



An
Bord
Pleanála

Board Order ABP-304994-19

Planning and Development Acts, 2000 to 2019

Planning Authority: Kilkenny County Council

Applications by Christopher O’Keeffe of 5 Greenfields, Freshford Road, Kilkenny and by Enya Kennedy of 5 The Cornstore, Green Street, Kilkenny requesting An Bord Pleanála to exercise its powers under article 250(3)(a) of the Planning and Development Regulations, 2001, as amended, whether the local authority should be directed to prepare a Natura Impact Statement in respect of the proposed demolition of the Maturation Building on the former Smithwicks Brewery Site (Abbey Quarter), Townland of Gardens, Kilkenny.

Decision

Direct the local authority not to prepare a Natura Impact Statement in respect of the said proposed development based on the reasons and considerations set out below.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard.

Reasons and Considerations

Having regard to:

- (a) the nature and scale of the proposed development, including the limited extent of the demolition works, the lack of any likely construction-related emissions and the fact that any surface/rain water will be conveyed to the existing foul sewer system,
- (b) the location of the proposed development outside of any Natura 2000 Site,
- (c) the lack of direct hydrological connections to the River Nore,
- (d) the separation distance between the proposed development and the European Sites at the closest points,
- (e) the intervening ground conditions, comprised of concrete, that characterises the proposed development site,
- (f) the lack of in-combination effects arising from other proposed and permitted development in the vicinity,
- (g) the submissions made to the Board, and
- (h) the report and recommendation of the person appointed by the Board to make a report and recommendation on the matter,

