites, or parts thereof, and geological Natural Heritage Areas that become designated during the lifetime of this plan.

- To consult with the Geological Survey of Ireland when assessing developments which are likely to impact on County Geological Sites, or geological Natural Heritage Areas which may be designated during the lifetime of this plan.

- To assess all proposed developments with respect to geology (individually or in combination with other proposals, as appropriate) which are likely to impact on County Geological Sites, or geological Natural Heritage Areas that become designated during the lifetime of this plan.

- Ensure that any development in or near County Geological Sites will avoid any significant adverse impact on the features for which the site is considered important.

- To consult with the Geological Survey of Ireland in advance of any proposals for major developments that will entail significant ground excavation, such as quarrying, road cuttings, major drainage works and foundations for major buildings/building complexes.

**7.11.8 Woodlands, Trees and Hedgerows**

Woodlands, trees and hedgerows are an environmental, economic, amenity and landscape resource of great importance. Trees, hedgerows and woodlands are an integral part of the county’s biodiversity, as they form part of a network of habitats, ecological ‘corridors’ and ‘stepping stones’ essential for wildlife to flourish and move between and within habitats. In some cases, trees within the curtilage and/or attendant grounds of a Protected Structure can be important to the character and special interest of the structure and could contribute to its landscape setting. Hedgerows also have historical significance as townland and field boundaries.
The Tree Register of Ireland (TROI) is a database of outstanding trees in Ireland compiled by the Tree Council of Ireland. The TROI identified approximately 180 significant trees in the county, based on characteristics such as age, height, diameter, historical or folklore connections.

A Woodland Survey of Kilkenny, undertaken in 1997, identified the amenity potential of woodlands in the county.

There are a number of legislative measures which recognise the importance of trees and woodlands and provide for their protection. These include:

i. **Tree Preservation Orders (TPO)**
   Under the Planning and Development Act 2000, TPOs allow for the protection of trees, groups of trees and woods of amenity value. Trees, which are the subject of a TPO, cannot be felled unless the owner also obtains planning permission. At present there is one TPO in the city, in Castle Gardens (TPO 1/2006).

ii. **Forestry Act, 1946**
   Under the 1946 Forestry Act, with certain exceptions, it is illegal to uproot a tree over ten years of age or cut down a tree of any age unless notice of intention to do so has been given in accordance with the Act.

iii. **Wildlife (Amendment) Act, 2000**
   The Wildlife (Amendment) Act, 2000 seeks to prohibit the cutting of hedges within the bird nesting period (1st March until September 1st).

**POLICY**

- To protect existing woodlands, trees and hedgerows which are of amenity or biodiversity value and/or contribute to landscape character of the county, and to ensure that proper provision is made for their protection and management, when undertaking, approving or authorising development.
- To ensure that when undertaking, approving or authorising development that sufficient information is provided to enable an assessment of impacts on woodlands, trees, and hedgerows.
- To conserve important trees, groups of trees or woodlands, using Tree Preservation Orders, as appropriate.
- In partnership with the Forest Service, to provide guidance to developers and others on requirements and procedures in relation to tree felling.
- Have regard to sites of significance identified in the Kilkenny Woodland Survey 1997 in the assessment of planning applications.
- Have regard to, and seek the conservation of, the trees of County Kilkenny identified in the Tree Register of Ireland.
- Support the provisions of Wildlife (Amendment) Act 2000, which seeks to prohibit the cutting of hedges within the bird nesting period (1st March until September 1st).
- Seek the retention of hedgerows, and other distinctive boundary treatment such as stone walls, when undertaking, authorising or approving development.
• Where the loss of hedgerows is unavoidable, for health and safety reasons, as part of a development, to ensure that a new hedgerow is planted using native species, and species of local provenance, as appropriate.
• Discourage the felling of mature trees to facilitate development and encourage tree surgery rather than felling, where possible.
• Ensure that new development incorporates the planting of native broadleaved species, and species of local provenance, as appropriate.
• Seek, where appropriate and feasible, the extension of existing woodlands and/or creation of new woodlands, based on planned planting and management schemes, and favouring the use of native species.
• The Councils will promote the planting of native tree and shrub species, by committing to using native species (of local provenance wherever possible) in its landscaping work and on Council property.
• Seek the conservation of trees of cultural importance e.g mass bushes, rag bushes and other trees marking areas of cultural significance

ACTION
• To carry out surveys of significant trees and hedgerows in the county during the lifetime of this plan, as appropriate and feasible.
• Investigate the possibility of updating the Woodland Survey of Kilkenny, in partnership with relevant stakeholders.

A list of the more valuable trees in the City and Environs is contained in the 2002 – 2008 Kilkenny City & Environs Development Plan. As part of the preparation of this draft plan a new survey of trees has been carried out with a view to revising and enhancing the existing list of noteworthy trees, see Appendix F.