



An
Bord
Pleanála

Inspector's Report

ABP-322179-25

Development	Widening of existing vehicular access
Location	12 Bishop's Hill, Troy's Lane, Kilkenny
Planning Authority	Kilkenny County Council
Planning Authority Reg. Ref.	2560008
Applicant(s)	Ann Child
Type of Application	Planning Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellant(s)	Ann Child
Observer(s)	None
Date of Site Inspection	19 th of June 2025
Inspector	Caryn Coogan

1.0 Site Location and Description

- 1.1. The subject site is located north of Kilkenny City Centre on the west side of the River Nore , in close proximity to St. Canice Cathedral.
- 1.2. As the address would suggest, *Troy's Lane*, is a narrow laneway, linking Bishop's Hill with Loreto View. The lane is flanked on both sides by rubble stone boundary walls dating back to 1850s, which is listed in the Architectural Inventory of Regional Importance.
- 1.3. The subject site includes a two-storey end of terrace dwelling orientated onto Bishop's Hill. The gable wall is aligned onto Troy's Lane. There is a yard area to the rear of the dwelling, a carport and an extensive rear garden backing onto an old cemetery. Beyond that is a small housing estate called Troys Park.
- 1.4. There is a vehicular access at the rear of the dwelling, 2.4metres wide, onto Troy's Lane, which is the subject of the appeal. There are roller shutters concealing the carport off Troys Lane.. There is a concrete pier either side of the carport door, which is connected on the left to the old wall along the lane. Also along a short section of the property's boundary wall onto Troy's Lane there is a random small section of block and nap plaster finish, to the left of the carport. Please refer to photographs taken during my site inspection.

2.0 Proposed Development

- 2.1. The proposed development consists of widening of an existing vehicular access onto Troy's Lane, removal of carport, extension of rear yard and all associated works.
- 2.2. The existing access is 2.7m wide onto Troy's Lane and it is proposed to widen it by 2m to 4.7metres, by removing 2metres of the existing stone wall. The access would .be controlled by a roller shutter with a grey paint finish.

3.0 Planning Authority Decision

3.1. Decision

On the 3rd of March 2025, Kilkenny Co. Co. REFUSED the proposed development for one reason.

Having regard to the planning history of the site and the previous refusal for a similar proposal and the Character Statement of the St Canice's Conservation area within the Kilkenny City & County Development Plan 2021 – 2027 which references the lanes around as "laneways that surround it and which criss-cross it being another significant feature which contributes to the character of the area, it is considered that Troy's Lane, which is one of a small number of laneways within the St. Canice's Architectural Conservation Area is a significant characteristic of the Architectural Conservation Area (ACA). It is an objective of the current Kilkenny City & County Development Plan 2021 – 2027 to protect the historic and architectural character of the St. Canice's Cathedral Architectural Conservation Area. The proposed development if permitted would involve the loss of important historic fabric and would detract from the character of the ACA and would be contrary to objective SCACA 1 of the Kilkenny City & County Development Plan 2021 – 2027 and would therefore contrary to the proper planning and sustainable development of the are

3.2. Planning Authority Reports

3.2.1. Planning Reports

Following the report from the Conservation Officer, the Planning Report recommended 'Further Information'.

- The applicant to consider revised proposals to retain the existing entrance and to use mirrors on the opposite side of the road to gain entry and taking some of the wall to the right of the garage removing some of the high-level yard steps to assist with sightlines.

This recommendation was overruled by the Senior Planner who recommended a **Refusal** having considered the Planning Report, Conservation Officer's Report,

Planning History and the development plan policy. The reason for refusal cited is outlined above under Section 3.1 of this report.

3.2.2. Other Technical Reports

- Roads Design (24/02/2025) – No objection. A construction and traffic management plan required during construction. A road opening licence is required.
- Conservation Report (27/02/2025) -Further Information is recommended.

The laneways in Kilkenny and their fabric is an essential component in the city's character. The loss of this section of wall further removes historic fabric (this section is over 260 years old) to the point that very little of the original walls remains.

Alternatives, I suggested at the previously site meeting in 2023, were:

- the use of a mirrors of the opposite of the road to assist with entry onto the road
- there may also be a possibility of taking some of the wall to the right of the garage to assist with site lines.

While I acknowledge the issue around ingress and egress from the garage, in order to retain one of the last sections of early historic masonry on the lane, then alternative solutions should be sought. I consider the removal of the wall as the most intrusive option and would favour less destructive / intrusive measures.

3.3. Prescribed Bodies

There was no response from the Prescribed Bodies. The planning authority had notified the Department of Housing, Local Government and Heritage about the application. There was no response received during the statutory period.

3.4. Third Party Observations

There were no third-party submissions received.

4.0 Planning History

4.1 Planning Reference 00990072:

Planning permission granted to form an entrance to the back garden halfway along Troy's Lane. This permission was not executed, and it lapsed.

4.2 Planning Reference 12990070:

Planning permission refused to widen existing access onto Troy's Lane from 2.7m-6m.

5.0 Policy Context

5.1. Development Plan

The relevant development plan is the **Kilkenny City and County Development Plan 2021-2027 Volume 2 City.**

4.3.2 Walled Town

The Kilkenny City walls, built during the medieval period, would have historically formed a defensive line around the medieval town. Today, the walls are part-standing and part-buried. Town defences are considered to be monuments for the purposes of the National Monuments Acts, 1930-2004. The Council will support the National Policy on Town Defences¹⁰⁴ which sets out national policy for the protection, preservation and conservation of the defences of towns and cities.

4.5.3 St. Canice's ACA

Description and historical background St. Canice's Cathedral, which gives its name to the city (Cill Chainnigh, Church of Canice), is the central landmark in this area which encompasses an area running from Butt's Green in the west to the River Nore in the east and bounded to the north by a line running from the Freshford Road west to Granges Road (See Figure HS8). The area is known as Irishtown and was historically always separated from Hightown by the River Breaghagh, which was prone to flash flooding at certain times of the year, forming a natural boundary between the two. The 13th Century St. Canice's is still surrounded by the remnants

of its close, including the 11th century round tower, the Bishop's Palace, The Deanery, St. Canice's library, alms houses and St. Canice's steps. It is a complex of buildings of enormous significance architecturally, historically and culturally to the city. The area is characterised by narrow lanes and streets which surround the base of the mound on which the cathedral was built – Dean Street, St. Canice's Place, Vicar Street and Troy's Lane. The area also includes sections of the medieval Kilkenny City Walls (Irishtown Circuit).

St. Canice's Catholic Church is another major landmark in the area, occupying a visually prominent position on another of the five hills of Kilkenny, terminating the vista westwards along Dean Street. It was built in 1824-47 in the Gothic style by Rev. Jacob Gorman. The scale and the fine detailing throughout represent a quality rarely seen in churches predating Catholic Emancipation (1829), thereby indicating the religious tolerance in Kilkenny together with the relative prosperity of the local congregation. The area is traversed by a number of small laneways enclosed by high stone walls. There is a predominantly residential character to the area with some institutional buildings and a small number of shops along Dean Street. In the south eastern part of the ACA, Saint Francis' Bridge, provides the newest crossing over the River Nore. The remains of the Bull Inn, a 17th century medieval tavern which originally faced onto Saint Canice's Place, is located near the Bridge (RMP ref KK019-026107). Green Street which runs east off Vicar Street towards Greens Bridge is an area of mixed uses with some vacant commercial buildings which have potential for renovation and re-use

ACA Development Management Requirements based on assessment of special character.

SCACA 1: To protect the historic and architectural character of St. Canice's Cathedral and its unique setting and to protect the grouping of the Cathedral, Library, Deanery, and other buildings associated with the administration of the Cathedral. Collectively, these sites have a large zone of visual influence, therefore, all development proposals proximate to these buildings will require visual assessments. Developments which detract from the ACA will not be permitted.

SCACA 2: To protect and retain the historic integrity of the city walls, in accordance with the Kilkenny City Walls Conservation Plan.

SCACA 3: To encourage and facilitate the sustainable adaptation and appropriate re-use of any derelict and under-utilised buildings on Green Street.

SCACA 4: To ensure any buildings proposed on either side of Saint Canice's Place, leading to Saint Francis' Bridge will not detract from the special character of the area, with all massing, scale and urban finish of new development respecting the historic built environment

5.2. Natural Heritage Designations

The River Barrow River Nore SAC is 140m to the east of the subject site.

5.3 EIA Screening

See completed Forms 1 and 2 on file. Having regard to the nature, size and location of the proposed development and to the criteria set out in Schedule 7 of the Regulations I have concluded at preliminary examination that there is no real likelihood of significant effects on the environment arising from the proposed development. EIA, therefore, is not required.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1 The First Party has taken this appeal against Kilkenny Co. Co. decision to Refuse Permission for the widening of the entrance. The following is a summary of the relevant issues raised:

6.1.2 Unjustified Citing of Precedent of Refusal of Permission

- The current planning application is not similar to the previous proposal in 2012.
- The current proposal is to widen the access to 4.7metres and not 6metres as

applied for under reference P12/70.

- The pedestrian access applied for under Reference P12/70 has been omitted.
- There is no loss of hedgerow under the current scheme
- The proposed development would not set an undesirable precedent.
- The current proposal represents significant mitigating measures to address the refusal under P12/70.

The Council is concerned over the loss of 2metres of the wall yet it fails to acknowledge the applicant has maintained considerable length of the wall along her boundary over the years.

There is no acknowledge of the loss of 60m of the original wall to provide a splayed access into Loreto Park during the 1980s.

6.1.3 **Excessive Scoping of Planning Objective SCACA 1**

The reason for refusal cites Objective SCACA 1

SCACA 1: To protect the historic and architectural character of St. Canice's Cathedral and its unique setting and to protect the grouping of the Cathedral, Library, Deanery, and other buildings associated with the administration of the Cathedral. Collectively, these sites have a large zone of visual influence, therefore, all development proposals proximate to these buildings will require visual assessments. Developments which detract from the ACA will not be permitted.

The alteration of a 2metres length of boundary wall without any change to the alignment would not undermine the historic and architectural character of St. Canice's Cathedral.

6.1.4 **Lack of Consideration of Road Safety Issues**

- There is no objection to the development from the Roads Design office.
- Chapter 5 of the Kilkenny City Development Plan is 'Movement and Mobility and Section 5.6.5 includes Laneways.

Kilkenny City contains a network of back lanes connecting residential areas to the city centre. The Council proposes to avail of opportunities to undertake improvements of these lanes through surface treatments, lighting and reducing the use by vehicular traffic. Such works will facilitate greater use of these lanes by pedestrians and cyclists enlivening these lanes and encouraging economic activity opportunities.

An improved access to the applicant's property will improve road safety along Troy's Lane. The lane may be made one-way in the future. The mirrors as suggested by the Consideration Officer would not be allowed by the Road's Design office because they are deemed to be a traffic hazard.

The sole reason for making the planning application was for the traffic safety of the applicant, yet this issue was not assessed in the planning application.

6.1.5 Recommendations to investigate widening the access to the right-hand side

The existing access cannot be widened to the right-hand side as suggested by the Conservation Officer because there is a shower room backing onto the carport. The mains drainage for the houses along Bishops Hill pass under the back yard manholes are photographed, and there is a gas main to the right of the existing carport.

6.1.6 Conclusion

The Board is asked to grant permission for the minimal widening of the entrance and consider the unreasonable assessment by the planning authority in terms of the objective SCACA1 and disregard for road safety issues.

6.2. Planning Authority Response

Kilkenny Co. Co. made a submission to the Commission regarding the issues raised in the First Party appeal. A summary of the submission is as follows:

- The current proposal is similar to the previous planning application assessed under P12/70. The previous proposal was to widen the access to 6.0m, the current proposal is 4.7m.
- The existing access is 2.7m, it is proposed to remove 2.1m under the current proposal, which is similar to previous proposal to remove 3.3m.
- Loreto Park was granted in the 1980s. There have been 5No. development plans since that time, with refinement of the conservation policy, including the provision of conservation areas within the city.
- The attendant buildings of St. Canice's are located on a hill, the streets and laneways that surround it and which criss-cross it being another significant feature which contributes to the character of the area. Objective SCACA is to protect the historic and architectural character of the ACA and not just the cathedral. The planning authority rejects this as an overzealous approach.
- The proposal does not alter the wall. It proposes the complete removal of 2.4m of a historic wall.
- There is a Sustainable Transport Plan (SUMP) for the city which will prioritise cycling and walking in the city.
- The section of wall is over 260 years old, and there is very little of the original walls remaining.

7.0 **Assessment**

7.1. I inspected the site on the 19th of June 2025 and considered the content of the appeal file. It should be noted the Commission referred the appeal to the relevant bodies, The Heritage Council and An Taisce. There was no response received from them. The planning authority had referred the case to the Department of Environment, Local Government and Heritage. There was no response received from it either.

7.2. I intend to examine the case under the following headings:

- Planning History
- Development Plan Policy

- Material Impact
- Traffic/ Safety considerations

7.2 Planning History

- 7.2.1 The current appeal relates to the widening of an existing vehicular entrance into a carport to a width of 4.7metres. The applicant claims the existing 2.4m access, is too narrow, and there are traffic and pedestrian safety issues manoeuvring into carport off Troy's Lane due to its narrow width and heavy traffic on the lane. Therefore, it is proposed to widen the existing access to 4.7metres, by removing an existing pier and 2metres of the existing stone wall. The access would be controlled by a roller shutter with a grey paint finish.
- 7.2.2 Under a previous planning application in 2012, reference 12/70, it was proposed to widen the existing access to 6metres removing 3.3m of the wall (0.4m being a modern pier). The planning authority refused the previous application because of the loss of hedgerow, loss of a substantial section of the historic stone wall and setting an undesirable precedent that would adversely affect the ACA.
- 7.2.3 The principle of the current development is similar to the previous proposal refused on the site. However, the section of the historic wall removal has been reduced by 1m. The width of the revised access under the current proposal will be 4.7m, which is not as significant compared to a previous 6metre wide entrance. I consider the applicant has tried to address the previous reason for refusal under the current proposal. There is no removal of hedgerow proposed under the current proposal.

7.3 Development Plan Policy

- 7.3.1 The reason for refusal cites a conservation objective from the adopted development plan for the area. It states the proposed development is contrary to objective SCACA 1:

'To protect the historic and architectural character of St. Canice's Cathedral and its unique setting and to protect the grouping of the Cathedral, Library, Deanery, and other buildings associated with the administration of the Cathedral. Collectively, these sites have a large zone of visual influence, therefore, all development

proposals proximate to these buildings will require visual assessments.

Developments which detract from the ACA will not be permitted.'

The site is located in an attractive part of Kilkenny City which is adjacent to historical buildings such as St. Canice's cathedral. Under the governance of the current city development plan, the site and Troy's Lane are located within St Canice's Cathedral Architectural Conservation Area. The old stone walls flanking Troy's Lane are listed in the National Architectural Inventory and are considered to be of Regional Importance.

The walls are not protected structures, and the section of wall, which is the subject of this appeal, is not within the curtilage of a protected structure.

The applicant claims the alteration of a 2metre length of wall without any change of alignment would not undermine the historic and architectural character of St. Canice's ACA.

7.3.2 The planning authority considers the streets and laneways which surround and criss-cross the Cathedral contribute to the character of the area. The statement of character in the development plan clearly identifies the laneways as part of the significant character of the ACA. The planning authority is opposed to removal of any part of the historic wall and fails to accept that motorised traffic should be given priority over a characteristic of the Conservation Area.

7.3.3 Having read the context and character of section **4.5.3 St. Canice's Cathedral ACA** I accept the statement of the character of the area includes the streets and laneways that contribute to the character of the ACA. Troy's Lane has exceptional character and the retention of the stone rubble walls is warranted. I note on the National Built Heritage Services website, which states the walls date back from 1840-1860 with the appraisal stating '*sections of walling exhibiting a traditional construction in unrefined locally-sourced rubble stone producing an appealing textured visual effect in the street scene of an historic lane while displaying a pleasing aesthetic quality lacking in modern boundary walls*'.

Although I accept the walls are directly linked to the curtilage of the St. Canice's cathedral. I accept, given the wording of objective in the development plan, that the proposed development should be considered in the context of '*To protect the historic and architectural character of St. Canice's Cathedral and its unique setting*' as stated

under objective SCACA 1. Therefore, I consider the objective to be relevant to this appeal.

7.4 Material Impact

7.4.1 As stated, the relevant boundary wall is not a protected structure. It should also be noted as by the photographs taken on site, that a section exceeding 2metres in lent has a plaster finish to the left of the subject access along the applicant's boundary. Therefore, the entire wall is not intact in the vicinity of the proposed development. In my opinion, this section detracts from the visual and overall conservation qualities of the stone wall in close proximity to the subject access along Troy's Lane.

7.4.2 It should also be noted and acknowledged the applicant owns and maintains a considerable length of the old stone wall from the subject access, all along Troy's Lane to the walls of the old, enclosed cemetery located at Loreto Park housing estate. This is a considerable length of wall, and the applicant wants to remove 2m of the wall to improve the safety of an existing access to her dwellinghouse. The access is not new, it has been associated with her dwellinghouse on Bishop's Hill for a considerable length of time. The parking for the dwelling house cannot be accommodated to the front of the dwelling due to the narrow alignment and curvature of Bishop's Hill road.

7.4.3 I refer to the photo plates taken on site on the 19th of June 2025. Photo 1 indicates where the existing access is located and views from the junction of Troy's Lane with Bishops Hill. In my opinion, the widening of the existing entrance from 2.4 metres to 4.7metres will not create a material or signifigant visual difference to the settings of the old walls as viewed along Troy's Lane or the junction at Bishop's Hill.

7.4.4 To the left-hand side of the existing carport access/ rollershutter there is block and mortar pier. This is to be demolished and accounts for 0.4m of the 2.4m to be demolished in total. Plate 4 highlights the extent of the residual 2m old wall to be removed to accommodate the widened access. Plate 8 demonstrates the context of the section to be removed in the context of the applicant's boundary wall which includes a considerable section of a nap plaster finish. I note the concern expressed in the Conservation Officer's report on file, where it states the section of the wall to be removed is constructed with small river rolled stones and is indicative of earlier

masonry walls in this area. The Conservation Officer recommended the section of wall be retained and that mirrors on the opposite side of the road should be hung and the applicant should consider the demolition of the wall to the right-hand side of the car port. The demolition of the wall to the right-hand side of the existing entrance is not possible because there is living accommodation on the other side of the wall, and manholes serving the terrace on Bishop's Hill in the yard area. The Road's Design Office consider the concept of mirrors to be a traffic hazard.

7.4.5 Ultimately, one has to consider whether the removal of the 2metres of the wall and the widening of the entrance to 4.7m will adversely impact on the setting of the historic townscape and character of area. The design and layout of the proposed development is broadly similar to the existing design and layout along Troys Lane. The scale of the new access is, in my opinion, appropriate to the general scale and legibility of the area. There are no protected structures in the immediate vicinity, including the subject wall. The proposed widening of the entrance will not be of a lesser quality than the existing entrance and in my opinion, will not adversely affect the character of the area. As stated, the applicant cannot widen the entrance to the right hand side because there is an ensuite at this location and manholes serving the entire terrace along Bishop's Hill.

7.4.6 According to the appeal, the applicant had pre-planning discussions with the Conservation Officer and the Roads Department, and it is considered the proposed development as presented, is the most appropriate compromise that will ensure the applicant's safety and minimal impact to the Conservation Area. It should be noted St. Canice's Cathedral dates from the 13th century. Troy's Lane is not directly linked to the cathedral, it located to the north of the main heritage sites, buildings and curtilages associated with the cathedral. Church Lane is the main access to notable buildings within the curtilage of the cathedral. The walls along Troy's Lane, adjacent to the access, are dated circa 230-250 years old. As stated earlier in the report, the applicant owns and maintains a considerable length of the wall, and the removal of the 2m will in my opinion, not impact on the overall character and townscape qualities of the Troys Lane and it represents a reasonable compromise in terms of traffic and pedestrian safety. I am satisfied that the integrity of the Architectural Conservation area will not be materially affected by the proposed development.

7.5 Traffic/ Safety considerations

- 7.5.1 The planning authority is concerned the proposed development places motorised traffic at the centre of the proposal as opposed to the merits of St. Canice's Architectural Conservation Area. However, the access is existing at the subject site. The proposal is to widen it to ensure safer traffic manoeuvres along Troy's Lane. The applicant claims, Troy's Lane is a narrow two-way lane which is heavily trafficked. She has great difficulty manoeuvring into and out of her carport without the assistance of another person.
- 7.5.2 The Road's Design section of the planning authority had no objection to the proposed development. Section 5.6.5 Laneways in the development plan, is relevant, in that it is proposed to reduce the use of the lanes by vehicular traffic and to increase walking and cycling of such laneways.
- 7.5.3 During my short site visit, I was surprised at the level of traffic on the lane, coming in both directions. I felt very unsafe as a pedestrian. I am surprised given it's narrow width, that a one-way system is not in operation along the lane. I consider the applicant's safety concerns to be valid and warranted. I would consider the lane in its current form, has a number of pedestrian and traffic safety issues, and it is encouraging the planning authority is in the process of preparing a Sustainable Transport Plan for the city. However, any plans to reduce the traffic along Troy's Lane are presently, aspirational. Therefore, the application should be assessed on the current status of the lane and the merits of traffic and pedestrian safety issues.
- 7.5.4 The Road's Design office are not satisfied with the use of mirrors at this location. Given the narrow width of the lane, I would agree with the Road's Design office regarding this issue.
- 7.5.5 Given the extent of the applicant's property, and the restrictive nature of the existing access, the level of two-way traffic on a narrow urban laneway, I consider the removal of a small portion of the wall to widen her access to be warranted in this instance in terms of traffic and pedestrian safety.

8.0 AA Screening

- 8.1 Having regard to the proposed development of the widening of an existing access within the boundary of Kilkenny City. Surface water will be directed to public

sewer/drain. The planning report on file stated a Screening exercise was completed. There is no Screening Report on file. The planning report did state that significant environmental impact could not be ruled out on the basis that the site is close to the R. Barrow and River Nore SAC, and there was insufficient information on the treatment of surface water runoff from hard standing areas.

- 8.2 The nearest European Site is the River Barrow and River Nore SAC (Site Code 002162) which is located c. 130m east of the site. The proposal development is a small-scale development involving the demolition of a 2.4m length of wall and the construction of a widened access and carport. The existing back yard area is small and will not increase in size as a result of the development. Therefore, the treatment of surface water run-off is not necessary. There is no hydrological link between the subject site and the European site to the east. It is considered that no Appropriate Assessment issues arise as the proposed development would not be likely to have a significant impact individually or in combination with other plans or projects on a European site by virtue of its scale and location within a serviced urban site.

9.0 Recommendation

- 9.1. I recommend planning permission be granted for the proposed development for the following reasons and considerations.

10.0 Reasons and Considerations

Having regard to the zoning objective of the area, the design, layout and scale of the proposed development and the pattern of development in the area, it is considered that, subject to compliance with conditions below, the proposed development would not seriously injure the visual amenities, the character of the St. Canice's Cathedral Architectural Conservation Area or built heritage of the area and would not endanger public safety or convenience by reason of traffic hazard. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

11.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted to the planning authority on the 10th of January 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Prior to the commencement of the proposed development the applicant shall consult with the Road's Design office regarding the following:
 - (i) A construction and traffic management plan required during construction period of the development.
 - (ii) A road opening licence.

Reason: In the interests of road safety.

3. Prior to the commencement of development the applicant/developer shall submit, for the written agreement of the planning authority, a detailed method statement covering all works proposed to be carried out, including:
 - a) a full specification, including details of materials and methods, to ensure the development is carried out in accordance with current Conservation Guidelines issued by the Department of Arts, Heritage & the Gaeltacht,
 - (b) methodology for the recording and/or retention of concealed features or fabric exposed during the works,
 - (c) details of features to be temporarily removed/relocated during construction works and their final re-instatement,

- (d) protection of the remaining wall during the construction works,
- (e) materials/features of architectural interest to be salvaged,

Details to be accompanied by drawings of an appropriate scale of not less than [1:50] in respect of the boundary wall along Troy's Lane,

Reason: In the interest of the protection of architectural heritage in accordance with the provisions of the Architectural Heritage Protection Guidelines for Planning Authorities.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Caryn Coogan
Planning Inspector

26th of June 2025

Form 1 - EIA Pre-Screening

No EIAR Submitted

Case Reference	322179-25
Proposed Development Summary	Widening of existing entrance
Development Address	12 Bishop's Hill, Kilkenny
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	X Yes, it is a 'Project'. Proceed to Q2.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	Class 10 (b)(i) Construction of more than 500 dwellings
<input type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	

development under Article 8 of the Roads Regulations, 1994. No Screening required.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
<input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	Class 10 (b)(i) Construction of more than 500 dwellings. The proposal consists of the widening of an existing residential entrance on 0.025ha

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
No X	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: _____

Form 2 - EIA Preliminary Examination

Case Reference	322179-25
Proposed Development Summary	Construction of 2.4m widening of an existing entrance
Development Address	Troy's Lane, Kilkenny
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	The entrance is existing. The proposal involves the demolition of a 2.4m section of wall and the construction of a widened entrance. Surface water will be discharged to the public sewer
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	The subject site is located in an Architectural Conservation Area. It is not located in or adjoining a European site. The nearest site is the River Barrow and River Nore SAC which is 140m east of the site My appropriate assessment screening concludes that the proposed development would not likely have a significant effect on any European site. The site is not located in a flood risk area.
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation)	The measures 0.025ha. The size of the development is not exceptional in the context of the existing environment. There are existing dwellings adjoining the development. There is no real likelihood of significant cumulative effects

Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.

Inspector: _____ Date: _____