



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

RE: DEVELOPMENT AT HAGGARTSGREEN/WESTCOURT, CALLAN
Planning & Development Acts 2000 – 2020

DATE: 15th December, 2020

Dear Councillor,

In accordance with 179 of the Planning & Development Act 2000-2020 as amended and Part VIII of the Planning & Development Regulations 2001, as amended, Kilkenny County Council hereby gives notice of its intention to carry out the following development:

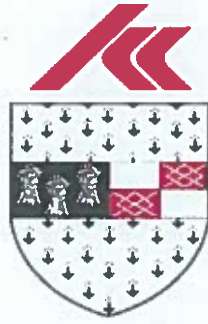
PART VIII - DEVELOPMENT AT HAGGARTSGREET/WESTCOURT, CALLAN

I attach herewith Report of the Director of Services together with Planner's Report. I am satisfied that the proposed development is consistent with proper planning and sustainable development of the area and consistent with the provisions of the County Development Plan 2014 - 2020.

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 recommendations made by the Planning Department.


Colette Byrne
Chief Executive





KILKENNY COUNTY COUNCIL

REPORT – Dated 11th December 2020

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

Development at Haggartsgreen/Westcourt, Callan

Part VIII Planning reference 08/07/20

For consideration by the Elected Members

of Kilkenny County Council

at meeting to be held

on 21st December 2020

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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. Planning reference 08/07/20.

2. Description of Proposed Development

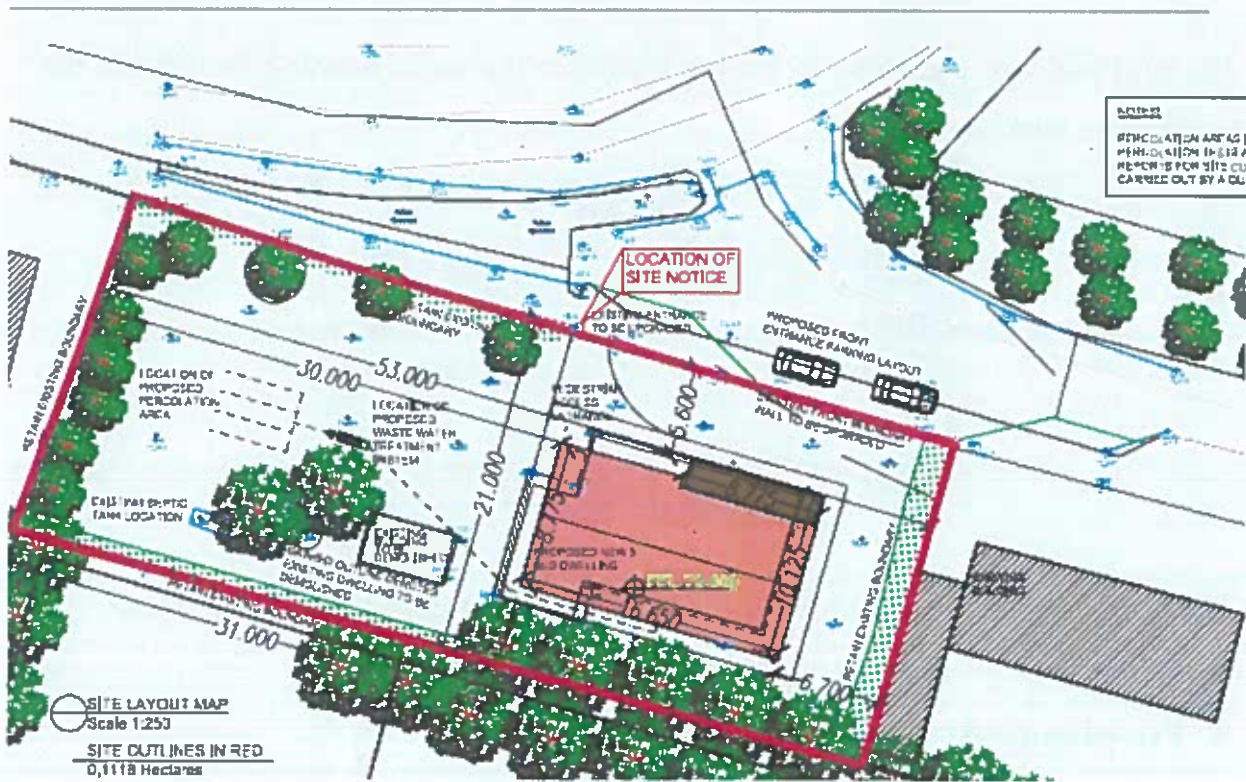
The proposal put forward on public display is for construction of new bungalow at Haggartsgreen / Westcourt, Callan, Co. Kilkenny.

Development consists of:-

Demolition of Existing Derelict House and Construction of a new Single Storey House at Haggartsgreen / Westcourt, Callan, Co.Kilkenny



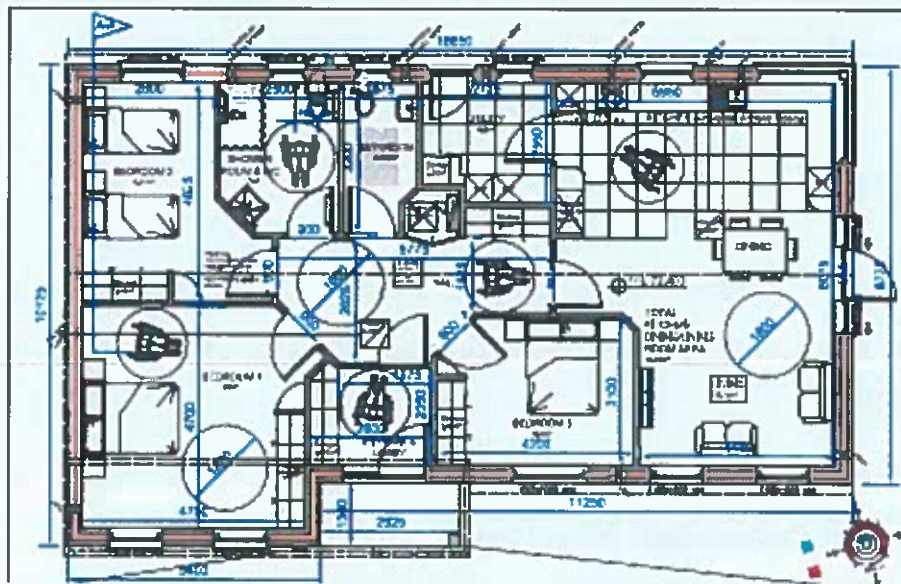
Existing Site Plan



Proposed Site Layout



FRONT ELEVATION (North)
Scale 1:100



Proposed Floor Plan & Front Elevation

The proposal was put forward having regard to the social housing demand in the Callan area which is currently

Callan		
1 bed	45	36%
2 bed	55	43%
3 bed	24	19%
4 bed	3	2%
Total	127	

The project has been granted funding under the Rebuilding Ireland Programme.

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. Planning reference 08/07/20.

4. Notice of Development

A notice describing the proposed development was placed in the Kilkenny People week ending Friday 2nd October 2020. A Site Notice was displayed at the site location from Friday 2nd October 2020.

5. Consultation

- a) Details of proposals were put on display on on the consult website: <https://consult.kilkenny.ie> and at the Planning Department, Kilkenny County Council

6. Details of Submissions Received

None

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

The proposed development is consistent with the provisions of the Kilkenny County Development Plan 2014 - 2020 and is compatible with the zoning objectives and the Housing Strategy for the area.

Copies of a report from the Area Planner and AA Screening Report are appended to this report.

An Environmental Impact Report (EIAR) is not required for this site.

All conditions/comments in the Area Planner's Report will be taken into account by the Housing Section when preparing the detailed tender drawings.

8. Kilkenny County Council's Intention Regarding Proposed Development

Proposed Development: Part 8 Proposal Ref.08/07/20 to

**Demolish Existing Derelict House and Construct a new Single Storey House at
Haggartsgreen / Westcourt, Callan Co 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 Services**

Appendix A –Planning Report

Comhairle Chontae Chill Chainnigh
Kilkenny County Council
Part 8 Planning Report



Planning & Development Act 2000-2020
Planning & Development Regulations, 2001 - 2020

Part 8 Ref. No.: Part 8/07/20

Development: Demolish existing derelict dwelling house and construct a new dwelling house at Haggartsgreen, Callan, Co. Kilkenny.

Site Location and Description

The site is located in the townland of Haggartsgreen, to the west of Callan town, just off of the N76. The site is accessed directly off of the LT50441 which is a cul de sac public road which leads to the R695. There is an existing detached uninhabited dwelling house on the site currently.

Callan Local Area Plan 2009-2020

The site is located just within the development boundary for Callan town. A replacement dwelling house is acceptable on this site within the development boundary.

Site History

No recent on site planning history.

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.

Referrals

Environment – No objection
Area Engineer - No report at time of writing

Third Party Submissions

No third party submissions on file.

Proposed Development

The proposed development consists of the demolition of an existing derelict dwelling house and the construction of a new single storey dwelling house.

Assessment

The current Part 8 proposal includes for the demolition of an existing derelict bungalow and the construction of a replacement single storey dwelling house on a site measuring 0.1118 hectares.

There is a neighbouring bungalow to the east of the site and a further bungalow to the west. Westcourt Demasne industrial estate is located to the rear of the site.

The proposed dwelling house has a floor area of 135sqm and a height of 5.2m. The design is simple in form and shape and includes for contemporary finishes such as a zinc flat roofed porch detail to the front door.

Open space:

The site layout includes for the provision of an upgraded vehicular entrance. A large garden area is located to the west of the proposed dwelling house. The minimum requirement for private open space for a 4-bed house as set out in the current Kilkenny County Development Plan is 60-75sqm. The garden area to the west of the dwelling house is well in excess of the minimum requirement.

Wastewater Disposal:

A site suitability assessment was carried out by Alan Morrissey & Associates. Chartered Surveyors and Project Management. The site characterisation form indicates that a T value of 7.17 and a P value of 6.92 were achieved on site. A packaged wastewater treatment system and polishing filter is proposed on site located in the open space to the western end of the site.

Conclusion and Recommendation

The Planning Authority considers that the design, siting and layout of the proposed replacement single storey dwelling house and upgraded wastewater treatment system are acceptable at this location and accords with the proper planning and sustainable development of the area. The development has been screened for Appropriate Assessment, which showed that no significant environmental impact is likely on any Natura 2000 site.

It is therefore recommended that the Part 8 application for the demolition of an existing derelict dwelling house and the construction of a new single storey dwelling house at Haggartsgreen, Callan, Co. Kilkenny, be approved by Council subject to the drawings and details submitted with this Part 8 proposal.



Date 9/12/2020

Deirdre Breen
Executive Planner

I agree with the above report.



Date 9/12/20

Arlene O'Connor
Senior Executive Planner

Appendix B – AA Screening Report

Habitats Directive Project Screening Assessment

Table 1: Project Details

Development Consent Type	Part 8
Development Location	Haggartsgreen, Callan
Planning File Ref	07/20
Description of the project	Demolish existing house and construct new dwelling house

Table 2: Identification of Natura 2000 sites (SACs and SPAs) which may be impacted by the proposed development

Please answer the following five questions in order to determine whether there are any Natura 2000 sites which could potentially be impacted by the proposed development. If the answer to all of these questions is no, significant impacts can be ruled out for habitats and bird species. No further assessment is required. Please refer to tables 3 and 4 where the answer to any of these questions is yes.

		Y/N
1	ONE- OFF HOUSE /SMALL EXTENSION/ ALTERATION TO EXISTING BUILDING	Y
1a	<p>Is the development a one- off house/small extension/alteration to existing building within an SAC/SPA or within 100m of an SAC/SPA and likely to discharge pollutants or nutrients of a significant nature and amount to surface water within catchments of and SAC/ SPA as part of its construction or operational phase (including the installation of waste water treatment systems; percolation areas; septic tanks within SAC/SPA or very close proximity)?.</p> <p>If the answer to the above question is: - no, then no appropriate assessment required - yes, then an appropriate assessment is required - not sure, then an appropriate assessment is required in accordance with the precautionary principle</p>	N
2	DEVELOPMENTS OTHER THAN THOSE DESCRIBED IN 1 ABOVE	
2a	<p>Impacts On Freshwater Habitats Is the development within a Special Area of Conservation whose qualifying interests include freshwater habitats, or in the catchment of same and does the development propose to discharge water to or abstract water from the habitat?</p> <p>Sites to consider: Lower River Suir, River Barrow, River Nore.</p> <p>Habitats to consider: Alluvial Wet Woodland, (Lower River Suir), Dry Heath (some steep slopes along River Barrow and its tributaries) Rivers, Streams, Lakes and Lagoons, Old Oak Woodland, floating river vegetation,</p> <p>Species to consider: River Lamprey, Brook Lamprey, Freshwater Pearls Mussel, Nore Freshwater Pearl Mussel, Crayfish, Twaite Shad, Atlantic Salmon, Otter, Vertigo Moulinsiana,</p>	
2b	<p>Impacts On Wetland Habitats Is the development within a Special Area of Conservation whose qualifying interests include wetland habitats, or likely to discharge water to or abstract water from the wetland?</p> <p>Sites to consider: Hugginstown Fen, Galmoy Fen, The Loughans, Flood Plain wetlands</p> <p>Habitats to consider: Bogs, Alkaline Fens (Hugginstown and Galmoy), Turloughs (The Loughans)</p>	
2c	Impacts on Intertidal and Marine Habitats	

		Y/N
	<p><i>Is the development located within a Special Area of Conservation whose qualifying interests include intertidal and marine habitats and species, or within the catchment of same and likely to discharge water to or abstract water from the habitats</i></p> <p>Sites to consider: Lower River Suir</p> <p>Habitats to consider: Atlantic Salt meadows, Mudflats, sandflats, saltmarsh, estuary</p> <p>Species to consider: Sea Lamprey, River Lamprey, Brook Lamprey, Freshwater Pearl Mussel, Crayfish, Twaite Shad, Atlantic Salmon, Otter.</p>	
2d	<p>Impacts On Woodlands And Grasslands <i>Is the development within a Special Area of Conservation whose qualifying habitats include terrestrial habitats, or in close proximity to same with a likely ecological impact?</i></p> <p>Sites to consider: Spa hill and Clomantagh Hill, Cullahil Mountain, River Barrow, River Nore, Lower River Suir</p> <p>Habitats to consider: Alluvial Wet Woodlands (River Nore below Inistioge and River Suir at Fiddown Island and Carrick on Suir), Eutropic tall herb vegetation (River Suir at Fiddown Island and Carrick on Suir), and grasslands (Spa hill and Clomantagh Hill, Cullahil Mountain)</p> <p>Oak Woodlands in old estates next to the Nore and Barrow</p> <p>Species to consider: Greenwinged, Frog and Bee Orchids (Cullahill and Clomantagh Hill), Nettle Leaved Bellflower and Autumn Crocus</p>	
2e	<p>Impacts On Birds <i>Is the development within a Special Protection Area, or likely to discharge water to same or likely to have another significant impact on the habitats of Birds in same?</i></p> <p>Sites to consider: River Nore</p> <p>Species to consider: River Nore: Kingfisher (Alcedo Atthis) – Nesting in river banks</p>	

Table 3: Determination of possible impacts on Natura 2000 sites.

Where it has been identified in table 2 that there is a Natura 2000 site within the potential impact zone of the proposed development, it is necessary to try to determine the nature of the possible impacts. Please answer the following questions as appropriate.

1.	<p>Impacts on designated freshwater habitats (rivers, lakes streams and lagoons).</p> <p><i>Please answer the following if the answer to question 2a in table 2 was yes.</i></p> <p><i>Does the development involve any of the following:</i></p>	
1.1	Impacts on watercourses (tributaries, streams, drains) which are remote from the SAC/SPA but may still impact on the SAC/SPA by reason of the nature or quantity of the discharge	
1.2	Abstraction from surfacewater or groundwater within 1km of SAC/SPA.	
1.3	Removal of topsoil within 100 m of watercourses with potential for surface water runoff.	
1.4	Infilling or raising of ground levels within 100m of watercourses with potential for surface water runoff.	
1.5	Construction of drainage ditches within 1km of SAC/SPA.	
1.6	Construction within a floodplain or within an area liable to flood.	
1.7	Crossing or culverting of rivers or streams within 1km of SAC/SPA.	

1.8	Storage of chemicals hydrocarbons or organic wastes within 100 m of a watercourse.	
1.9	Development of a large scale which involves the production of an EIS.	
1.10	Development of quarries, particularly where abstraction is below water table.	
1.11	Development of windfarms within 1km of an SAC or with the risk of runoff to an SAC/SPA, particularly during construction.	
1.12	Development of pumped hydro electric stations.	
2	<p>Impacts on designated wetland habitats (bog, heath, marsh, fen).</p> <p><i>Please answer the following if the answer to question 2b in table 2 was yes.</i></p> <p><i>Does the development involve any of the following:</i></p>	
2.1	Impacts on watercourses (tributaries, streams, drains) which are remote from the SAC/SPA but may still impact on the SAC/SPA by reason of the nature or quantity of the discharge.	
2.2	Construction of roads or other infrastructure on peat habitats within 1km of a Natura 2000 site of which qualifying interests include peat, fen or marsh. (Only Peat habitat at Bruckana – consider Galmoy fen – impact unlikely)	
2.3	Development of a large scale within 1km within a Natura 2000 site, whose qualifying features include fen or marsh, which involves the production of an EIS.	
3	<p>Impacts on designated intertidal and marine habitats (mudflats, sandflats, estuaries, reefs and sea cliffs).</p> <p><i>Please answer the following if the answer to question 2c in table 2 was yes.</i></p> <p><i>Does the development involve any of the following:</i></p>	
3.1	Impacts on intertidal and marine habitats from potential development which are remote from the SAC/SPA but may still impact on the SAC/SPA by reason of the nature or quantity of the discharge	
3.2	Development of piers, slipways, marinas, pontoons or any other infrastructure within 5km of a Natura 2000 site whose qualifying features include intertidal or marine habitats.	
3.3	Dredging within 5km of a Natura 2000 site whose qualifying features include intertidal or marine habitats.	
3.4	Impacts on watercourses (tributaries, streams, drains) which are remote from the SAC/SPA but may still impact on the SAC/SPA by reason of the nature or quantity of the discharge.	
3.5	Removal of topsoil or infilling within 100m of Natura 2000 sites whose qualifying features include intertidal or marine habitats where potential for surface water runoff exists.	
3.6	Development of a large scale within 1km of Natura 2000 sites whose qualifying features include intertidal or marine habitats, which involves the production of an EIS.	
4	<p>Impacts on other designated woodlands and grasslands (woodland, upland grassland, lowland grassland, coastal grassland including dunes).</p> <p><i>Please answer the following if the answer to question 2d in table 2 was yes.</i></p> <p><i>Does the development involve any of the following:</i></p>	
4.1	Works within the boundary of a Special Area of Conservation whose qualifying interests include woodland or grassland habitat types.	

4.2	Development within 200m of Natura 2000 site with woodland or grassland habitats	
4.3	Development of a large scale within 1km of Natura 2000 site with woodland, grassland or coastal habitats which involves the production of an EIS.	
5	<p>Impacts on birds in SPAs</p> <p><i>Please answer the following if the answer to question 2e in table 2 was yes.</i></p> <p><i>Does the development involve any of the following:</i></p>	
5.2	Erection of wind turbines within 1km of an SPA.	
5.3	All construction works within 100m of SPA (River Nore), including the development of cycle ways or walking routes	
5.4	Infilling of coastal habitats within 500m of intertidal SPA.	
5.5	Works within 1km of coastal SPA which will result in discharges to rivers or streams that are directly connected to designated sites.	
5.6	.	

Conclusion: If the answer to question 1 and 2a-e are no or n/a, significant impacts on habitats within Natura 2000 sites and on SPAs can be ruled out. No further assessment is required in relation to habitats or birds. If the answer to any question in table 2 is yes, you may require further information, unless you are satisfied that the project proponents have incorporated adequate mitigation into their design to avoid impacts on the Natura 2000 site (eg water pollution protection measures). Such information should be provided in the form of a Natura Impact Statement which should address the particular issues of concern as identified through the above.

Table 4: Consideration of potential impacts on protected species

Many of our Special Areas of Conservation are designated for species as well as for habitats. These are listed below, alongside the sites for which they are designated. Included is a short list of the types of activities which could have an impact on these species. Please tick if you are concerned that the proposed development could have an impact on these species.

Species	Relevant Sites	Activities which could have impacts on species	Possible Impacts Identified? Y/N
Otter	River Nore River Barrow Lower River Suir Note: Otters are a strictly protected species. All breeding sites and resting places are protected regardless of whether or not they are within or external to Special Areas of Conservation.	Activities that interfere with river banks.	N
Atlantic Salmon	River Barrow River Nore Lower River Suir	Activities that interfere with water quality, levels or the river bed;	N
River Lamprey	River Barrow River Nore Lower River Suir	Activities that interfere with water quality, levels or the river bed;	N
Brook Lamprey	River Barrow River Nore Lower River Suir	Activities that interfere with water quality, levels or the river bed;	N

Species	Relevant Sites	Activities which could have impacts on species	Possible Impacts Identified? Y/N
Sea Lamprey	River Barrow River Nore Lower River Suir	Activities that interfere with water quality or the river bed – estuarine areas;	N
Twaite Shad	Lower River Suir	Activities that interfere with water quality or the river bed – estuarine areas;	N
Crayfish	Lower River Suir	Activities that interfere with water quality or the river bed;	N
Freshwater Pearl Mussel	River Barrow River Nore Lower River Suir	Activities that interfere with water quality, levels or the river bed ;	N
Nore Freshwater Pearl Mussel	River Nore	Activities that interfere with water quality, levels or the river bed ;	N

Conclusion: If the answer to all of the above is no, significant impacts on species can be ruled out. If the answer to any of the above is yes, then further information is likely to be required in relation to potential for impact on that particular species. Where potential impacts are identified on Otters or on Bats outside designated sites, then further information should be sought in the form of a species specific survey. In these cases, appropriate assessment is not required.

Habitats Directive Screening Conclusion Statement

Development Type	<i>Part 8</i>
Development Location	<i>Haggartsgreen, Callan, Co. Kilkenny</i>
Natura 2000 sites within impact zone	<i>Kings River 280m south</i>
Planning File Ref	<i>07/20 (Part 8)</i>
Description of the project	
Demolish existing house and construct new dwelling house	
Describe how the project or plan (alone or in combination) could affect Natura 2000 site(s).	
None	
If there are potential impacts, explain whether you consider if these are likely to be significant.	
None	
Conclusion of assessment Having regard to the precautionary principle, it is considered that:	
<input checked="" type="checkbox"/> Significant impacts can be ruled out or AA not required (if project is directly connected or necessary to Management of Natura 2000 site (determined in consultation with NPWS)). <input type="checkbox"/> Significant impacts are certain, likely or uncertain (cannot be ruled out), Natura Impact Statement (NIS) is required. <input type="checkbox"/> Project must be subject to appropriate assessment.	
Documentation reviewed for making of this statement.	
GIS and application documents	
Completed By	<i>Deirdre Breen</i>
Date	<i>08/12/2020</i>