



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

**RE: PART VIII - TURFMARKET, GRAIGUENAMANAGH, KILKENNY
PROVISION OF CAR PARK AND PUBLIC TOILETS**

*Planning & Development Acts 2000 - 2017
Planning & Development Regulations 2001 - 2018*

DATE: 10th July 2018

Dear Councillor,

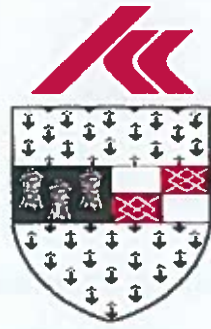
In accordance with 179 of the Planning & Development Act 2000 as amended and Part VIII of the Planning & Development Regulations 2001, as amended, Kilkenny County Council hereby gives notice of its intention to carry out the following development:

**PART VIII - TURFMARKET, GRAIGUENAMANAGH, KILKENNY, PROVISION OF CAR
PARK AND PUBLIC TOILETS**

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 and other Service Departments.

**Colette Byrne
Chief Executive**



KILKENNY COUNTY COUNCIL

REPORT - Dated 9th July, 2018

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

RE: Turf Market Car-park & Public Toilet Project

**For consideration by the Elected Members
of Kilkenny County Council
at monthly meeting to be held
on 16th July 2018**

Structure of Report

- Introduction
- Description of proposed development
- Pre-planning advice
- Notice of development
- Implications for proper planning and sustainable development of the area and copy of Planner's Report dated July, 2018.
- Council's Intention regarding proposed development

Appendix A

Copy of Public Notice,
Part 8 Explanatory Booklet
Site Location Map

Appendix B

Planners Report

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.

Description of Proposed Development

The proposal put forward provides for the following:-

- Demolition of existing buildings (known locally as Murphy Signs);
- Construction of a 15 bay car-park, surfaced with a bound bituminous material;
- The installation of surface water drainage and petrol interceptor;
- The construction of a semi automatic, wheelchair accessible public toilet and adjoining store room;
- Boundary wall upgrades;
- Public lighting improvements;
- The installation of road markings and signage;
- Hard and soft landscaping.

Pre-planning

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

Notice of Development

A notice describing the proposed development was placed in the Kilkenny People, 18th May 2018. A Site Notice was displayed at the site location from 18th May 2018.

Referrals

Department of Arts... (Archaeology)- No report at time of writing.

Department of Arts... (Wildlife) No report at time of writing.

Conservation Officer- Discussed with Conservation Officer 4th July 2018-No change to report at pre-planning stage.

Implications for Proper Planning and Sustainable Development of the

Area

The proposed development is consistent with the provisions of the Graiguenamanagh Local Area Plan, the Kilkenny County Development Plan 2014-2020 and is compatible with the proper planning and sustainable development for the area. Copy of a report to this effect from the Planning Department is appended to this report.

Appended to this report are reports from (see Appendix B):

- Planning Department

All conditions/comments will be taken into account when preparing the detailed tender drawings.

Submissions Received

4 no. valid Third Party submissions were received

1. Breda Foley, Turfmarket, Graiguenmanagh.
2. Phyllis Parsons, Turmarket, Graiguenamanagh.
3. Betty Foley, Turfmarket, Graiguenmanagh.
4. Phyllis Murray, Lower Main Street, Graiguenamanagh.

Kilkenny County Council's Intention
Regarding Proposed Development

Proposed Development: Part 8 Proposal
Turf Market Car-park & Public Toilet Project

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 and other Service Departments.

SIGNED

Tim Butler

Tim Butler
Director of Services

Appendix A

- Copy of Public Notice
- Part 8 Explanatory Booklet May 2018
- Part 8 Site location Map



NOTICE OF PROPOSED DEVELOPMENT BY A LOCAL AUTHORITY
Comhairle Chontae Chill Chainnigh-Kilkenny County Council

Proposed development by a Local Authority
Section 179 of the Planning and Development Acts 2000-2017 Part 8 of the Planning and
Development Regulations 2001-2018

Turf Market Car-park & Public Toilet Project

In accordance with Part 8, Article 81 of the above Regulations, Kilkenny County Council hereby gives notice of proposals pertaining to the following development:

The proposal put forward provides for the following

- Demolition of existing buildings (known locally as Murphy Signs);
- Construction of a 15 bay car-park, surfaced with a bound bituminous material;
- The installation of surface water drainage provision and petrol interceptor;
- The construction of a semi automatic, wheelchair accessible public toilet and adjoining store room;
- Boundary wall upgrades;
- Public lighting improvements;
- The installation of road markings and signage;
- Hard and soft landscaping.

Plans and particulars of the proposed development will be available for inspection from **18th May 2018 to 15th June 2018** inclusive, on the consult website:

<https://consult.kilkenny.ie/en> and at the following Kilkenny County Council offices:

Location	Opening hours
Planning Department, Kilkenny County Council, County Hall, John Street, Kilkenny City.	From 9am to 1pm & 2pm to 5pm Monday to Friday (Except Public Holidays)
Kilkenny County Council, Thomastown Area Office, Kilkenny Rd, Thomastown, Co. Kilkenny.	From 9am to 1pm & 2pm to 5pm Monday to Friday (Except Public Holidays)
Graigenamanagh Library, Convent Road, Graigenamanagh, Co. Kilkenny.	Tuesday 10am to 8pm Wednesday to Friday 10am to 5pm Saturday 10am to 1.30pm (Except Public Holidays)

Submissions or observations with respect to the proposed development dealing with the proper planning and development of the area in which the development will be carried out may be made

- online on the consult website <https://consult.kilkenny.ie/en> or
- via email to turfmarket@kilkennycoco.ie or
- in writing to the Planning Department, County Hall, John Street, Kilkenny
- The latest date for receipt of comments on the above scheme is **29th June 2018**

Submissions should be clearly marked *Turf Market Car-park and Public Toilet Project*.

Mr. Tim Butler, Director of Services,
Kilkenny County Council, County Buildings, John Street, Kilkenny.

KILKENNY COUNTY COUNCIL
Comhairle Chontae Chill Chainnigh



Part 8 Explanatory Booklet
Turf Market Car-park & Public Toilet Project

May 2018

PROJECT DESCRIPTION AND PRINCIPAL FEATURES

1.0 Brief description of the proposed works

The proposal put forward provides for the following:-

- Demolition of existing buildings (known locally as Murphy Signs);
- Construction of a 15 bay car-park, surfaced with a bound bituminous material;
- The installation of surface water drainage and petrol interceptor;
- The construction of a semi automatic, wheelchair accessible public toilet and adjoining store room;
- Boundary wall upgrades;
- Public lighting improvements;
- The installation of road markings and signage;
- Hard and soft landscaping.

2.0 Background and Reasons for the Scheme

Kilkenny County Council, as the Project Promoter, proposes to undertake the construction of a car-park and public toilet on lands at Turf Market, Graiguenamanagh, Co. Kilkenny.

Car-park

There is limited on-street and off-street public car parking in Graiguenamanagh, particularly in the Lower Main Street and Riverbank area, which in turn creates a barrier to the economic growth and development of the area.

It has been a long standing objective of Kilkenny County Council to increase the parking provision serving the commercial heart of the town. The identification and delivery of new off-street parking provision is defined as a policy action in the Graiguenamanagh Local Area Plan, 2009.

The Plan, the subject of this Part 8 proposal, proposes the construction of an off-street public car-park with the capacity to cater for 15 vehicles, with one of the 15 bays designated for disabled use only.

Public Toilet

Some years ago the public toilets on Convent Road were closed to the public on safety grounds. Issues with the toilet building included:

- Issues of personal safety, as access to the toilet cubicles was located within the building. (Modern toilets have access to the cubicles directly from the street)
- The toilets were not weather tight – extensive damage was done to the toilets during recent cold winters with burst water pipes.
- The toilets were not wheelchair accessible due to the difference in level between the street and the floor level of the toilets.
- The toilets were in a general poor state of repair and in need of improvement/refurbishment works.
- The location of the toilets was considered detached from the town centre and river area and were prone to anti social behaviour and vandalism.

This scheme proposes to provide a new modern toilet with direct access and compliant with current accessibility standards.

3.0 Scheme Benefits

Given the limited existing public parking within the town core, the provision of 15 additional car parking spaces in such close proximity to the commercial heart and riverbank area will provide for a significant boost to the local economy.

The design layout will provide for ease of access for users and provide for an attractive and convenient public space.

The site location will enhance accessibility and connectivity within the town and compliment the Town and Village Renewal Scheme that was undertaken along the Lower Main Street in 2014.

The proposed improvements will promote a sense of place, pride in the local community.

The provision of additional landscaping and planting will improve the visual appearance of the area and enhance the urban realm.

The closure of the public toilets on Convent Road has been an inconvenience to the local community in Graiguenamanagh and also for tourists and visitors to the town. The provision of a new modern toilet facility within close proximity to the town centre, with parking provision directly beside same, will address this issue and add to the amenity / hospitality offering Graiguenamanagh.

4.0 Design Criteria

The roads and traffic element of the scheme shall be designed in accordance with the NRA Design Manual for Roads and Bridges, the DTTaS Design Manual for Urban Roads and Streets and the DoT Traffic Signs Manual, 2010.

The toilet will be constructed in accordance with the requirements of the building regulations, with particular consideration to be given to Part M of the Building Regulations, "Access for People with Disabilities".

5.0 Funding

Kilkenny County Council is in the process of securing ownership of the site which is the subject of the proposed development. However, a financial plan to construct this project will need to be finalised and agreed by Kilkenny County Council, who is currently investigating potential funding streams to deliver same.

To this end, one such funding stream has been identified and an application for funding to deliver this Scheme will be made to the Department of Rural and Community Development, under the current Town and Village Renewal Scheme.

6.0 Screening & Impact Assessments

The following screening and impact assessments were undertaken and a copy of each report is available in Appendix 2 of this booklet:-

- Screening for Appropriate Assessment in accordance with the Habitats Directive;
- Archaeological Impact Assessment Report;
- Architectural and Heritage Impact Assessment Report.

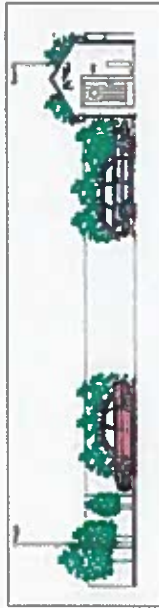
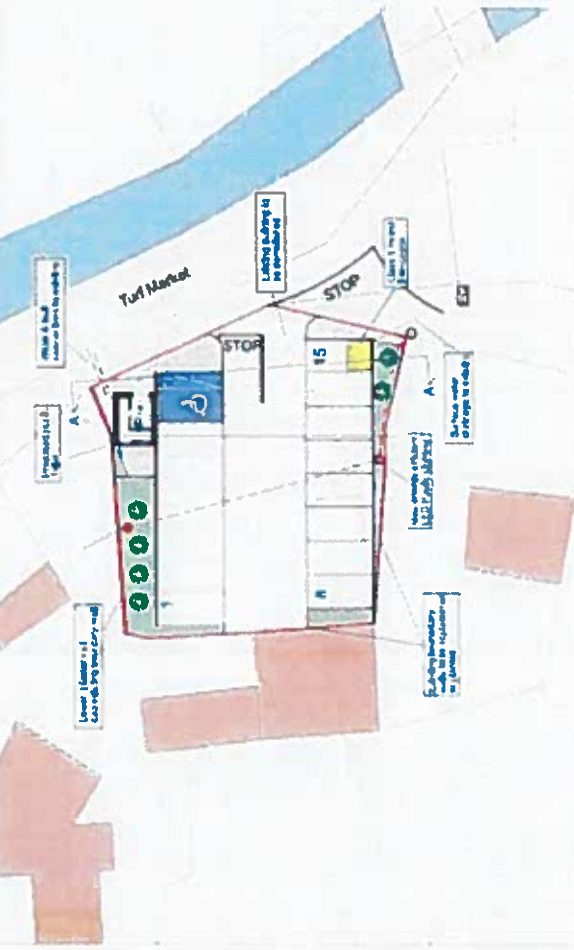
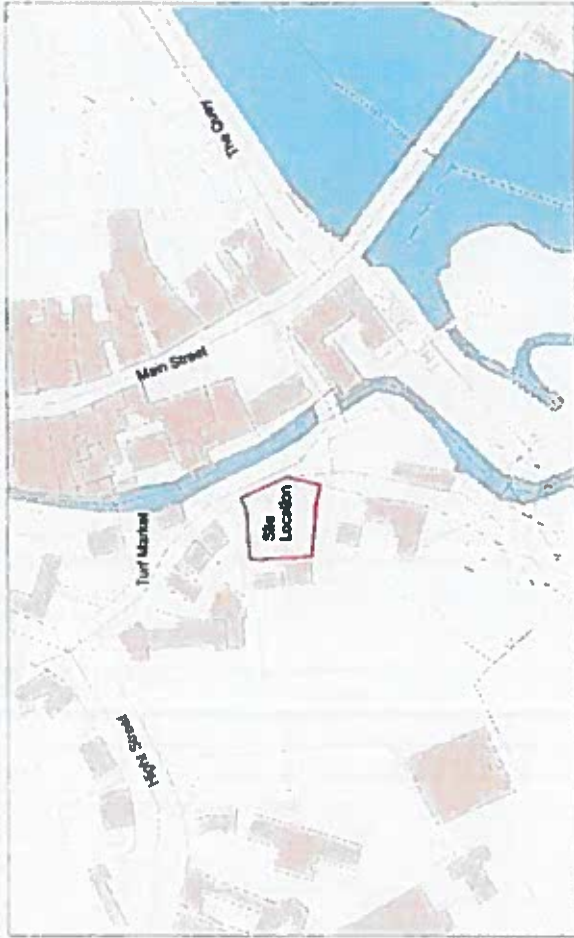
The Preliminary Construction Management Plan for the scheme is included in Appendix 2

7.0 Submissions

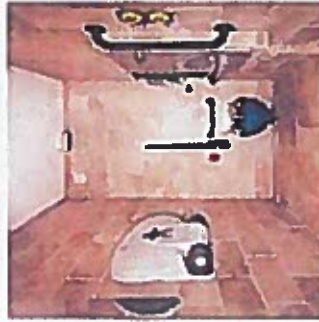
Representations and observations with respect to the proposed development may be made in writing to:

Mr. Tim Butler
Director of Services
Kilkenny County Council
County Buildings
John Street
Kilkenny

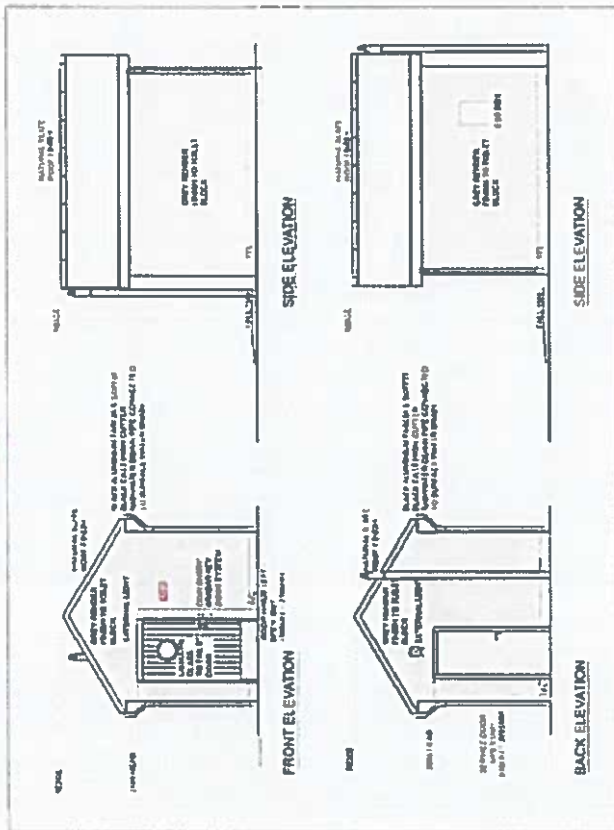
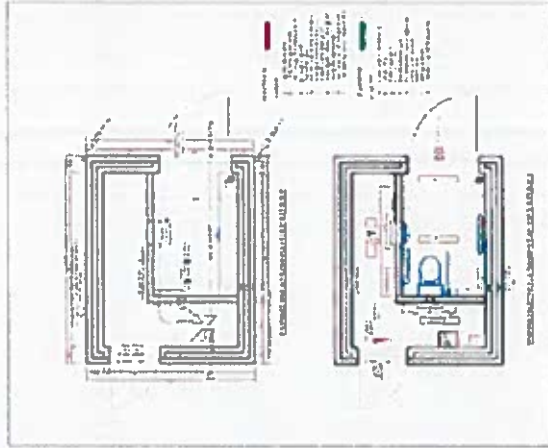
The latest date for receipt of submissions on the above scheme is **29th June 2018**



Cross-Section A-A



Cross-Section A-A



KILBUCK COUNTY COUNCIL
 Community Chamber One Chamber
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Appendix B

Planning report.

Comhairle Chontae Chill Chainnigh
Kilkenny County Council
Part 8 Planning Report



Planning & Development Act 2000-2017
Planning & Development Regulations, 2001 - 2018

Part 8 Ref. No.: Part 8 02/18

Development: Construction of Carpark and public toilet and Turfmarket,
Graigenamanagh, Co. Kilkenny.

Site Location and Description

The site is located in the town centre of Graigenamanagh and fronts onto Turfmarket to the east. This is a narrow roadway with no footpaths which links High Street to the Main Street. The site is currently a single storey building which has been assessed as having no historic value. The site is bound to the north by a private laneway and a small social housing development and by private properties to the west and south.

Planning History on site:

No recent on site history.

Current Proposal - Pre-Planning advice was issued by the Area Planner via email following site inspection on 16th March 2018.

Details of Proposal:

The development involves the following:

- Demolition of existing building known as Murphy Stores
- Construction of a 15 bay car park surfaced with a bound bituminous material
- Installation of surface water drainage provision
- Construction for semi automatic, wheelchair public toilet and adjoining store room
- Boundary wall upgrades
- Public lighting improvements
- Installation of road markings and signage
- Hard and soft landscaping

Referrals:

Department of Arts... (Archaeology) – No report at time of writing

Department of Arts... (Wildlife) – No report at time of writing

Conservation Officer – Discussed with Conservation Officer 4th July 2018 – no change to report at pre planning stage.

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Screening for Appropriate Assessment

A Screening report was carried out by Moore Group Environmental Services which concluded that no significant environmental impact is likely on any Natura 2000 site. See full Appropriate Assessment Screening Report on file.

Third Party Submissions

There are 4no. submissions on file. These have been reviewed by the Roads Department, Kilkenny County Council. The issues raised are summarised below and include a response from the Roads Department:

Brenda Foley, Turfmarket:

- No issue with car park
- Object to public toilet
- Lives beside the site and uses laneway to access her house
- Existing public toilets in Graiguenamanagh – can these not be updated?
- Waste of tax payers money
- Put new toilet beside Globe Pub in centre of town, opposite church and central, in full view of public

The issues above have been considered by the Roads Department who have commented as follows:

- *The refurbishment of the existing toilet at the original location on Convent Lane is not considered suitable as is considered detached from the town centre and river amenity area. The area around the Globe pub was redeveloped recently under the Town and Village Renewal Scheme.*
- *This scheme includes a proposal to provide a new modern toilet with direct access and compliant with current accessibility standards and benefits from the following provisions:*
 - (a) A single cubicle toilet is proposed.*
 - (b) Access is to the cubicle directly from the street so address issues of personal safety.*
 - (c) The toilet would be weather tight reducing the risk of damage during cold weather.*
 - (d) The toilet would be fully wheelchair accessible.*
 - (e) The design of toilet, single occupant use, minimum charge along with passive surveillance will mitigate against the risk of anti-social behaviour and nuisance.*
- *The proposed development will not prevent or obstruct access to laneway.*

Phyllis Parsons, Turfmarket, Graiguenamanagh, Co. Kilkenny:

- Site is opposite a dangerous bend on a bridge linking Turf Market to the Market Square/Main Street. Road already too narrow for two way traffic. Car park will result in significant volume of new traffic – will Turf Market become a one-way street? If not, why not?
- Will parking be prohibited on the Turf Market if car park is developed?
- Will there be a charge for parking? Code operated barrier?
- No footpath on Turfmarket – will a footpath be built?
- What are Council's plans for derelict forge building on the opposite side of the street?
- Why is Council not maintaining existing facilities on Convent Road?
- How often will it be cleaned? What is budget? Danger it could run into disrepair like Convent Road building.

The issues above have been considered by the Roads Department who have commented as follows:

- *The carpark is of a small scale with only 15 spaces proposed. Any traffic movements which take place will be spaced throughout the day.*

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- *The road at Turfmarket is of short length and its layout is such as to create passive traffic calming leading to slower traffic speeds. It is considered adequate for the traffic movements envisaged as a result of this proposed scheme.*
- *Changing the existing traffic flows to one-way is not proposed as part of this scheme. Traffic speeds within the Turfmarket are low, it is likely if a one-way system was introduced traffic speeds would increase as the current give way practice which slows vehicles down would be removed.*
- *The provision of the new parking area will mitigate the current hop-hazard regime that currently operates along the Turfmarket, thus, improving safety for vulnerable and vehicular road-users.*
- *It is not proposed to charge for this carpark. Its purpose is to increase the limited parking available in the town centre area.*
- *The provision of a footpath on Turfmarket is not within the scope of this proposal. The road will continue to act as a shared surface and the provision of additional signage will be considered at detailed design stage.*
- *The derelict forge is not within the scope of this proposal.*
- *The existing toilets are no longer fit for purpose. The refurbishment of the existing toilet at the original location on Convent Lane is also not considered suitable as is considered detached from the town centre and river amenity area.*
- *This scheme proposes to provide a new modern toilet with direct access and compliant with current accessibility standards and benefits and benefits from the following provisions:*
 - (a) *A single cubicle toilet is proposed.*
 - (b) *Access is to the cubicle directly from the street so address issues of personal safety.*
 - (c) *The toilet would be weather tight reducing the risk of damage during cold weather.*
 - (d) *The toilet would be fully wheelchair accessible.*
 - (e) *The design of toilet, single occupant use, minimum charge along with passive surveillance will mitigate against the risk of anti-social behaviour and nuisance.*

Betty Foley, Turfmarket, Graiguenamanagh, Co. Kilkenny:

- *More cost effective to remove existing toilets at library?*
- *Local residents need a footpath to walk safely to the supermarket*
- *Is it possible to make Turfmarket one way?*

The issues above have been considered by the Roads Department who have commented as follows:

- *The existing toilets are not fit for purpose anymore. In addition the location on Convent Lane is not considered suitable as is considered detached from the town centre and river amenity area.*
- *This scheme proposes to provide a new modern toilet with direct access and compliant with current accessibility standards and benefits from the following provisions:*
 - (a) *A single cubicle toilet is proposed.*
 - (b) *Access is to the cubicle directly from the street so address issues of personal safety.*
 - (c) *The toilet would be weather tight reducing the risk of damage during cold weather.*
 - (d) *The toilet would be fully wheelchair accessible.*
 - (e) *The design of toilet, single occupant use, minimum charge along with passive surveillance will mitigate against the risk of anti-social behaviour and nuisance.*
- *The provision of a footpath on Turfmarket is not within the scope of this proposal. The road will continue to act as a shared surface and the provision of additional signage will be considered.*

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- *Changing the existing traffic pattern to one-way is not proposed as part of this scheme. Traffic speeds within the Turfmarket are low, it is likely if a one-way system was introduced traffic speeds would increase as the current give way practice which slows vehicles down would be removed. The removal of the existing hap-hazard parking in the area will improve traffic flow.*

Phyllis Murray, Lower Main Street, Graiguenamanagh, Co. Kilkenny:

- Objects to public toilets
- Car park would be a great help
- Public toilets would attract hooligans and graffiti
- Source of distress for long standing residents
- Reconsider the original location or the Fair Green , near the Garda Station.

The issues above have been considered by the Roads Department who have commented as follows:

- *A modern new public toilet at the original location on Convent Lane or the Fair Green is not considered suitable as is considered detached from the town centre and river area. This scheme proposes to provide a new modern toilet with direct access and compliant with current accessibility standards and benefits from the following provisions:*
 - (a) *A single cubicle toilet is proposed.*
 - (b) *Access is to the cubicle directly from the street so address issues of personal safety.*
 - (c) *The toilet would be weather tight reducing the risk of damage during cold weather.*
 - (d) *The toilet would be fully wheelchair accessible.*
 - (e) *The design of toilet, single occupant use, minimum charge along with passive surveillance will mitigate against the risk of anti-social behaviour and nuisance.*

Assessment

The proposed development of a carpark and public toilet includes the following:

- Demolition of existing building known as Murphy Stores
- Construction of a 15 bay car park surfaced with a bound bituminous material
- Installation of surface water drainage provision
- Construction for semi automatic, wheelchair public toilet and adjoining store room
- Boundary wall upgrades
- Public lighting improvements
- Installation of road markings and signage
- Hard and soft landscaping

Zoning

The site is zoned 'Mixed Use' in the Graiguenamanagh Local Area Plan. Use of the site for car parking and toilets is acceptable in principle and complies with the zoning objective for the area.

The need for a car park is apparent by the number of cars that currently park along the Duiske River wall, directly opposite the site.

Conservation

The proposed development is within the Graiguenamanagh Architectural Conservation Area (ACA). The file was referred to the Conservation officer who stated:

The purpose of defining the Graiguenamanagh ACA is to ensure the presentation of character of the traditional townscape, while promoting appropriate new development as opportunities arise in a manner that respects and reinforces the special character.

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An Architectural Heritage Impact Assessment was carried out to assess the impact to the proposal of demolition of a building within the ACA. The assessment concluded that the buildings which are proposed for demolition are of no architectural merit and have a negative impact on Turfmarket setting as does the on street car parking. It is stated that the inclusion of small carpark and public toilet will have a positive impact on the streetscape and on the site setting.

I agree with the recommendation above. The Conservation officer also has no objection to the demolition of the structure located within the ACA.

Archaeology

The site is proximate to the Historic Town of Graiguenamanagh, an archaeological monument by inclusion in the RMP, K.K.029-018, and is adjacent to the Duiske River, which was an integral part of the medieval town. An archaeological assessment was carried out by Colm Flynn which concluded mitigation measure of advanced archaeological test trenching is proposed to ameliorate the risk

The file was referred to the Conservation Officer who, having reviewed the archaeological Assessment, has recommended that all ground works for the proposed development be monitored by a qualified archaeologist under licence from the National Monument Service. However, the test trenching may eliminate this requirement. The need will be determined by the appointed archaeologist.

The file was also referred to the Department however no report has been received to date.

The Conservation Officer has recommended that as part of the proposed works, double yellow lines be instated along the Duiske River wall in order to prohibit parking, therefore increasing the appreciation of the surrounding historic environment. However, it is acknowledged that parking restrictions of this nature require specific parking by-laws and are thus outside the scope of this project. The comments will be retained on file and taken into consideration as part of any future traffic management plan for the town.

Impact on Natura 2000 site

The proposed site is approximately 10m from the Duiske River which is a tributary of the River Barrow and is part of the River Barrow and River Nore Special Area of Conservation (SAC).

A screening report was prepared by Moore Group Environmental Services which concludes that no significant impact is likely and that there would be no direct impact on River Barrow and River Nore SAC or its associated European site designation.

The screening report has been referred to National Parks and Wildlife Service however no response has been received to date.

All recommendations set out in the Appropriate Assessment Screening report, carried out by Moore Group Environmental Services and dated 14th May 2018, shall be adhered to.

Other Comments

In order to comply with the principles of an Age Friendly County consideration should be given to designation of an age friendly Car Parking space within the scheme.

Conclusion and Recommendation:

The Planning Authority considers that the principle of the proposed development is consistent with the zoning objectives for the site and accords with the policies and objectives of the

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Graiguenamanagh Local Area Plan, the Kilkenny County Development Plan 2014 - 2020 and 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 the adjoining Natura 2000 site.

It is therefore recommended that the Part 8 application for the provision of a carpark and public toilet at Turf Market, Graiguenamanagh, Co. Kilkenny, be approved by Council.



Arlene O'Connor
Senior Executive Planner

Date 9/7/18

I agree with the above report.



Denis Malone
Senior Planner

Date 6/7/2018