

Comhairle Chontae Chill Chainnigh

Halla an Chontae Sraid Eoin Cill Chainnigh

Kilkenny County Council

County Hall John Street Kilkenny



Pobail agus Áiteanna Inbhuanaithe a Chruthú

Creating Sustainable Communities and Places

DATE:

9th September, 2022

TO:

AN CATHAOIRLEACH

& EACH MEMBER OF KILKENNY COUNTY COUNCIL

RE:

PART VIII - Development of 2 Single Storey 2 Bedroom Houses on the site

of the Disused Community Centre, Loughboy, Kilkenny

Planning & Development Acts 2000 as amended

Planning & Development Regulations 2001 as amended

Dear Councillor,

In accordance with Section 179 of the Planning & Development Act 2000, as amended, please find attached Report of the Director of Services, including the Planning Report, in relation to the public consultation process undertaken for the proposed Development of 2 single storey 2 bedroom houses on the site of disused Community Centre in Loughboy, Kilkenny R95HF85, which was undertaken in accordance with the requirements of Part VIII of the Planning & Development Regulations 2001, as amended.

I am satisfied that the proposed development is consistent with the proper planning and sustainable development of the area and is consistent with the provisions of the Kilkenny City & County Development Plan 2021 – 2027.

I recommend that Kilkenny County Council proceed with the proposed development in accordance with the plans made available for public inspection and taking into account the commitments and recommendations as outlined in the attached report.

Yours Sincerely,

Sean McKeown, A/Chief Executive.



KILKENNY COUNTY COUNCIL

REPORT - Dated 9th September, 2022

In Accordance with Section 179 of the Planning and Development Acts, 2000 as amended

Demolition of existing disused Community Centre, Laurel Court, Loughboy, Kilkenny R95 HF85 and development of the site to include 2 single storey 2 bedroom semi-detached houses with gardens, and all associated site development works.

For consideration by the Elected Members

of Kilkenny County Council

at monthly meeting to be held

on 19th September, 2022

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1. Introduction

This report has been prepared for submission to the Elected Members of Kilkenny County Council and contains information regarding the proposed development, issues raised following the erection of the public notice of the proposed development and the display for public inspection of the plans and particulars and other matters as required in accordance with Section 179 of the Planning & Development Acts, 2000 as amended.

2. Description of Proposed Development

The proposal put forward on public display provided for 2 housing units on the site of a disused former Community Centre as follows:-

Unit	Туре	Capacity
1	Semi-Detached Fully Accessible Bungalow	2 bed 4 person
2	Semi-Detached Fully Accessible Bungalow	2 bed 3 person

to be achieved by:-

- Demolition of the existing Community Centre building which is currently derelict.
- Construction of 2 semi-detached bungalows.
- Associated site works

The proposal was put forward having regard to the social housing demand in Kilkenny City, which is currently (first preference approved applications dated 2nd August 2022):-

	Kilkenny	
	City	7.0000m - 10
1 bed	377	44%
2 bed	305	35%
3 bed	157	18%
4 bed	26	3%
Total	1212	,

Loughboy is an established community with many large open green areas. The proposed site has easy access to supermarkets, local shops, restaurants, church, community centre, library, post office and cafes all within 400m, the distance used to describe a 5 minute walk. It is an ideal location for age-friendly and accessible housing.

The Loughboy area is very suitable for older residents due to its close bus link and proximity to neighbourhood centres. However, most of the existing houses are 2 storey 3 bed houses.

The Department of Health are predicting an increase in people aged 65 and older in Ireland of 250%. Kilkenny County Council seeks where possible to design housing that promotes positive ageing and allows people to remain in their community as they get older. These single storey dwellings are designed with Universal Design principles to allow them to be suitable for people with reducing or reduced mobility or wheelchair users.

A research report 'Older People's Perceptions and Experiences of Right-sizing' by Age Friendly Ireland found that 77% of respondents said their house was too large for their needs and 80% noted their house was too expensive to heat and/or maintain.

Increasing the mix of house types in the area is of benefit to the area including the provision of more accessible dwellings. These dwellings will also have renewable energy and meet current energy requirements, being more cost effective to heat and run than the original 1980s housing stock without retrofitting.

3. Pre-planning

As part of the planning application process the Housing Section was advised of planning requirements through a formal pre-planning submission prior to lodging the application.

4. Notice of Development

A notice describing the proposed development was placed in the Kilkenny People, week ending Friday 8th July, 2022. A Site Notice was displayed at the site location from Friday 8th July 2022.

5. Consultation

- a) Details of proposals were put on display on on the Consult Website: https://consult.kilkenny.ie, at the Planning Department, Kilkenny County Council and in Loughboy Library.
- b) An information evening was held in St. Patrick's Parish Centre on Thursday 21st July 2022 from 4pm until 7pm. Three staff members from Kilkenny County Council Housing Section were in attendance to meet interested parties and answer any questions regarding this development. All were invited to attend by way of advertisement on social media, an advertising campaign on KCLR, and notices in the Loughboy Library. Approximately 20 members of the public attended.

6. Details of Submissions Received

8 valid submissions were received before the closing date as follows:-

No.	Name	Address	Date Received
4	C C . III		
1	Susan Collins	11 Laurel Court, Loughboy, Kilkenny	22/07/2022
2	Damien Conway on behalf of John Kavanagh	19 Cypress Avenue, Loughboy, Kilkenny	04/08/2022
3	Tess & Richard Phelan	12 Cypress Avenue, Loughboy, Kilkenny	15/08/2022
4	Denyse Dowling on behalf of Tomm Dowling	17 Cypress Avenue, Loughboy, Kilkenny	17/08/2022
5	Kathleen and Christopher Purcell	None provided	18/08/2022
6	Pam Traynor Boyle	18 Cypress Avenue, Loughboy, Kilkenny	18/08/2022
7	May Byrne	20 Cypress Avenue, Loughboy, Kilkenny	17/08/2022
8	Eimear Byrne	36 Friary Walk, Callan.	19/08/2022

1 submission was received after the closing date:

9 Catherine Bourke No address given 07/09/2022

7. Proposed Revisions to Plans in response to Submissions:-

A summary of the issues raised is outlined in the following pages. Issues are ordered by number of times they were mentioned in the submissions received. Those mentioned most often were taken to be the issues of most concern to the residents. The response relevant to each area of concern is given. There is some overlapping in the issues, where one response addresses multiple comments, this is noted.

	Issue	No of mentions	KCC Housing Section Response
a	Insufficient Car Parking	8	All submissions referenced car parking. The proposal has been revised to address these concerns and 2 additional car parking spaces have been added. In keeping with the existing parking, line markings designating spaces have not been included. Furthermore it is not expected that tenants will necessarily have a car as has been experienced in recent city centre projects completed by Kilkenny County Council. The bus stop is approximately 200m away and many amenities are located within a 5 minute walk.
b	Health & Safety of Children and Public during Construction	7	A Preliminary Health and Safety plan will be issued at tender stage to potential contractors outlining the site constraints which will have to be adhered to and taken into account in developing the site specific Health and Safety Plan. Site constraints will include a requirement to maintain access for existing residents to their homes, site security and a restriction on working hours. The contractor will also be required to submit a Construction Management Plan, including location of site compound, storage of material etc. It should be noted that this is a brown field site with existing services and a significant part of this build is on the footprint of an existing building, or concrete hardstanding around it, which would have less impacts than a new build on a green field site. It is also intended to investigate construction methods that would allow the construction period to be reduced, minimising the time on site and allowing earlier delivery of the dwellings.
c	Loss of Trees	7	Additional tree-planting with native semi-mature trees is proposed in the area close to the new dwellings.
d	Removal of Path	6	The existing path runs behind the disused community centre and has been the location of anti-social behaviour as it was not overlooked. Leaving a path between rear gardens with a 1.8m rear boundary wall and a side garden with a gable without windows would be poor urban design. It is not feasible as not only would it not alleviate anti-social behaviour, but likely would exacerbate it as the length of the path behind high walls would increase, turning it into an 18m alley without any overlooking. The proposed path will run at the front of the houses, will be well lit and visible from all sides of the green space, as well as having windows from the living areas of the new houses facing onto it. The additional distance is 33m or 36 yards at the most corner point from 17-22 Cypress Avenue, however will add no extra distance from the opposite side of the road from houses 13-16 Cypress Avenue.

	Issue	No of Mentions	KCC Housing Section Response
е	Management Plan (Storage of materials, machinery, waste etc)	6	Addressed in item b above
f	Increase in size of development from existing	6	The original community centre is not of suitable construction or size to be adapted to housing. However the height of the roof of the proposed bungalows has been reviewed and lowered by 1m to reduce the scale of the new development.
g	Concern over Construction Traffic/No traffic management plan	6	Addressed in item b above
h	Construction Noise affecting those on shift-work	6	Addressed in item b above.
i	Value of Houses Locally Will Fall as a Result of the Development	5	The value of houses is reliant on the market at any given time. However, during the public meeting reference was made by all attendees to anti-social behaviour at the existing disused community centre. Addressing the anti-social behaviour by removing its focal point and providing housing of a similar size to other houses on the green area will be of overall benefit to the area.
j	Impact on Biodiversity/Enviro nmental Concerns	5	The Habitats Directive requires competent authorities to carry out an Appropriate Assessment (AA) of plans and projects that, alone and/or in combination with other plans and projects, would be likely to have significant effects on one or more Natura 2000 sites. Stage 1 Screening for Appropriate Assessment has checked for this site and it is considered that potential for significant environmental impact can be ruled out. This development is located outside the River Nore Special Area of Conservation (SAC) and Special Protection Area (SPA). The screening report is appended to this report.
k	Noise levels or dust levels during construction	5	Addressed in item b above
1	Privacy of Residents	4	The immediate neighbouring dwellings are two storey and the proposed houses are single storey. There is no overlooking. The privacy of existing residents is not affected.
m	Views of Green area obstructed by new dwellings	4	The houses are located on the site of the existing derelict community centre. While the footprint is larger, single storey dwellings were proposed to minimise the effects on the neighbours. The buildings on adjacent Cypress Avenue are two storey. In order to address this concern further, it is now proposed to reduce the roof level of the new dwellings to reduce their impact.

	Issue	No of mentions	KCC Housing Section Response
n	Allocated parking spaces located directly outside existing houses	4	Allocated accessible spaces, if required, to be positioned so that they are not in front of existing dwellings.
0	No consultations with residents	4	All statutory requirements regarding consultation were carried out. In addition, the details of the proposals were put on display on the Consult Website: https://consult.kilkenny.ie, and in Loughboy Library, which is located approximately 100m from the site. An information evening was also held in the St. Patrick's Parish Centre on Thursday 21st July 2022 from 4pm until 7pm. Three staff members from Kilkenny County Council Housing Section were in attendance to meet interested parties and answer any questions regarding this development. All were invited to attend by way of advertisement on social media, an advertising campaign on KCLR, and notices in the Loughboy Library. Approximately 20 members of the public attended.
P	Reduction of Green/amenity space	3	The existing adjacent grassed amenity space will remain approximately 0.25ha after construction work. The existing Community Centre has no windows overlooking the green area. The proposed dwellings were designed to have living spaces facing the green areas, giving passive surveillance to the only side of the green area without it. Passive surveillance helps reduce anti-social behaviour which has been a problem at the site and this additional passive surveillance will be of benefit to the green space.
q	Disruption to and effects on elderly residents	2	Item b sets out the management of the construction process above by the contractor.
r	Negative effect of 1.8m high boundary wall in front of existing property.	2	The 1.8m high boundary wall is around the rear gardens only. As is typical in the Loughboy area, including neighbouring Cypress Avenue and Laurel Grove, the front and side gardens will have low walls similar to the existing dwellings.
s	High boundary Walls - increase in anti-social behaviour.	2	As item r above, 1.8m high boundary walls are only proposed around the rear gardens.
t	Elderly unable to walk the extra distance around houses to access shops and church	2	As item d above
u	Housing allocation concerns.	1	The dwellings were designed to be accessible, both for tenants with disabilities and also allowing older tenants to re-locate from larger 2 storey dwellings to a house that will continue to suit them as their mobility decreases so they can remain in their local community. There is always a need for suitable accessible dwellings and tenants will be from the housing list.

The following revisions are proposed:-

- A. 2 additional car parking spaces are proposed.
- **B.** No designated accessible car parking spaces will be placed outside existing dwellings.
- C. The height of the proposed houses is to be reduced.
- D. The boundary line of the front garden of unit 23 is to be repositioned to give an additional 1m in front of house 17 Cypress Avenue
- E. 5 new trees are to be planted.

It is the view of Kilkenny County Council that the proposed revisions adequately address the concerns raised.

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

The proposed development is consistent with the provisions of the Kilkenny City and County Development Plan 2021 – 2027 and is compatible with the zoning objectives and the Housing Strategy for the area.

Copy of a report the Area Planner is appended to this report. All conditions/comments in the Area Planner's Report will be taken into account by the Housing Section when preparing the detailed tender drawings.

9. Kilkenny County Council's Intention Regarding Proposed Development

Proposed Development:

Part 8 Proposal

Housing at old Community Centre,

Loughboy, Kilkenny

I recommend that Kilkenny County Council proceed with the proposed development in accordance with the plans made available for public inspection and taking into account the proposed revisions to plans as outlined and the recommendations made by the Planning and other Service Departments.

SIGNED

Mary Mulholland
Director of Sorvices

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Appendix A -Planning Report

Chontae Chill Chainnigh Kilkenny County Council Planning Report



Planning & Development Act 2000, as amended Planning & Development Regulations 2001, as amended

Part 8 Ref. No.:

Part 8 07/22

Development:

Demolition of existing disused Community Centre, Laurel Court, Loughboy, Kilkenny R95 HF85 and development of the site to include 2 no. single storey, 2 bedroom, semi-detached houses with gardens, and all associated site development works.

Site Location and Description

The proposed development relates to the re-development of a 0.12 acre site in Loughboy, Kilkenny at Laurel Court with access from Cypress Avenue. There is an existing single storey community centre building on site. The community centre is separated from the terrace of two storey dwellings to the rear by an existing footpath, and fronts onto the open space serving a number of residential developments. The shared parking area for Cypress Avenue is located to the west of the site. There is a tree in the green space to the east of the community centre building.

Third Party Submissions

Eight third party submissions have been received in relation to the proposed development along with one late submission, and the planning issues raised therein have been considered.

Site History

No recent history on site.

Kilkenny City and County Development Plan 2021 - 2027

The site is zoned Existing Residential with the objective to protect, provide and improve residential amenities as per the Kilkenny City and County Development Plan 2021-2027.

Referrals:

- Municipal District Engineer recommendations made in relation to parking arrangements.
- Environment No objections, subject to conditions.
- Roads No objections, subject to conditions.
- Irish Water no objections, subject to conditions.

Irish Water/ Water Services

The report received from Irish Water/ Water Services notes that that there are no objections in relation to water and waste-water; exact diameter of mains sewer pipe to be confirmed by Irish Water. In relation to water services the unit has one existing connection, a new 25mm domestic connection would be required; the existing connection can be used for the second proposed dwelling.

Screening for Appropriate Assessment

A Screening exercise was completed, which showed that no significant environmental impact is likely on any Natura 2000 site.

Environmental Impact Assessment (EIA)

A preliminary examination of the nature, size and location of the proposed development has been carried out which determines that there is no real likelihood of significant effects on the environment arising from the proposed development. It is therefore concluded that an Environmental Impact Assessment Report (EIAR) is not required.

Proposed Development

Proposed demolition of existing disused Laurel Court Community Centre, and development of the site to include two single storey, two bedroom semi-detached houses with gardens, and all associated site development works. Parking is proposed to be provided in front of the new dwellings on Cypress Avenue. The proposed dwellings have been designed for two wheelchair accessible and age-friendly single storey units.

The documentation submitted states:

The provision of infill accessible units allows for the right sizing of tenants within their existing community whose current housing may no longer be suitable due to decreased mobility. The existing community centre has been boarded up for a number of years, but the orientation of the living areas of the proposed dwellings and position of windows gives an active front to the green area, removing a focal point for anti-social behaviour.

The proposal will remove the existing section of footpath to the rear of the vacant community centre; however, retention of this area of footpath would lead to an area of unsupervised area to the rear of garden walls, which would not be encouraged in the interests of residential amenities. A new section of footpath will be constructed to the front of the site.

Having regard to the position of the site to the north of the terrace of two-storey dwellings in Laurel Court, and to the single storey nature of the proposed dwellings, it is not anticipated that there would be a significant loss of light or overshadowing of adjacent properties.

The proposal appears to result in the loss of an existing tree on site; the tree to the north-west will be retained.

The footprint of the proposed development will be larger than the existing building to be demolished, and together with the private open space to be provided will lead to loss of a small area of open space; however the proposed use will see the re-development of an unused and vacant structure at this location.

Planning Recommendations

All infrastructure shall be designed and installed in accordance with the Irish Water Codes of Practice and Standard Details.

Measures to be put in place prior to development on site to protect the root protection area of tree to be retained; new native species tree planting to be carried out on site.

A Construction Management Plan, which takes account of construction traffic and waste disposal shall be prepared prior to construction.

Environment Recommendations

1. The development works shall be designed and undertaken so as to facilitate the minimization of waste production. Any wastes to be removed from site (including waste subsoil, stone and rubble) shall only be removed by an Authorised Waste Contractor and shall be disposed of to an Authorised Recovery/Disposal Site. **Prior** to commencement of the works the contractor shall submit a waste management plan for the agreement of the Environment section of Kilkenny County Council.

- 2. Upon completion of works the contractor shall submit to the ER or Kilkenny County Council Housing Section as-built drawings of the proposed development including connections and any new chambers, gullies and AJ's for foul and storm water serving the development. The drawing shall also show the surveyed location of the existing mains sewer / storm and mains water pipes.
- 3. During the demolition and construction phases of the development the applicant shall ensure that all operations on site are carried out in a manner such that emissions (Water, Air & Noise) do not result in significant impairment of, or significant interference with, amenities or the environment beyond the immediate works areas / site.

Unless agreed otherwise with Kilkenny County Council demolition and construction work should be limited to 08:00 to 18:00 Monday to Friday and 09:00 to 13:00 on a Saturday.

Roads Recommendations

- 1. The lighting provided shall have an energy efficient LED technology and capable to be adapted for use with a central management system (CMS –with 7pin NEMA sockets) or equivalent. The lantern specification shall be agreed with public lighting section of Kilkenny County Council with the agreed lantern type to be registered on the SEAI Triple E register. Existing public lighting to be incorporated into the scheme shall be upgraded where required to ensure consistency with the proposed design. Further guidance is available in the draft Kilkenny County Council Public Lighting Manual and Product Specification 2021.
- 2. All associated road markings and signage shall be in accordance with the Department of Transport, Traffic Signs Manual, 2019.
- 3. Existing kerbing/footpaths in the carpark area shall be adjusted by ramping to accommodate the accessible bays as per the required standards.
- 4. The footpaths around the buildings south & east elevation shall be a minimum of 1.2m.

Conclusion and Recommendation

Having considered the documentation submitted, third party submission, referral responses, and relevant policies, I consider that the proposed development is in accordance with the proper planning and sustainable development of the area.

It is recommended that the Part 8 application for the proposed demolition of existing disused Community Centre, Laurel Court, Loughboy, Kilkenny R95 HF85 and development of the site to include two single-storey, two bedroom semi-detached houses with gardens, and all associated site development works, be approved by the Council subject to the drawings and details submitted with this Part 8 proposal, subject to the planning, roads and environmental recommendations as set out in this report.

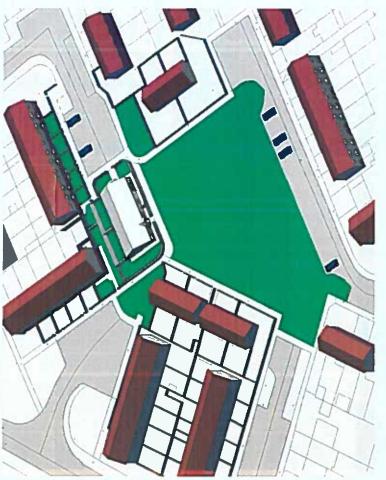
8th September 2022

C. Kelly, A/ Senior Executive Planner

8th September 2022

A. O' Connor, A/ Senior Planner

Appendix B - Drawings



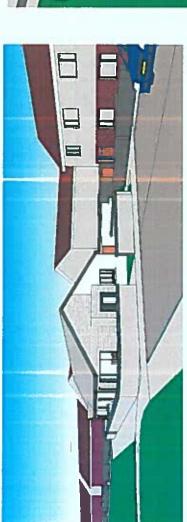




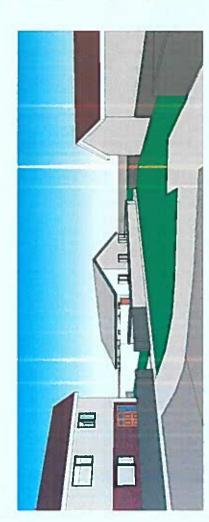
HOUSING CAPITAL SEC

Kilkenny County Council County Hali John Street Kilkenny Tet. 565 779 4000 E-mail: Into@kilkennycocote Wes: www.kilkennycocote

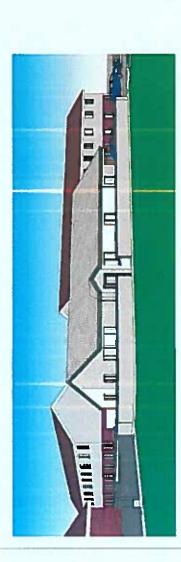
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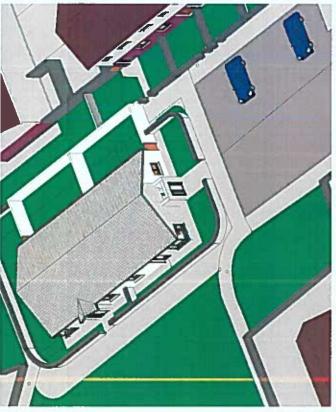
(3)—Proposed View from Cypress Avenue



(5) Proposed View from Laurel Court



4 Proposed View from Green



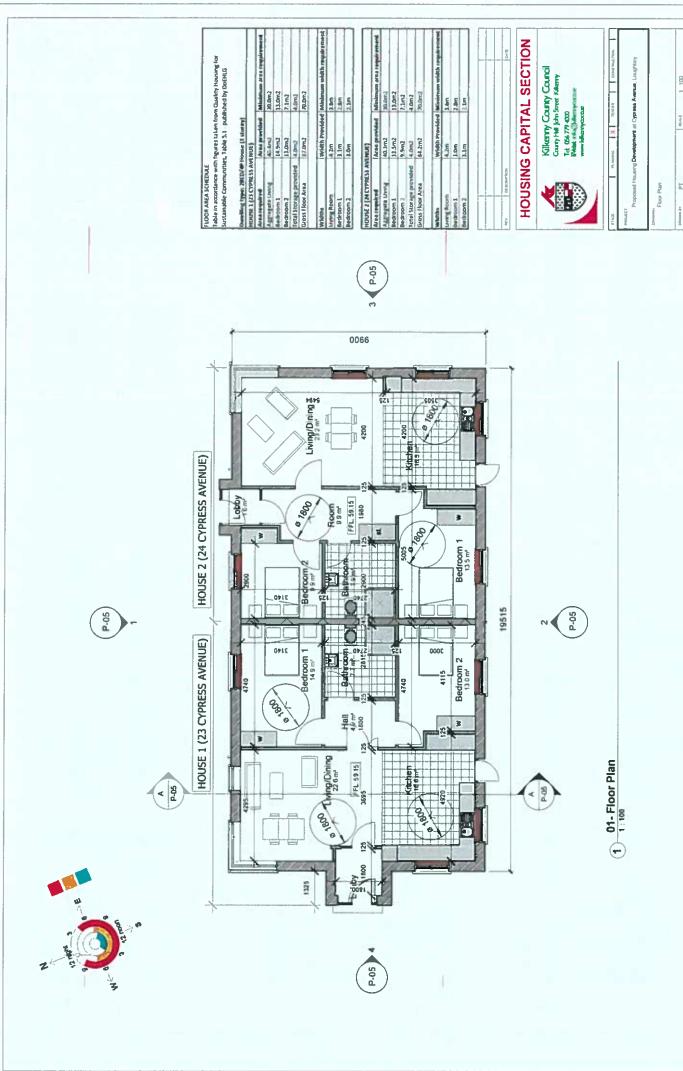
(1)-3D View Boundary Treatment

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HOUSING CAPITAL SEC
Kilkenny County Council
County Hall John Street Kilkenny
Tel: 058.779 4000
E-mail: info@kilkennycoccute
Web: www.kilkennycoccute

PLANNIC X TELESA CONSTRUCTION	r Proposed housing development at Cypress Avenue, K	
5	M hou	ı
TACE	MOLECT Propose	

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HS-183

